

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7032

Joint Petition of Vermont Electric Power )  
Company, Inc., Green Mountain Power )  
Corporation and the Town of Stowe Electric )  
Department for a certificate of public good, )  
pursuant to 30 V.S.A. Section 248, authorizing )  
the so-called Lamoille County 115 kV Project, )  
consisting of the construction of a transmission )  
line from Stowe to Duxbury, Vermont, and )  
accompanying facilities. )

Order entered: 6/17/2005

**ORDER RE MOTION TO INTERVENE**

On May 23, 2005, Jerry McDermott filed a letter with the Vermont Public Service Board ("Board") concerning the location of the proposed 115 kV transmission line on Mr. McDermott's property. Mr. McDermott states that he has been in consultation with Vermont Electric Power Company, Inc. ("VELCO") regarding a possible relocation of the line on his property. The May 23 letter requests that a description and diagram of Mr. McDermott's proposed relocation be admitted into evidence. Finally, Mr. McDermott states that his involvement "is limited to this proposed change on our property."

On May 31, 2005, the Clerk of the Board issued a memorandum stating that Mr. McDermott's letter would be treated as a Motion to Intervene and required parties to file any comments by June 10, 2005. On June 7, 2005, VELCO filed a letter with the Board stating that it does not oppose the intervention request. VELCO requests that Mr. McDermott's participation in the Docket be limited to the issue of the proposed transmission line crossing his property. VELCO also requests that if the motion is granted, the intervention of Mr. McDermott not cause any delay in the proceedings. On June 10, 2005, the Vermont Department of Public Service filed a letter stating that it does not object to the intervention request "provided that the Board make

clear that the intervention is limited to the scope of Mr. McDermott's stated grounds for intervention."

The deadline for filing intervention requests was February 18, 2005. This deadline was deliberately set to occur after the public hearing, held on February 9, 2005, to ensure that there was sufficient opportunity for persons interested in participating in the Docket to know about the intervention deadline.

No party has objected to Mr. McDermott's motion to intervene. Mr. McDermott indicates that his participation in the Docket will be limited to his suggested relocation of the proposed transmission line. It is only because of these two factors that I am granting Mr. McDermott's motion to intervene.

Mr. McDermott is granted permissive intervention pursuant to Board Rule 2.209(B). Mr. McDermott's participation in this Docket will be limited to his suggested relocation of the proposed transmission line on his property. In addition, Mr. McDermott must take the schedule as he finds it.

In addition, I am accepting Mr. McDermott's brief description and diagram of his proposed relocation of the proposed 115 kV line on his property as late prefiled testimony.<sup>1</sup> The testimony is of very limited scope, and allowing the testimony at this time will provide parties an opportunity to respond through surrebuttal testimony. I will reconsider this decision if an objection is filed by any party.

SO ORDERED.

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1. Following the Board's standard practice, the prefiled testimony will not be admitted into the record until the technical hearings (absent an objection and ruling to the contrary).

Dated at Montpelier, Vermont, this 17<sup>th</sup> day of June, 2005.

s/Ed McNamara

Edward McNamara, Esq.  
Hearing Officer

OFFICE OF THE CLERK

FILED: June 17, 2005

ATTEST: s/Susan M. Hudson

Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: Clerk@psb.state.vt.us)*