

STATE OF VERMONT
PUBLIC SERVICE BOARD

VERMONT PUBLIC
SERVICE BOARD

2016 JAN 6 PM 1 12

Docket No. 8585

Investigation into Meteorological Tower at)
700 Kidder Hill Road in Irasburg, Vermont)

**DISCOVERY REQUESTS BY THE TOWN OF IRASBURG
TO DAVID BLITTERSDORF**

DEFINITIONS

The following definitions apply to the following discovery requests:

1. Communication. The term 'communication' means the transmittal of information in the form of facts, ideas, inquiries or otherwise.
2. Document. The term 'document' is defined to be synonymous in meaning and equal in scope to the usage of this term in the Vermont rule of Civil Procedure 34(a) and includes any and all writings or other materials, whether handwritten, typed, printed, recorded or reproduced by any other physical, mechanical, electronic or electrical means, including, but not limited to records, papers, correspondence, telegrams, memoranda, notes, letters, photographs, photographic slides or negatives, films, filmstrips, computer diskettes, computer files, tapes and recordings, summaries or records of telephone conversations, summaries or records of personal conversations, and all carbons or photocopies bearing any underlining, highlighting, additions, corrections, or marginal notations which are in the possession, custody or control of Petitioner Next Generation Solar Farm, LLC, their agents, representatives, attorneys or experts, wherever located.
3. Identify (with respect to persons). When referring to a person, to 'identify' means to provide, to the extent known, that person's full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of the person need be listed in response to subsequent discovery requesting the identification of that person.
4. Identify (with respect to documents). When referring to documents, to 'identify' means to provide, to the extent known, information about the (i) type of document, (ii) its general subject matter; (iii) the date of the document; and (iv) its author(s), and each recipient.
5. You or Your(s). You or yours means Next Generation Solar Farm, LLC, its principals, agents, representatives, attorneys or experts, wherever located.
6. Person. The term 'person' is defined as any natural person or any business, legal or

governmental entity or association.

7. Concerning. The term 'concerning' means relating to, referring to, describing, evidencing or constituting.

8. Produce. The term 'produce' means to provide the original or an exact legible copy of a requested document to the requesting Counsel. A draft or non-identical copy is a separate document within the meaning of this term.

The following rules of construction apply to all discovery requests: 1. All/Each. The terms 'all' and 'each' shall both be construed as all and each.

2. And/Or. The connectives 'and' and 'or' shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

3. Number. The use of the singular form of any word includes the plural and vice versa.

INSTRUCTIONS

1. Provide a separate page for each separate question. Reproduce the discovery request made before presenting the response.

2. The response to each request should be made under oath by a person competent to testify concerning the response and all documents and exhibits produced as part of the response. With respect to each request, state (1) the name(s) and title(s) of the person or persons responsible for preparing the response; and (2) the date on which each question was answered.

3. Where information requested is not available in the precise form described in the question or is not available for all years (or other periods or classifications) indicated in a series of years (or other periods or classifications), provide all information with respect to the subject matter of the question that can be identified in your work papers and files or that is otherwise available.

4. These discovery requests are continuing in nature, and require you to file supplementary answer pursuant to the Vermont Rules of Civil Procedures as incorporated by the Rules of the Vermont Public Service Board. Change, supplement and correct your responses to conform to all information as it becomes available to you, including the substitution of actual data for estimated data. Responses to requests covering a period not entirely in the past (or for which complete actual data are not yet available) should include all actual data available at that time.

5. Whenever responses include estimated information, include an explanation (or reference to a previous explanation) of the methods and calculations used to derive the estimates.

6. For any matter where a request for admission is being answered by a denial or

objection, the answer should set forth in detail the reasons for the denial or objection, in conformity with the Vermont Rules of Civil Procedure Rule 36.

7. In construing these discovery requests, the terms 'refer to' and 'relate to' shall include any and all logical or factual connections to the subject of the discovery request as specified.

8. Organize responses and supporting documents using the identifying number of the request to which they respond.

DISCOVERY REQUESTS

Q.1. As a majority owner of Georgia Mountain Community Wind, does GMCW provide long-term, clean power along with economic and environmental benefits to Vermonters?

Q.2. As a former member of the Board of Renewable Energy Vermont (REV), REV advertises wind energy over Vermont's TV stations. In November 2015 REV ran an advertisement describing the Sheffield, Lowell and Mountain wind projects. What is the verbatim wording of that advertisement?

