



State of Vermont

Agency of Natural Resources – Office of General Counsel
1 National Life Drive – Davis 2
Montpelier, VT 05620-3901

Agency of Natural Resources

Direct Tel.: 802-249-1720

December 14, 2016

Judith C. Whitney, Clerk
Vermont Public Service Board
112 State Street
Montpelier, VT 05620-2701

Re: Docket No. 8847 – Petition of Vermont Green Line Devco, LLC

Dear Ms. Whitney:

Please accept the following comments on behalf of the Agency of Natural Resources (Agency) concerning the schedule and other issues raised at the prehearing conference held on November 30, 2016 in the above matter.

Following the prehearing conference, the Agency worked with the Petitioner and other parties to reach agreement on a proposed schedule for proceeding with this docket. The Petitioner, Agency, and Department of Public Service reached agreement on the attached schedule. It is the Agency's understanding that CLF and Historic Preservation are also in agreement with this schedule.

The Agency's agreement to this schedule is based on the understanding that Petitioner will be filing several collateral permit applications with the Agency in the near future. This is reflected in the schedule by the inclusion of the supplemental testimony deadline of January 6, 2017.

The Agency also maintains its position, stated at the prehearing conference, that all upgrades to the transmission system necessitated by this Project will need to be subject to review by the Board for their potential impacts on the natural environment, and other substantive criteria. The Agency believes that such reviews may occur in two ways. If the upgrades independently trigger the need for their own certificate of public good, then they will be reviewed as part of that separate Section 248 proceeding. On the other hand, if the needed upgrades are not of the magnitude that triggers the need for a separate Section 248 proceeding, then they should be reviewed as a part of this docket. In that case, Petitioner should be required to file supplemental testimony and exhibits which address the upgrades, and additional process should take place to allow the parties to assess the impacts. Review of impacts attributed to upgrades necessitated by the Project, even if the upgrades themselves do not independently trigger Board

jurisdiction, is necessary to ensure that this Project will not result in undue adverse impacts.¹

Thank you for the opportunity to submit comments in this matter.

Respectfully submitted,
State of Vermont Agency of Natural Resources



By: Donald J. Einhorn, Esq.

Copy: Service list

¹ Docket No. 7201, *Petition of Vermont Electric Cooperative, Inc.*, Order dated 9/15/2006.

VERMONT GREEN LINE
PROPOSED PROCEDURAL SCHEDULE

Site visit and public hearing	After January 13, 2017
Intervention Deadline	14 calendar days after site visit and public hearing
Responses to intervention	10 calendar days after service of motion
VGLD Supplemental Testimony/Exhibits re Environmental Collateral Permit Filings and Hawkins Bay Alternative Review	January 6, 2017
1 st round discovery on VGLD	January 30, 2017
VGLD responses to 1 st round discovery	February 13, 2017
2d round discovery on VGLD	March 13, 2017
VGLD responses to 2d round discovery	April 7, 2017
Non-petitioner testimony	May 5, 2017
1 st discovery on non-petitioners	May 12, 2017
Non-petitioners responses to 1 st round discovery	June 9, 2017
2d round discovery on non-petitioners	June 16, 2017
Non-petitioners responses to 2d round discovery	July 14, 2017
VGLD rebuttal testimony	July 28, 2017
Discovery on VGLD rebuttal testimony	August 14, 2017
VGLD responses to discovery on rebuttal	August 28, 2017
Non-petitioners rebuttal testimony	September 25, 2017
Discovery on non-petitioners rebuttal testimony	September 29, 2017
Non-petitioners responses to discovery on rebuttal testimony	October 27, 2017
Technical hearing	November 16-17, 20 2017

*Stipulations may be filed at any time

**STATE OF VERMONT
PUBLIC SERVICE BOARD**

Petition of Vermont Green Line Devco, LLC,) Docket No. 8847
pursuant to 30 V.S.A. §§ 231 and 248, for a)
certificate of public good to own, operate and)
construct an underwater and underground 400)
MW high voltage direct current (HVDC) electric)
transmission line, converter station, and associated)
facilities to be located in Lake Champlain and the)
Towns of Ferrisburgh, Waltham, and New Haven,)
Vermont.)

CERTIFICATE OF SERVICE

I, Marcella Dent, certify that on December 14, 2016, I served a copy of the Vermont Agency of Natural Resources' *Comment Letter* regarding schedule and other issues raised at the prehearing conference in the above captioned matter, to the following parties, by U.S. Mail, postage prepaid and by electronic mail as indicated:

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Dated at Montpelier, Vermont this 14th day of December, 2016:



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