

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 20-2369-RULE

Proposed revisions to Vermont Public Utility Commission Rule 2	
---	--

Order entered: 08/12/2021

PROCEDURAL ORDER PUBLISHING LATEST PROPOSED CHANGES TO RULE 2
AND REQUESTING COMMENTS

I. INTRODUCTION

On August 27, 2020, the Vermont Public Utility Commission issued an order opening a rulemaking to begin a review of Commission Rule 2 (the Commission's general rules of procedure). The Commission assigned me as hearing officer. The Commission has so far received multiple rounds of comments from participants. Commission staff have also held two workshops: one on December 18, 2020, and one on January 21, 2021. All of the participants in this proceeding have provided comments—in writing and at workshops—that have been incredibly helpful in determining what changes are needed to Rule 2. In today's order, I am publishing the latest proposed changes to Rule 2 and requesting comments from participants on these proposed changes.

Attached to this Order is a draft of potential changes to Rule 2. This draft is a major rewrite of Rule 2 because it adopts the suggestion made by participants that the Commission eliminate all references to the Vermont Rules of Civil Procedure and instead incorporate relevant rules into Rule 2. Incorporating the relevant Vermont Rules of Civil Procedure into the proposed Rule made it much longer.

In making the latest proposed changes, a Table of Contents was added to both Rule 2.100 and Rule 2.200. This necessitated dividing Rule 2 into four separate documents: 2.100, 2.200, 2.300, and 2.400. The following seven documents accompany this order:

- Revised Proposed Draft of Rule 2.100 with Table of Contents;
- Revised Proposed Draft of Rule 2.200 with Table of Contents;
- Revised Proposed Draft of Rule 2.300;
- Revised Proposed Draft of Rule 2.400;

- a redline version showing changes between the current (in effect) version of Rule 2 and the revised proposed draft;
- a redline version showing changes between the last proposed draft rule (from August 27, 2020, when the Commission opened this proceeding) and the revised proposed draft; and
- a Microsoft Word version of the revised proposed draft, with all four parts of Rule 2 in one document.

II. BACKGROUND

Rule 2 includes procedures that apply to all Commission proceedings. As the Commission noted when it opened this proceeding, it has been decades since the Commission reviewed the rule in its entirety. Commission practices have changed significantly in those years, and the Commission has now moved to electronic filing and case management through ePUC. The Commission also noted when it opened this proceeding that, consistent with Act 174 of 2016, the Commission constantly seeks to facilitate public participation in all of its proceedings.¹ The benefits and downsides of the proposed changes were discussed in depth in written comments and in the January 21, 2021, workshop, which was devoted primarily to the proposal to incorporate the relevant Vermont Rules of Civil Procedure into Rule 2.

III. DISCUSSION

A broad range of stakeholders support this change. Although some participants have raised concerns about this change, others have identified many benefits that would flow from rewriting Rule 2 to eliminate all references to the Vermont Rules of Civil Procedure. One of the biggest benefits is to create a more user-friendly experience for the many non-lawyers who come into Commission proceedings and are not familiar with the Vermont Rules of Civil Procedure. Commission staff heard in comments and at the workshop that non-lawyer participants would benefit greatly from having one set of procedural rules—Rule 2—rather than having to also know the Vermont Rules of Civil Procedure. Further, during the workshop, the participants and Commission staff came up with ways to address most, if not all, of the concerns that were raised with such a major change.

¹ Order of 8/27/2020 at 1.

While this change has necessarily made Rule 2 much longer than it was before, the resulting document is much shorter than the status quo in which, under Commission Rule 2.103, both Rule 2 and all the Vermont Rules of Civil Procedure apply. The latest proposed draft of Rule 2 places all applicable procedural rules into one document. This provides all participants to Commission proceedings with the same set of rules in one location (available at all times on the Commission's website and in ePUC), without the need to track down or reference the Vermont Rules of Civil Procedure.

