

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7205

Petition of Central Vermont Public Service)
Corporation for a certificate of public good,)
pursuant to 30 V.S.A. Section 248(j),)
authorizing the reconductoring of approximately)
8.4 miles of existing 46 kV line in the Town of)
Mt. Holly, Wallingford, Shrewsbury and)
Clarendon, Vermont)

Order entered: 10/5/2006

I. INTRODUCTION

This case involves a petition filed by Central Vermont Public Service Corporation ("CVPS") on July 7, 2006, requesting a certificate of public good under 30 V.S.A. § 248(j) to reconductor approximately 8.4 miles of existing 46 kV line in the Towns of Mt. Holly, Wallingford, Shrewsbury, and Clarendon, Vermont. CVPS submitted prefiled testimony, proposed findings, and a proposed order pursuant to the requirements of 30 V.S.A. § 248(j).

Notice of the filing was sent on August 15, 2006, to all entities specified in 30 V.S.A. § 248(a)(4)(c) and all other interested parties. The notice stated that any party wishing to submit comments as to whether the petition raises a significant issue with respect to the substantive criteria of 30 V.S.A. § 248 needed to file comments with the Board on or before September 14, 2006. A similar notice of the filing was published in the *Rutland Herald* on August 17, 2006, and August 24, 2006.

The only comment received was from the Department of Public Service, filed on September 15, 2006, stating that it does not believe that the petition raises a significant issue with respect to the criteria of Section 248 and has no objection to the issuance of a certificate of public good.

The Board has determined that the proposed construction will be of limited size and scope and that the petition has effectively addressed the issues raised with respect to the

substantive criteria of 30 V.S.A. § 248. Consequently, we find that the procedures authorized by Section 248(j) are sufficient to satisfy the public interest, and no hearings are required.

II. FINDINGS

1. The proposed project involves the reconductoring of approximately 8.4 miles of existing 46 kV line in the Towns of Mt. Holly, Wallingford, Shrewsbury, and Clarendon. Petition at 1; exhs. TOU-1 and DGW-1.

2. The proposed work would take place entirely within an existing transmission-line corridor. Upton pf. at 1.

3. The 46 kV line was originally constructed in 1926 using #1 copper conductor. The proposed project would upgrade the 1926 conductor to CVPS standard 477 MCM 18/1 ACSR and is designed to maintain system stability and reliability. Watts pf. at 1-2.

4. The poles, crossarms, and insulators for this line were reconstructed between 1979 and 1994. Watts pf. at 1.

5. The reconductoring would utilize existing access roads and would require setting up reel-stringing equipment at 5,000 to 10,000 foot increments along the right-of-way, usually at road crossings or areas of easy access. Watts pf. at 2.

Orderly Development of the Region

[30 V.S.A. § 248(b)(1)]

6. The proposed project would not unduly interfere with the orderly development of the region, with due consideration having been given to the recommendations of the municipal and regional planning commissions, the recommendations of municipal legislative bodies, and the land conservation measures contained in the plans of the affected municipalities. This finding is supported by findings 7 through 10, below.

7. The proposed project involves improvements to existing facilities within an existing transmission corridor, and would not change land uses in the region. Upton pf. at 1-2.

8. The Shrewsbury Town Plan contains a section regarding utility line corridors. The plan includes the following relevant policies:

The existing corridor shall be maintained so as to minimize soil erosion, maximize wildlife habitat, and protect the scenic and aesthetic qualities of the landscape. Applications of biocides within utility corridors is and shall continue to be prohibited.

Before construction or reconstruction of lines or other changes in the existing corridor are permitted, the applicant shall furnish a bond sufficient to permit and require the completion of all screening and other landscaping required by the Town, Public Service Board or other Governmental Body.

The proposed project would involve only the replacement of existing conductors and would not change the existing corridor. CVPS would require that any access improvements comply with Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont. Upton pf. at 2.

9. The Rutland Regional Plan includes a goal to "encourage the placement of energy facilities and transmission infrastructure in a manner consistent with local and regional goals and policies." In support of this goal, the Plan encourages the shared use and re-use of existing utility corridors where possible. The proposed construction occurs entirely within an existing corridor. Upton pf. at 3.

10. The Mt. Holly, Wallingford, Shrewsbury, and Clarendon Selectboards and Planning Commissions, along with the Rutland Regional Planning Commission, were provided with a description of the proposed project's purpose, nature, and extent, along with location maps. None of these entities recommended changes to the proposed design. The Wallingford Planning Commission expressed its support for the proposed project. Upton pf. at 3; exh. TOU-2.

