



5. GMP objects to each Interrogatory, Request to Produce, and Request for Admission reproduced below to the extent that it is vague, unintelligible, requires speculation as to the information being sought, or is otherwise incapable of a reasonable answer.
6. GMP objects to each Instruction and Definition listed in the requesting party's discovery requests to the extent that it exceeds the bounds of permissible discovery or is unduly burdensome.
7. GMP objects to each Interrogatory, Request to Produce, and Request for Admission to the extent that the request exceeds the scope of GMP's testimony and exhibits.
8. GMP objects to each Interrogatory, Request to Produce, and Request for Admission to the extent that the request would require GMP to conduct extensive document review, additional studies, analyses, and/or tests as part of its response.
9. GMP objects to each Interrogatory, Request to Produce, and Request for Admission to the extent that the request exceeds the scope of the requesting party's intervention.
10. GMP objects to each Interrogatory, Request to Produce, and Request for Admission to the extent that the request exceeds the scope of the issues on review.
11. GMP objects to each Interrogatory, Request to Produce, and Request for Admission to the extent that it calls for a legal conclusion.

**INTERROGATORIES AND REQUESTS TO PRODUCE**

Subject to the General Objections stated above, GMP responds as follows:

**Q:TES:GMP.1.1. Produce all communications for the time period beginning January 1, 2017 and ending on December 13, 2022 between any member of the Public Utility Commission staff and member of Green Mountain Power staff in which a subject matter of the communication relates to the net-metering rates applicable to expansions of approved net-metering systems.**

**Objections 1, 3, 6, 8, 10.** The request is overbroad, unduly burdensome, and not proportional to the needs of the case, in that it seeks review of a five-year period of all current and former GMP employees involved in PUC filings, and therefore would require extensive document review to identify any potentially responsive documents, or the absence thereof. In addition, the breadth of the request includes documents publicly available on ePUC and therefore calls for production of information that is otherwise available to the requesting party from another source that is more convenient, less burdensome, and less expensive than the overbroad discovery request. Notwithstanding these objections, and without waiving or otherwise limiting these objections in any way, GMP responds as follows:

TES1.A1. After a search for communications from GMP's current employees who would interact with the PUC on these issues, we are not aware of any communications outside of formal filings otherwise available on ePUC except for those provided in Attachment TES.GMP.1.1.

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Innovation Officer  
Date: December 27, 2022

**Q:TES:GMP.1.2. Produce all communications for the time period beginning January 1, 2017 and ending on May 26, 2022 between any member of the Public Service Department staff and member of Green Mountain Power staff in which a subject matter of the communication relates to the net-metering rates applicable to expansions of approved net-metering systems.**

**Objections 1, 3, 6, 8, 10.** The request is overbroad, unduly burdensome, and not proportional to the needs of the case, in that it seeks review of a five-year period of all current and former GMP employees involved in PUC filings, and therefore would require extensive document review to identify any potentially responsive documents, or the absence thereof. In addition, the breadth of the request includes documents publicly available on ePUC and therefore calls for production of information that is otherwise available to the requesting party from another source that is more convenient, less burdensome, and less expensive than the overbroad discovery request. Notwithstanding these objections, and without waiving or otherwise limiting these objections in any way, GMP responds as follows:

TES1.A2. After a search for communications from GMP's current employees who would interact with the Department on these issues, we are not aware of any communications outside of formal filings otherwise available on ePUC, except for scheduling communications related to this proceeding.

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Innovation Officer  
Date: December 27, 2022

**Q:TES:GMP.1.3. Explain why Green Mountain Power agrees or disagrees with the following statement:**

**The Public Service Department’s avoided cost price forecast presented in its “2023 Draft Consolidated RES Model – For Review” dated November 2022 is the most current and accurate price forecast of such costs as of December 13, 2022.**

**Objection 8.** The request would require GMP to conduct additional studies or analysis as part of its response to determine if the information contained in the referenced materials constitute the most current and accurate price forecast of the identified costs.

Notwithstanding these objections, and without waiving or otherwise limiting these objections in any way, GMP responds as follows:

TES1.A3. GMP agrees that this is the most recent energy market forecast produced by the Department. GMP has not independently evaluated whether there are more current and “accurate” price forecasts for energy market costs, or forecasts of the avoided cost of solar, as of December 13, 2022, and therefore cannot agree or disagree with that portion of the statement.

