

STATE OF VERMONT
PUBLIC SERVICE BOARD

Case No. 8816

Petition of Swanton Wind LLC for a certificate of public good, pursuant to 30 V.S.A. § 248, for the construction of an up to 20 MW wind-powered electric generation plant powered by up to 7 wind turbines located along Rocky Ridge in Swanton, Vermont	
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Order entered: 1/20/2017

SECOND PROCEDURAL ORDER RE: LANG OBJECTIONS TO ADMISSIBILITY

On December 19, 2016, intervenors Dustin and Christine Lang filed with the Vermont Public Service Board (“Board”) objections (the “Lang Objections”) to the admissibility of certain portions of the prefiled testimony and exhibits of the petitioner, Swanton Wind, LLC (the “Petitioner” or “Swanton Wind”).

On January 6, 2017, the Petitioner filed its opposition to the Lang Objections. With respect to several of the Lang Objections, the Petitioner’s opposition was based solely on an asserted lack of standing for the Langs to raise the objections.

Also on January 6, 2017, the Towns of Swanton and Fairfield filed a response to the Lang Objections, stating that the towns “join, in their entirety, the positions set forth” in the Lang Objections, and that the towns join in those objections and “request that the Board” exclude those portions of the Petitioner’s prefiled testimony as described in the Lang Objections.¹

On January 12, 2017, the Board issued an Order allowing Swanton Wind until January 20, 2017, to supplement its responses to the Lang Objections in light of the January 6, 2017, filing by the Towns of Swanton and Fairfield.

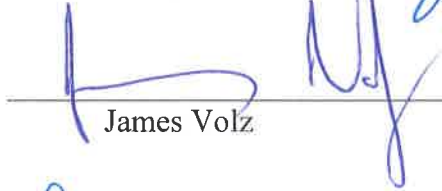


On January 19, 2017, Swanton Wind filed a motion seeking an extension of the deadline for it to file supplemental responses from January 20, 2017, until January 27, 2017. According to Swanton Wind, it did not receive a copy of the Board’s January 12, 2017, Order, which was served via U.S. Mail, until January 17, 2017, leaving only three days for it to prepare and file its

¹ Swanton and Fairfield response to Lang Objections at 1, 2.

supplemental responses. Swanton Wind further asserts that its request will not prejudice any other party given that the schedule in this proceeding has been suspended.

We have considered Swanton Wind's request and find it reasonable for the reasons stated therein. Swanton Wind shall file any supplemental responses as a result of the towns joining in the Lang Objections by close of business on January 27, 2017.

Dated at Montpelier, Vermont this 20th day of January, 2017.

)	
James Volz)	PUBLIC SERVICE
)	
)	
Margaret Cheney)	BOARD
)	
)	
Sarah Hofmann)	OF VERMONT

OFFICE OF THE CLERK

Filed: January 20, 2017

Attest: Julie C. Whitney
Clerk of the Board

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) or any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@vermont.gov)

PSB Docket No. 8816 - Service List - Parties

Parties:

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AU 1/20/17

*Sent 1/20/2017
DMM*

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(For Swanton Wind LLC)

DOCKET	<input checked="" type="checkbox"/>
FILE	<input type="checkbox"/>
BINDER	<input checked="" type="checkbox"/>
STAFF	<input checked="" type="checkbox"/>
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WEBSITE	<input type="checkbox"/>
WEB	<input checked="" type="checkbox"/>

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and Planning Commission &
For Town of Fairfield Selectboard)

✓ Cindy Ellen Hill, Esq.
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(For Christine and Dustin Lang)

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(For Vermont Division for
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(For City of Burlington Electric Dept.)



✓ Joseph S. McLean, Esq. (For Northwest Regional Planning Commission)
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*Motion to intervene pending.

Interested Persons:

✓ James Volz, Margaret Cheney, Sarah Hofmann, Board Members
✓ John J. Cotter, Esq., Gregg Faber, Mary Jo Krolewski, David Watts (PSB)

✓ William H. Rice, A.A.G.
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→ Sent via email JW

~~JoAnn Q. Carson (Court Reporter)
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~~Kim Sears (Court Reporter)
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Whitney, Judith

From: PSB - Clerk
Sent: Friday, January 20, 2017 12:59 PM
To: McLean, Joseph S. Esq. (jmclean@firm SPF.com); David W. Rugh; 'Adrian, Edward, Esq.'; 'Azaria, Dale E., Esq.'; 'Cadwell, Leslie A., Esq.'; 'Ellis, William F., Esq.'; 'Hill, Cindy Ellen, Esq.'; 'Kehne, Melaniie, Esq.'; Kisicki, Aaron; 'Stone, Alison Milbury, Esq.'; 'Welts, Leslie A., Esq.'
Subject: PSB Docket No. 8816 - Swanton Wind Project
Attachments: 8816 SecondProcOrderWorkshopSchedule.pdf; 8816 OrdExtObjSuppResponse.pdf

Dear Parties: Enclosed are two Orders being issued today by the Public Service Board in the above-referenced docket. Hard copies of the Orders are also being sent.

Thank you.
-Judy Whitney, PSB

Judith C. Whitney
Clerk of the Board
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