

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket 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 to be located in Swanton,)
Vermont)

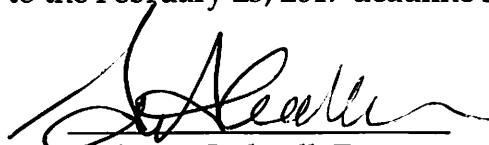
AFFIDAVIT OF COUNSEL

I, Leslie A. Cadwell, counsel for Swanton Wind LLC in the above-captioned docket, being duly sworn, over 18 years of age, and competent to testify on these matters say:

1. The facts and information about which I testify in this affidavit are based on my personal knowledge and first-hand experience.
2. First class mail sent to my firm's Castleton, Vermont post office box from other parts of the state takes at least 2 business days, but often 3 business days, to arrive.
3. Copies of thirty-five motions to intervene filed by non-electronic means in this docket on February 16, 2017 were mailed to the firm's post office box on February 16, 2017. However, due to the President's Day holiday, the first business day following the mailing was Tuesday, February 21, 2017, two days before the due date set by the Board's scheduling order. As a result of an illness on February 21, 2017, I did not receive notice that these motions had been filed until I retrieved them from the post office the next business day, Wednesday, February 22nd.
4. There was no indication on the motions that they were timely filed with the Board on February 16, 2017. ePSB did not provide notice on February 16 that

these motions had been filed with the Board, although per Section XI(d) of Standards and Procedures Applicable to Electronic Filing Using ePSB and the Board's December 28, 2016 memorandum regarding use of ePSB in this case created a reasonable expectation that notice of filings made with the Board would be provided in a timely manner by ePSB.

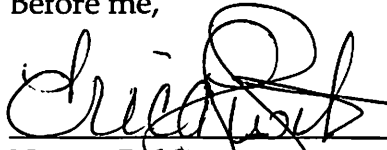
5. On February 23, 2017, the day responses to the motions were due, ePSB began notifying Petitioner and other parties that motions to intervene were filed with the Board on February 16, 2017. Notices from ePSB that motions to intervene were filed on February 16 continued into the following day, February 24, 2017, and further into the following week.
6. Counsel for Swanton Wind did not have sufficient notice or time to review and respond to the thirty-five motions to intervene filed in this docket by non-electronic means prior to the February 23, 2017 deadline set by the Board.


Leslie A. Cadwell, Esq.

STATE OF VERMONT
COUNTY OF RUTLAND, SS.

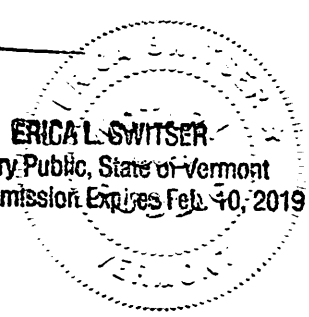
On this 28th day of February, 2017, personally appeared Leslie A. Cadwell, and she swore to the truth of the foregoing statements.

Before me,


Notary Public

Printed Name:

My commission expires:


ERICA L. SWITSER
Notary Public, State of Vermont
My Commission Expires Feb. 40, 2019