Person/s Responsible for Response: Andrew Quint  
Title of Person/s: Power and Markets Analyst.  
Date: December 27, 2022

**Q:TES:GMP.1.4. Referring to Josh Castonguay’s testimony in this case at A5 beginning at page 5, line 15, explain in detail why GMP waited for eight months after TES Solar’s petition was filed in this case to communicate to its customer, Thetford School District, that a proposed expansion of the District’s pre-existing net-metered solar array would not receive the same rates as the pre-existing array.**

TES1.A4. As noted in Mr. Castonguay’s testimony, GMP did not identify the issue in its separate review of the project’s interconnection application. We note on review that the question of the appropriate rate for the proposed expansion was not addressed or raised in either the interconnection application or the 45-day notice for the Project. After the PUC joined GMP to these matters, we reviewed the relevant materials and provided an opinion consistent with the schedule established in this proceeding.

Person/s Responsible for Response: Josh Castonguay, Ryan Jarvis  
Title of Person/s: Vice President, Chief Innovation Officer, Distributed Energy Resources Coordinator  
Date: December 27, 2022

**Q:TES:GMP.1.5. Explain why GMP agrees or disagrees with the following statement:  
GMP's failure to communicate to Thetford School District**

**GMP's opposition to Thetford School District's proposed expansion of the District's pre-existing net metering system for eight months after GMP received notice of the petition is the worst kind of customer service because it completely disregards the time, effort, and expense the customer and its contractors incurred to develop the expansion to the point of being able to file a net-metering petition with the Public Utility Commission.**

**Objection 6, 10.** The request is argumentative and beyond the scope of proper discovery or the issues presented in the proceeding. Notwithstanding these objections, and without waiving or otherwise limiting these objections in any way, GMP responds as follows:

TES1.A5. See response to Request 4 above. The Thetford School District could continue forward with the project, and as with all group net metered projects built today, receive the rates in place today.

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Innovation Officer  
Date: December 27, 2022

**Q:TES:GMP.1.6. Explain why GMP agrees or disagrees with the following statement:**

**Utility rates must be set forth in a Public Utility Commission approved rate schedule and cannot be decided as a matter of policy or discretion by the Commission on a case-by-case basis in a certificate of public good proceeding arising under 30 V.S.A. § 248.**

**Objections 6, 10, 11.** GMP objects to the request as it calls for a legal conclusion.

TES1.A6. See objection.

Person/s Responsible for Response:

Title of Person/s:

Date: December 27, 2022

**Q:TES:GMP.1.7. Referring to footnote 1 on page 4 of Josh Castonguay’s testimony in this case, explain in detail why GMP did not “flag” TES Solar’s proposed expansion as a separate facility at any time after GMP received the 45-day advance notice for the expansion and May 26, 2022 when the comment period on TES Solar’s petition closed.**

TES1.A7. See response to Request 4, above.

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Innovation Officer  
Date: December 27, 2022

**Q:TES:GMP.1.8. Identify by ePUC case number and date each Public Utility Commission order in which the Commission analyzed the factors that it applies to determine whether two solar arrays are a single plant and that Mr. Castonguay reviewed in connection with preparing his testimony for this case.**

TES1.A8. Mr. Castonguay or those at GMP including counsel with whom Mr. Castonguay consulted while developing testimony referred to:

*Petition of Integrated NRG L.L.C. for a certificate of public good, pursuant to 30 V.S.A. §§ 248 and 8010, authorizing the installation and operation of a 150 kW net-metered solar electric generation facility in Franklin, Vermont, Case No. 18-2775-NMP, Order of November 7, 2019*

*Application of White Rock Farm LLC for a certificate of public good for a 4.8 kW solar net-metered electric power system in Bennington, Vermont, Case No. 21-0687-NMR, Order of March 26, 2021.*

*Application of Riverview Retreat LLC for a certificate of public good for a 15.0 kW solar net-metered electric power system in Waitsfield, Vermont, Case No. 21-3224-NMR, Order of Sept. 28, 2021.*

*Application of Chanterelle Solar LLC for a certificate of public good for a 15.0 kW solar net-metered electric power system in Castleton, Vermont, Case No. 21-3219-NMR, Order of September 28, 2021.*

*Petition of Portland Street Solar LLC for a certificate of public good, pursuant to 30 V.S.A. §§ 248 and 8010, authorizing the installation and operation of a 500 kW (AC) group net-metering solar electric generation system in St. Johnsbury, Vermont, Case No. 19-2484-NMP Order of December 23, 2020, and related Vermont Supreme Court decision, *In re Petition of Portland Street Solar LLC*, 2021 VT 67.*

Mr. Castonguay has also previously reviewed other cases involving the single plant question although not directly in connection with this testimony.