In addition, the attached proposed draft incorporates many other helpful suggestions made by participants in written comments or at one of the workshops. Thanks to the participants' insights, the latest proposed draft includes numerous improvements over the initial version that the Commission circulated when it opened this proceeding.

I did not incorporate all of the participants' suggestions. This was usually due to one of the following three reasons. First, some suggested changes were not feasible—for instance, in some places one participant suggested a change that is directly contrary to a change suggested by another participant. Second, some of the suggested changes were outside the scope of this proceeding. Third, some of the suggested changes raised concerns that outweighed the potential benefits of making that particular change. Below, I explain why some of the specific suggested changes were not incorporated into the latest proposed draft.

Rule 2.107 Waiver of Rules. One commenter requested setting out a strict standard for the granting of a waiver. While the latest proposed draft includes additional language requiring anyone requesting a waiver to provide a “concise explanation of the basis for the waiver,” it would be difficult to write out strict standards that would adequately capture all the situations where a waiver is appropriate.

Rule 2.110 Use of ePUC for All Commission Proceedings. One commenter requested making ePUC more user-friendly. No specific rule change was proposed. While the Commission has received overwhelmingly positive feedback on the implementation of ePUC, there is always room for improvement, and the Commission welcomes feedback on how to make ePUC more user-friendly. That feedback can be provided anytime to the ePUC system administrator at puc.ePUCadmin@vermont.gov or directly to Commission staff. This rulemaking proceeding will not prevent the Commission from making changes to ePUC to make it more user-friendly.

Rule 2.201 Practice Before the Commission. One commenter requested that the Commission require the landowner to be a party in a case in which an applicant for a Certificate of Public Good proposes to build an electric-generation project on someone else's land. This comment is better directed at the rulemaking proceedings currently occurring regarding net-metering (Rule 5.100) and Section 248 proceedings (Rule 5.400).² Those rules, along with applicable statutes, set forth the process for entities becoming parties to Commission proceedings on the siting of electric-generation projects.

Another commenter expressed an opinion that the Commission does not have authority to allow a non-attorney representative to come before the Commission (proposed Rule 2.201(B)). The same commenter raised a challenge to the Commission's authority to allow nonresident attorneys to practice before the Commission under proposed Rule 2.201(C), as the practice of law by nonresident attorneys requires admission *pro hac vice* under Vermont Supreme Court Administrative Order 41. This is fundamentally a challenge to the existing provisions of Rule 2 and longstanding Commission practice, rather than a challenge to the proposed revisions to Rule 2. In fact, the proposed revisions add language that addresses the commenter's request that the Commission impose the same "important safeguards" that Administrative Order 41 imposes on nonresident attorneys. In particular, the proposed changes include the requirement that non-attorney representatives and nonresident attorneys accept all of the same responsibilities and obligations of an attorney admitted to practice in this state.

One commenter raised concerns about *ex parte* communications during site visits, and another commenter raised this same concern as well as a concern about communications between a hearing officer and a party in the hearing room after a hearing ends. The latest proposed changes clarify that there should not be communications between one party and a hearing officer or Commissioner without all other parties present. Thus, if such a communication occurs, whether at a site visit or in the hearing room, other parties should raise an objection and request that whatever was said be repeated to all parties, with an opportunity for them to respond.

One commenter requested that the Commission define what constitutes an "emergency situation" in which an *ex parte* communication would be allowed. However, most emergency

² See *Proposed revisions to Vermont Public Utility Commission Rule 5.100*, Case 19-0855-RULE; *Proposed revisions to Vermont Public Utility Commission Rule 5.400*, Case 21-0861-RULE.

situations involve something unexpected, and it would therefore be extremely difficult to define ahead of time what constitutes an emergency. Further, the rule requires prompt notification to all other parties of any such communication, as well as an opportunity for those parties to respond. This safeguard minimizes the risk that a party would have an *ex parte* communication in a non-emergency situation (since it would be immediately disclosed to all other parties) and provides a remedy if this were ever to occur. Thus, at this time, there is no need to further define what constitutes an emergency situation.

