

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7429

Petition of Green Mountain Power Corporation for)
a certificate of public good, pursuant to 30 V.S.A.)
Section 248(j), for authority to upgrade its Dover)
Substation #90, in Dover, Vermont, by replacing)
three 4.67 MVA transformers with a 22 MVA)
transformer, and performing related electrical work)

Order entered: 8/26/2008

I. INTRODUCTION

This case involves a petition filed with the Vermont Public Service Board (the "Board") by Green Mountain Power Corporation ("GMP") on March 12, 2008. GMP requests approval, pursuant to 30 V.S.A. § 248(j), to replace three 4.67 MVA transformers at its Dover #90 Substation in Dover, Vermont, with a 22 MVA transformer (the "Project"). GMP proposes the upgrade in order to provide adequate capacity for the expansion of snow-making operations at the Mount Snow Ski Area and to improve the reliability of the system for local customers served by the substation. The petition included prefiled testimony as well as proposed findings and a proposed order, pursuant to the requirements of 30 V.S.A. § 248(j).

On March 28, 2008, the Clerk of the Board issued a letter informing GMP that there was insufficient information to process the petition pursuant to Section 248(j) and requested certain additional information.

On April 16, 2008, GMP filed additional information.

On May 12, 2008, the Clerk of the Board issued a memorandum informing GMP that the April 16 filing did not satisfactorily address issues related to the allocation of cost among GMP ratepayers and Mount Snow. The May 12 memorandum stated that Board staff would hold a prehearing conference to discuss these issues.

On June 3, 2008, Board staff held a prehearing conference. At the prehearing conference, GMP indicated that it would file additional information to address Board staff's concerns.

On June 13, 2008, GMP filed additional information.

On July 2, 2008, Board staff held a conference call with GMP, the Department of Public Service ("DPS"), and the Agency of Natural Resources to address the sufficiency of the June 16 filing. Board staff informed GMP that the June 13 filing did not satisfactorily address the issue of cost allocation. GMP indicated that it would file additional information to address this issue.

On July 7, 2008, GMP filed the required information.

Notice of the filing in this Docket was sent on July 3, 2008, 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 August 4, 2008. A similar notice was published in the *Brattleboro Reformer* newspaper on July 7 and 14, 2008, and in *The Deerfield Valley* newspaper on July 10, 2008.

The DPS submitted comments on July 31, 2008, which stated that it does not believe that the petition raises any substantive issues with respect to the criteria of 30 V.S.A. § 248, that the Project as proposed is in the public interest, and that the petition should be approved without further investigation or hearings.

The Board has determined that the proposed project 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. GMP's Dover #90 Substation is located at Stugger Road, Dover, Vermont, about ¼ mile west of Route 100, approximately two miles south of the Mount Snow South Access Road. Kearney pf. at 2; GMP-PK Exh. A.

2. The Project involves the replacement of three 4.67 MVA transformers with a new 22 MVA transformer at the Dover Substation. In addition, the Project will also include the

installation of a new breaker and bus differential relay for transformer protection and a new distribution circuit and recloser to serve the Mount Snow Ski Area. Kearney pf. at 2; GMP-PK Exhs. A-D.

3. Two new poles will be installed adjacent to the substation on GMP land to accommodate the new feeder arrangement. The new poles will be 45 feet tall, less than 10 feet higher than the height of the existing poles. Kearney pf. at 2-3.

4. A new 1.5 mile-long 12.5 kV line will be constructed running from the Substation to the ski area via Stugger Road, then north on Route 100 to Tannery Road, then to Handle Road to a metering point (exact location to be determined) at Carinthia. The new line will be located within GMP's existing rights-of-way from the substation. GMP will be notifying the applicable Act 250 Commissions of the line upgrade. Kearney pf. at 2-3; GMP-PK Exhs. A-D.

5. The proposed upgrade is a result of the Mount Snow Ski Area's plans to expand its snow-making capability by installing new fan gun snow-making equipment on Mt. Snow. Currently, the transformers at the Dover Substation that feed the ski area, when combined with other GMP loads, are at their full-rated capacity during the winter snow-making period. In order for the increased snow-making capacity to operate fully and efficiently, Mount Snow must be able to increase its peak electrical load at the ski area by approximately 4.5 MW from 10.5 MW to 15 MW. GMP also desires to improve the reliability of the overall system for local customers served by the substation. Kearney pf. at 2.

