

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: 3/2/2015

**PROCEDURAL ORDER RE NOTICE OF SECOND REMAND STATUS CONFERENCE, REQUEST FOR  
ADDITIONAL COMMENTS, AND PROPOSED SCHEDULE**

**I. INTRODUCTION**

On December 23, 2013, the Vermont Public Service Board (the "Board") issued a Final Order (the "December 23<sup>rd</sup> Order") granting Vermont Gas Systems, Inc. ("VGS") a Certificate of Public Good ("CPG") pursuant to 30 V.S.A. § 248 to construct a natural gas pipeline extension into Addison County, Vermont (the "Project"). On December 19, 2014, VGS informed the Board that, for the second time, it projected a significant increase in its estimated cost of the Project,<sup>1</sup> which has now reached \$154 million. On January 16, 2015, the Board issued an Order in which it provided notice to the parties of its decision to seek a second remand of the December 23<sup>rd</sup> Order from the Vermont Supreme Court in light of the second estimated cost increase filing by VGS. On January 23, 2015, the Board filed a motion for a second remand with the Vermont Supreme Court. On February 9, 2015, the Vermont Supreme Court issued an order granting the Board's second remand motion.

In today's Order, the Board (1) orders a status conference for Wednesday, March 18, 2015, to discuss the schedule for the Board's review of the Project under Rule 60(b); (2) seeks

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1. On July 2, 2014, VGS informed the Board that its projected costs had increased from the \$86.6 million set out in the December 23<sup>rd</sup> Order to approximately \$121 million.

additional comments any party may wish to make regarding the scope of the second remand, in particular addressing the following language in the Supreme Court's entry order:

The Public Service Board seeks a second remand in the above appeal for the Board to determine whether to reopen its December 23, 2013, final order and, if it does so, to reconsider whether and on what terms to authorize the project that is the subject of the final order. Appellant supports the Board's second motion for remand, but requests that the matter be remanded without limitation to its scope or, in the alternative, with explicit authority to consider certain motions filed by her and others. The Board's motion is granted. Regarding appellant's motion, the Board on remand may entertain appellant's request that it consider certain specified motions in determining whether to reopen the final order.<sup>2</sup>

and (3) distributes for the parties' consideration a proposed schedule for determining whether to reopen the December 23<sup>rd</sup> Order pursuant to Rule 60(b).

## **II. PROPOSED SCHEDULE**

The Board proposes the following schedule for this proceeding:

Additional Comments on the Scope of the Proceeding	March 9, 2015
Status Conference	March 18, 2015
VGS files supplemental prefiled testimony	March 27, 2015
One round of discovery questions on VGS	April 3, 2015
Response to discovery from VGS	April 10, 2015
Non-petitioners file prefiled testimony	April 20, 2015
Opportunity to conduct depositions	April 20 - May 1, 2015
Parties file rebuttal prefiled testimony	May 1, 2015
Technical hearing	May 11-12, 2015
Briefs due	May 18, 2015

Comments on the scope and schedule are due Monday, March 9, 2015. The parties shall be prepared to discuss and finalize a schedule at the status conference to be held on Wednesday,

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2. Vermont Supreme Court Docket No. 2014-135, *Entry Order*, dated February 9, 2015.

