

STATE OF VERMONT
PUBLIC SERVICE BOARD

VERMONT PUBLIC
SERVICE BOARD

2015 MAR 13 AM 9 01

Docket No. ~~8386~~

8466

(1)

Petition of Stowe Electric Department)
Pursuant to 30 V.S.A. § 248(j) For a Certificate)
Of Public Good to Replacement Two Transformers)
at its Houston Substation)

PETITION

The Town of Stowe Electric Department (“SED”), a municipal utility subject to Public Service Board (“Board”) jurisdiction, submits this petition pursuant to 30 V.S.A. § 248(j) and alleges as follows:

1. On November 14, 2014, SED filed a Petition with the Board seeking a waiver, pursuant to 30 V.S.A. § 248(k), for the emergency replacement of two failing transformers at its Houston Substation, including the utilization of a temporary replacement for the more compromised of the two until the permanent replacements could be installed.
2. The Board approved SED’s emergency waiver request by Order dated December 12, 2014 following a preliminary hearing held November 24, 2014 upon notice to the requisite governmental bodies specified in 30 V.S.A. § 248(a)(4)(C).
3. SED now seeks a certificate of public good, pursuant to 30 V.S.A. § 248(j), for replacement of the two transformers in the same manner set forth in its December 14, 2014 Petition, and as further described in the Pre-filed Direct Testimony of Ellen Burt dated November 14, 2014, the First Supplemental Pre-filed Testimony of Ellen Burt dated November 24, 2014, and the oral testimony of Ellen Burt and Douglass Haselton at the November 24, 2014 preliminary hearing.

4. In support of its current request, SED offers the Second Supplemental Pre-filed Testimony of Ellen Burt, which responds to the specific requirements of 30 V.S.A. § 248(j) and § 248(b)(1) - (11).
5. 30 V.S.A. § 248(j) allows the Board to issue a certificate of public good without the notice and hearings otherwise required by Chapter 5 of Title 30 if the Board finds that:
 - “(A) approval is sought for construction of facilities described in subdivision (a)(2) or (3) of this section;
 - (B) such facilities will be of limited size and scope;
 - (C) the petition does not raise a significant issue with respect to the substantive criteria of this section; and
 - (D) the public interest is satisfied by the procedures authorized by this subsection.”
6. The “substantive criteria” of Section 248 are set forth in subsection (b) thereof, which requires that, prior to issuing a certificate of public good, the Public Service Board must find that the purchase, investment, or construction meets the requirements of subdivisions (1) through (11).
7. The scope of the construction SED seeks approval to undertake is the removal of the two failing transformers from the substation and delivery and installation of two replacement transformers onto the existing transformer pads, all utilizing existing access roads and without earth disturbance or reconfiguration of any part of the substation. Burt First Supp. pf at 5; Burt Second Supp pf at 3-4.
8. In connection with the filing of its November, 2014 §248(k) waiver request, Petitioner gave notice to the parties specified in 30 V.S.A. § 248(a)(4)(C) and only the Vermont Agency of Natural Resources (“ANR”) submitted comments or entered its appearance. December 12, 2014 Order at 1-2.

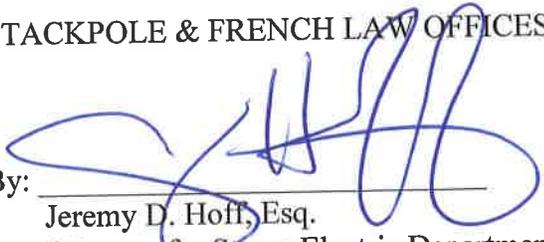
9. ANR preliminarily identified a potential concern with respect to the location of the substation relative to the base flood elevation of Preston Brook and the West Branch of the Little River; upon further consultation between SED and ANR, it was determined that the substation was located above both the 100 year and 500 year flood plain delineations and therefore no corrective or preventative action was required by SED in connection with the activities contemplated in this Docket. SED and ANR agreed to coordinate with one another should the Houston Substation need to be rebuilt or relocated in the future. Burt Second Supp. pf at 3 and Exhibit SED—EB—6.
10. The temporary replacement transformer was installed on December 15, 2014 and has been performing well; installation of the two permanent replacements had originally been projected to take place on or about January 15 and February 1 of 2015, respectively, but are now not anticipated to be completed until May of 2015. Burt Second Supp. pf at 2.
11. The total estimated project cost remains with SED's projected budget of \$232,000 \$250,000. Burt pf. at 4; Burt Second Supp. pf at 2.

NOW, THEREFORE, SED requests that the Board:

1. Provide the notice and request the comment required by 30 V.S.A. § 248(j)(2);
2. Issue an Order and a certificate of public good approving SED's construction of electric transmission facilities for the temporary replacement transformer and two permanent replacement transformers at its Houston Substation.

Dated at Stowe, Vermont, this 12th day of March, 2015.

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