

STATE OF VERMONT
PUBLIC SERVICE BOARD

Petition of Vermont Green Line Devco,)
LLC, 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 in Lake)
Champlain and the Towns of Ferrisburgh,)
Waltham, and New Haven,)
Vermont, and for *de minimis* regulation)

Docket No. 8847

TOWN OF FERRISBURGH MOTION TO INTERVENE

NOW COMES the Town of Ferrisburgh, Vermont (the “Town”), acting through its Select Board and represented by its legal counsel, Benjamin Marks Attorney at Law PLC, pursuant to Vermont Public Service Board (“Board”) Rule 2.209(A) files this motion to intervene as a party of right in this proceeding. The Town, as represented by its legislative body, the Select Board, has an unconditional statutory right to be a party.

Board Rule 2.209(A) provides in pertinent part, that “[u]pon timely application, a person shall be permitted to intervene in any proceeding . . . when a statute confers an unconditional right to intervene.” This is a proceeding under 30 V.S.A. Section 248(a) seeking approval to construct an electric transmission line, in part through the Town of Ferrisburgh. 30 V.S.A. Section 248(a)(4)(H) grants the Town's Select Board an unconditional right to intervene:

The legislative body . . . for the municipality in which a facility is located shall have the right to appear as a party in any proceedings held under this subsection.

30 V.S.A. Section 248(a)(4)(H). Accordingly the Town's intervention as of right is warranted under Rule 2.209(A).

This motion is timely. Although the prehearing conference has been held in this matter, no deadline has yet been set by the Board for intervention in this proceeding. Moreover, the Town will agree to the schedule proposed jointly by the petitioner, the Agency of Natural Resources, Department of Public Service, and Conservation Law Foundation or any other schedule adopted by the Board, so no party will be prejudiced by the Town's intervention at this time.

For the foregoing reasons, the Town respectfully requests that the Board grant this motion to intervene in this proceeding.

Dated at Cornwall Vermont this 13th Day of December, 2016.

BENJAMIN MARKS ATTORNEY AT LAW PLC

A handwritten signature in blue ink, appearing to read "B Marks", written in a cursive style.

By: _____

Benjamin Marks, Esq.
2098 Route 74
Cornwall, Vermont 05753
802-462-3536
benmarks2005@gmail.com

STATE OF VERMONT
PUBLIC SERVICE BOARD

Petition of Vermont Green Line Devco,)
LLC, 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 in Lake)
Champlain and the Towns of Ferrisburgh,)
Waltham, and New Haven,)
Vermont, and for *de minimis* regulation)

Docket No. 8847

NOTICE OF APPEARANCE

NOW COMES Benjamin Marks of the law firm Benjamin Marks Attorney at Law PLC, and enters his appearance on behalf of the Town of Ferrisburgh, Vermont in the above-captioned matter.

Dated at Cornwall Vermont this 13th Day of December, 2016.

BENJAMIN MARKS ATTORNEY AT LAW PLC



By: _____

Benjamin Marks, Esq.
2098 Route 74
Cornwall, Vermont 05753
802-462-3536
benmarks2005@gmail.com

Benjamin Marks Attorney at Law PLC
Benjamin Marks, Esq.
2098 Route 74
Cornwall, Vermont 05753
802-462-3536
benmarks2005@gmail.com

December 13, 2016

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

Re: Docket 8847 – Vermont Green Line Development; Town of Ferrisburgh Notice of Appearance, Motion to Intervene

Dear Ms. Whitney:

On behalf of the Town of Ferrisburgh, I have enclosed an original and six copies of my Notice of Appearance and a Motion to Intervene. Copies of the enclosed have been served upon the parties on the attached service list via U.S. Mail. Please call with any questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "B Marks", written in a cursive style.

Benjamin Marks

Enclosures

cc: Service List
James F. Carroll, Esq. (via electronic mail)
Craig Heindel (via electronic mail)

PSB Docket No. 8847 - Service List – Parties

Parties:

<p>Louise C. Porter, Esq. Vermont Department of Public Service 112 State Street Montpelier, VT 05620-2601</p>	<p>(for Vermont Department of Public Service)</p>
<p>Leslie A. Cadwell Esq. Alison Milbury Stone, Esq. Legal Counselors & Advocates, PLC PO Box 827 Castleton, VT 05735</p>	<p>(For Vermont Green Line Devco, LLC)</p>
<p>Joslyn L. Wilschek Esq. Primmer Piper Eggleston & Cramer PC 100 East State Street, PO Box 1309 Montpelier, VT 05601-1309</p>	<p>(For National Grid)</p>
<p>Donald J. Einhorn, Esq. Vermont Agency of Natural Resources 1 National Life Drive, Davis 2 Montpelier, VT 05620-3901</p>	<p>(For Vermont Agency of Natural Resources)</p>
<p>Andrew N. Raubvogel, Esq. Victoria M. Westgate, Esq. Dunkiel Saunders Elliott Raubvogel & Hand PLLC 91 College Street, PO Box 545 Burlington, VT 05402-0545</p>	<p>(For Champlain VT, LLC, d/b/a TDI New England)</p>
<p>Richard H. Saudek Esq. Diamond & Robinson, P.C. 15 East State Street, PO Box 1460 Montpelier, VT 05601-1460</p>	<p>(For Town of New Haven)</p>
<p>Cindy Ellen Hill, Esq. Hill Attorney PLLC 144 Mead Lane Middlebury, VT 05753</p>	<p>(For Town of New Haven)</p>
<p>Toni Hamburg Clithero Assistant Attorney General Vermont Agency of Transportation One National Life Drive Montpelier, VT 05633-5001</p>	<p>(For Vermont Agency of Transportation)</p>
<p>Sandra Levine, Esq. Conservation Law Foundation 15 East State Street, Suite 4 Montpelier, VT 05602</p>	<p>(For Conservation Law Foundation)</p>

William F. Ellis Esq. McNeil, Leddy & Sheahan, P.C. 271 South Union Street Burlington, VT 05401	(For City of Burlington Electric Department)
Polly C. Darnell 155 Forest Drive, PO Box 146 New Haven, VT 05472	