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Innovation Officer  
Date: December 27, 2022

**Q:TES:GMP.1.9. Identify with specificity the “pre-existing projects” to which Mr. Castonguay refers at page 6, line 22 of his testimony in this case.**

TES1.A9. These cases include, but are not necessarily limited to:

*Application of Bill and Lara Calfee for a certificate of public good for a 27.2 kW photovoltaic interconnected group net-metered electric power system in Dorset, Vermont, Case No. 18-1474-NM.*

*Application of Emmett Dunbar and Mrinalini Mazumdar for a certificate of public good for a 15.0 kW solar, 11.4 kW solar net-metered electric power system in Londonderry, Vermont, Case No. 21-4867-NM.*

*Application of Chanterelle Solar LLC for a certificate of public good for a 15.0 kW solar net-metered electric power system in Castleton, Vermont, Case No. 21-3219-NMR.*

*Application of Riverview Retreat LLC for a certificate of public good for a 15.0 kW solar net-metered electric power system in Waitsfield, Vermont, Case No. 21-3224-NMR.*

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Innovation Officer  
Date: December 27, 2022

**Q:TES:GMP.1.10. Quantify what “modestly” means as used in Mr. Castonguay’s testimony in this case at page 7 line 1.**

TES1.A10. The use of the term “modestly” was intended to reflect the PUC’s description of prior cases in which it considered this issue. *See* 11/7/22 Procedural Order Issued in Case Nos. 18-27765-NM, 22-0682-NMP, 22-1136-NMP, 22-2835-NMP, 22-3479-NMP and 22-3589-NM at 1, FN1 (“However, our past decisions that relied on this approach involved relatively modest capacity increases in uncontested cases where this legal issue was never actively litigated”) (citing *application of Emmett Dunbar and Mrinalini Mazumdar for a certificate of public good for a 26.4 kW solar net-metered electric power system in Londonderry, Vermont*, Case No. 21-4867-NM, Order of 2/25/22 at 3 & *Application of Bill and Lara Calfee*, Case No. 18-1474-NM Order of 8/2/18 at 3-4 (expanding 14kw facility to 27.2kw)).

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Innovation Officer  
Date: December 27, 2022

**Q:TES:GMP.1.11. Produce a complete copy of GMP's most recent annual FERC Form 1 report.**

TES1.A11. See Attachment TES.GMP.1.11.

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Innovation Officer  
Date: December 27, 2022

**Q:TES:GMP.1.12. Explain in detail what prices changes have occurred since November 2021 for the materials and equipment that GMP identified in its are needed in its Feasibility Study (Exhibit TES-MS-6) to interconnect the TES Solar expansion.**

**Objection 8.** The request would require GMP to conduct additional studies or analysis as part of its response to determine the cost of materials and equipment as of the date identified and today. Notwithstanding these objections, and without waiving or otherwise limiting these objections in any way, GMP responds as follows:

TES1.A12. The applicant has not previously requested and GMP has not prepared an interconnection cost estimate and therefore GMP has no prior estimate against which to measure any potential material and equipment cost changes. GMP notes that costs often change between interconnection studies and final interconnection for various reasons, including delays in permitting. Under standard generation interconnection agreements, actual costs are trued up upon completion of interconnection and are the responsibility of the interconnecting party.

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Innovation Officer  
Date: December 27, 2022

**Q:TES:GMP.1.13. Explain why GMP agrees or disagrees with the following statement:**

**In a proceeding before the Public Utility Commission in which the legal rights, duties, or privileges of a particular party are required by law to be determined by the Commission after an opportunity for hearing, the Commission lacks legal authority to create generally applicable policy to govern statewide utility practice.**

**Objections 6, 10, 11.** GMP objects to the request as it calls for a legal conclusion.

TES1.A13. See objection.

Person/s Responsible for Response:

Title of Person/s:

Date: December 27, 2022

**Q:TES:GMP.1.14. Explain why GMP agrees or disagrees with the following statement:**

**An operational cost incurred by a utility over a twenty-year period that does not require the utility to file a request to modify rates does not, in fact, have a direct impact on the utility's ratepayers.**

**Objections 5, 6, 10, 11.** GMP objects to the request as it is vague and unclear and therefore requires speculation, is not relevant to, and goes beyond the scope of the present proceeding. GMP also objects to the extent the request call for a legal conclusion. Notwithstanding these objections, and without waiving or otherwise limiting these objections in any way, GMP responds as follows:

TES1.A14. The question is not clear and answering the question would require speculation, however to the extent that the premise of the question is that changes in power supply costs incurred by GMP on behalf of its customers do not result in rate changes for customers, GMP disagrees.