For similar reasons, it would not make sense to ban *ex parte* communications altogether in emergency situations, as one commenter suggested. In an emergency situation, the need to address the emergency must take priority over the need to include all parties in every communication, given the safeguards in place for immediate disclosure to all parties.

Two commenters questioned the distinction between “procedural” and “substantive” communications. One commenter stated that there is no clear distinction. Another commenter noted that the proposed draft rule on *ex parte* communications ignores the fact that public participants may not know the difference between procedural and substantive communications. The proposed draft clarifies that communications regarding non-substantive procedural matters may only occur with the clerk or other administrative employees. This prevents public participants or others from having *ex parte* communications—procedural or substantive—with a hearing officer or Commissioner, while still allowing front office staff to assist members of the public with procedural, scheduling, technological, and administrative matters.

Some commenters argued for disclosure of all *ex parte* communications, even for procedural, scheduling, technological, and administrative matters. This would create a significant administrative burden for the Commission without any corresponding benefit. The front office routinely receives questions from parties about, for instance, scheduling, whether a filing was received, or how to make a filing in ePUC. Because these discussions are non-substantive, there is no need to disclose every such communication to every party to a proceeding.

Rule 2.202 Initiation of Proceedings, Referrals of Proceedings, and Participation in Proceedings. The Commission received several comments objecting to the new language about filings that seek to initiate an enforcement proceeding. Some commenters objected to listing the specific information that is helpful to the Commission in such a filing, and other commenters

argued for mandating that this information be provided in any such filing. To be clear, the new language in this rule lists only what is “preferable” in such a filing, and the rule explicitly states that the listed information is “not required.” This strikes the right balance of providing guidance to anyone who wishes to initiate an enforcement proceeding, while not imposing any requirements.

One commenter argued that the Commission cannot merely ask whether someone has brought the matter to the Department, since, according to this commenter, 30 V.S.A. § 30(h) makes it “mandatory” that the Commission refer any enforcement matter to the Department. This commenter did not cite any precedent for interpreting 30 V.S.A. § 30(h) in this way. That statutory subsection provides an option to the Department for certain enforcement matters. Nothing in the language of 30 V.S.A. § 30 or the legislative history of subsection 30(h) suggests that the Vermont Legislature has mandated that all enforcement proceedings begin with the Department.

Rule 2.204 Pleadings and Other Filings; Service, Filing, Form, and Amendment. Several commenters recommended deleting the new requirement of page limits on filings, although other commenters expressed support for page limits. The biggest concern raised by the commenters is with regard to post-hearing briefs, which often incorporate lengthy proposed findings of fact. In response, the new proposed draft keeps the requirement of page limits but explicitly excludes post-hearing briefs from that requirement. Further, as the commenters note, the Commission can waive page limits at any time on its own initiative or in response to a request by a party—for instance, if the matter is raised during a scheduling conference and good cause is provided.

One commenter suggested that there should not be any exceptions to the proposed rule’s prohibition on using inappropriate or derogatory language in a filing. The proposed rule is already clear on that front, so no clarification is needed. While the proposed rule has an exception for “personal accusations” if they are “directly related to the procedural and substantive matters that are before the Commission,” that is a necessary exception to allow a party due process if the accusation must be stated to address a substantive matter. There is no similar exception for the prohibition on the use of inappropriate or derogatory language.

The Commission received many comments on whether to change the 4:30 P.M. deadline for making a filing on a particular day. The comments were about evenly split between those

who support keeping the 4:30 P.M. deadline and those who would like to have a deadline of 11:59 P.M. as many courts have done for electronic filings. When the Commission set up ePUC, it kept the 4:30 P.M. deadline that has always applied to paper filings, and the proposed draft rule keeps the 4:30 P.M. deadline. As several commenters correctly note, when filings are due from multiple parties on the same date, a 4:30 P.M. deadline avoids the situation where one party can gain an advantage by staying up later than other parties to read other filings before submitting its own.

