

**Planning Commission
Town of Middletown Springs
P. O. Box 1232
Middletown Springs, VT**

August 5, 2016

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

Re: Orchard Road Solar I, LLC CPG #16-0042-NMP

Dear Ms. Whitney,

Please find enclosed the following documents for filing with the Public Service Board in connection with the above captioned matter:

1. Motion to Intervene by the Town of Middletown Springs
2. Entry of Appearance of John E. Arsenault
3. Selectboard letter appointing John E. Arsenault to represent the town in this matter
4. Certificate of Service.

Electronic copies were forwarded to you previously by email.

Hard copies will be hand delivered to the Public Service Board on Friday, August 5.

Hard copies are being mailed to the Service List, as noted on the Certificate of Service.

Thank you.

Sincerely,



John E. Arsenault, Chairman
Middletown Springs Planning Commission
P. O. 1232
Middletown Springs, VT 05757
(802) 235-9338 (home)
jea@vermontel.net

**STATE OF VERMONT
PUBLIC SERVICE BOARD**

Application of Orchard Road Solar I, LLC for a)
certificate of public good, pursuant to 30 V.S.A.)
§§ 219a and 248, to install and operate a 500 kW) CPG #16-0042-NMP
group net metered solar electric generation facility)
located in Middletown Springs, Vermont)

MOTION TO INTERVENE

The Town of Middletown Springs hereby moves to intervene in the above-captioned matter under Board Rule 2.209(A), as authorized by 30 VSA §248(a)(4)(F), which states:

“The legislative body and the planning commission 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.”

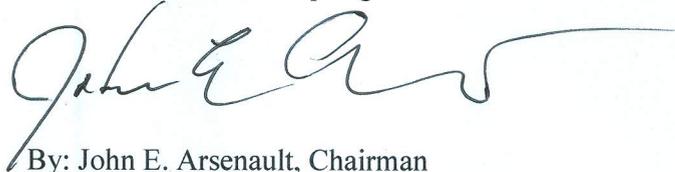
Middletown Springs is the locus community for the proposed project, and, therefore is entitled to party status in these proceedings.

WHEREFORE the Town prays this Motion to Intervene be granted.

Dated at Middletown Springs, Vermont this 5th day of August, 2016.

Respectfully Submitted,

Town of Middletown Springs



By: John E. Arsenault, Chairman
Middletown Springs Planning Commission
P. O. Box 1232
Middletown Springs, VT 05757
jea@vermontel.net
(802)235-9338 (home)

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located in Middletown Springs, Vermont)	

NOTICE OF APPEARANCE

Please enter the appearance of John E. Arsenault, *pro se*, in the above referenced matter.

Dated Middletown Springs, Vermont this 5th day of August, 2016.

By:



John E. Arsenault, Chairman
Middletown Springs Planning Commission
P. O. Box 1232
Middletown Springs, VT 05757
jea@vermontel.net
(802) 235-9338

**Town of Middletown Springs Selectboard
PO Box 1232
Middletown Springs, VT 05757**

July 25, 2016

Ms. Judith C. Whitney, Clerk
Vermont Public Service Board
112 State Street - Drawer 20
Montpelier, VT 05620-2701

RE: CPG #16-0042-NMP

Application of Orchard Road Solar I, LLC for a certificate of public good for a 500 kW group net metered solar electric generation facility proposed to be installed on Orchard Road in Middletown Springs, Vermont

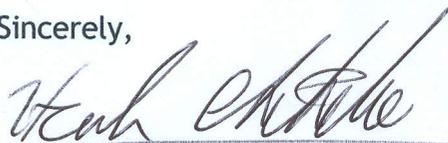
Dear Ms. Whitney:

The Selectboard of Middletown Springs voted at their June 15, 2016 meeting to file a motion to intervene with respect to the above referenced project pursuant to 30 V.S.A. section 248(a)(4)(F) and PSB Rule 2.209(A) and to appoint Planning Commission Chairman, John E. Arsenault, as our designated agent. Text of the motions are contained below. Also attached is a copy of the full official minutes from that meeting.

H. Childress moved that the Select Board file for intervening party status on the Orchard Road project, for purposes of collecting information on behalf of the public, with no current intention to take a position on the project; J. Webber 2nd; [*all in favor, motion carried*].

