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November 29, 2016

Mrs. Susan M. Hudson, Clerk
Vermont Public Service Board
112 State Street
Montpelier, Vermont 05620-2701

RE: Docket No. 8840 – Ampersand Gilman Hydro, LP, Request for Rule 4.100
Contract

Dear Mrs. Hudson:

On November 10, 2016, the Vermont Public Service Board (Board) issued notice of a proposed twenty-year power purchase agreement between Ampersand Gilman Hydro, LP (Ampersand) and the Rule 4.100 Purchasing Agent (VEPP, Inc. or VEPP). The agreement concerns the purchase of energy and capacity from an existing 4.9 MW hydroelectric generating facility in Gilman, Vermont, at rates approved by the Board in Docket No. 8010. The notice states that persons wishing to request a hearing in this matter must file such requests with the Board on or before November 29, 2016.

The Department has reviewed the proposed contract and respectfully requests that the Board hold a hearing in this matter. Rule 4.100, as it currently exists, does not contemplate the type of contract sought by Ampersand. Specifically, the current rule does not provide for an agreement between a Qualifying Facility (QF) and the statewide purchasing agent. Nor does it provide access to rate schedules established almost two years ago in Docket No. 8010 under the superseded version of the rule. Accordingly, the basis for Ampersand's request is unclear, and a hearing is warranted.

Please let me know if I can be of further assistance.

Sincerely,



Timothy M. Duggan
Special Counsel

cc: Docket No. 8840 Service List (by email)

