

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 8585

Investigation into Meteorological Tower at 700 Kidder Hill Road in Irasburg, Vermont	
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Order entered: 06/26/2019

STATUS CONFERENCE ORDER

This case concerns an alleged violation of 30 V.S.A. §§ 246 and 248 by Mr. David Blittersdorf for the construction of a meteorological tower on his property at 700 Kidder Hill Road in Irasburg, Vermont without first obtaining a certificate of public good.

On June 25, 2019, I held a status conference in this matter. Appearances were entered by Leslie A. Cadwell, Esq., Legal Counselors & Advocates, PLC, on behalf of David Blittersdorf;¹ James Porter, Esq., Vermont Department of Public Service; and Kane Smart, Esq., Vermont Agency of Natural Resources.

At the status conference, counsel for Mr. Blittersdorf recommended that I reconsider a prior order denying cross-motions for summary judgment in light of the Vermont Supreme Court's decision in Case No. 2018-120² and based on the information filed into the record of this proceeding to date. Both the Department of Public Service ("Department") and the Agency of Natural Resources ("ANR") concurred with this suggestion.

I informed the parties that I believed that additional information would be helpful to the Commission in deciding this case. Accordingly, I explained to the parties that I will be issuing question to Mr. Blittersdorf before any reconsideration of my earlier order denying the cross-motions for summary judgment.

Therefore, I will issue questions to Mr. Blittersdorf after I review the materials already filed into the record of this case. Mr. Blittersdorf shall have two weeks to file his answers to those questions and may include with his answers any recommendations on how to proceed with this investigation. The Department and ANR shall than have an additional two weeks to file any

¹ Attorney Cadwell attended the status conference via telephone.

² *In re Construction and Operation of a Meteorological Tower*, 2019 VT 20 (April 26, 2019).

comments and procedural recommendations in response to Mr. Blittersdorf's filing. I will provide specific deadlines when I issue the questions.

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.

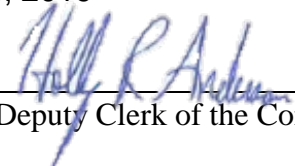
Dated at Montpelier, Vermont, this 26th day of June, 2019.



John J. Cotter, Esq.
Hearing Officer

OFFICE OF THE CLERK

Filed: June 26, 2019

Attest: 
Deputy 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. 8585 - SERVICE LIST

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