

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 22-2230-PET

Petition of Vermont Gas Systems, Inc., pursuant to 30 V.S.A. § 248(i), for approval of an out-of-state renewable gas purchase contract with a term exceeding five years	
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Order entered: 09/16/2022

**PROCEDURAL ORDER REGARDING OUTSTANDING MOTIONS AND LOGISTICS FOR THE
EVIDENTIARY HEARING**

This case involves a petition filed by Vermont Gas Systems, Inc. (“VGS”) with the Vermont Public Utility Commission (“Commission”) seeking approval of an out-of-state renewable gas (“RNG”) purchase contract with Archaea Energy Marketing LLC (“Archaea”) under 30 V.S.A. § 248(i). This procedural order addresses two outstanding motions and the logistics for the evidentiary hearing scheduled for September 20, 2022.

On September 9, 2022, Catherine Bock (the “Intervenor”) filed a motion to change the date of the evidentiary hearing. On September 10, 2022, I issued a procedural order requesting additional information from Ms. Bock and responses from VGS and the Vermont Department of Public Service (“Department”) regarding timing and availability for the evidentiary hearing. On September 12, 2022, Ms. Bock, VGS, and the Department all filed responses to my information requests and Ms. Bock’s motion. Based on those responses and the limited availability of a witness on September 20, 2022, I have decided to move the scheduled start time for the evidentiary hearing forward by one hour from 9:30 AM to 8:30 AM. The Clerk of the Commission contacted Ms. Bock, VGS, and the Department and confirmed each party’s availability at 8:30 AM on September 20. The Clerk also confirmed the availability of the court reporter. Therefore, the evidentiary hearing will now start at 8:30 AM on September 20, 2022. The Clerk will separately issue a revised notice for the evidentiary hearing that reflects the adjusted start time.

On September 15, 2022, VGS filed a motion requesting that I strike the prefiled direct testimony of Geoffrey Gardner. I direct that any written responses to VGS’s motion be filed to ePUC no later than 4:30 PM on Monday, September 19, 2022. I will plan to address the

substance of the motion and issue a ruling on the admissibility of the disputed testimony during the evidentiary hearing.

I direct that the parties exchange copies of any exhibits that they intend to use during examination of witnesses at the evidentiary hearing, and which have not previously been filed to ePUC, no later than 8:00 AM on September 20, 2022. Absent a different agreement by the parties, the order of witnesses will start with Dr. Grubert, then VGS's witnesses, then the Intervenor's other witness (subject to resolution of VGS's motion to strike), and then the Department's witness.

The parties, witnesses, and any interested members of the public are reminded that the evidentiary hearing will be conducted remotely using the GoToMeeting software application. The Hearing Notice issued by the Clerk of the Commission in this case on September 7, 2022, includes links for downloading the required software and instructions on its use. I encourage any party, witness, or member of the public that intends to attend the evidentiary hearing to download and test the software in advance of the hearing. The hearing notice also includes a call-in phone number to attend the hearing using a telephone.

For any parties, witnesses, or members of the public that are not familiar with the Commission's procedures for conducting remote hearings, I have included a detailed description of the process and instructions below. I encourage the parties, witnesses, and any interested members of the public to become familiar with these instructions and the GoToMeeting software before the hearing to limit any technical challenges during the hearing. If any party, witness, or member of the public has questions on these hearing procedures, please contact the Clerk of the Commission by email at puc.clerk@vermont.gov.

The evidentiary hearing in this case will be conducted remotely using the web-based platform GoToMeeting. The hearing will use some special procedures uniquely related to using a web-based platform. The parties' representatives and attorneys should keep their cameras on during the entire hearing. Witnesses should have their cameras on and microphones unmuted when called to testify. All other attendees at the hearing are requested to keep their cameras off and microphones muted during the hearing to allow for the pictures of active speakers to appear larger on participants' screens and to reduce background noises. Commission staff other than the Hearing Officer may choose whether to leave their cameras on or off. Parties and their

representatives are requested to either unmute their microphones or raise their hands to indicate that they want to speak. Each time you begin talking, please identify yourself by name for the court reporter. Please do not speak over one another. During breaks in the hearing, all participants will be asked to turn their cameras off and mute their microphones.

