

**STATE OF VERMONT
PUBLIC SERVICE BOARD**

CPG #16-0042-NMP

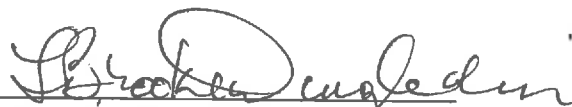
**Application of Orchard Road Solar I, LLC for a)
certificate of public good, pursuant to)
30 V.S.A. §§ 219a and 248, for a 500 kW)
interconnected group net-metered solar electric)
Generation system in Middletown Springs, Vermont)**

ENTRY OF APPEARANCE

NOW COMES L. Brooke Dingledine, Esquire, of the law firm of Valsangiacomo, Detora & McQuesten, P.C., and hereby enters her appearance in the above-entitled action on behalf of:

- Richard M. Spitalny
- Ted & Dana Fitzpatrick
- Peter & Aileen Stevenson
- Neil & Thomas Russell
- Karen & Robert Galloway
- Daniel McKeen & Ellen Second

Dated at City of Barre, County of Washington and State of Vermont this
22nd day of March, 2017.


L. Brooke Dingledine, Esquire
VALSANGIACOMO, DETORA & McQUESTEN
P. O. Box 625
172 North Main Street
Barre, VT 05641
(802) 476-4181 Ext. 311

**STATE OF VERMONT
PUBLIC SERVICE BOARD**

CPG #16-0042-NMP

**Application of Orchard Road Solar I, LLC for a)
certificate of public good, pursuant to)
30 V.S.A. §§ 219a and 248, for a 500 kW)
interconnected group net-metered solar electric)
Generation system in Middletown Springs, Vermont)**

COMMENTS ON PROPOSED SCHEDULE

NOW COME Richard Spitalny, Robert & Karen Galloway, Ted & Dina Fitzpatrick, Peter & Aileen Stevenson, Daniel McKeen & Ellen Secord, and Neil & Thomas Russell, by and through their attorney L. Brooke Dingedine, Esq. of the firm Valsangiacomo, Detora & McQuesten, P.C. and hereby respond to the Hearing Officer's March 16, 2017 Order Re: Comments on Proposed Schedule as follows:

1. At hearing, the week of April 3rd was discussed by the parties as a possible week for a site visit; however, undersigned Counsel alerted the hearing officer that she was scheduled to be in court during the early part of that week and would be unavailable for a site visit. Specifically, undersigned Counsel has the following scheduled court dates:
April 3 - Washington Superior Court, Family Division at 3pm;
April 4 - Washington Superior, Probate Division at 2pm;
April 5 - Vermont Human Services Board at 10am;
April 5 - Caledonia Superior Court, Civil Division at 1:30pm.
2. In addition, Mr. Spitalny is unavailable on April 3 or 4 due to his child's wedding. He is also unavailable on April 5 due to an important and long-standing doctor's appointment.
3. Therefore, Counsel for the above-named parties and Mr. Spitalny would be unable to attend a site visit on April 3, 4, or 5, 2017.

4. Undersigned Counsel and the above-named parties would be available on April 6 or 7 for a site visit; however, it is understood that DPS Attorney Stephanie Hoffman is not available those dates.
5. Therefore, undersigned counsel proposed the following dates to DPS and the Applicant's attorneys: April 11, 13 or 14. An agreement could not be secured from Applicant's attorneys to propose those dates because the above-named parties did not wish to stipulate to the remainder of the scheduled proposed by DPS.
6. With regard to the remainder of the proposed schedule, the above referenced parties submit the following comments: All facts and arguments asserted by undersigned Counsel at the March 16, 2017 prehearing conference are hereby repeated and realleged. Moreover, all facts and arguments asserted by Elizabeth W. Cooper at such prehearing conference are hereby adopted and asserted.
7. The above-referenced parties again request a longer time frame for the commencement of discovery and all subsequent dates contained in the Proposed Procedural Schedule provided by DPS at the prehearing conference.
8. It should be noted that the proposed schedule was not shared with any parties other than the Applicant prior to the pre-hearing conference.
9. Upon information and belief, to this date, none of the pro se parties besides the above-referenced parties and Elizabeth Cooper have been provided a copy of the March 16, 2017 Order Re: Comments on Proposed Schedule by the Board. While undersigned Counsel and Ms. Hoffman has attempted to email some of those parties, it is unclear whether all folks have received such notice.
10. The Board issued a decision on the Motions to Intervene on January 20, 2017 and issued a decision on the Significant Issues in the case on February 22, 2017. While DPS and the Applicant indicated that the case had been pending for some time due to delays at the Board or the cue of cases; those delays are not the fault of the pro se parties, some of whom are herein represented.
11. Furthermore, the neighbors/other parties should not be penalized and deprived of their due process rights to participate in this

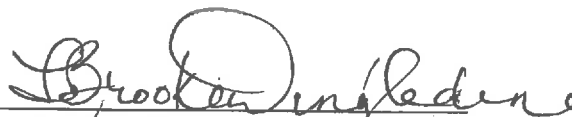
proceeding, to have adequate time to find and prepare expert witnesses and other evidence so that they have a meaningful opportunity to participate and be heard in the Public Service Board process just because the Board is trying to make up time delays to the Applicant. This hearing and its preparation should not be a rush job or a rubber stamp process when the stakes are so high for the neighbors/other parties when their homes, livelihoods and the health and the welfare of their families are at risk. Due Process of Law requires more.

