

**State of Vermont**  
**Department of Public Service**  
112 State Street  
Montpelier, VT 05620-2601  
<http://public.service.vermont.gov>

[phone] 802-828-2811  
[fax] 802-828-2342  
[tdd] 800-734-8390

April 1, 2019

Ms. Judith Whitney, Clerk  
Vermont Public Utility Commission  
112 State Street, Floor 4  
Montpelier, Vermont 05620

Re: Case No. 18-0491-PET – Petition for Sale of Burlington Telecom Assets  
PSD Response to Intervenors’ Motion to Amend or Alter

Dear Ms. Whitney:

On March 15, 2019, Sandra Baird, Esq. et al. (Intervenors) filed *Motions Pursuant to V.R.C.P. 52 and 59 for Additional Findings and to Alter or Amend* (Intervenors’ Motions) with the Public Utility Commission (Commission). The Department of Public Service (Department) reviewed the Intervenors’ Motions and finds that the arguments presented therein do not warrant modification of the Commission’s determinations that the sale of the Burlington Telecom assets to Champlain Broadband, LLC promotes the public good; satisfies any requirements set out in the Commission’s November 3, 2014 Order in Docket No. 7044; and is consistent with relevant legal criteria including 30 V.S.A. §§ 109, 231, and 504, applicable Commission rules, and the City of Burlington Municipal Charter. The Intervenors’ Motions largely restate arguments that were already addressed and resolved by the Commission in its February 19, 2019 Final Order in this matter. The Intervenors’ Motions do not present factual or legal arguments that justify altering or amending the Final Order under V.R.C.P. 52 and 59. Accordingly, the Department recommends that the Intervenors’ Motions be denied.

Sincerely,

/s/ Daniel C. Burke

Daniel C. Burke  
Special Counsel

cc: Parties of Record (by ePUC)