

**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 SECOND 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 July 15, 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.2-1: With respect to A4 of your rebuttal testimony,

- a) Identify the exact location where Exh. JA-19 was taken and produce the photograph metadata.
- b) Explain whether the bear habitat you discuss is concentrated and identifiable, and also explain the basis for any such conclusions.
- c) Please define what is meant by “concentrated” black bear habitat and explain the basis for the definition provided.
- d) Is the habitat you observed decisive to the survival of the black bears that you contend use the Project site? If so, why? Please explain your response in detail.
- e) Explain if and how the Project would destroy or significantly imperil necessary black bear habitat.

Q:PET:Allen.2-2: Explain if and how the Project would destroy or significantly imperil necessary wildlife habitat or any endangered species.

Q:PET:Allen.2-3: With respect to A4 of your rebuttal testimony, admit that black bears will continue to have access to the forested wetlands and stream along the road at the Project site after the Project is installed. If denied, explain the basis for the denial.

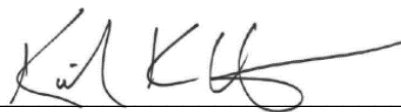
Q:PET:Allen.2-4: With respect to A4 of your rebuttal testimony, admit that the Project LOD does not have beech or oak stands.

Q:PET:Allen.2-5: With respect to A4 of your rebuttal testimony, admit that the Project LOD does not contain grassland bird habitat.

Dated at Burlington this 6th day of July, 2022.

RANDOLPH DAVIS SOLAR LLC

By:



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