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STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 8585

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

July 1, 2016

**STATEMENT OF UNDISPUTED MATERIAL FACTS OF
THE VERMONT DEPARTMENT OF PUBLIC SERVICE**

The Vermont Department of Public Service, by and through undersigned counsel, hereby submits the following statement of undisputed facts in support of its Motion for Partial Summary Judgment pursuant to Vermont Rule of Civil Procedure 56 in the above-captioned proceeding.

1. On November 19, 2010, Mr. Blittersdorf began preparation for installation of a meteorological (“MET”) station on his property at 700 Kidder Hill Road, Irasburg, Vermont. David Blittersdorf (“Blittersdorf”) prefiled testimony, Dec. 18, 2015 (“pf.”) at 2.
2. On December 29, 2010, Mr. Blittersdorf completed installation of the MET station and began recording data gathered by the MET station instrumentation. Blittersdorf pf. at 2; Blittersdorf Discovery Response (“Discovery”) A.DPS:Resp.1-5.
3. The installed MET station included a 60-meter tower and instrumentation to collect and record wind speed, wind direction, and atmospheric conditions, including wind vanes, wind speed anemometers, a heated anemometer, and data logger. Blittersdorf pf. at 2, 4; Exh. DB-2, Photo 3.
4. The MET station was installed to measure and/or assess the wind resource at Mr. Blittersdorf’s Kidder Hill property. Blittersdorf pf. at 4; Letter from Leslie Cadwell, Esq., on behalf of Mr. Blittersdorf, to Susan Hudson, PSB Clerk, re: *Meteorological Tower on David Blittersdorf’s Property*, Sept. 10, 2015; Discovery A.DPS:Resp.1-1.
5. Mr. Blittersdorf did not obtain a certificate of public good (“CPG”) from the Vermont Public Service Board, pursuant to 30 V.S.A. §§ 246 and/or 248, in advance of installing the MET station. Blittersdorf pf. at 4-5.

6. On January 1, 2012, Mr. Blittersdorf was issued a CPG to install net-metered facility consisting of two wind turbines interconnected with the Vermont Electric Cooperative, Inc. electrical distribution system at his Kidder Hill property. Blittersdorf pf. at 9; CPG #NM-1771, Final Order, Jan. 5, 2012.
7. Two net-metered wind turbines were installed at Mr. Blittersdorf's Kidder Hill property in 2012. Blittersdorf pf. at 9.
8. In February 2014, data gathered and recorded by the MET station was reviewed by a consultant retained by Mr. Blittersdorf to assess the wind resource available at Mr. Blittersdorf's Kidder Hill property for a commercial, non-residential wind turbine facility. Blittersdorf pf. at 10.

Dated at Montpelier, Vermont this First day of July, 2016.

Respectfully submitted,

VERMONT DEPARTMENT OF PUBLIC SERVICE



Aaron Kisicki
Special Counsel

cc: Docket 8585 Service List