

**STATE OF VERMONT
PUBLIC SERVICE BOARD**

Docket No. 8816

Petition of Swanton Wind LLC for a)
certificate of public good, pursuant to)
30 V.S.A. § 248, for the construction of)
an up to 20 MW wind-powered electric)
generation facility powered by up to 7)
wind turbines located along Rocky Ridge)
in Swanton, Vermont)

March 15, 2017

**RESPONSE OF THE VERMONT DEPARTMENT OF PUBLIC SERVICE
TO THE VERMONT NATIONAL GUARD'S MOTION TO INTERVENE**

The Vermont Department of Public Service ("Department"), by and through undersigned counsel, submits the following response to the motion to intervene of the Vermont National Guard ("VTNG"), dated February 23, 2017.

As the Vermont Public Service Board's ("Board") March 2, 2017 Procedural Order re: Response to Interventions and Schedule notes, the VTNG motion was late-filed. However, the Order granted an extension of time for parties to respond to pending intervention motions to today. No party appears to have been prejudiced by the late filing. If the Board finds that the VTNG motion should be considered at this time, the Department does not object to the permissive intervention of VTNG in this proceeding.

VTNG has demonstrated a substantial interest that may be adversely affected by the outcome of the proceeding, primarily with respect to the public health and safety criterion enumerated in 30 V.S.A. § 248(b)(5). Likewise, VTNG appears to have a unique interest that may not be adequately protected by other parties. Intervention will not unduly delay the proceeding or otherwise prejudice the interests of existing parties or the public, particularly if

VTNG's scope of intervention is limited to the issues where it has established a substantial interest

Dated at Montpelier, Vermont this fifteenth day of March, 2017.

Respectfully submitted,

VERMONT DEPARTMENT OF PUBLIC SERVICE



Aaron Kisicki
Special Counsel

cc: Docket 8816 Service List