H. Childress moved that John Arsenault be appointed the Town's agent for intervening party status, with Patty Kenyon as a second; J. Webber 2nd; [*all in favor, motion carried*]. Once information begins to arrive, hard copies will be kept at the Town Office, and electronic material posted to the Town website.

Sincerely,



Herb Childress, Select Board Clerk, on behalf of the Middletown Springs Select Board

**Special Joint Meeting
Planning Commission and Select Board • Town of Middletown Springs
Wednesday June 15, 2016
Approved Minutes**

SELECT BOARD PRESENT: H. Childress, P. Kenyon, T. Redfield, J. Webber
PLANNING COMMISSION PRESENT: J. Arsenault, T. Hurcomb, H. Solomon
PUBLIC PRESENT: David Munyak, Dan Querrey, Annette Smith, David Wright
CALLED TO ORDER: 7:05 PM by Select Board chair T. Redfield

T. Redfield explained the purpose of tonight's meeting as further information collection.

Annette Smith began by describing the PSB protocol for filing for intervening party status. Once the project is filed, there are 21 days to file written comments based on the Public Service Board's "substantive criteria." Typically, smaller projects like the proposed 500KW project above Wescott Road don't rise to the level of public hearing; the Board's consideration of all comments from interested parties will likely be in text. Intervening party status gives access to all of the project filings.

H. Childress moved that the Select Board file for intervening party status on the Wescott Road project, for purposes of collecting information on behalf of the public, with no current intention to take a position on the project; J. Webber 2nd; [*all in favor, motion carried*].

H. Childress moved that John Arsenault be appointed the Town's agent for intervening party status, with Patty Kenyon as a second; J. Webber 2nd; [*all in favor, motion carried*]. Once information begins to arrive, hard copies will be kept at the Town Office, and electronic material posted to the Town website.

H. Childress moved to enter executive session to discuss personnel issues; J. Webber 2nd; [*all in favor, motion carried*]. Executive session begin at 8:50 PM.

J. Webber moved to close executive session; H. Childress 2nd [*all in favor, motion carried*]. Open meeting begun 9:02 PM, no decision taken.

H. Childress moved to adjourn; J. Webber 2nd [*all in favor, motion carried*]. Meeting adjourned 9:02 PM.

Respectfully submitted,
Herb Childress, Select Board Clerk

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located in Middletown Springs, Vermont)

CERTIFICATE OF SERVICE

I, John E. Arsenault, hereby certify that hard copies of the Motion to Intervene and related documents filed by the Town of Middletown Springs in the above captioned matter were forwarded to the parties in this matter on August 5, 2016, as shown on the below Service List, by the delivery method indicated:

By Hand Delivery: *Original and 3
copies*

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

By First Class Mail: *One copy to each*

Vermont Department of Public Service
Public Advocacy Division
112 State Street, 3rd Floor
Montpelier, VT 05620-2601

Green Mountain Power Corporation
163 Acorn Lane
Colchester, VT 05446

Christopher Recchia, Commissioner
Vermont Department of Public Service
112 State Street, 3rd Floor
Montpelier, VT 05620-2601

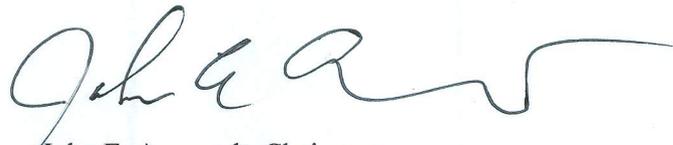
Ed Bove, Executive Director
Rutland Regional Planning Commission
P. O. Box 965
Rutland, VT 05702-0965

Vermont Agency of Natural Resources
Division for Historic Preservation
1 National Life Drive, Davis 2
Montpelier, VT 05620-3901

Middletown Springs Selectboard
P. O. Box 1232
Middletown Springs, VT 05757

Geoffrey H. Hand, Esq.
Victoria M. Westgate, Esq.
Dunkiel, Saunders, Elliott, Raubvogel &
Hand, PLLC
91 College Street
PO Box 545
Burlington, VT 05402-0545.

Signed and dated at Middletown Springs, VT this 5th day of August,
2016.

A handwritten signature in black ink, appearing to read "John E. Arsenault". The signature is fluid and cursive, with a long horizontal stroke at the end.

John E. Arsenault, Chairman
Middletown Springs Planning Commission
P. O. Box 1232
Middletown Springs, VT 05757