

September 21, 2021

*Via ePUC*

Holly Anderson, Clerk  
Vermont Public Utility Commission  
112 State Street  
Montpelier, Vermont 05620-2701

**Re: Case No. 21-1109-PET – Petition of Green Mountain Power Corporation for approval to modify service territory pursuant to 30 V.S.A. § 249**

**Case No. 21-1107-PET – Petition of GLOBALFOUNDRIES U.S. 2 LLC for a Certificate of Public Good, pursuant to 30 V.S.A. § 231 to operate a Self-Managed Utility**

Dear Ms. Anderson:

Green Mountain Power (“GMP”) has reviewed the Motion to Amend Schedule filed by AllEarth Renewables, Inc. (“AER”) yesterday in the above-referenced proceedings. While GMP has no objection to AER filing a motion regarding the Commission’s scope of authority to grant GLOBALFOUNDRIES U.S. 2 LLC’s petition (“GF”), GMP respectfully submits that the Commission has already established a deadline of October 1, 2021 for pre-hearing motions in its September 17, 2021 Memorandum regarding logistics for the upcoming evidentiary hearing, which are currently scheduled for October 14 and 15, 2021. As a result, there is no need to adjust the schedule to accommodate AER’s request.

The issue raised by AER is not new. Indeed, intervenors raised jurisdictional questions in motions to intervene in this proceeding four months ago, in May of 2021.<sup>1</sup> The parties negotiated an amended schedule in this proceeding with these issues in mind, and the amended schedule included a deadline for initial motions at intervenors’ request.<sup>2</sup> No such motions were filed at that time. Given the existing schedule, and upcoming scheduled hearings, it would be most efficient to maintain the October 1, 2021 deadline for pre-hearing motions, and for parties to provide their responses to AER’s Motion (or any other such motion) in post-hearing briefing, and for the Commission to decide any motions in its final order. There is ample time in the existing schedule to resolve this issue, without prejudice to other parties. In addition, the issues raised by AER may benefit from further exploration in questioning from the Commission or other parties during the already scheduled evidentiary hearings.

<sup>1</sup> CLF Motion to Intervene at 2 (5/3/2021).

<sup>2</sup> See Stipulated Motion to Amend Scheduling Order (5/14/2021), and PUC Scheduling Order (5/24/2021) (setting June 1, 2021 deadline for initial motions).

As GMP has previously noted, a decision on these petitions as close as possible to year-end remains important for GMP's planning and forecasting purposes, particularly with respect to GMP's recently filed regulation plan case, and upcoming Fiscal Year 2023 rate case, which is due January 18, 2022. Both of these proceedings are time-bound under Vermont statute and postponing hearings to a future, not-yet-identified date, presumably after resolution of AER's proposed jurisdictional motion, would impact these proceedings by holding open the potential status of GMP's largest customer.

The current schedule can accommodate AER's request without change. GMP therefore respectfully requests that the Commission deny AER's motion.

Thank you, and if you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Geoffrey H. Hand". The signature is fluid and cursive, written over a white background.

Geoffrey H. Hand, Esq.  
Dunkiel Saunders Elliott Raubvogel & Hand, PLLC

cc: Service List (via ePUC)