6. The Dover Substation is operated as a split bus configuration, using two separate transformer buses independently to operate 4 distinct circuits, two circuits on each bus. GMP relies on this system to transfer power back and forth between the two separate busses within the Substation during maintenance and emergency conditions. During the winter months there is no reserve capacity on Bus #1 (Mount Snow bus) to allow the transfer of load. The split bus configuration is normally operated with the bus tie switch IT2 open. Operation of the transformers separately on the two buses eliminates the risk that a fault will damage both transformer banks. Kearney supp. pf. (6/16/08) at 5; Kearney supp. pf. (7/7/08) at 2.

7. GMP also uses the Dover Substation to back up the Wilmington Substation when necessary. These are the only GMP substations in the region. The Wilmington Substation has a

peak loading of approximately 13 MVA in the winter and the Dover Substation has approximately 6 MVA of reserve capacity at peak loading in the winter. A transfer of power to Wilmington will require Mount Snow to curtail a significant amount of load. Kearney supp. pf. (7/7/08) at 2.

8. For the last several years, the 14 MVA transformer on Bus #1 at the Dover Substation has been at or near its full 14 MVA capacity during the winter months. GMP monitors the 90G3 conductor (Mount Snow circuit) during the snow-making season. GMP has asked Mount Snow to cut back its load during their snow-making process at various times for the last several years. These requests are made an average of 25 snow-making days per year. Mount Snow has been allocated 10.5 MW of capacity by GMP, but recently has been asked to cut back to about 8 MW. GMP anticipates that as other customer loads increase, Mount Snow would be required to cut back even more to power its operations. GMP has issued Ability to Serve letters for approximately 1.5 MW of new power to be connected to the Bus #1 transformer in the last two years. Kearney supp. pf. (7/7/08) at 1-2.

9. Reserve capacity currently exists on Bus #2; however, making that capacity available to Mount Snow would eliminate the protection for the transformers resulting from maintaining the separate split bus configuration, and would result in almost no reserve capacity at the substation causing adverse reliability consequences. After the Project is completed, there will be approximately 3 MW of reserve capacity left on Bus #1 and approximately 6 MW of reserve capacity left on Bus #2. This reserve capacity will allow GMP to continue to serve both sides of the Dover Substation Bus when needed and will allow full feeder back-up to the Wilmington Substation area when necessary. Kearney supp. pf. (6/16/08) at 5, 6.

10. As noted above, the constraint at the Mount Snow Ski Area will increase as Mount Snow deploys a newer, more efficient fan gun system to make snow. These newer fan guns make more snow in less time than traditional air-water guns. While ultimately the new fan guns use less energy overall to make the same amount of snow as air-water guns, they require an increase of energy for that duration. Using very rough estimates, it takes 33% less time to cover a trail using fan guns than using air-water guns. As Mount Snow transitions to more of these fan guns, an increase in energy will be required, for a shorter duration, thereby increasing the

efficiency of the snow-making operation. Mount Snow has been working with Efficiency Vermont on the fan gun project and their analysis indicates that this project will help reduce statewide energy needs and improve the environment by saving an estimated 2,226,000 kWh of electricity and 152,084 gallons of diesel fuel per year. Pawlak pf. at 2-3.

11. A new underground concrete storage oil containment pit is being constructed as part of the Project to contain the new transformer's maximum oil capacity of 3790 gallons as compared to 1248 gallons in the existing transformers. The 14 MVA transformer in Bus #2 has an existing oil containment system. The pit will be adequately sized to contain the entire volume of oil, as well as 5 inches of precipitation. The pit will conform to IEEE Standard 980-1994, *IEEE Guide for Oil Containment and Control of Spills in Substations*. An engineered structural berm six inches high and one foot wide located inside the substation security fence will not need to be modified. This system is in compliance with the U.S. Environmental Protection Agency requirements for the prevention of oil pollution. Kearney pf. at 6; Kearney supp. pf. (4/16/08) at 2.

