



ALLCO RENEWABLE ENERGY LIMITED

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June 29, 2018

Jake Clark
Vermont Public Service Department
112 State Street
Montpelier, VT 05620

Re: **Docket 17-5024 PET – Notices of Deposition**

Dear Jake:

Attached please find the notice of deposition for David Raphael and the 30(b)(6) notice for the Department of Public Service. Please let us know if any of the dates do not work for depositions and we will work on selecting mutually convenient date for everyone.

Please feel free to contact me with any questions.

Very truly yours,

Michael Melone

**STATE OF VERMONT
BEFORE THE
PUBLIC UTILITY COMMISSION**

**Petition of Chelsea Solar LLC
for a certificate of public good,
pursuant to 30 V.S.A. § 248,
authorizing the installation and
operation of a 2.0 MW solar
electric generation facility
located off Willow Road in
Bennington, Vermont**

) **Docket No. 17-5024-PET**
)
) **NOTICE OF DEPOSITION OF THE**
) **VERMONT DEPARTMENT OF PUBLIC**
) **SERVICE**
) **Date: August 27, 2018**
) **Time: 9:00 am**
) **Place: Paul Frank + Collins,**
) **One Church Street,**
) **Burlington, VT 05401**

PLEASE TAKE NOTICE that Petitioner Chelsea Solar LLC (“Chelsea”) will take the deposition of the Vermont Department of Public Service (“DPS”), on August 27, 2018. The deposition will occur at Paul Frank + Collins, One Church Street, Burlington, VT 05401, beginning at 9:00 a.m. The deposition will be conducted by oral examination before a certified shorthand reporter duly authorized to administer oaths under the laws of the State of Vermont and will be recorded stenographically. Chelsea may also record the testimony using audio/video technology and through the instant visual display of testimony.

Pursuant to Rule 30(b)(6) of the Vermont Rules of Civil Procedure ("VRCP"), DPS must designate and produce at the deposition one or more officers, directors, or managing agents, or other persons who consent to testify and who possess sufficient knowledge to testify about the following:

1. DPS involvement in Public Utility Commission (“PUC”) Docket Nos. 8302, 8454 and 17-5024;
2. Orderly development of the Bennington region;
3. The Act 174 planning process;
4. Aesthetics of the Chelsea Solar project (the “Project”);

5. The negotiations of the two memorandums of understanding between DPS and Chelsea in Docket No. 8302 (the “MOUs”), including, without limitation all negotiations regarding landscape mitigation measures.
6. All topics covered in the prefiled testimony of David Raphael in Docket No. 17-5024.
7. Staffing at DPS with respect to PUC Docket Nos. 8302, 8454 and 17-5024;
8. The 2010 Bennington Town Plan (the “Town Plan”) provisions concerning development in the Rural Conservation (“RCON”) zone including without limitation how those relate to the Chelsea solar project (the “Project”);
9. The Town of Bennington’s (the “Town”) land Use and Development Regulations concerning the RCON zone including without limitation how those relate to the Project;
10. The October 23, 2006 Amendment to the Bennington Land Use and Development Regulations including without limitation how those relate to the Chelsea project;
11. The April 11, 2016 Town Plan Amendment regarding solar siting including without limitation how those relate to the Chelsea solar project (the “Project”);
12. The Town’s solar screening ordinance including without limitation how those relate to the Project;
13. The Town Plan’s provisions concerning renewable energy including without limitation how those relate to the Project;
14. The Town’s efforts regarding renewable energy including without limitation how those relate to the Project;
15. The Bennington County Regional Plan (May 17, 2007) and how it relates to the Project;
16. Development of the in the Paper Mill Solar Project in the RCON (Docket No. 16-0049-NMP);
17. Development of the Kobelia Solar Project in the RCON (Docket No. NMP-6523);
18. Development of the Bennington substation project in the RCON (Docket No. 8020);
19. Development of cell towers in the RCON.
20. Development of the ER Bennington I Solar Project (Docket No. 16-0044-NMP);
21. Development of the Maple Leaf Solar Project (Docket No. 16-0002-NMP);
22. Development of the Bennington Sheriff GLC Solar Project (Docker NM-6646);
23. Information provided to DPS regarding the Project;
24. DPS communications with Annette Smith, the Apple Hill Homeowners Association,

Roberta Caslin, David Griffin, Maru Lean, Lora Block, Caroline McEver, Libby Harris and Rick Carroll regarding the Chelsea Project;

25. The transition of Jeanne Elias off of Chelsea Solar LLC;
26. DPS involvement in the appeal to the Vermont Supreme Court of the PUC denial of a certificate of public good in Docket No. 8302;
27. DPS involvement in Docket No. 8188 (Petition of Rutland Renewable Energy for the Cold River Project), including DPS involvement at both the Commission and in the Vermont Supreme Court Appeal;
28. Cumulative impacts of the Project and the Apple Hill solar project (Docket No. 8454);
29. DPS Comprehensive Energy Plan;
30. DPS Total Energy Study;
31. DPS' role in the Vermont Solar Pathways Report;
32. The legal status of the MOUs;
33. The May 17, 2018 vested rights order in Docket No. 17-5024;
34. The aesthetics report and other documents of Jean Vissering in Docket 8302.
35. The aesthetics report and other documents of Jean Vissering in Docket 8454.
36. The effect of PFOA contamination on orderly development.
37. The DPS decision to file testimony in Docket No. 17-5024.

The person(s) designated must testify about all information known or reasonably available to the Town concerning the foregoing topics.

PLEASE TAKE FURTHER NOTICE that pursuant to Rules 30 and 34 of the VRCP, DPS must produce at the deposition all documents and materials that its representative(s) reviewed or relied upon in preparation for the deposition.

Dated: June 29, 2018

/s/ Michael Melone

Michael Melone

Attorney for Chelsea Solar LLC