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February 28, 2017

Judith Whitney, Clerk
Vermont Public Service Board
112 State Street, 4th Floor
Montpelier, VT 05620-2701

Re: Docket 8816: Request to Modify Schedule

Dear Ms. Whitney:

Petitioner Swanton Wind LLC respectfully requests an extension of the deadline to respond to motions to intervene filed in the above-referenced docket until March 15, 2017, and an extension of the deadline for Petitioner's responses to written discovery until March 10, 2017. We also ask that the Public Service Board otherwise suspend the schedule and convene a status conference within three weeks of its decision on the pending motions to intervene.

In addition to the two motions to intervene that were timely filed using ePSB on the February 16, 2017 deadline (to which Petitioner filed a timely response), thirty-five (35) motions to intervene were filed by non-electronic means on that date and mailed to Petitioner's counsel. Unfortunately, as outlined in the attached affidavit of my co-counsel Leslie A. Cadwell, our firm was not in possession of the motions until February 22nd – the day before the response deadline. One additional motion was filed late, on February 23rd. Petitioner, who is simultaneously responding to the large number of discovery requests from the eight non-petitioner parties currently participating in the case, needs more time to review and respond to the thirty-six (36) new motions that are pending. We ask that the deadline for doing so be extended to March 15.

Moreover, in light of the large number of prospective intervenors, we ask that the rest of the schedule be suspended until the Board has ruled on the pending motions to intervene. If all intervention requests are granted, there will be forty-six (46) non-petitioner parties participating in the docket; participation at this scale necessitates re-visiting the schedule to ensure that it is workable for all parties and the Board. Therefore, we propose that a status conference to set a revised schedule be held within 3 weeks of the Board's ruling.

With respect to discovery, we are requesting that the March 2 deadline for Petitioner's responses be moved to March 10 due to the large volume of requests we received (over 600, including subparts).

I have spoken with counsel for the Department of Public Service, the Town of Swanton Selectboard and Planning Commission, the Town of Fairfield Selectboard, and the Northwest Regional Planning Commission, and am authorized to represent that these parties do not object to the proposed modifications to the schedule outlined above.

Thank you in advance for considering these requests.

This letter and the accompanying document have been filed electronically using ePSB.

Respectfully submitted,



Alison Milbury Stone, Esq.

Enclosure

Cc: ePSB

Enclosed Service List

