

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. _____

Vermont Gas Systems, Inc.'s Petition to Amend Existing Docket No. 7970 Certificate of Public Good Based On Evidence In Case No. 17-3550-INV and Case No. 18-0395-PET	
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**RULE 5.403(A) SUMMARY OF SPECIFIC INFORMATION
NOT APPLICABLE TO THE PETITION TO AMEND CPG**

On behalf of Petitioner Vermont Gas Systems, Inc. (“VGS”) in connection with VGS’s Petition to Amend the Existing Docket No. 7970 Certificate of Public Good Based on Evidence in Case No. 17-3550-INV and Case No. 18-0395-PET (“Petition to Amend”), VGS submits the following summary of specific information that is contemplated by PUC Rule 5.403(A) but not applicable to this Petition to Amend.

The Petition to Amend filed in the above-captioned matter is filed upon the direction of the Vermont Public Utility Commission’s (“Commission”) Post-Appeal Order Outlining Next Steps issued on June 25, 2024, in Case No. 17-3550-INV and Case No. 18-0395-PET.¹ In those cases, the Commission had determined in a Final Order that the Certificate of Public Good (“CPG”) originally issued in Docket No. 7970 could be amended through a compliance procedure in those cases, rather than opening a new proceeding to effect the amendments. As noted in the Commission’s June 25, 2024 Post-Appeal Order, however, on appeal, the Vermont Supreme Court “took issue with the procedure the Commission used to amend the underlying

¹ Post-Appeal Order Outlining Next Steps, Case Nos. 17-3550-INV and 18-0395-PET (issued Jun. 25, 2024) (hereinafter “Post-Appeal Order”).

CPG” and is therefore required to “review, in a separate proceeding, a proposed amendment” to the CPG.²

The Commission’s Post-Appeal Order specifically directed VGS to “file, using ePUC, a petition in a new case requesting amendments to the CPG granted in case No. 7970 to reflect the unapproved substantial changes” found in Case Nos. 17-3550-INV and 18-0395-PET.³ The Post-Appeal Order also set forth the contents that should be included in the Petition to amend, stating that VGS’s filing must:

- (A) “[I]nclude specific proposed conditions that address each of the five substantial-change violations identified in our April [6], 2023, order in Case Nos. 17-3550-INV and 18-0395-PET,”
- (B) “[A]ccount for the remedial actions recommended by the expert witness in those proceedings,” and
- (C) “[E]xplain why those actions will prevent any future instances of undue impacts under the criteria identified as relevant to the potential significant impacts in the proposal for decision based on evidence presented and the findings and conclusions in Case Nos. 17-3550-INV and 18-0395-PET.”⁴

Pursuant to the Commission’s direction, VGS’s Petition to Amend is limited to the five substantial change violations, relies on the specific remedial actions recommended by experts in Case Nos. 17-3550-INV and 18-0395-PET, and explains why those recommendations will prevent future instances of undue impacts based on the evidence presented in Case Nos. 17-3550-INV and 18-0395-PET.

² *Id.*

³ *Id.* at 4.

⁴ *Id.*

Because this is a Petition to Amend the CPG, many of the required components of a new CPG petition under PUC Rule 5.403(A) are largely inapplicable. Specifically, the Petition to Amend in this proceeding relies on an extensive evidentiary record developed in Case Nos. 17-3550-INV and 18-0395-PET rather than prefiled evidence as contemplated by Rule 5.403(A)(1). Likewise, the Addison Natural Gas Project has already been approved under Section 248 in Docket No. 7970, and the extent to which certain changes to the plans and evidence in that proceeding deviated from the plans and evidence approved in Docket 7970 was extensively documented in the evidentiary record in Case Nos. 17-3550-INV and 18-0395-PET. Accordingly, the Rule 5.403(A) requirements relating to detailing a proposed project with geological surveys, site plans, and other related detail are not applicable in this case because this is not a new proposed project. Rather, the Petition to Amend is limited to proposed amendments related to five specific substantial changes as directed by the Commission in the Post-Appeal Order.

Pursuant to Rule 5.403(A)(2), VGS is filing a Certification of Compliance With Advance Submission Requirements concurrent with the Petition to Amend. Additionally, pursuant to Rules 5.403(A)(3) and 5.403(A)(20), VGS is filing a Summary of Comments Received in 45-Day Advance Notice Period and Summary of Community Outreach Efforts concurrent with the Petition to Amend.

Dated at Burlington, Vermont this 28th day of October 2024.

VERMONT GAS SYSTEMS, INC.

By: /s/ Owen J. McClain

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