If your internet connection cuts out during the hearing, please try to rejoin the GoToMeeting or call in to the hearing using the GoToMeeting telephone number that was provided in the hearing notice. If the audio or video from the hearing has cut out for a party's representative or witness, please let me know when you are able to rejoin, and I will summarize what happened and we will revisit any questions on which an objection may have been allowed, including any admission of an exhibit. If a party's representative or witness is unable to call in or rejoin, notify the platform manager immediately via email, or the Clerk of the Commission's office immediately via email or phone, and we will pause the hearing until the issue is resolved. If it cannot be resolved, we will take a temporarily break or reschedule the hearing if necessary. Similarly, if at any point you become aware of another party, participant, or a member of the public having trouble accessing the video or audio feeds of this remote hearing, please let me or the Clerk of the Commission know immediately.

It is very important that parties and their representatives avoid talking over one another. However, if a party has an objection, then it must raise it at the moment the objection arises. That type of interruption is allowed and required. When objections or issues are raised, I will ask each representative, one by one, whether they have a response in the following order: VGS, the Intervenor, Department. Please wait until I call on you to respond, then answer verbally so we have your response in the record.

When a party's representative is questioning a witness, I will make you the presenter in GoToMeeting. If you refer to any documents during your questioning, you must share the documents on your screen by clicking the "share screen" icon. Alternatively, you may allow for someone else to show the documents for you during your questioning. That person will be made the presenter during the examination. The questioner must wait to ask questions about a document until the document is being shared. Please verbally identify the document you are showing for the court reporter. For example, clearly state: "I'm showing Department-Cross-1." When you are done with the document, please click "stop sharing screen." Whenever you are

sharing your screen, I advise you to close out of any unnecessary applications, such as email, to avoid notifications being visible to others in the hearing.

Any members of the public that plan to attend the evidentiary hearing should understand that the evidentiary hearing will be conducted for the purpose of taking testimony by the parties and developing the formal evidentiary record for this case. Evidentiary hearings before the Commission do not include time for public comments. If a member of the public would like to file public comments with the Commission on this case, they are requested to do so electronically using the Commission’s ePUC filing system at <https://epuc.vermont.gov/>. Click on “Search by Case Number,” enter 22-2230-PET, then select “Add Public Comment” from the drop-down menu at the top of the page. Alternatively, public comments can be filed by email to puc.clerk@vermont.gov or by mail to: Clerk of the Commission, Public Utility Commission, 112 State Street, 4th Floor, Montpelier, VT 05620.

SO ORDERED.

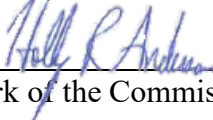
Dated at Montpelier, Vermont, this 16th day of September, 2022.



Daniel Burke, Esq.
Hearing Officer

OFFICE OF THE CLERK

Filed: September 16, 2022

Attest: 
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. 22-2230-PET - SERVICE LIST

Parties:

Catherine Bock, *pro se*
175 A North Prospect St.
Burlington, VT 05401
tinki.bock@gmail.com

Eric B. Guzman
Vermont Department of Public Service
112 State Street
Montpelier, VT 05620
eric.guzman@vermont.gov

(for Vermont Department of Public Service)

Owen McClain, Esq.
Sheehey Furlong & Behm P.C.
30 Main Street
P.O. Box 66
Burlington, VT 05402
omclain@sheeheyvt.com

(for Vermont Gas Systems, Inc.)

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

(for Vermont Department of Public Service)

Michael Swain
Vermont Department of Public Service
112 State Street
Montpelier, VT 05620
michael.swain@vermont.gov

(for Vermont Department of Public Service)