

JW
54

State of Vermont
Department of Public Service
112 State Street
Montpelier, VT 05620-2601
<http://publicservice.Vermont.gov>

[phone] 802-828-2811
[fax] 802-828-2342
[tdd] 800-734-8390

VERMONT PUBLIC
SERVICE BOARD

2016 JUN 8 PM 4 26

June 8, 2016

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

Re: Docket No. 8585 – Kidder Hill/Irasburg MET Tower Investigation

Dear Ms. Whitney,

Enclosed for filing in the above-referenced proceeding, please find the original and three (3) copies of the Proposed Litigation Schedule of the Department of Public Service.

Thank you for your time and attention to this matter. Please contact me with any questions or concerns.

Sincerely,



Aaron Kisicki
Special Counsel

cc: Docket 8585 Service List (w/ enclosure)



STATE OF VERMONT
PUBLIC SERVICE BOARD

VERMONT PUBLIC
SERVICE BOARD

2016 JUN 8 PM 4 26

Docket No. 8585

Investigation into Meteorological Tower at) June 8, 2016
700 Kidder Hill Road in Irasburg, Vermont)

PROPOSED LITIGATION SCHEDULE
OF THE DEPARTMENT OF PUBLIC SERVICE

The Vermont Department of Public Service (“Department”), by and through undersigned counsel, submits the following proposed litigation schedule in the above-captioned proceeding. The Hearing Officer’s April 28, 2016 Second Procedural Order Amending Schedule set a June 8, 2016 deadline for parties to file a stipulation or proposed litigation schedule.

The Department, Mr. Blittersdorf, the Vermont Agency of Natural Resources (“ANR”), and the Town of Irasburg (“Irasburg”) have been engaged in settlement discussions since early April, 2016 in an effort to resolve this investigation. The parties have not, however, been able to reach a negotiated resolution in this proceeding. Furthermore, the Department, ANR, and Irasburg have concluded that continued negotiations are no longer appropriate at this time.

The Department intends to file a motion for partial summary judgment with the Public Service Board within two weeks of today’s filing. It therefore proposes that the Hearing Officer adopt the following proposed litigation schedule:

June 29, 2016:	Department files Motion for Summary Judgment
14 days after Hearing Officer ruling on motion:	Parties file proposed schedule for remainder of proceeding

The parties should be in the best position to determine the appropriate amount of process required in the proceeding once the Hearing Officer issues a ruling on the Department's motion. The Department is authorized to represent that ANR and Irasburg support this proposed schedule.

Dated at Montpelier, Vermont this Eighth day of June, 2016.

Respectfully submitted,

VERMONT DEPARTMENT OF PUBLIC SERVICE



Aaron Kisicki
Special Counsel

cc: Docket 8585 Service List