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Operating Officer  
Date: December 27, 2022

**Q:TES:GMP.1.15. How much will Green Mountain Power need to raise its rates if the Public Utility Commission approves the TES Solar petition as proposed?**

**Objection 8.** The request would require GMP to conduct additional studies or analysis as part of its response and therefore is beyond the scope of proper discovery. Notwithstanding these objections, and without waiving or otherwise limiting these objections in any way, GMP responds as follows:

TES1.A15. GMP has not calculated the specific costs associated with the TES project, but as noted in VEC's and the Department's testimony, GMP customers would pay more for power from the facility if old net metering rates that applied to the original project in 2014 were applied to the new expanded capacity, compared to the rate that would otherwise be applicable to a new net metered facility in 2022. Furthermore, customers would not receive the benefit of the renewable energy component, because the REC would stay with the developer or owner of the project to retire or sell for additional revenue.

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Innovation Officer.  
Date: December 27, 2022

**Q:TES:GMP.1.16. Explain in detail how GMP proposes to monetize net-metering credits from Thetford School District's expanded pre-existing net-metering system if two different rates apply to generation measured from the single meter that will be utilized by the expanded system.**

TES1.A16. GMP billing system does not apply different rates to different portions of power produced behind the same meter, and therefore we do not have a specific proposal for how we would apply separate rates to the two different components of the project through one meter (2014 facility vs. the new proposed 2022 facility). GMP believes the best approach would be to separately meter the two facilities and apply the appropriate rate to each facility, consistent with the PUC's prior treatment of separate plants. Note that the plants could be separately metered but still share interconnection equipment.

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Innovation Officer  
Date: December 27, 2022

**Q:TES:GMP.1.17. Produce a copy of each sheet in GMP's rate schedule that supports the monetization method described in response to the immediately preceding question.**

TES1.A17. With respect to the rates available to the separate facility that submitted a completed application in April 2022, generation from that facility would be treated as a NM 2.4 system under GMP's Self Generation and Net Metering tariff in effect at the time. The statewide blended rate would be applied to excess generation and appropriate REC and Siting Adjustors applied to gross generation. See Attachment TES.GMP.1.17 (GMP Self Generation and Net Metering 2.0 Tariff). The current blended rate is noted on Sheet 23-3; REC and Siting Adjustors are noted by date on Sheets 23-8 and 23-9, respectively.

Person/s Responsible for Response: Melinda Humphrey  
Title of Person/s: Manager of Rates  
Date: December 27, 2022

**Q:TES:GMP.1.18. Identify by case number and system capacity each net-metering system with a capacity of 500 kW or under that is interconnected with GMP and compensated at a rate of \$0.10/kwh or less.**

**Objections 5, 6, 8, 10, 11.** GMP objects to the request as it is vague and unclear and therefore requires speculation, is not relevant to, would require additional analysis, and goes beyond the scope of the present proceeding. Notwithstanding these objections, and without waiving or otherwise limiting these objections in any way, GMP responds as follows:

TES1.A18. The question is vague, does not indicate the type of facility (solar, hydroelectric, wind, etc.), vintage or age of facility, and does not indicate how adjustors (if any) should be taken into account and therefore GMP cannot answer without speculating as to the information requested.

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Innovation Officer  
Date: December 27, 2022

**Q:TES:GMP.1.19. Explain why GMP agrees or disagrees with the following statement:**

**GMP does not retire the RECs produced from any of its wind-powered electric generation facilities located within the State of Vermont.**

**Objections 5, 6, 7, 10.** GMP objects to the request as it is vague, requires speculation, is not relevant to and goes beyond the scope of the present proceeding. This proceeding relates to a net-metered solar facility and the appropriate rate for a substantial expansion of that facility. Treatment of RECs from separate wind facilities are not relevant to the issues raised in this proceeding. Notwithstanding these objections, and without waiving or otherwise limiting these objections in any way, GMP responds as follows:

TES1.A19. The phrasing of the question is vague and is not capable of a complete response without speculation. GMP owns some RECs produced by small wind power electric generation facilities located in the State of Vermont but has not used them for RES compliance and has not sold them. Our larger wind facility is a new renewable as qualified by other states because of operation date but would only qualify as Tier 1 here and therefore GMP does not retire these RECs in Vermont but instead offers them in other states to reduce customer rates.