Rule 2.207 Time. Two commenters requested that the Commission eliminate the requirement in the proposed draft that motions to extend a deadline must be filed at least 3 days before a deadline, absent extraordinary circumstances. However, the Commission issued an order several years ago imposing this requirement, and it makes sense to codify this in the Commission's rules of procedure. Further, the Commission has allowed waivers of this rule when last-minute matters arise, even if the last-minute matter does not rise to the level of extraordinary circumstances. This flexibility should address the concerns raised by the commenters.

Rule 2.209 Intervention. Perhaps the most controversial proposed change to the Commission's rules of procedure is the update to Rule 2.209 on intervention. As the Commission noted in the order opening this proceeding, the proposed change aims at "adopting the standard for intervention in Vermont Rule of Civil Procedure 24."³ Many commenters noted that this change makes it easier for a party to intervene in a proceeding. This is true. If a party seeks to intervene in a Commission proceeding, Commission Rule 2.209 currently imposes more stringent requirements than what is required under the Vermont Rules of Civil Procedure. The proposed change to the Commission's rules would bring the Commission's intervention requirements in line with the Vermont Rules of Civil Procedure. While it is understandable that many participants (in particular, those who often represent petitioners or applicants) oppose a more lenient rule on intervention, the reasons for this opposition do not warrant keeping the current rule. In particular, most of the commenters opposing this change argue that the change would increase the costs of litigation, and several utilities note that those costs often fall on ratepayers. However, any increased costs of litigation are warranted to ensure that members of

³ Order of 8/27/2020 at 4.

the public have a fair opportunity to be heard in any proceeding that may affect their legal rights. As noted in the order opening this proceeding, “the Commission constantly seeks to facilitate public participation in all of our proceedings.”⁴ The proposed change to the Commission’s rule on intervention serves this goal. Further, as an administrative agency, the Commission’s proceedings should, if anything, be *more* open to public participation than court proceedings are.

Regarding Rule 2.209 on intervention, two commenters made specific requests for adopting a different standard. One commenter requested that the Commission change the rule to allow anyone to intervene at any time. This standard is too lenient and would allow intervention—and all of the legal rights that attach to it, including the right to appeal an adverse decision—to a person with no interest whatsoever in a proceeding. While anyone may file public comments in any Commission proceeding, due process for petitioners requires that the ability to intervene have a higher bar. Another commenter asked that if the Commission decides to change Rule 2.209, it use the standard used in Act 250 cases, which requires an intervenor to demonstrate a “particularized interest protected by [Act 250].”⁵ However, this test would not translate well to a general rule for the Commission that would apply not only to siting cases, but to rate cases and all other matters that come before the Commission.

Rule 2.216 Evidence, Remote Proceedings, and Deadlines for Objecting to Prefiled Testimony and Exhibits. While many commenters expressed support for extending the deadline for objecting to prefiled testimony, some commenters opposed this change. They noted that it is helpful for petitioners to know as soon as possible whether another party objects to evidence. However, as the Commission noted when it opened this proceeding, “the Commission often hears from parties—particularly pro se parties, but attorneys as well—that the current rule imposes too early a deadline for objecting to prefiled testimony.”⁶ Further, as some commenters noted, in the scheduling order for a particular case, the Commission can always set an earlier date for objecting to testimony if the parties agree to it or have good reason for doing so.

Rule 2.226 Confidential Information Protocol. One commenter requested allowing for service of confidential documents after the parties enter into a confidential agreement, and several other commenters noted their support for this change. However, the proposed rule

⁴ Order of 8/27/2020 at 1.

⁵ 10 V.S.A. § 6085(c)(1)(E).

⁶ Order of 8/27/2020 at 4.

correctly requires simultaneous service on all parties of a filing when that filing is made with the Commission, so that all parties are aware that a filing has been made, while also allowing the filing party to withhold any allegedly confidential information from anyone who has not yet signed a confidentiality agreement. Thus, there is no obligation to serve allegedly confidential information until a party has signed a confidentiality agreement.