12. GMP will own and operate all electrical infrastructure. The design and engineering of the Dover Substation and lines will be performed by GMP engineers. The substation upgrade and power line construction will be performed by GMP personnel and their contractors. Kearney pf. at 8-9.

13. Factors used in calculating transformer losses are set forth on the Lifecycle Data Sheet that was used in the bidding process for the manufacture of the new transformer. Kearney pf. at 9; GMP-PK Exh. L.

Orderly Development of the Region

[30 V.S.A. § 248(b)(1)]

14. The Project will not unduly interfere with the orderly development of the region, with due consideration having been given to the recommendations of the municipal legislative bodies, and the land conservation measures contained in the plan of any affected municipality. This finding is supported by findings 15 and 16, below.

15. The project will take place entirely within the existing substation and will not have an adverse aesthetic impact. Kearney pf. at 15.

16. GMP provided notice of the Project to the Town of Dover Planning Commission and the Windham Regional Commission by letter dated July 26, 2007, a copy of which was included with GMP's filing. The Windham Regional Commission (the "Commission") provided comments to GMP by letter, dated August 9, 2007, that it was concerned about the magnitude of the increased demand by Mount Snow. Representatives from Mount Snow and GMP subsequently met with the Commission to address their concerns. No comments were received from either planning commission during the comment period. Pawlak pf. at 4.

Need for Present and Future Demand for Service

[30 V.S.A. § 248(b)(2)]

17. The 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. This finding is supported by findings 18 through 25, below.

18. The Project is proposed primarily to address Mount Snow's current and expanded snow-making plans for its Mount Snow Ski Area. Other GMP customers will also benefit by the increased Substation capacity and circuit availability in the event of an electrical emergency. The agreement that was reached by GMP, the DPS, and Mount Snow in the Area-Specific Collaborative created to consider issues related to the implementation of distributed utility planning in the Mount Snow Distributed Utility Planning Target Area ("the ASC Agreement"), specifies that the increased capacity needed cannot be addressed through energy efficiency measures or distributed generation, and thus, such measures, including but not limited to, those developed pursuant to 30 V.S.A. §§ 209(d), 218c, and 218(b), would not be more cost effective.¹ Kearney pf. at 10-11; Pawlak pf. at 4; GMP-PK Rev. Exh. J and GMP-PK Exh. R.

1. The ASC Agreement was filed on March 18, 2005, in Docket 6800, the docket in which the Area-Specific Collaborative related to the Mount Snow Distributed Utility Planning Target Area took place. The Board took no action on the ASC Agreement in Docket 6800. That docket was closed by Order of the Board, dated April 13, 2005.

19. The Project does not offer any opportunity for loss savings due to an existing 69 kV radial tap line arrangement. A 69 kV loop tie with the Wilmington feeder would improve transmission reliability but would be very costly and acquiring right-of-way would likely be very difficult. The existing line has a 100-foot- wide cross-country right-of-way. Kearney pf. at 9.

20. The Project does not provide opportunities for Conservation Voltage Reduction ("CVR"). There are three circuits sourced from the new Bus #1 at the Dover Substation. Two of these circuits (90G3 and 90G5) are essentially dedicated to Mount Snow and require voltage regulators and/or capacitors on the distribution line to support the voltage. The third circuit has a mixed load of residential customers and the load requirements are different with regard to the size of the circuit loading and the demand times. Because GMP is currently using special equipment for adequate voltage support on the ski area circuits, GMP has determined that CVR is not a practical solution in the winter months. GMP will explore implementing CVR during the summer months when ski area loads are not present. Kearney supp. pf. (4/16/08) at 4-5.

21. In the ASC Agreement, GMP, the DPS, and Mount Snow agreed that an additional 5.5 MW of power for Mount Snow's snow-making expansion plans and 2.4 MW of power for further growth at the Haystack resort area would be provided in two construction phases. The first phase involved a transformer upgrade at the Dover Substation to a 22 MVA transformer, and building a 12.5 kV express circuit to the Mount Snow Ski Area. This is the same proposal reflected in GMP's petition in this docket. The second phase agreed upon, a 14 MVA substation at the Haystack Ski Area with a 12.5 kV distribution line, is not being proposed at this time based on the fact that Haystack Ski Area's expansion plans have been delayed or deferred. Kearney pf. at 4; GMP-PK Exhs. G and H.

