

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 22A-4238

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| Vermont Gas Systems, Inc. Rutland Regional Medical Center Geothermal Project | |
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MOTION FOR CLARIFICATION AND REQUEST FOR EXPEDITED REVIEW

By this filing, Vermont Gas Systems, Inc. (“VGS”) requests clarification of the process remaining in this Case and asks that the schedule issued by the Commission be accelerated to ensure success of the Diabetes & Endocrinology Center Project (the “Project”). Pursuant to the Commission’s Order dated October 21, 2022, responses to information requests are due by November 11, 2022, and any comments, objections, or requests for additional process are due by December 12, 2022. VGS is requesting procedural clarification and an expedited review because failure to construct this Project before winter could substantially delay VGS’s efforts to advance geothermal growth in Vermont.

VGS requests clarification regarding to what extent the Commission’s Requests for Information suspend VGS’s authorization to proceed with spending on the Project. Pursuant to VGS’s Alternative Regulation Plan, VGS was required to “provide 30 days’ advance notice to the Department and the Commission before commencing spending”¹ on the Project. The ARP further provides that if “there is no objection nor request for formal process from the Department or the Commission, VGS may proceed with the expenditure without any further delay.”² VGS filed its advance notice of the Project on September 27, 2022. The Commission issued its Requests for Information within the 30-day window, directing VGS to provide information

¹ See Exhibit VGS-JMP-5 filed May 21, 2021, in Case No. 19-3529-PET (“ARP”) at 5.

² *Id.*

responding to the Commission's requests before commencing any spending on the Project.³ As written, the Order suggests that VGS could begin construction upon filing its responses. However, the Commission also extended the period for comment, objection, or request for formal process to December 12, 2022, so it is unclear to VGS when it may commence spending. VGS and Rutland Regional Medical Center have a Geothermal Energy Services Agreement in place and contractors stand ready to begin work upon regulatory approval. Thus, clarifying the anticipated procedure in this Case – including at what milestone VGS may begin incurring development expenses – will helpfully inform planning and efficient deployment of resources.

To the extent the Commission contemplates that no spending may occur until after the December 12, 2022 deadline, VGS respectfully moves for a more expedited schedule based on (1) VGS's prompt filing of its responses to the Commission's information requests, and (2) the benefits of ensuring this Project proceeds without delay. First, the Commission has requested more information about the Project and VGS is pleased to respond to the Commission's requests. It is doing so concurrent with filing this Motion – more than two weeks prior to the November 11 deadline. Second, this Project is the first pilot under VGS's geothermal program. Timely installation and operation this heating season will ensure it provides proof of concept to future geothermal projects queuing for next year. Further, VGS notes that its initial notice filing on September 27 already provided a significant opportunity for objection or request for formal process. Accordingly, VGS respectfully requests that the extended period for comment, objection, or request for additional process be adjusted to 14 days from our response to information requests, which would be November 9, 2022.

³ See Case No. 22A-4238 (Vt. Pub. Util. Comm'n, Oct. 21, 2022) at 1 (“Therefore, before VGS commences any spending on the RRMC Geothermal Project, VGS is requested to provide information responding to the following requests no later than November 11, 2022.”)

VGS appreciates the ongoing support it has received from the Commission and the Department in its pursuit of more renewable thermal services and is always available to exchange information furthering those efforts for Vermont.

DATED at South Burlington, Vermont, on this 26th day of October 2022.

VERMONT GAS SYSTEMS, INC.

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