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Innovation Officer  
Date: December 27, 2022

**Q:TES:GMP.1.20. Explain why GMP agrees or disagrees with the following statement:**

**RECs produced by utility-owned electric generation facilities located in Vermont that are not retired do not count towards meeting the renewable energy goals identified in the 2022 Comprehensive Energy Plan.**

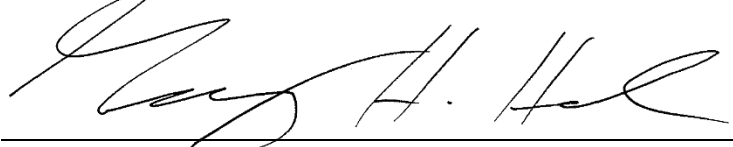
**Objection 5, 11.** GMP objects to the request as it is vague and would require speculation as to the information requested and calls for a legal conclusion. Notwithstanding these objections, and without waiving or otherwise limiting this objection in any way, GMP responds as follows:

TES1.A20. The question is vague as it does not reference a specific amount of time or identify any specific renewable energy goals in the 2022 Comprehensive Energy Plan (CEP) that are intended to be referenced in the question. RECs that aren't retired can be banked and may be available for future compliance goals. In addition, while RECs must be retired to count toward Vermont Renewable Energy Standard (RES), the CEP's goals are broader than RES.

Person/s Responsible for Response: Josh Castonguay  
Title of Person/s: Vice President, Chief Innovation Officer  
Date: December 27, 2022

Dated at Burlington, Vermont this 27<sup>th</sup> day of December, 2022.

As to Objections:



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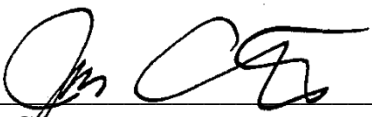
Geoffrey H. Hand, Esq.  
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91 College Street  
Burlington, VT 05402, Box 545  
(802) 860-1003  
ghand@dunkielsaunders.com  
*Attorney for Green Mountain Power*

I declare that the above statements for which my name is listed as the respondent are true and accurate to the best of my knowledge and good faith belief. I understand that if the above statements are false, I may be subject to sanctions by the Commission pursuant to 30 V.S.A. § 30.

Dated at Colchester, Vermont this 23<sup>rd</sup> day of December, 2022.

**Respondent Signature**

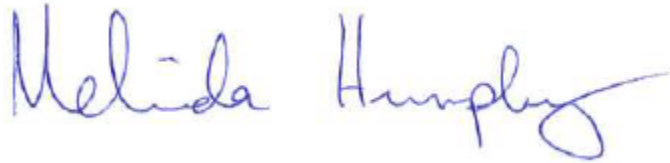
By:

  
\_\_\_\_\_  
Josh Castonguay  
Green Mountain Power

I declare that the above statements for which my name is listed as the respondent are true and accurate to the best of my knowledge and good faith belief. I understand that if the above statements are false, I may be subject to sanctions by the Commission pursuant to 30 V.S.A. § 30.

Dated at Rutland, Vermont this 23<sup>rd</sup> day of December, 2022.

**Respondent Signature**



By:

Melinda Humphrey  
Green Mountain Power

I declare that the above statements for which my name is listed as the respondent are true and accurate to the best of my knowledge and good faith belief. I understand that if the above statements are false, I may be subject to sanctions by the Commission pursuant to 30 V.S.A. § 30.

Dated at Colchester, Vermont this 23 day of December, 2022.

**Respondent Signature**

A handwritten signature in black ink, appearing to read "Ryan Jarvis", written over a horizontal line.

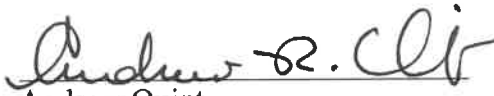
By:

Ryan Jarvis  
Green Mountain Power

I declare that the above statements for which my name is listed as the respondent are true and accurate to the best of my knowledge and good faith belief. I understand that if the above statements are false, I may be subject to sanctions by the Commission pursuant to 30 V.S.A. § 30.

Dated at Rutland, Vermont this 23<sup>rd</sup> day of December, 2022.

**Respondent Signature**

By:   
Andrew Quint  
Green Mountain Power