

MEMORANDUM

To: Parties in PSB Docket No. 7770 (GMP/CVPS Merger)

From: Susan M. Hudson, Clerk of the Board

Re: Town of Stowe Electric Department ("SED") Objection to Post-Hearing Filings

Date: May 9, 2012

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On May 2, 2012, Green Mountain Power Corporation and Central Vermont Public Service Corporation (the "Petitioners") delivered "for the Public Service Board's information" certain documents identified as "a Letter Agreement and forms of a Shareholders Agreement and Waivers of Rights of First Refusal."<sup>1</sup> On May 4, 2012, SED filed a motion objecting to the admission into evidence of the VELCO Shareholders Agreement and otherwise seeking to strike certain proposed findings and references to the VELCO Shareholders Agreement in several parties' briefs.<sup>2</sup> On May 8, 2012, the Petitioners filed a response to the SED Motion.<sup>3</sup>

Any party who intends to comment on the SED Motion or the Petitioners' Reply must file a written response with the Public Service Board ("Board") **by close of business on Monday, May 14, 2012.**<sup>4</sup> It would be helpful to the Board for any such comments to

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<sup>1</sup> Letter from Peter H. Zamore, Esq., on behalf of Petitioners, to Susan M. Hudson, dated May 2, 2012 (collectively, the "VELCO Shareholders Agreement"). The submission of the Shareholders Agreement to the Board was not accompanied by a motion to admit the agreement into the evidentiary record.

<sup>2</sup> Opposition to Admission of Prefiled Testimony Following Close of Technical Hearings and Motion to Strike Impertinent and Immaterial References to Shareholders Agreement from Legal Briefs dated May 4, 2012, at 1 (the "SED Motion").

<sup>3</sup> Letter from Peter H. Zamore, Esq., on behalf of Petitioners, to Susan M. Hudson, dated May 8, 2012 (the "Petitioners' Reply").

<sup>4</sup> A response will be considered to be timely filed if it is sent to the Board electronically on May 14, 2012, with a hard copy to follow.

address what process the Board should follow in resolving the procedural concerns raised in the SED Motion. The Board further requests that the Petitioners file written responses on that same date to the following questions:

1. Is there a deadline by which any potential signatory to the VELCO Shareholders Agreement must execute the agreement?
2. Is there a date by which the Petitioners or other parties intend to provide a copy of the executed VELCO Shareholder Agreement to the Board?