Q.3. You are a strong proponent of Vermont's energy independence. What are the implications of this goal in terms of generation, costs, carbon burden and environment for Vermont's citizens?

Q.4. How many homes are within ½ mile and 1 mile of your current wind turbines on Kidder Hill? Please supply a map showing the locations of all the structures within ½ and 1 mile of your current wind turbines on Kidder Hill.

Q.5. Is the location of your current wind turbines on Kidder Hill the same as the location described in the application for your certificate of public good? Please supply the GPS coordinates for both wind turbines, as erected.

Q.6. When you signed your non-compete agreement with NRG Systems, were you aware that it had a termination date? What is the termination date for that agreement?

Q.7. Are the two wind turbines currently sited on your Kidder Hill property grid-connected?

Q.8. Do you have CPGs for the two wind turbines on Kidder Hill? Please supply copies of the CPGs.

Q.9. When did you apply for the CPGs for the two wind turbines on Kidder Hill? Please supply a copy of the applications.

Q.10. When did you decide to seek a CPG for net-metered wind turbines at your property on Kidder Hill?

Q.11. Was NRG equipment used for evaluating the wind resource at GMCW?

Q.12. Were you involved in interpreting the wind resource data for GMCW?

Q.13. Prior to becoming managing member and majority partner at GMCW did you provide any professional consultation to GMCW? If yes, when did those consultations first begin? If yes, what were the topics of your consultation? If yes, please provide the correspondence related to that consultation.

Q.14. When did you begin to consider becoming a majority partner at GMCW?

Q.15. Who selected the wind turbines for GMCW?

Q.16. When were the turbines for GMCW ordered?

Q.17. How does the wind resource at Georgia Mountain compare to the wind resource at Kidder Hill?

Q.18. Do you own property on a ridgeline in Morgan?

Q.19. What date did you acquire that property?

Q.20. Did you put a wind measurement device of any type on the roof of the property in Morgan? If yes, when?

Q.21. Did you seek a CPG for a wind measurement device on your property in Morgan? If not, why not? If you obtained a CPG for that, please supply a copy of it and the application.

Q.22. Did you remove a wind measurement device from the roof of the property in Morgan? If yes, when? If yes, why?

Q.23. How much money would it have cost you to file an application for a CPG for the met towers on Kidder Hill that you installed in Nov-Dec 2010?

Q.24. Do you intend to seek to install any more meteorological towers in Vermont? If so, please identify the locations.

Q.25. Do you intend to seek to install any more wind turbines in Vermont? If so, please identify the locations.

Q. 26. Please identify every project for which you have been the applicant for a permit to Act 250, to Agency of Natural Resources (ANR), and to the PSB for a CPG by type, location, date; describe the project; state whether you obtained a permit; and state whether there were ever any violations of the permit.

Q. 27. Please produce all CPGs and Orders from the PSB and permits or correspondence from Act 250 or ANR that reference violations or failures to comply with application or CPG conditions.

Dated Irasburg, Vermont this 6th day of January, 2016.

By:

A handwritten signature in cursive script that reads "Robert R. Holland".

Dr. Robert R. Holland
Moderator
Town of Irasburg
PO Box 88 / 4328 Route 14
Irasburg, VT 05845
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(802) 754 6354

VERMONT PUBLIC
SERVICE BOARD

JW
GJ

January 6, 2016

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PSB Clerk
Vermont Public Service Board
112 State Street
Montpelier, VT 05620-2701

Re: Docket No. 8585

Dear PSB Clerk,

Attached please find

1. Irasburg's Discovery Requests on David Blittersdorf
2. Certificate of Service

in the above-referenced matter.

Electronic copies are being sent today to the service list by Judith Jackson, as I am out of town and have limited internet access.

One hard copy is being hand delivered to the Public Service Board today.

Hard copies are being mailed to the Service List, as noted on the Certificate of Service.

Thank you.

Sincerely,



Dr. Robert R. Holland
Appointed Representative
Town of Irasburg
PO Box 88 / 4328 Route 14
Irasburg, VT 05845
kcf.rrh@gmail.com
(802) 754 6354

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CERTIFICATE OF SERVICE

I hereby certify that hard copies of the foregoing filing were sent by U.S. Mail on January 6, 2016 to the parties in this docket, listed below.

By:



Dr. Robert R. Holland
Appointed Representative
Town of Irasburg
PO Box 88 / 4328 Route 14
Irasburg, VT 05845
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SERVICE LIST

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