

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7267

Petition of Central Vermont Public Service)
Corporation for a certificate of public good,)
pursuant to 30 V.S.A. § 248(j), authorizing the)
upgrade of a 7.5 MVA to a 10 MVA)
transformer and related equipment upgrades at)
CVPS's North Elm Street substation in St.)
Albans, Vermont)

Order entered: 7/27/2007

I. INTRODUCTION

This case involves a petition filed on January 26, 2007, by Central Vermont Public Service Corporation ("CVPS"), requesting a certificate of public good ("CPG") pursuant to 30 V.S.A. § 248(j) authorizing the replacement of the transformer, voltage regulators, underground distribution getaways and related support structures, and installing secondary oil containment at its North Elm street Substation located in St. Albans, Vermont.

Notice of the filing in this Docket was sent on March 5, 2007, to all parties specified in 30 V.S.A. § 248(a)(4)(C) and all other interested persons. 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 must file their comments with the Board on or before April 5, 2007. Notice of the filing, with a request for comments on or before April 5, 2007, was also published in the *St. Albans Messenger* newspaper, on March 8, 2007, and March 15, 2007.

The DPS filed a Determination letter under 30 V.S.A. § 202(f) on May 17, 2007. The letter stated that the proposed project is consistent with the Vermont Twenty-Year Electric Plan for the State and a CPG should be issued without further investigation.

No other comments have been filed.

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. CVPS is a duly organized public service corporation, subject to the Board's jurisdiction. Petition at 1.

2. CVPS owns and operates an electrical distribution substation on North Elm Street in the town of St. Albans, Vermont. Petition at 1-2.

3. The existing substation transformer was built in 1971 and has been in service continuously since 1972. Jockell pf. at 3.

4. The existing transformer does not have an oil containment system. Watts pf. at 1.

5. The proposed project involves replacement of the transformer, breakers, voltage regulators, related support structures, and underground getaways, and the installation of secondary oil containment for the transformer at the North Elm Street substation. Watts pf. at 1-2; exh. DGW-2.

6. The existing 7.5 MVA transformer will be replaced with a 10 MVA transformer. Watts pf. at 1-2.

7. The new transformer will be surrounded by an oil containment system. *Id.* at 2.

8. The proposed project will increase reliability and will accommodate increased demand on the transformer and other components due to expected growth in the St. Albans area. Jockell pf. at 2-3.

9. The proposed construction will take place entirely on the existing substation lot owned by CVPS. Upton pf. at 7.

10. The total construction cost for the proposed project is estimated at \$657,849. Watts pf. at 3.

Orderly Development of the Region

[30 V.S.A. § 248(b)(1)]

11. The proposed project does 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 plan of any affected municipality. This finding is supported by Findings 12-13, below.

12. The proposed project involves improvements to an existing substation, and will significantly impact existing or potential land uses in the region. Upton pf. at 1-3.

13. The St. Albans City Planning Commission, the St. Albans City Council, and the Northwest Regional Planning Commission were provided notice of the proposed project and construction plans. None of these entities has recommended revisions to the proposed project. Upton pf. at 2-3.

Need For Present and Future Demand for Service

[30 V.S.A. § 248(b)(2)]

14. The proposed project is required to meet the need for present and future demand for service. Energy conservation programs and measures and energy efficiency and load management measures will not eliminate the need to replace the transformer and other equipment. Jockell pf. at 2-15; exhs. JFJ-1 and JFJ-2.

15. The additional capacity is necessary to maintain reliability and to accommodate expected growth in the St. Albans area. Jockell pf. at 3.

System Stability and Reliability

[30 V.S.A. § 248(b)(3)]

16. The proposed project will not adversely affect system stability and reliability. Jockell pf. at 2-15; exhs. JFJ-1 and JFJ-2.

17. The proposed project will improve the ability of the substation to provide backup service during contingencies elsewhere in the area. *Id.*

Economic Benefit to the State

[30 V.S.A. § 248(b)(4)]

18. The project will result in an economic benefit to the state and its residents by ensuring system stability and reliability, and by providing the area with improved load-serving capability. Watts pf. at 2-3; Jockell pf. at 14-15.

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

[30 V.S.A. § 248(b)(5)]

19. The proposed project will not have an undue adverse effect on aesthetics, historic sites, air and water purity, the natural environment and the public health and safety. This finding is supported by Findings 20-46, below, which are based on the criteria specified in 10 V.S.A. §§1424a(d) and 6086(a)(1) through (8), 8(A) and (9)(K).

Outstanding Resource Waters

[10 V.S.A. § 1424a(d)]

20. The project is not located on or near any Outstanding Resource Waters. Upton pf. at 9.

Water and Air Pollution

[10 V.S.A. § 6086(a)(1)]

21. The project will not result in undue water or air pollution. This finding is supported by Findings 22-33, below.

22. The project will not involve any industrial or manufacturing emissions, blasting, or odors from construction activity, and therefore will not result in any undue air pollution. Upton pf. at 3.

23. Earth disturbance outside the existing substation will be limited to burying short lengths of underground lines. *Id.* at 3-4.

Headwaters

[10 V.S.A. § 6086(a)(1)(A)]

24. The project is not located in a headwaters area. Upton pf. at 4.

Waste Disposal

[10 V.S.A. § 6086(a)(1)(B)]

25. The project as designed will meet any applicable health and environmental conservation regulations regarding the disposal of wastes, and will not involve the injection of waste materials or any harmful or toxic substances into ground water or wells. This finding is supported by Findings 26-27, below.

