

STATE OF VERMONT  
PUBLIC SERVICE BOARD

VERMONT PUBLIC  
SERVICE BOARD

2016 FEB 8 AM 10 21

Docket No. 8585

Investigation into Meteorological Tower at 700 )  
Kidder Hill Road in Irasburg, Vermont )

RESPONDENT DAVID BLITTERSDORF'S RESPONSE TO THE DEPARTMENT OF  
PUBLIC SERVICE'S FIRST SET OF INFORMATION REQUESTS ON RESPONDENT

Q.DPS:Resp.1-1: Please admit or deny that any and all representations made in the letter dated September 10, 2015 from Leslie Cadwell, Esq., on behalf of David Blittersdorf, to Susan Hudson, Clerk of the Public Service Board, filed in response to Department of Public Service Commissioner Recchia's request for information, attached hereto as Attachment I, are true and/or accurate.

- a. If Respondent's response is not "admit," please identify, explain, and correct any and all instances where the representations made in the September 10, 2015 letter are not true and/or accurate.

A.DPS:Resp.1-1:

Admit, with the following clarifications.

In the second paragraph on the first page of the September 10, 2015 letter, Attorney Cadwell stated that the purpose of the met mast installation was "to assess whether there was sufficient wind to install a residential wind turbine to power the log cabin via net metering." It would have been more accurate to say that the purpose of the installation was to assess conditions for "... one or more residential wind turbine(s) to power the log cabin ...", and to add, as I do in my testimony, the additional purpose of prototype testing.

In the same paragraph, Attorney Cadwell states: "At that time, David was still a principal at NRG and was legally prohibited from competing with the company's commercial wind clients. . . ." I'm not entirely sure what was meant by "at that time"; but confirm that I was a principal of NRG Systems in 2010. I relinquished my ownership interest in the company via an agreement that I signed near the end of that year. (I note that the terms of that agreement are under seal and are not relevant to this proceeding.) In any event, it is true and accurate that when I bought the property in 2010 and decided to erect a met mast, my relationship with NRG was such that I was not in a position to legally compete with the company's clients, and I didn't consider doing so.

Attorney Cadwell states in the last paragraph on page 1 of her letter that "The possibility of a 5MW 2-turbine windfarm was not contemplated until sometime in October 2014." I note that in my December 18, 2015 testimony, I stated on page 10 that I "first considered a non-residential scale project on my land around late 2013/2014." These statements are both accurate. While I had considered a non-residential scale project by early 2014, it was not until October of that year that I began to hone in on potential parameters for such project.

Q.DPS:Resp.1-2: Please admit or deny that Mr. Blittersdorf authored the comment: "I applied and received a GPG to net meter the wind turbines and they now supply the electricity to my cabin. The met tower did not need a local permit because Irasburg doe [sic] not have zoning. As the product designer/founder of the world class wind measurement tower and data logger company (NRG Systems in Hinesburg), it was a given that I would measure the wind for my home turbines as I have spent over 30 years in that business" in response to a VTDigger commentary, Mark Whitworth: Vermont's Energy 'Scufflaws' on or about August 18, 2015, and attached hereto as Attachment 2.

A.DPS:Resp.1-2: Admit that I authored the comment attributed to me in Attachment A (but note that there is a discrepancy between that comment and its reproduction in Q.DPS:Resp.1-2 above; specifically, I used the initialism "CPG", which was reproduced above as "GPG").

Q.DPS:Resp.1-3: Reference Q.DPS:Resp. 1-2. Please admit or deny that the representations made in the comment referenced in Q.DPS:Resp.1-2 and attributed to Mr. Blittersdorf are true and/or accurate.

- a. If Respondent's response is not "admit," please identify, explain, and correct any and all instances where the representations made in the comment referenced in Q.DPS:Resp. 1-2 are not true and/or accurate.

A.DPS:Resp.1-3:

Objection on the basis that Respondent is not a lawyer and does not have the necessary qualifications to admit the truth of applicable legal requirements.

Notwithstanding and without waiving the objection, Respondent responds:

I admit that I believed at the time that I installed the met mast and when I wrote the comments that local zoning was the appropriate level of permitting because my met mast was not directly related to plans for a commercial wind project, but instead was for the purpose of exploring the possibility of one or more residential wind turbine. In 2010, I was aware of the Vermont Technical College Anemometer Program funded through the Department of Public Service which informed participants that only local permits were needed. I concluded that my met mast did not need a local permit because Irasburg did not have zoning in 2010.

Q.DPS:Resp.1-4: Please list the date of final installation of the meteorological station erected on Mr. Blittersdorf's Kidder Hill, Irasburg property ("MET Tower").

A.DPS:Resp.1-4: December 29, 2010.

**Q.DPS:Resp.1-5:** Please list the date the MET Tower began collecting and/or transmitting data.

**A.DPS:Resp.1-5:** December 29, 2010.

**Q.DPS:Resp.1-6:** Please admit or deny that Mr. Blittersdorf did not consult with the Vermont Public Service Board and/or the Vermont Department of Public Service regarding the need to obtain a Certificate of Public Good for the MET Tower after Mr. Blittersdorf's purchase of the Kidder Hill, Irasburg property but prior to the final installation of the MET Tower.

