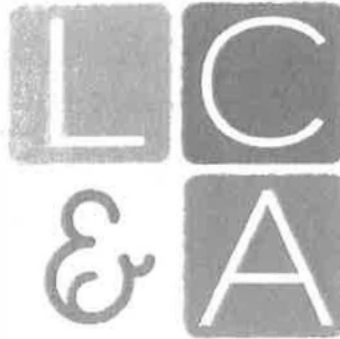


ATTACHMENT 1



NOV 4 '19 AM 9:51
PUBLIC UTILITY COMMISSION

LEGAL COUNSELORS & ADVOCATES PLC
P.O. Box 827 • Castleton, VT • 05735

NOV 4 '19 AM 10:01
PUBLIC UTILITY COMMISSION
Leslie A. Cadwell
lac@lac-la.com
802-342-3114

October 29, 2019

Brenda Chamberlin, Business Manager
Vermont Public Utility Commission
112 State Street, 4th Floor
Montpelier, VT 05620-2701

Re: Case No. 8585 Billback

Dear Ms. Chamberlin:

I am in receipt of your correspondence dated October 24, 2019 invoicing my client, David Blittersdorf, for court reporting services provided to the Commission in Case No. 8585.

The Commission does not have statutory authority to bill any costs of the proceedings in Case No. 8585 to Mr. Blittersdorf for the reasons explained in the attached letter to you dated August 30, 2018 on this same subject matter. I note that in addition to lacking authority under 30 V.S.A. §§ 20 and 21 to bill Commission costs to Mr. Blittersdorf in this proceeding, the Commission lacks statutory authority to impose interest on unpaid invoices.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Leslie A. Cadwell', written over the typed name below.

Leslie A. Cadwell

Enclosure

RECEIVED
AUG 29 11 2018



COUNSELLORS & ASSOCIATES
P.O. Box 887 • Colchester, VT • 05732

NOV 4 '18 09:51
PUBLIC UTILITY COMMISSION

August 30, 2018

Brenda Chamberlin, Business Manager
Vermont Public Utility Commission
112 State Street, 4th Floor
Montpelier, VT 05620-2701

NOV 4 '18 09:51
PUBLIC UTILITY COMMISSION

Re: Docket 8585 Billback

Dear Ms. Chamberlin:

I am in receipt of your correspondence dated August 8, 2018 invoicing my client, David Blittersdorf, for court reporting services provided to the Commission in Docket No. 8585. The invoice was made in error and should be directed to another party for payment.

Mr. Blittersdorf is an individual and a respondent in Docket 8585. See Order Opening Investigation and Notice of Hearing, Docket No. 8585, Sep. 23, 2015 at 2 (“Pursuant to 30 V.S.A. §§ 30, 209, 246, 247, and 248, an investigation is opened into the factual circumstances and legality of the site preparation, construction, and operation of a meteorological tower located in Irasburg, Vermont, and owned by David Blittersdorf.”). The Commission is authorized by 30 V.S.A. § 21(a) to billback costs for personnel hired pursuant to 30 V.S.A. § 20 to “an applicant” or “the company or companies involved” in the proceeding, not individuals or respondents in a Commission investigation. See 30 V.S.A. § 21(a) (“An agency may allocate the portion of the expense incurred or authorized by it in retaining additional personnel pursuant to section 20 of this title to the applicant or the company or companies involved.”). Mr. Blittersdorf is neither a company nor the applicant in the referenced proceeding, thus, the Commission lacks the legal authority under 30 V.S.A. § 21(a) to allocate court reporting expenses to my client as your letter proposes.

Brenda Chamberlin, Business Manager


Re: 8585 Billback

August 30, 2018

Page 2

The Commission might consider whether the Town of Irasburg and/or the Department of Public Service are "applicants" in Docket No. 8585 within the meaning of 30 V.S.A. § 21(a) in light of the Town's September 2, 2015 filing requesting an investigation and the Department's September 11, 2015 filing recommending the same. If so, the court reporting fees invoiced in error to my client can be billed to the Town and the Department for payment.

Very truly yours,



Leslie A. Cadwell

Cc: David Blittersdorf

