

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. 21-1107-PET

Petition of GLOBALFOUNDRIES U.S. 2 LLC for a Certificate of Public Good, pursuant to 30 V.S.A. § 231 to operate a Self-Managed Utility	
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**VERMONT ELECTRIC POWER COMPANY, INC.
AND VERMONT TRANSCO LLC’S MOTION TO INTERVENE**

By this filing, Vermont Electric Power Company, Inc. (“VELCO”), and Vermont Transco LLC (“VTransco”), pursuant to Vermont Public Utility Commission (“Commission”) Rule 2.209(A) and (B), respectfully move the Commission for intervention as of right or, in the alternative, for permissive intervention in the above-referenced Case. In support of this Motion, VELCO and VTransco submit the following incorporated Memorandum of Law.

MEMORANDUM OF LAW

This Case involves a petition by GLOBALFOUNDRIES U.S. 2 LLC (“GF”), for a Certificate of Public Good (“CPG”) to operate an independent Self-Managed Utility (“SMU”). GF’s filing includes a Memorandum of Understanding between GF, VELCO for itself and VTransco, and Green Mountain Power (“GMP”) (the “Transmission MOU”) which, among a number of items, addresses transfer of certain facilities from GMP and VTransco, VTransco’s role as Vermont’s transmission provider, and VELCO’s role as payment agent for certain make-whole provisions. VTransco owns Vermont’s high-voltage electric transmission system and is obligated to provide open access transmission service under applicable tariffs approved by the Federal Energy Regulatory Commission (“FERC”).

VELCO and VTransco are entitled to intervene in this proceeding as of right. Under Commission Rule 2.209(A)(3) an entity shall be permitted to intervene as of right in any proceeding “when the applicant demonstrates a substantial interest which may be adversely

affected by the outcome of the proceeding, where the proceeding affords the exclusive means by which the applicant can protect that interest and where the applicant's interest is not adequately represented by existing parties." VELCO and VTransco have substantial interests in this proceeding to the extent they are parties to the Transmission MOU under consideration and have assumed specific and unique obligations related to the proposed SMU as detailed in the Transmission MOU. No other party can defend or represent VELCO's and VTransco's specific interests in the Transmission MOU, and this is the only proceeding in which such interests may be protected.

In the alternative, pursuant to Commission Rule 2.209(B), VELCO and VTransco request the Commission exercise its discretion to permit VELCO and VTransco to intervene in this Case. For the same reasons stated above, VELCO and VTransco have substantial interests in this Case that may be affected by the outcome of the proceeding. No other party can protect or advance VELCO's and VTransco's specific interests in this proceeding. Having VELCO and VTransco participate in this Case will not cause delay or prejudice to the other parties.

VELCO and VTransco are authorized to state that both GMP and GF support their request for intervention in this proceeding.

For the above-stated reasons, VELCO and VTransco request that they be granted the opportunity to intervene in this proceeding both as a matter of right and by permission pursuant to Commission Rules 2.209(A) and (B).

DATED at Burlington, Vermont this 19th day of March 2021.

**VERMONT TRANSCO LLC and
VERMONT ELECTRIC POWER
COMPANY, INC.**

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