

**STATE OF VERMONT
BEFORE THE
PUBLIC UTILITY COMMISSION**

Petition of Chelsea Solar LLC, pursuant to 30 V.S.A. §248, for a certificate of public good authorizing the installation and operation of the “Chelsea Solar Project,” a 2.0 MW solar electric generation facility located off Willow Road in Bennington, Vermont) **Case No. 17-5024-PET**
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CHELSEA SOLAR LLC’S MOTION TO AMEND THE SCHEDULE

Having missed the originally scheduled timeframe for the site visit, the procedural schedule in this case must be amended. In addition, now that the Town has raised the issue of what Town Plan applies, Chelsea Solar LLC (“Chelsea”) is entitled to discovery on that issue.

V.R.C.P. 26(b) gives Chelsea the right to obtain discovery regarding “the claim or defense of any other party.” Now that the Town has raised the defense of the applicability of the Town Plan in effect in 2017, Chelsea is entitled to seek discovery related to that defense. Given the importance of that issue to the Public Utility Commission’s decision-making Chelsea must be able to obtain discovery on that defense, including the full range of discovery permitted by PUC Rule 2.214. Event dates for motions regarding what Town Plan applies and issue preclusion as well as discovery on sur-rebuttal testimony have also been added. The revised schedule proposed is attached.

Respectfully submitted,
/s/Michael Melone
Michael Melone
Allco Renewable Energy Limited
1740 Broadway, 15th Floor
New York, NY 10019
Phone: (212) 681-6974
Email: MJMelone@AllcoUS.com

Dated: April 7, 2018

Attorneys for Chelsea Solar LLC

Date	EVENT
April 17, 2018	Site visit, Information Session, and Public Hearing
April 20, 2018	Motions to intervene due
April 23, 2018	Responses to motions to intervene due
April 27, 2018	Deadline for Round I discovery on Petitioner by statutory parties, and on the Town by the Petitioner.
April 30, 2018	Deadline for Round I discovery on Petitioner by intervenor(s)
May 11, 2018	Deadline for Petitioner to respond to Round I discovery by statutory parties, and deadline for Town to respond to Round I discovery from Petitioner
May 18, 2018	Deadline for Petitioner to respond to Round I discovery by intervenor(s)
June 1, 2018	Deadline for Round II discovery on Petitioner by all parties, and on the Town by the Petitioner
June 13, 2018	Deadline for Petitioner to respond to Round II discovery by all parties, and for the Town to respond to Round II discovery by Petitioner
	<i>If matter is not contested:</i>
June 22, 2018	Petitioner files stipulations if any
July 2, 2018 at 9:30 A.M.	Evidentiary Hearing
July 13, 2018	Petitioner's file proposed findings of fact and order
	<i>If matter is contested:</i>
June 22, 2018	Deadline for Petitioner to file motion for partial summary judgment regarding which version of the Town Plan applies
June 22, 2018	Non-petitioner parties file direct testimony
June 29, 2018	Deadline for discovery by Petitioner on non-petitioner parties.
July 20, 2018	Deadline for non-Petitioner parties to respond to discovery
July 27, 2018	Petitioner files rebuttal testimony
August 10, 2018	Deadline for motions for partial summary judgment regarding claims of issue preclusion
August 10, 2018	Non-petitioner parties file discovery on Petitioner's rebuttal
August 17, 2018	Deadline for Petitioner to respond to discovery
August 31, 2018	Non-Petitioner parties file sur-rebuttal
September 7, 2018	Deadline for discovery by Petitioner on non-petitioner parties sur-rebuttal
September 13, 2018	Evidentiary Hearing
September 28, 2018	Parties file post-hearing briefs with proposed findings of fact and order
October 12, 2018	Parties file post-hearing reply briefs