

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 18-0491-PET

Joint petition of Champlain Broadband, LLC, the City of Burlington d/b/a Burlington Telecom, and Blue Water Holdings LLC, for approvals, pursuant to 30 V.S.A. §109, 231, 504, 47 U.S.C. §214(e), and Section 438(c)(1) of the City of Burlington Charter	
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Order entered: 04/11/2018

PREHEARING CONFERENCE ORDER

On February 26, 2018, Champlain Broadband, LLC, the City of Burlington d/b/a Burlington Telecom, and Blue Water Holdings, LLC (the “Joint Petitioners”) filed a petition with the Vermont Public Utility Commission (“Commission”) for approval pursuant to 30 V.S.A. §109, 231, 504, 47 U.S.C. §214(e), and Section 438(c)(1) of the City of Burlington Charter of a transaction in which Champlain Broadband proposes to acquire Burlington Telecom’s assets (the “Transaction”).

On March 28, 2018, the Commission held a prehearing conference in this matter. Appearances were entered by Daniel C. Burke, Esq., Vermont Department of Public Service; Joslyn L. Wilschek, Esq., and Anthony Iarrapino, Esq., Wilschek Iarrapino Law Office, PLLC, on behalf of Champlain Broadband; Paul J. Phillips, Esq., Primmer Piper Eggleston & Cramer PC, on behalf of Burlington Telecom; and Debra L. Bouffard, Esq., Sheehey Furlong & Behm, on behalf of Blue Water Holdings. Also attending the prehearing conference were Douglas R. Marden, Esq., Law Office of Douglas R. Marden, PLLC, on behalf of Burlington Access Management Organizations (“BAMOs”); and James Dumont, Esq., Law Office of James A. Dumont, PC, on behalf of Sandra Baird, Jared Carter, Dean Corren, Steven Goodkind, Solveig Overby, and Shay Totten (“Citizen Intervenors”).

On March 28, 2018, the BAMOs filed a motion to intervene in this proceeding. Having heard no objections by the parties at the prehearing conference to the BAMOs’ motion to intervene, the BAMOs’ motion is hereby granted. Also on March 28, 2018, the Citizen Intervenors filed a motion to intervene in this proceeding. At the prehearing conference, the

parties agreed that responses to the motion would be due within 14 days of the motion's filing and that replies would be due within 7 days after the response is filed.

On March 27, 2018, Champlain Broadband filed two proposed schedules that were developed in coordination with the other petitioners, the Department, and the BAMOs. At the prehearing conference, the Commission requested that the Joint Petitioners propose alternative dates for the public hearing that would allow Burlington Telecom to provide individual notice to its customers with their bills. On April 3, 2018, the Joint Petitioners proposed alternative public hearing dates and informed the Commission that Burlington Telecom customers would be notified of the public hearing via bill inserts according to the regular billing cycle beginning on April 20, with delivery anticipated by no later than May 1. In its petition, the Joint Petitioners requested that the Commission issue an Order on or before December 31, 2018.

After consideration of the proposed schedules and the additional information described above, the Commission hereby adopts the following schedule:

Date	Event
After prehearing conference	Department and other parties may conduct initial rounds of discovery on the Joint Petitioners on a rolling basis with responses due within 14 days
May 9, 2018	Public hearing in Burlington, Vermont
May 16, 2018	Deadline for timely motions to intervene
The earlier of 14 days after the filing of any timely motion to intervene, or May 21, 2018	Responses due to timely motions to intervene
The earlier of 7 days after the filing of any timely motion to intervene, or May 24, 2018	Replies due to responses to motions to intervene
June 1, 2018	Department and intervenors serve final discovery requests on the Joint Petitioners
June 15, 2018	Responses due to June 1 discovery requests
July 11, 2018	Department and intervenors file testimony


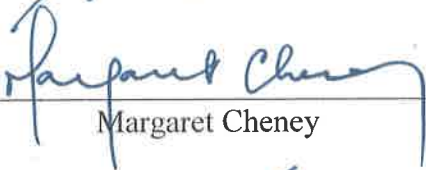

July 18, 2018	Joint Petitioners serve discovery requests on the Department and intervenors
August 8, 2018	Responses due to July 18 discovery requests
August 22, 2018	Joint Petitioners file rebuttal testimony
Week of September 24, 2018	Evidentiary hearing with live surrebuttal
October 15, 2018	Initial briefs, including proposals for decision, due to be filed
October 22, 2018	Reply briefs due to be filed

When motions are filed in this case, consistent with Vermont Rule of Civil Procedure 78 and unless different deadlines are established by the Commission, (1) responses shall be due 14 days after the motion is filed; and (2) replies to any responses shall be due 14 days after the responses are filed.

Parties are reminded that documents submitted in .pdf format should be in an “unlocked” format, i.e., searchable and extractable, rather than in an image format.


SO ORDERED.

Dated at Montpelier, Vermont, this 11th day of April, 2018.

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Anthony Z. Roisman)	PUBLIC UTILITY
)	
)	
Margaret Cheney)	COMMISSION
)	
)	
Sarah Hofmann)	OF VERMONT

OFFICE OF THE CLERK

Filed: **April 11, 2018**

Attest: 
Clerk of the Commission

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: puc.clerk@vermont.gov)

PUC Case No. 18-0491-PET - SERVICE LIST

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