Several commenters requested that the Commission add more stringent requirements for a party asserting the confidentiality of information such as data and testing reports. I agree that, as the Vermont Supreme Court has held, the Vermont “Public Records Act represents a strong policy favoring access to public documents and records.”⁷ However, it would be difficult to place specific language in the Commission’s procedural rules about what documents are public and what documents are not. Further, any attempt to do this could run afoul of the statutory requirements of the Vermont Public Records Act. Thus, it is better to address the confidentiality of a particular type of document in the context of a specific case rather than in the Commission’s procedural rules.

Rule 2.230 Specific Discovery Procedures. The specific procedures for discovery have been moved to a new section at the end of Rule 2.200. The new Rule 2.230 is necessarily lengthy, as it includes many rules from the Vermont Rules of Civil Procedure that were previously incorporated by reference. I have made alterations to those rules to account for Commission practice, and, where possible, I removed unnecessary legalese, though unfortunately a lot of the difficult language from the Vermont Rules of Civil Procedure remains. Because many Commission proceedings do not involve discovery, or involve more limited discovery than what might occur in a court proceeding, it makes sense to place Rule 2.230 at the end of Rule 2.200.

Given the relocation of this part of the rule, the redline versions of the new proposed draft do not clearly show what changed from the previous draft. However, two matters warrant an explanation. First, as most commenters requested, the new proposed draft eliminates the previous proposal to place a limit on the number of written interrogatories. Under the new proposed draft, Rule 2.230(M) allows the Commission (on its own or at the request of a party) to limit the number of interrogatories in a particular case, but does not mandate this by rule.

⁷ *Wesco v. Sorrell*, 2004 VT 102, ¶ 10, 177 Vt. 287, 865 A.2d 350.

Second, one commenter requested that the rule regarding discovery by the Commission be expanded to require more active Commission investigation of matters, including the hiring of experts. While the commenter provided good policy reasons for the Commission increasing its hiring and use of experts to investigate matters, there are not any specific rule changes needed to accomplish this. The Commission already has this authority, and the restrictions on its ability to use this authority arise from resource constraints or policy decisions, not anything in Rule 2.

Rule 2.304 Referral to the Department of Public Service. One commenter argued for deleting this rule, as the commenter believes there is no point served in referring consumer complaints to the Department of Public Service. However, the Commission's experience has been that the Department resolves many consumer complaints on behalf of consumers without the need for a formal resolution from the Commission. It therefore makes sense to keep this rule.

Rule 2.402 Rate Proceedings. One commenter requested that the Commission add a requirement that for pole-attachment cases, any proposed rate change must follow the requirements of Rule 3.706(C). However, this is already required under Rule 3.700. Therefore, no change is needed to Rule 2.

Rule 2.408 Emergency Commission Action. Two commenters requested that the Commission add a requirement that a petitioner make a good-faith effort to provide direct notice of an emergency petition to other affected entities and statutory parties. While it is always beneficial when a petitioner provides direct notice to all affected entities and statutory parties, the context of this particular rule is a situation that requires immediate Commission action to address an emergency. Thus, the amount of rule-imposed requirements should remain minimal. That said, the Commission has a practice of immediately notifying affected entities and statutory parties when there is a request for emergency Commission action. Nothing in the proposed draft rule would change that practice.

IV. REQUEST FOR COMMENTS

Participants are requested to provide comments by **September 17, 2021**, addressing the attached draft changes to Rule 2 and any other matters related to this proceeding. Any responses to that round of comments should be filed by **October 8, 2021**.

Anyone interested in participating in this proceeding (who is not already a participant) should contact the Clerk of the Commission at puc.clerk@vermont.gov. After contacting the Clerk and becoming a participant in this proceeding, comments should be filed in ePUC using the “Add Briefs, Comments, or Discovery” action (not the “Public Comment” option).

SO ORDERED.

Dated at Montpelier, Vermont, this August 12, 2021.