26. Any material removed or excavated from the site during construction of the project will be reused or disposed of in accordance with applicable laws. Upton pf. at 4.

27. There will no disposal of any waste material into surface or groundwater. *Id.*

Water Conservation

[10 V.S.A. § 6086(a)(1)(C)]

28. The project will not require the use of water. Upton pf. at 4.

Floodways

[10 V.S.A. § 6086(a)(1)(D)]

29. The project is not located on a floodway. Upton pf. at 4.

Streams

[10 V.S.A. § 6086(a)(1)(E)]

30. The project is not located on or adjacent to any streams. Upton pf. at 4.

Shorelines

[10 V.S.A. § 6086(a)(1)(F)]

31. The project is not located near any shorelines. Upton pf. at 5.

Wetlands

[10 V.S.A. § 6086(a)(1)(G)]

32. The substation was originally built in and adjacent to a Class 3 wetland. All construction, with the exception of burying the underground lines between the substation fence and distribution poles, will take place within the existing substation yard. Upton pf. at 4-5.

33. There are no Class 1 or 2 wetlands in the project area. *Id.* at 5.

Air Pollution

[10 V.S.A. § 6086(a)(1)]

34. The proposed project will not result in unreasonable air pollution because it does not involve any industrial or manufacturing emissions. Upton pf. at 3-4.

Sufficiency of Water and Burden on

Existing Water Supply

[10 V.S.A. § 6086(a)(2)(3)]

35. The proposed project does not require the use of water and, therefore, did not place a burden on any existing water supply. Upton pf. at 5.

Soil Erosion

[10 V.S.A. § 6086(a)(4)]

36. The proposed project will not result in unreasonable soil erosion or reduce the ability of the land to hold water. Trenches for burying the underground lines will be located on level ground away from the wetland. Once the trenches are backfilled they will be seeded and mulched. Upton pf. at 5.

Traffic

[10 V.S.A. § 6086(a)(5)]

37. The proposed project will not cause unreasonable congestion or unsafe conditions with respect to transportation systems. Upton pf. at 6.

Educational Services

[10 V.S.A. § 6086(a)(6)]

38. The proposed project will not impact the ability of the involved municipality to provide educational services. Upton pf. at 6.

Municipal Services

[10 V.S.A. § 6086(a)(7)]

39. The proposed project will not unreasonably burden the ability of any involved municipality to provide municipal services. Upton pf. at 6.

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

[10 V.S.A. § 6086(a)(8)]

40. The proposed project will not have an undue adverse effect on the scenic or natural beauty, aesthetics, historic sites or rare and irreplaceable natural areas. This finding is supported by Findings 41-44, below.

41. The proposed project will be constructed on an existing substation lot, will have the same height as existing structures, and the overall appearance of the site will remain similar to that of the existing substation. Upton pf. at 7-8; exhs. DGW-1, DGW-2, DGW-3.

42. No clearing will be necessary to accommodate the proposed project. *Id.*

43. In 2005, CVPS installed new landscaping on the north, south and west sides of the substation and installed plastic fence inserts to enhance screening of the substation. *Id.*

44. There are no rare or irreplaceable areas in the project vicinity. Nearby buildings of potential historic significance will be unaffected by the replacement of substation components. Upton pf. at 8; exh. TOU-1.

**Necessary Wildlife Habitat and
Endangered Species**

[10 V.S.A. § 6086(a)(8)(A)]

45. The proposed project will not have an undue adverse impact on any necessary wildlife habitat or known endangered species sites. Because the proposed project will take place entirely within the fenced area of the existing substation, there will be no impact on wildlife habitats or endangered species. Upton pf. at 7-8.

Development Affecting Public Investments

[10 V.S.A. § 6086(a)(9)(K)]

46. The proposed project will 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, or the public's use or enjoyment of or access to such facilities, services, or lands. Upton pf. at 8-9.

**Consistency with Resource Selection
Least-Cost Integrated Resource Plan**

[30 V.S.A. § 248(b)(6)]

47. The proposed project is consistent with CVPS's Least-Cost Integrated Plan. Jockell pf. at 14-15.

Compliance With Electric Energy Plan

[30 V.S.A. § 248(b)(7)]

48. The proposed project is consistent with the 20-Year Electric Plan. Jockell pf. at 13-15; Letter of determination from Department filed with the Board on May 17, 2007.

Outstanding Resource Waters

[30 V.S.A. § 248(b)(8)]

49. The proposed project is not located on or near any "Outstanding Water Resource" as designated by the State of Vermont Water Resources Board. Upton pf. at 9.

Existing Transmission Facilities

[30 V.S.A. § 248(b)(10)]

50. The proposed project can be served economically by existing transmission facilities without undue adverse effect on Vermont utilities or customers. Watts pf. at 12.

III. CONCLUSION

Based upon all of the above evidence, the construction is 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 in 30 V.S.A. § 248(j); and the project will promote the general good of the state.

V. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that the replacement of the transformer, voltage regulators, supporting steel structures, and underground distribution getaways, and the installation of oil containment for the transformer, at the North Elm Street substation in the Town of St. Albans, Vermont, in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State of Vermont in accordance with 30 V.S.A. § 248, and a certificate of public good to that effect shall be issued in this matter.

Dated at Montpelier, Vermont, this 27th day of July, 2007.

_____ s/James Volz _____)	
)	PUBLIC SERVICE
)	
_____ s/David C. Coen _____)	BOARD
)	
)	OF VERMONT
_____ s/John D. Burke _____)	

OFFICE OF THE CLERK

FILED: July 27, 2007

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.