

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7970

Petition of Vermont Gas Systems, Inc. for a )  
certificate of public good, pursuant to 30 V.S.A. )  
§ 248, authorizing the construction of the "Addison )  
Natural Gas Project" consisting of approximately )  
43 miles of new natural gas transmission pipeline in )  
Chittenden and Addison Counties, approximately )  
5 miles of new distribution mainlines in Addison )  
County, together with three new gate stations in )  
Williston, New Haven, and Middlebury, Vermont )

Order entered: 11/5/2015

**PROCEDURAL ORDER RE: REVISED SCHEDULE FOR SUPPLEMENTAL EVIDENTIARY HEARINGS**

**I. INTRODUCTION**

On November 2, 2015, the Vermont Public Service Board ("Board") issued an Order that set forth a schedule for further process to resolve several pending motions to reopen and supplement the evidentiary record for this second remand proceeding (the "Second Remand"). The schedule specified technical hearings to be held on December 1-3, 2015. In this Order, we modify the technical hearing dates to address the parties' scheduling conflicts.

**II. DISCUSSION**

On November 3, 2015, AARP filed a motion to alter the schedule because AARP's counsel and witness are unavailable during the prescribed dates for technical hearings. AARP has proposed instead that the hearings be held on December 7-9, 2015. AARP represents that the Vermont Fuel Dealers Association and the Conservation Law Foundation are available the week of December 7 and join in AARP's request. Also on November 3, 2015, Vermont Gas Systems, Inc. ("VGS" or the "Company") filed a request that the hearings be held on November 18-20,

2015. In addition, counsel for Nate and Jane Palmer has stated that he is not available the week of December 7, 2015.<sup>1</sup>

In order to accommodate all parties, the Board has decided to modify the hearing schedule. We will commence the hearings on December 1-2, 2015. However, in order to accommodate the conflict of AARP's counsel, we will convene continued technical hearings on December 9-10, 2015. All witnesses present at the December 1 and 2 technical hearings shall also be available on the dates for the continued technical hearings. Counsel for AARP will thereby have an opportunity to review the transcript of the first two days of hearings. He will also have the opportunity to cross-examine all witnesses. This process will ensure that AARP's counsel's unavailability will not adversely affect AARP's ability to present testimony and examine witnesses. Similarly, counsel for the Palmers will be present when witnesses originally testify. However, the Board also requests that AARP file by noon on December 8, 2015, a list of the witnesses who testified on December 1 and 2 that it would like to examine during the continued technical hearings.

### **III. SCHEDULE**

We hereby set the following modified schedule for this proceeding:

November 6, 2015:	VGS and DPS pre-filed testimony due to be filed
November 23, 2015:	Other parties' direct testimony, if any, due to be filed; discovery period ends <sup>2</sup>
December 1-2, 2015:	Technical Hearings
December 9-10, 2015:	Continued Technical Hearings
December 14, 2015:	Direct Briefs due to be filed
December 23, 2015:	Reply Briefs due to be filed

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1. Email from David Grayck, Esq., to Judith Whitney, Deputy Clerk of the Board, dated November 3, 2015.

2. If VGS wishes to conduct discovery on other parties' testimony after this date, the Company may do so by making appropriate arrangements with those parties to serve interrogatories or conduct depositions, provided, however, that no such discovery activities be conducted from November 26-29.

**SO ORDERED.**

Dated at Montpelier, Vermont, this 5th day of November, 2015.

<u>s/James Volz</u>	)	
	)	
	)	PUBLIC SERVICE
	)	
<u>s/Margaret Cheney</u>	)	BOARD
	)	
	)	OF VERMONT
	)	
<u>s/Sarah Hofmann</u>	)	

OFFICE OF THE CLERK

FILED: November 5, 2015

ATTEST: s/Judith C. Whitney  
Deputy 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) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@vermont.gov)*