Kyle H. Landis-Marinello
Hearing Officer

OFFICE OF THE CLERK

Filed: August 12, 2021

Attest: Pamela Lenahan
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. 20-2369-RULE - SERVICE LIST

Olivia Andersen
Renewable Energy Vermont
P.O. Box 1036
Montpelier, VT 05601
Olivia@revermont.org

(for Renewable Energy Vermont)

Carolyn Browne Anderson, Esq.
Green Mountain Power Corporation
2152 Post Road
Rutland, VT 05702
carolyn.anderson@greenmountainpower.com

(for Green Mountain Power Corporation)

Denise Anderson, Esq.
Denise Anderson, PLLC
85 N. Main St, Suite 245
White River Junction, VT 05001
danderson@denise-anderson.law

(for Paul Brouha)

Mary Bouchard
Vermont Gas Systems, Inc.
85 Swift Street
South Burlington, VT 05403
mbouchard@vermontgas.com

(for Vermont Gas Systems, Inc.)

Debra L. Bouffard, Esq.
Sheehey Furlong & Behm
30 Main Street, 6th Floor
P.O. Box 66
Burlington, VT 05402-0066
dbouffard@sheeheyvt.com

(for Sheehey Furlong & Behm)

Malachi T. Brennan
Dunkiel Saunders
91 College Street
PO Box 545
Burlington, VT 05401
mbrennan@dunkielsaunders.com

(for Dunkiel Saunders Elliott Raubvogel
& Hand, PLLC)

Victoria J. Brown, Esq.
Vermont Electric Cooperative, Inc.
42 Wescom Road
Johnson, VT 05656
vbrown@vermontelectric.coop

(for Vermont Electric Cooperative Inc.)

David G. Carpenter
Green Lantern Development, LLC
PO Box 658
Waterbury, VT 05676
davidc@greenlanternddevelopment.com

(for Green Lantern Development LLC)

William Coster
Vermont Agency of Natural Resources
1 National Life Drive
Davis 2
Montpelier, VT 05620
billy.coster@vermont.gov

(for Vermont Agency of Natural Resources)

Marcella Dent
Vermont Agency of Natural Resources
1 National Life Drive, Davis 2,
Montpelier, VT 05620-3901
marcella.dent@vermont.gov

(for Vermont Agency of Natural Resources)

L. Brooke Dingledine, Esq.
Valsangiacomo, Detora & McQuesten, P.C.
P.O. Box 625
Barre, VT 05641
lbrooke@vdmlaw.com

(for Valsangiacomo, Detora & McQuesten, P.C.)

William J. Dodge, Esq.
Downs Rachlin Martin PLLC
199 Main Street
PO Box 190
Burlington, VT 05402
wdodge@drm.com

(for Downs Rachlin Martin PLLC)

Daniel Glanville
Comcast
222 New Park Drive
Berlin, CT 06037
dan_glanville@comcast.com

(for Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC)

Geoffrey Hand, Esq.
Dunkiel Saunders Elliott Raubvogel & Hand, PLLC
91 College Street
PO Box 545
Burlington, VT 05402
ghand@dunkielsaunders.com

(for Dunkiel Saunders Elliott Raubvogel & Hand, PLLC)

Cindy Ellen Hill, Esq.
Hill Attorney PLLC
144 Mead Lane
Middlebury, VT 05753
lawyerhill@yahoo.com

Aaron Kisicki, Esq.
Vermont Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 05620
aaron.kisicki@vermont.gov

(for Vermont Agency of Natural
Resources)

Elizabeth Kohler, Esq.
Downs Rachlin Martin PLLC
199 Main Street
PO Box 190
Burlington, VT 05402
ekohler@drm.com

(for Downs Rachlin Martin PLLC)

Joshua Leckey
Downs Rachlin Martin PLLC
PO Box 190
Burlington, VT 05402-0190
jleckey@drm.com

(for Downs Rachlin Martin PLLC)

