

Alexander J. LaRosa

From: Alexander J. LaRosa
Sent: Tuesday, December 23, 2025 10:38 AM
To: 'ACliburn@DOOLaw.com'; 'Wing, Alexander'; 'Porter, James'
Cc: Cooper Hayes
Subject: RE: Tinmouth - [MSKVT-MSKVT.FID19436]
Attachments: Draft Proposed Schedule(15018041.1).docx

Good morning –

I wanted to follow-up and see if your thoughts on the attached schedule?

I'd like to get something proposed and/or a request for a conference filed by the end of next week. I know you may be in and out of the office, but my client would very much like to see progress into setting a schedule.

Thank you,

A.J.

MSK Attorneys
275 College Street, P.O. Box 4485
Burlington, VT 05406-4485
Tel: 802-861-7000 ext **1270** | Fax: 802-861-7007
www.mskvt.com

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From: Alexander J. LaRosa
Sent: Wednesday, December 17, 2025 11:47 AM
To: 'ACliburn@DOOLaw.com' <ACliburn@DOOLaw.com>; 'Wing, Alexander' <Alexander.Wing@vermont.gov>; 'Porter, James' <James.Porter@vermont.gov>
Cc: Cooper Hayes <CHayes@mskvt.com>
Subject: RE: Tinmouth - [MSKVT-MSKVT.FID19436]

Good morning –

Trying to synthesize the discussion(s) below, I have drafted the attached schedule. This seems to reflect the position of the Department and tracks a form that Mr. Cliburn and us have used, and which the Department has also proposed in other cases.

I tried to match the intervening deadlines/time to prior cases involving all counsel and the Department. Please advise as to your comments.

A.J.

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From: ACliburn@DOOLaw.com <ACliburn@DOOLaw.com>
Sent: Friday, December 12, 2025 4:08 PM
To: Alexander J. LaRosa <ajlarosa@mskvt.com>; 'Wing, Alexander' <Alexander.Wing@vermont.gov>; 'Porter, James' <James.Porter@vermont.gov>
Cc: Cooper Hayes <chayes@mskvt.com>
Subject: RE: Tinmouth - [MSKVT-MSKVT.FID19436]

A.J., Alex—

To be clear, I am amenable to looking at a proposed schedule. Thanks. Have a good weekend.

Sincerely,

Andrew D. Cliburn, Esq.
DesMeules, Olmstead & Ostler
2 Beaver Meadow Road
P.O. Box 1090
Norwich, Vermont 05055
(802) 649-2001
acliburn@doolaw.com

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From: Alexander J. LaRosa <ajlarosa@mskvt.com>
Sent: Tuesday, December 9, 2025 12:05 PM
To: Wing, Alexander <Alexander.Wing@vermont.gov>; Andrew <acliburn@doolaw.com>; Porter, James <James.Porter@vermont.gov>
Cc: Cooper Hayes <chayes@mskvt.com>
Subject: RE: Tinmouth - [MSKVT-MSKVT.FID19436]

Hi Alex –

Sounds like perhaps you and Mr. Cliburn have differing perspectives. I'm likely fine with what you are outlining. The intervening periods you mention in your email are pretty standard and well within whatever I'd

come up with. (I too have some other obligations and duties that require appropriate gaps be provided.) Further, I understand that a stipulation requires *all* parties, including intervenors. However, I was hopeful that the three of us could agree on a proposed schedule before sharing it with them. We three likely have the strongest opinions.

As for the conference, I think we likely have to ask for one at this point. It has been a month with nothing from Mr. Faber.

A.J.

MSK Attorneys
275 College Street, P.O. Box 4485
Burlington, VT 05406-4485
Tel: 802-861-7000 ext 1270 | Fax: 802-861-7007
www.mskvt.com

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From: Wing, Alexander <Alexander.Wing@vermont.gov>
Sent: Tuesday, December 09, 2025 11:30 AM
To: Alexander J. LaRosa <ajlarosa@mskvt.com>; Andrew <acliburn@doolaw.com>; Porter, James <James.Porter@vermont.gov>
Cc: Cooper Hayes <chayes@mskvt.com>
Subject: RE: Tinmouth - [MSKVT-MSKVT.FID19436]

Hi AJ,

I am happy to begin discussing a schedule and for you to make the first attempt. However, the exact dates will be contingent upon when the Commission notices a scheduling conference and what can work for us all at that time.

I must reiterate a few things from my email regarding this topic which I sent a few weeks ago (attached). First, whatever we come up with, we will have to discuss this with the intervenors before filing [per Commission Rule 2.225](#). Second, if we cannot come to an agreement, the Department will push for a full litigation schedule typical of Commission proceedings. I think Case No. 25-0729-TF, while substantively quite different, lays out the process steps the Department and Commission tend to expect. Under the circumstances, I think at least the opportunity to request a site visit and public hearing would be prudent. Finally, the Department has timing needs that are mostly inflexible. That would include roughly 4 weeks before the close of preliminary discovery and the Department's/Town's/Intervenor's direct testimony and exhibits. 3-4 weeks is also ideal before the first round of briefing. Otherwise, at least two weeks between process steps before the Department makes other filings (e.g. reply briefs, surrebuttal) or answers discovery would be standard.

Please let me know if you'd like to discuss and whether you'd like more examples.

-Alex

Alexander Wing, Special Counsel
Vermont Department of Public Service
112 State Street
Montpelier, VT 05620-2601
802-461-5009



From: Alexander J. LaRosa <ajlarosa@mskvt.com>
Sent: Monday, December 8, 2025 5:52 PM
To: Andrew <acliburn@doolaw.com>
Cc: Wing, Alexander <Alexander.Wing@vermont.gov>; Cooper Hayes <chayes@mskvt.com>
Subject: RE: Tinmouth - [MSKVT-MSKVT.FID19436]

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Did I say it was “ordinary?” I did not. Am I suggesting it be “litigated in the ordinary course?” I am not.

My proposed schedule will have dates for:

- 1) Discovery as provided for in the PUC’s rules which includes depositions and written discovery.
- 2) Deadlines for the submission of supplemental evidence by the Town.
- 3) Deadlines for the submission of supplemental evidence by Petitioner.
- 4) Deadline for memorandum and statements of material fact and memorandum.

I’m more than welcome to accommodate reasonable timelines. Please let me know again what is the “dispute.”

Thank you,

A.J.

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From: Andrew <acliburn@doolaw.com>
Sent: Monday, December 08, 2025 5:41 PM
To: Alexander J. LaRosa <ajlarosa@mskvt.com>
Cc: 'Alexander Wing' <alexander.wing@vermont.gov>; Cooper Hayes <chayes@mskvt.com>
Subject: Re: Tinmouth - RULE 408 SETTLEMENT COMMUNICATION [MSKVT-MSKVT.FID19436]

A.J.—

Why would the PUC go through the trouble of spelling out any process if the petition was to be litigated in the ordinary course? The process it did lay out is not ordinary.

I certainly don't mean to waste anyone's time here, but I don't think I'm ginning up a dispute where none exists. I would be remiss to not follow up on a path that is in the Town's interests. And I'm not the only who thinks that order is ambiguous in my office.

A