- a. If Respondent's response is not "admit" please list the date(s) that Mr. Blittersdorf consulted with the Vermont Public Service Board and/or the Vermont Department of Public Service, identify the individuals with which he consulted, and describe the topic(s) of discussion and any recommendations, agreements, or any other conclusions arrived at as a result of the consultation.

**A.DPS:Resp.1-6:** Admit.

Q.DPS:Resp.1-7: Please identify and list any and all interruptions in data collection lasting more than one week (seven days) since the MET tower began collecting and/or transmitting data.

A.DPS:Resp.1-7: One of the residential wind turbines needed to be taken down for repairs briefly on December 4, 2015, so we also briefly took down the met mast to do repairs to two of the sensors on it and to fix some bad bearings. Other than that, data collection has been 100 percent. It is a point of pride for me that I make very reliable wind data collection instruments.

Q.DPS:Resp.1-8: Please identify and list any and all additions, removals, and/or modifications to the MET Tower measurement instrumentation/equipment since the MET tower began collecting and/or transmitting data.

A.DPS:Resp.1-8: The only modifications are those identified in A.DPS:Resp.1-7, which were made in connection with the December 4, 2015 repairs.

**Q.DPS:Resp.1-9:** Please admit or deny that, to date, the MET Tower remains installed and/or erected.

- a. If Respondent's response is not "admit" please list the date that the MET Tower was dismantled.
- b. If Respondent's response is not "admit" please admit or deny that Mr. Blittersdorf has no intention to install and/or erect a MET Tower on his Kidder Hill, Irasburg property.

**A.DPS:Resp.1-9:** Admit.

Q.DPS:Resp.1-10: Please admit or deny that, to date, the MET Tower continues to collect and/or transmit data.

- a. If Respondent's response is not "admit" please list the date that the MET Tower ceased collecting and/or transmitting [sic] data.
- b. If Respondent's response is not "admit" please admit or deny that Mr. Blittersdorf has no intention to continue to collect and/or transmit data from the MET Tower.

A.DPS:Resp.1-10: Admit.

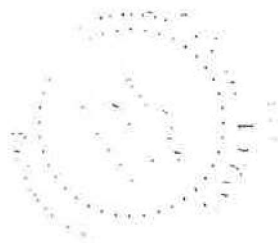
Q.DPS:Resp.1-11: Please admit or deny that Mr. Blittersdorf has continuously served as majority owner and/or managing partner of Georgia Mountain Community Wind since December, 2011 to date.

- a. If Respondent's response is not "admit" please identify and list any and all dates when Mr. Blittersdorf was not serving as majority owner and/or managing partner of Georgia Mountain Community Wind since December, 2011 to date.

Q.DPS:Resp.1-11: Admit in part and deny in part. Admit that I have been majority owner and/or managing partner of Georgia Mountain Community Wind since around the timeframe noted, but deny that my ownership interest was acquired in December 2011. Although I stated in my prefiled testimony in this docket that I had been an owner since December 2011, I have since reviewed my files and can confirm that I closed on my purchase of an ownership interest in Georgia Mountain Community Wind on January 17, 2012. Enclosed for your files is a replacement page 1 of my December 18, 2015 testimony. (See Bates 8585-DPS-01.) I amended the sentence in lines 10-12 from "In December 2011, I became managing member of Georgia Mountain Community Wind, LLC and I am majority owner of the Georgia Mountain Wind Project" to "On January 17, 2012, I became managing member of Georgia Mountain Community Wind, LLC and majority owner of the Georgia Mountain Wind Project."

Q.DPS:Resp.1-12: Please identify and describe all job duties Mr. Blittersdorf has undertaken and/or does undertake as majority owner and/or managing partner of Georgia Mountain Community.

A.DPS:Resp.1-12: As majority owner and managing partner, I manage the Georgia Mountain Community Wind (GMCW) project. I generally oversee contractors, such as Vermont Environmental Research Associates (VERA), the entity that makes sure the project is running smoothly and addresses day-to-day issues as they arise. My company AllEarth Renewables has service agreements with GMCW, and notably does the accounting for the project.




The foregoing discovery responses are true and accurate to the best of my knowledge and belief.

  
David Blittersdorf

STATE OF VERMONT  
COUNTY OF CHITTENDEN, SS.

On this 5th day of February, 2016, personally appeared David Blittersdorf, known to me or satisfactorily proven to be the person who is the signatory to the foregoing, and swore to the truth of the foregoing statements.

Before me,

  
Notary Public

My commission expires: 2/10/19

JOYCE A. DICIANNA  
Notary Public  
VERMONT

Objection by Counsel for Respondent:



Alison Milbury Stone, Esq.

Leslie A.  
Cadwell

Digitally signed by Leslie A.  
Cadwell  
DN: cn=Leslie A. Cadwell, o=Legal  
Counselors & Advocates, PLC, ou,  
email=lac@lac-ica.com, c=US  
Date: 2016.02.05 08:55:59 -0500

Leslie A. Cadwell, Esq.