

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Petition of Randolph Davis Solar LLC for a	)	
certificate of public good pursuant to 30 V.S.A.	)	
§§ 248 and 8010, authorizing installation and	)	Case No. 21-2939-NMP
operation of a 500 kW (AC) photovoltaic group	)	
net-metering system in Randolph, Vermont	)	

RANDOLPH DAVIS SOLAR LLC’S FIRST SET OF INFORMATION REQUESTS
SERVED ON MS. JOAN ALLEN

Randolph Davis Solar LLC (“Petitioner”) serves the following discovery requests upon Ms. Joan Allen.

Petitioner respectfully requests that Ms. Allen answer the following discovery requests in writing and under oath and deliver one complete copy of all documents, plus an electronic version of such responses, **by June 3, 2022 to the undersigned.**

DEFINITIONS

The following definitions apply to the following discovery requests:

1. **Communication.** The term “communication” means the transmittal of information in the form of facts, ideas, inquiries or otherwise.
2. **Document.** The term “document” is defined to be synonymous in meaning and equal in scope to the usage of this term in Vermont Rule of Civil Procedure 34(a) and includes any and all writings or other materials, whether handwritten, typed, printed, recorded or reproduced by any other physical, mechanical, electronic or electrical means, including, but not limited to, records, papers, correspondence, telegrams, memoranda, notes, letters, photographs, photographic slides or negatives, films, filmstrips, computer diskettes, computer files, tapes and recordings, summaries or records of telephone conversations, summaries or records of personal conversations, and all carbons or photocopies bearing any underlining, highlighting, additions, corrections, or marginal notations which are in the possession, custody, or control of Landowners or its agents, employees, representatives, attorneys or experts, wherever located.
3. **Identify (With Respect to Persons).** When referring to a person to “identify” means to provide, to the extent known, the person’s full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of the person need be listed in response to subsequent discovery requesting the identification of that person.

4. Identify (With Respect to Documents). When referring to documents, to “identify” means to provide, to the extent known, information about the (i) type of document; (ii) its general subject matter; (iii) the date of the document; and (iv) its author(s), and each recipient.

5. You or Your(s): you or your(s) means Joan Allen.

6. Person. The term “person” is defined as any natural person or any business, legal or governmental entity or association.

7. Produce. The term “produce” means to provide the original or an exact legible copy of a requested document to Petitioner’s counsel. A draft or non-identical copy is a separate document within the meaning of this term.

The following rules of construction apply to all discovery requests:

1. All/Each. The terms “all” and “each” shall both be construed as all and each.

2. And/Or. The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

3. Number. The use of the singular form of any word includes the plural and vice versa.

INSTRUCTIONS

1. Provide a separate page for each separate question. Reproduce the discovery request made before presenting the response.
2. The response to each request should be made under oath by a person competent to testify concerning the response and all documents and exhibits produced as part of the response. With respect to each request, state (1) the name(s) and title(s) of the person or persons responsible for preparing the response; and (2) the date on which each question was answered.
3. Where information requested is not available in the precise form described in the question or is not available for all years (or other periods or classifications) indicated in a series of years (or other periods or classifications), provide all information with respect to the subject matter of the question that can be identified in your work papers and files or that is otherwise available.
4. These discovery requests are continuing in nature, and require you to file supplementary answers pursuant to the Vermont Rules of Civil Procedure as incorporated by the Rules of the Vermont Public Utility Commission. Change, supplement and correct your responses to conform to all information as it becomes available to you, including the substitution of actual data for estimated data. Responses to requests covering a period not entirely in the past (or for which complete actual data are not yet available) should include all actual data available at that time.
5. Whenever responses include estimated information, include an explanation (or reference to a previous explanation) of the methods and calculations used to derive the estimates.
6. For any matter where a request for admission is being answered by a denial or objection, the answer should set forth in detail the reasons for the denial or objection, in conformity with Vermont Rule of Procedure 36.
7. In construing these discovery requests, the terms “refer to” and “relate to” shall include any and all logical or factual connections to the subject of the discovery request as specified.
8. Organize responses and supporting documents using the identifying number to which they respond.

DISCOVERY REQUESTS

Q:PET:Allen.1-1: Please identify and produce all nonprivileged documents prepared by and/or relied upon by you in drafting your May 6, 2022 testimony and exhibits, or any persons working for or under the direction of you, in connection with your testimony, including, but not limited to, the raw data, and other results of any research, calculations, or work conducted by the person and any documents, calculations, data, research, or other information generated by any other person that you consulted.

Q:PET:Allen.1-2: Please identify and produce copies of any studies, reports, articles, presentations, orders, decisions, and any other background information relied on by you, or those working with you or under your direction, in developing your testimony.

Q:PET:Allen.1-3: Please identify and produce in their original format all electronic files that were utilized or generated by you to prepare any analysis, images, impressions, conclusions, or statements presented in your testimony.

