

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 21-1107-PET

Petition of GLOBALFOUNDRIES U.S. 2 LLC requesting a certificate of public good, pursuant to 30 V.S.A. § 231, to operate a Self-Managed Utility	
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Case No. 21-1109-PET

Petition of Green Mountain Power Corporation for approval to modify service territory pursuant to 30 V.S.A. § 249	
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**DEPARTMENT OF PUBLIC SERVICE AND AGENCY OF NATURAL RESOURCE'S
JOINT MOTION TO AMEND SCHEDULE**

The Department of Public Service (“Department”) and the Agency of Natural Resources (“ANR”) jointly move to alter the schedule in this matter for the reasons set forth below.

On September 21, 2021, the Department, ANR and Global Foundries U.S. 2 LLC (“Global Foundries”) filed a Letter of Intent (“LOI”) with the Commission, memorializing the intent of the parties to enter into a greenhouse gas emissions reduction plan. The proposed terms and conditions for the greenhouse gas emissions reduction plan were contained in Schedule A to the LOI. The parties to the LOI further stated their intention “to negotiate a definitive agreement (“MOU”) reflecting the terms and conditions of Schedule A for execution on or before October 29, 2021.”

On September 23, 2021, ANR filed a motion to intervene in this proceeding.¹ On September 30, 2021, the Commission granted ANR’s motion, and set a new schedule for this proceeding. Included in the new schedule was a deadline of October 15, 2021 to file MOUs.

¹ As noted by the Commission, ANR’s motion referenced Case No. 21-1107-PET. ANR’s failure to reference No. 21-1109-PET in the caption was inadvertent. ANR moves the Commission to extend its order granting its motion to

One component of the LOI was the proposal for Global Foundries to spend \$10M from 2021-2025 on manufacturing process projects, with a 29,000 metric tons of carbon dioxide equivalent (“MTCO_{2e}”) reduction estimate. *See* LOI, Schedule A, page 1. However, after ANR staff inquired as to the basis for this estimate, it was determined by Global Foundries that the estimate was incorrect, and that the revised estimate, which is still under review by Global Foundries, ANR and the Department, is approximately 10,000 MTCO_{2e}.

Based upon this information, ANR has determined that it needs additional time to examine the underlying calculations upon which the estimate is based, and to explore further options for MTCO_{2e} reductions. The Department concurs with ANR that additional time is necessary to fully evaluate the proposal before it can determine whether an MOU is appropriate.

In balancing the need for timely resolution of this proceeding with ensuring that parties have meaningful opportunity to take additional discovery and file any additional testimony in advance of evidentiary hearings, ANR and the Department propose the following dates for the remainder of these cases:

Event	Date
Deadline for filing MOUs/other proposals and supporting testimony and evidence; Responses to Commission information requests	November 15, 2021
Deadline for initial briefs by all parties on pre-hearing legal issues: (1) Commission jurisdiction and (2) treatment of GlobalFoundries’ tenants	November 18, 2021
Discovery requests served on the parties filing an MOU/proposal; Commission information requests on the parties filing an MOU/proposal	November 29, 2021
Deadline for reply briefs on pre-hearing legal issues	December 1, 2021

intervene in No. 21-1107-PET to No. 21-1109-PET for the same reasons set forth in its original motion. ANR will file a separate motion if directed to do so by the Commission,

Parties' responses to discovery requests and Commission information requests	December 13, 2021
Deadline for rebuttal testimony from non-filing parties	January 4, 2022
Commission decision on pre-hearing legal issues	TBD

These proposed scheduling modifications would extend the existing deadlines by approximately four weeks, and will permit a more thorough evaluation of the Greenhouse Gas Reduction Plan by the parties than will the current schedule

The Department has discussed this scheduling proposal generally with counsel for CLF, GMP, and GF and anticipates that each party will file its own response. The Agency of Commerce and Community Development agrees with and supports this motion.

Dated at Montpelier, Vermont, this 12th day of October, 2021.

Vermont Department of Public Service

By: /s/ Daniel C. Burke
Daniel C. Burke, Special Counsel
112 State Street
Montpelier, VT 05620
(802) 828-4019
dan.burke@vermont.gov

Vermont Agency of Natural Resources

By: /s/ John Beling
John Beling, General Counsel
Vermont Department of Environmental Conservation
Agency of Natural Resources
1 National Life Drive – Davis 3rd Floor
Montpelier, VT 05620-0501
(802) 828-5202
John.Beling@vermont.gov