Need for Present and Future Demand for Service

[30 V.S.A. § 248(b)(2)]

11. The proposed project is required to meet the need for present and future demand for service which could not otherwise be provided in a more cost-effective manner through energy conservation programs and measures and energy efficiency and load management measures. The proposed reconductoring would reduce line losses and reduce exposure during contingencies by increasing the line's thermal rating. The proposed project is the most cost-effective method for meeting present and future needs. Jones pf. at 3-4.

System Stability and Reliability

[30 V.S.A. § 248(b)(3)]

12. The proposed project would not adversely affect system stability, and would improve reliability by upgrading aging facilities and reducing exposure to outages. Watts pf. at 2; Jones pf. at 3-4.

Economic Benefit to the State

[30 V.S.A. § 248(b)(4)]

13. The proposed project would provide an economic benefit to the state by improving system reliability. Watts pf. at 2; Jones pf. at 3-4.

14. The total construction cost for the proposed project is estimated at \$480,000. Watts pf. at 2.

**Aesthetics, Historic Sites, Air and Water Purity,
the Natural Environment and Public Health and Safety**

[30 V.S.A. § 248(b)(5)]

15. The modifications as proposed will not have an undue adverse effect on aesthetics, historic sites, air and water purity, the natural environment and public health and safety. This finding is supported by findings 16 through 40 below, which are the criteria specified in 10 V.S.A. §§ 1424(a)(d) and 6086(a)(1)-(8)(a) and (9)(k).

Outstanding Resource Waters

[10 V.S.A. § 1424(a)(d)]

16. The proposed project is not located on any outstanding resource waters. CVPS contacted the Agency of Natural Resources and the Department of Public Service regarding whether the proposed project has the potential to impact a highly significant body of water. Neither the Department nor the Agency of Natural Resources indicated that such potential exists. Upton pf. at 9-10.

Water and Air Pollution

[10 V.S.A. § 6086(a)(1)]

17. The proposed project would not result in unreasonable air pollution and would not involve excessive dust or odors during construction. Construction would take place only during daylight hours. Brush cleared from the site would be windrowed or chipped on-site; no burning would take place. Upton pf. at 4.

Headwaters

[10 V.S.A. § 6086(a)(1)(A)]

18. The proposed project is partially located in headwaters areas. However, the work would take place entirely within an existing cleared right-of-way on existing poles. Any necessary work for access within the right-of-way would be in conformance with Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont. Upton pf. at 4.

Waste Disposal

[10 V.S.A. § 6086(a)(1)(B)]

19. The project as proposed would meet applicable health and environmental conservation regulations regarding the disposal of wastes. This finding is supported by findings 20 and 21 below.

20. The proposed project would not involve disposal of wastes or injection of any material into surface or ground water. Upton pf. at 4.

21. Retired materials would be removed from the site for salvage, or for disposal by a licensed waste hauler. Upton pf. at 4.

Water Conservation

[10 V.S.A. § 6086(a)(1)(C)]

22. The proposed project would not require the use of water. Upton pf. at 4.

Floodways, Streams, and Shorelines

[10 V.S.A. §§ 6086(a)(1)(D)(E) &(F)]

23. The proposed project would not adversely affect floodways, streams or shorelines. This finding is supported by findings 24 through 26, below.

24. The proposed project does not involve construction within a floodway. Upton pf. at 4-5.

25. The transmission line crosses several streams. The proposed project involves the replacement of conductor wire on existing poles within an existing cleared right-of-way. Any necessary work to access the right-of-way would conform with the Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont. Upton pf. at 5; exh. TOU-1.

26. The transmission line crosses the upper reaches of the Mill River in Wallingford. There are no poles within 100 feet of the river, and the existing condition and vegetative cover of the shoreline would not be affected. Upton pf. at 5; exh. TOU-1.

Wetlands

[10 V.S.A. § 6086(a)(1)(G)]

27. Maintenance of existing transmission lines according to a vegetation management plan approved by the Agency of Natural Resources is an Allowed Use under the Vermont Wetlands Rules. CVPS has an approved vegetation management plan. Upton pf. at 5-6. Vermont Wetlands Rules 6.2(h).

Sufficiency of Water and Burden on Existing Water Supply

[10 V.S.A. §§ 6086(a)(2)&(3)]

28. The proposed project would not require the use of water. Upton pf. at 6.

29. A section of the proposed project is located within the Wellhead Protection Area for the Spring Lake Ranch. The proposed project involves only the replacement of existing components and therefore would not require changes to the Wellhead Protection Area source protection plan. Upton pf. at 6.

Soil Erosion

[10 V.S.A. § 6086(a)(4)]

30. The proposed project would not cause undue soil erosion. The only clearing required for the proposed project would involve access in the right-of-way. Such work would conform with the Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont. Upton pf. at 6.

Transportation Systems

[10 V.S.A. § 6086(a)(5)]

31. The proposed project would not cause unreasonable congestion or unsafe conditions with respect to transportation systems. Upton pf. at 6-7.