Q:PET:Allen.1-4: Produce all email communications between you and the Agency of Natural Resources concerning the Randolph Davis Solar Project.

Q:PET:Allen.1-5: Produce all email communications and list and describe all phone communications between you and Brooke Dingledine concerning (a) the Randolph Davis Solar Project, (b) Norwich Solar Technologies, (c) Randolph Davis Solar LLC, (d) preferred siting, (e) the Randolph Town Plan, (f) the Randolph Planning Commission, (g) the Randolph Selectboard, and (h) Enhanced Energy Planning.

Q:PET:Allen.1-6: Produce all email communications and list and describe all phone communications between you and Annette Smith concerning (a) the Randolph Davis Solar Project, (b) Norwich Solar Technologies, (c) Randolph Davis Solar LLC, (d) preferred siting, (e) the Randolph Town Plan, (f) the Randolph Planning Commission, (g) the Randolph Selectboard, and (h) Enhanced Energy Planning.

Q:PET:Allen.1-7: Produce all email communications between you and the Town of Randolph, including any staff or committee member thereof, concerning (a) the Randolph Davis Solar Project, (b) Norwich Solar Technologies, (c) Randolph Davis Solar LLC, (d) preferred siting, (e) the Randolph Town Plan, (f) the Randolph Planning Commission, (g) the Randolph Selectboard, and (h) Enhanced Energy Planning.

Q:PET:Allen.1-8: With respect to Answer 1 of your testimony, please:

- (a) Identify the two conservation organizations referenced, the years during which you worked at each organization, and describe with specificity the scope of your work and responsibilities for each.
- (b) Provide a resume.
- (c) Identify and produce all peer reviewed articles, studies or other research authored by you regarding water quality, headwater streams, wildlife and wildlife habitat, wetlands, forests, or flood resiliency.

Q:PET:Allen.1-9: Admit that you are not a Vermont licensed professional engineer.

Q:PET:Allen.1-10: Admit that you are not a Vermont licensed civil engineer.

Q:PET:Allen.1-11: Admit that you are not a Vermont licensed wastewater engineer.

Q:PET:Allen.1-12: Admit that you have never prepared an application for, or obtained a construction stormwater discharge permit from the Vermont Department of Environmental Conservation. If denied, provide all applications.

Q:PET:Allen.1-13: Admit that you have never prepared an erosion prevention and sediment control (“EPSC”) plan for a Vermont construction stormwater discharge permit application.

Q:PET:Allen.1-14: Admit that you do not have education, training or experience as a Vermont civil engineer, professional engineer or wastewater engineer. If denied, describe in detail all such education, training and experience.

Q:PET:Allen.1-15: Admit that you do not have education, training or experience as a wetland ecologist or wildlife biologist. If denied, describe in detail all such education, training and experience.

Q:PET:Allen.1-16: With respect to Answer 8 of your testimony:

- (a) Produce the 7 documents reviewed by you that you mention.
- (b) Identify and produce the source of the information and all calculations performed that supports your statement at page 4, lines 13-14, about increase in sediment traveling.
- (c) Produce the soils analysis you reference on page 5, line 11-12, together with all source information relied upon for such analysis, penciled notes, workpapers, and drafts.

Q:PET:Allen.1-17: Please produce the White River Partnership plan referenced at page 6, lines 5-6 of your testimony.

Q:PET:Allen.1-18: With respect to Answer 12 of your testimony:

- (a) Identify the “many states” referenced on page 7, lines 6-7, and produce documents that support the statement made.
- (b) Produce all documents that support your statements at page 7, lines 3-6 re runoff at the dripline.

Q:PET:Allen.1-19: With respect to Answer 2 of your testimony:

- (a) How many acres of tree clearing was required for the establishment of the “orchard and gardens” referenced at page 1, line 15?
- (b) How many acres of hayland is located on your parcel?
- (c) How many acres of cleared land is present on your parcel?
- (d) Does your neighbor compensate you for use of the 6 acres of hayland for your neighbor’s dairy farm?

Q:PET:Allen.1-20: Produce all drafts of your prefiled testimony.

Q:PET:Allen.1-21: Identify each person who reviewed or assisted you in the preparation of your prefiled testimony, and describe with reference to each Q&A, the input or assistance provided. Produce all documents each such person provided to you in connection with same.

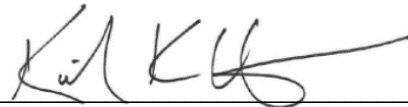
Q:PET:Allen.1-22: Identify, describe and produce all comments provided to you on your prefiled testimony and identify as to each who provided such input.

Q:PET:Allen.1-23: Identify each person who reviewed or assisted you in the preparation of your discovery served on the Agency of Natural Resources today.

Dated at Burlington this 20th day of May, 2022.

RANDOLPH DAVIS SOLAR LLC

By:

A handwritten signature in black ink, appearing to read 'Kimberly K. Hayden', written over a horizontal line.

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