Nancy Malmquist, Esq.
Downs Rachlin & Martin PLLC
67 Etna Road, Suite 300
Lebanon, NH 03766-1461
nmalmquist@drm.com

(for Downs Rachlin Martin PLLC)

Joseph McKearin
Green Mountain Power Corporation
2152 Post Road
Rutland, VT 05701
Joseph.McKearin@greenmountainpower.com

(for Green Mountain Power Corporation)

Evan Meenan, Esq.
Vermont Natural Resources Board
10 Baldwin Street
Montpelier, VT 05633
evan.meenan@vermont.gov

(for Vermont Natural Resources Board)

Michael Melone, Esq.
Allco Renewable Energy Limited
157 Church Street
19th Floor
New Haven, CT 06510
mjmellone@allcous.com

(for Allco Renewable Energy Limited)

David Mullett
allEarth Renewables
94 Harvest Lane
Williston, VT 05495
dmullett@allearthrenewables.com

(for All Earth Renewables, Inc.)

Jill Pfenning
Vermont Gas Systems, Inc.
85 Swift Street
South Burlington, VT 05403
jpfenning@vermontgas.com

(for Vermont Gas Systems, Inc.)

Melissa Pierce
Comcast of Connecticut/Georgia/Massachusetts/New
Hampshire/New York/North
Carolina/Virginia/Vermont, LLC
299 North Main Street
Rutland, VT 05701
melissa_pierce@comcast.com

(for Comcast of
Connecticut/Georgia/Massachusetts/New
Hampshire/New York/North
Carolina/Virginia/Vermont, LLC)

James Porter, Esq.
Vermont Department of Public Service
112 State Street
Montpelier, VT 05620
james.porter@vermont.gov

(for Vermont Department of Public
Service)

Haley Roe
Efficiency Vermont
20 Winooski Falls Way, 5th Floor
Winooski, VT 05404
hroe@veic.org

(for Efficiency Vermont - Vermont
Energy Investment Corporation)

Annette Smith
Vermonters for a Clean Environment
vce@vermontel.net

(for Vermonters for a Clean
Environment, Inc.) (for Vermonters for
a Clean Environment, Inc.)

Erika Smith
Consolidated Communications
266 Main Street
Burlington, VT 05401
erika.smith@consolidated.com

(for Consolidated Communications of
Vermont Company, LLC) (for
Consolidated Communications of
Northland Company)

Gerald R Tarrant
Tarrant, Gillies, Richardson & Shems
P.O. Box 1440
Montpelier, VT 05601-1440
gtarrant@tarrantgillies.com

(for Comcast of
Connecticut/Georgia/Massachusetts/New
Hampshire/New York/North
Carolina/Virginia/Vermont, LLC)

Matthew J. Walker
Efficiency Vermont-Vermont Energy Investment
Corporation
20 Winooski Falls Way
5th Floor
Winooski, VT 05404
mjwalker@veic.org

(for Efficiency Vermont - Vermont
Energy Investment Corporation)

David C. Westman
Efficiency Vermont - Vermont Energy Investment
Corporation
20 Winooski Falls Way
5th Floor
Winooski, VT 05404
dwestman@veic.org

(for Efficiency Vermont - Vermont
Energy Investment Corporation)

James G. White, Jr.
Comcast
95 Wexford Street
Needham, MA 02494
James_White3@comcast.com

(for Comcast of
Connecticut/Georgia/Massachusetts/New
Hampshire/New York/North
Carolina/Virginia/Vermont, LLC)

Joslyn L. Wilschek, Esq.
Wilschek Iarrapino Law Office, PLLC
35 Elm Street
Suite 200
Montpelier, VT 05601
Joslyn@ilovt.net

(for Vermont Electric Cooperative Inc.)

John Zaikowski
Vermont Agency of Natural Resources
1 National Life Drive
Davis 2
Montpelier, VT 05620-3901
John.Zaikowski@vermont.gov

(for Vermont Agency of Natural
Resources)