Educational and Municipal Services

[10 V.S.A. §§ 6086(a)(6) and (7)]

32. The proposed project would not cause an unreasonable burden on the ability of the affected municipalities to provide educational or municipal services. Upton pf. at 7.

**Aesthetics, Historic Sites
and Rare and Irreplaceable Natural Areas**

[10 V.S.A. § 6086(a)(8)]

33. The proposed project would not have an undue adverse impact on the scenic or natural beauty, aesthetics, historic sites or rare and irreplaceable natural areas. This finding is supported by findings 34 through 38, below.

34. The proposed project involves the replacement of component parts within an existing transmission right-of-way on existing pole structures. Watts pf. at 1-2; Upton pf. at 8.

35. The proposed project would involve only maintenance cutting for equipment access and pole climbing. No new clearing would be necessary outside the existing right-of-way. Upton pf. at 8.

36. The use of non-specular wire is not necessary. Views of the line from public vantage points are limited and the standard conductor would weather to a dull finish within 5-6 years. The incremental cost of non-specular wire would be approximately \$8,000. Watts pf. at 2; Upton pf. at 8.

37. The proposed project is unlikely to have an impact on potential archaeological sites because no new structures would be built and no construction would take place along riverbanks. The Vermont Division for Historic Preservation has reviewed the proposed project in the field and has no objections. Upton pf. at 8.

38. There are no known rare or irreplaceable natural areas in the area of the proposed project. Upton pf. at 8-9.

Necessary Wildlife Habitat and Endangered Species

[10 V.S.A. § 6086(a)(8)(A)]

39. The proposed project would not impact any necessary wildlife habitat or affect any known sites containing endangered species. Upton pf. at 9; exh. TOU-1.

Development Affecting Public Investments

[10 V.S.A. § 6086(a)(9)(K)]

40. Due to the limited nature of the proposed project, the proposed project would not unnecessarily or unreasonably endanger the public or quasi-public investments in any governmental public utility facilities, services, or lands, or materially jeopardize or interfere with the function, efficiency, or safety of the public's use or enjoyment of or access to such facilities, services, or lands. Upton pf. at 9.

Least-Cost Integrated Resource Plan

[30 V.S.A. § 248(b)(6)]

41. The proposed project is consistent with the principles for resources selection expressed in CVPS's approved least-cost integrated plan. CPVS seeks to improve reliability and efficiency

as outlined in its IRP. The replacement of the #1 copper conductor with the 477 ACSR conductor results in lower overall loss costs and improves system performance. Jones pf. at 4.

Compliance with Electric Energy Plan

[30 V.S.A. § 248(b)(7)]

42. The proposed project is consistent with the Vermont Twenty-Year Electric Plan. The plan states that "each utility should on a continuous basis assess and enhance the reliability of its power system" and "evaluate optimum engineering configurations for each circuit. Reliability and safety criteria should be reflected." The primary purpose of the proposed project is to increase efficiency and reliability of the transmission system. The proposed project also improves distribution system efficiency by reducing overall losses while maintaining reliable, safe service. Jones pf. at 4.

43. The Department filed a determination on September 15, 2006, that the proposed project is consistent with the Vermont Twenty-Year Electric Plan, in accordance with 30 V.S.A. § 202(f).

Outstanding Resource Waters

[30 V.S.A. § 248(b)(8)]

44. The proposed project is not located on or near any outstanding resource waters. Upton pf. at 9.

Existing or Planned Transmission Facilities

[30 V.S.A. § 248(b)(10)]

45. The proposed project can be served economically by existing transmission facilities without undue adverse impact on Vermont utilities or customers. The conductors between Mt. Holly and the Wallingford Tap would be upgraded to match the existing conductor on other segments of the line. Watts pf. at 3.

III. CONCLUSION

Based upon all of the above evidence, we conclude that the proposed construction will be of limited size and scope; the petition does not raise a significant issue with respect to the substantive criteria of 30 V.S.A. § 248; the public interest is satisfied by the procedures authorized by 30 V.S.A. § 248(j); and the proposed project will promote the general good of the state.

IV. ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Public Service Board of the State of Vermont that the proposed modifications, in accordance with the evidence and plans presented in this proceeding, will promote the general good of the State of Vermont in accordance with 30 V.S.A. Section 248, and a certificate of public good shall be issued in the matter.

Dated at Montpelier, Vermont this 5th day of October, 2006.

<u>s/James Volz</u>)	
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<u>s/David C. Coen</u>)	
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<u>s/John D. Burke</u>)	

PUBLIC SERVICE
BOARD
OF VERMONT

OFFICE OF THE CLERK

FILED: October 5, 2006

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: psb.clerk@state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.