12. Lastly, it is respectfully requested that all PSB Board Members attend the Site visit. As a wise Vermont Court Judge once said: "A picture paints a thousand words, and a site visit paints a thousand pictures."

WHEREFORE, the above-referenced parties request a three week extension of time for the start of discovery or no earlier than May 8th for the "Discovery Served on Petitioner" deadline with all other deadlines similarly delayed by three weeks.

DATED at City of Barre, County of Washington and State of Vermont this 22nd day of March, 2017.

Richard Spitalny, Robert & Karen Galloway,
Ted & Dina Fitzpatrick, Peter & Aileen
Stevenson, Daniel McKeen & Ellen Secord, and
Neil & Thomas Russell


L. Brooke Dingledine, Esquire
VALSANGIACOMO, DETORA & McQUESTEN
P. O. Box 625
172 North Main Street
Barre, VT 05641
(802) 476-4181 Ext. 311
Lbrooke@vdmlaw.com

STATE OF VERMONT
PUBLIC SERVICE BOARD

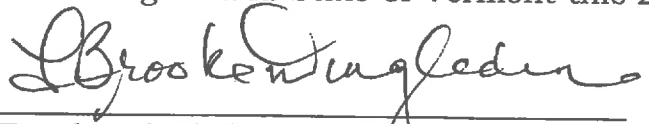
CPG #16-0042-NMP

Application of Orchard Road Solar I, LLC for a)
certificate of public good, pursuant to)
30 V.S.A. §§ 219a and 248, for a 500 kW)
interconnected group net-metered solar electric)
Generation system in Middletown Springs, Vermont)

CERTIFICATE OF SERVICE

NOW COMES L. Brooke Dingledine, Esquire, of the law firm of
Valsangiacomo, Detora & McQuesten, P.C., and certifies that I forwarded my
Notice of Appearance and Comments on Proposed Schedule by electronic
mail and/or First Class Mail as noted on the attached Service List.

DATED at Barre, County of Washington and State of Vermont this 22nd
day of March, 2017.



L. Brooke Dingledine, Esquire
VALSANGIACOMO, DETORA & McQUESTEN
P. O. Box 625
172 North Main Street
Barre, VT 05641
(802) 476-4181 Ext. 311

CPG #16-0042-NMP - SERVICE LIST

Stephanie Hoffman, Esq.
Vermont Department of Public Service
112 State Street
Montpelier VT 05620-2601
steph.hoffman@vermont.gov

Geoffrey H. Hand, Esq.
Victoria Westgate, Esq.
Dunkiel Saunders Elliott Raubvogel & Hand
91 College Street – PO Box 545
Burlington, VT 05402-0545 (for Applicant)
ghand@dunkielsaunders.com
vwestgate@dunkielsaunders.com

R. Scott Dillon
Elizabeth G. Peebles
Division for Historic Preservation
1 National Life Drive, Davis Bldg, 6th Flr
Montpelier, VT 05620-0501
scott.dillon@vermont.gov
Elizabeth.peebles@vermont.gov

John E. Arsenault, Chairman
Middletown Springs Planning Commission
PO Box 1232
Middletown Springs, VT 05757
jea@vermontel.net

Richard M. Spitalny
24 Tanglewild Road
Chappaqua, NY 10514
rspitalny@hotmail.com
(for Neighbors of Orchard Road Solar I)

Ted & Dana Fitzpatrick
12525 Jot Em Down Lane
Odessa, FL 33556
dfitz225@verizon.net

Peter & Aileen Stevenson
97 Coy Hill Road
Middletown Springs, VT 05757
aandp6768@gmail.com

Karen Gutmann & Larry Springsteen
290 West Street
Middletown Springs, VT 05757
orchardnubians@aol.com

Douglas Freilich & Julie Sperling
PO Box 1041
Middletown Springs, VT 05757
nagabake@vermontel.net

Neil & Thomas Russell
PO Box 279
West Rutland, VT 05757
firehillbilly1@yahoo.com

Roy Cooper
327 West Street
Middletown Springs, VT 05757
microy2014@yahoo.com

Elizabeth Cooper
49 Rocks & Trees Ln – PO Box 1011
Middletown Springs, VT 05757
ecolanduse@vermontel.net

Daniel McKeen & Ellen Secord
320 West Street
Middletown Springs, VT 05757
danell@vermontel.net

Karen & Robert Galloway
883 Chagrin River Road
Gates Mills, OH 44040
kgalloway@laurelschool.org
rgalloway@bakerlaw.com

David P. Wright, President
Middletown Springs Historical Society
10 Park Avenue – PO Box 1121
Middletown Springs, VT 05757
montvert@vermontel.net

Rutland Regional Planning Commission
Executive Finance Committee
67 Merchants Row – PO Box 965
Rutland, VT 05701

Randy J. Miller, II, Esq.
Vermont Agency of Natural Resources
1 National Life Dr, Davis 2
Montpelier, VT 05620-3901
randy.miller@vermont.gov
anr.notice@vermont.gov

Green Mountain Power Corp.
163 Acorn Lane
Colchester, VT 05446