22. GMP, the DPS, and Mount Snow agreed in the ASC Agreement that, based on the information presented and discussed as part of the Mount Snow ASC, provision of the additional capacity required for Mount Snow's expansion plans cannot be cost-effectively avoided or deferred by demand-side management or distributed generation. Although Mount Snow's reasons for increased demand have changed somewhat since the ASC analysis in that the Somerset Reservoir pumping project will not take place, its current and increased snow-making needs will increase demand over the present capacity that can be provided with the current transformers and

electric service infrastructure. In addition, demand-side management and distributed generation are not considered economical or available alternatives to upgrading the Substation. Accordingly, the conclusion with respect to the first construction phase in the analysis performed for the ASC has not changed. Kearney pf. at 7-8.

23. Even without the request for additional capacity from Mount Snow, demand-side management could not defer or eliminate the need for the Project. GMP-PK exh. R.

24. GMP would likely have need to upgrade the Bus #1 transformer within two years without Mount Snow's request for increased capacity. Kearney supp. pf. (7/7/08) at 2.

25. After completion of the Project, there will be approximately 3 MW of reserve capacity on Bus #1 and approximately 6 MW of capacity on Bus #2. This reserve capacity will allow full feeder back-up to the GMP Wilmington substation. Kearney supp. pf. (6/16/08) at 6.

System Stability and Reliability

[30 V.S.A. § 248(b)(3)]

26. The Project will not adversely affect system stability and reliability, and will in fact enhance system reliability. National Grid, Vermont Electric Power Company, Inc., and Central Vermont Public Service Corporation have indicated that an increase of 7 MW at the Dover substation would not adversely impact their systems and that a system impact study was not required. Kearney pf. at 11; Kearney supp. pf. (4/16/08) at 4.

Economic Benefit to the State

[30 V.S.A. § 248(b)(4)]

27. The Project's improvement of system stability and reliability will provide economic benefits to GMP customers located in the area served by the substation, and, thus, will benefit the State. This finding is supported by findings 28 through 32, below.

28. The Project's provision of capacity to support the Mount Snow snow-making expansion plan will improve ski conditions, providing economic benefits to Mount Snow and the businesses located in the area which rely on ski tourists. The increased energy efficiency of Mount Snow's new snow-making fan guns will provide environmental and thus, economic benefits to the State.

The Project itself will generate revenue for the State through tax revenues from contractors working on the Project. Kearney pf. at 11; Pawlak pf. at 3-5.

29. GMP-PK Revised Exhibit K to the June 13 Kearney Prefiled Testimony sets forth GMP's currently estimated projected costs and the cost allocation between GMP and Mount Snow. The pre-tax total for the Project and distribution line upgrade is shown as \$1,879,523. The categories entitled *Legal, Environmental, Engineering Permitting, ROW*, the subheading *New overhead line construction for exit feeder* under *Power Line Construction Labor and Material, Substation Construction Material and Site Work* (except for the subcategory *SCADA Upgrade*) and *Substation Construction Labor* are allocated 20.45% to Mount Snow and 79.55% to GMP. The rationale for that allocation is that Mount Snow should be responsible for the incremental Project costs of the increased capacity being made available to it. Mount Snow's 20.45% share represents the ratio between the increase in the capacity being made available to Mount Snow (4.5 MVA) to the total new transformer capacity of 22 MVA. Kearney supp. pf. (6/16/08) at 2.

30. Because Mount Snow is responsible for the incremental costs arising out of the additional capacity it has requested, GMP has assessed a different cost allocation for the related distribution line upgrade. Mount Snow is responsible for 56.99% of the express feeder to Mount Snow. GMP-PK Rev. Exh. K.

31. Approximately 56 poles are being installed, of which 53 will be owned jointly with Fair Point. As part of the joint ownership arrangement, Fair Point will pay 50% of the cost of installing the new poles and the remaining balance of the pole cost will be passed on to GMP. The costs associated with the GMP portion of the poles will be further split with Mount Snow according to the number of feeders on the pole. On the poles where GMP has one existing feeder and one new feeder is being added, GMP will pay one-half and Mount Snow will pay one-half of the GMP portion of the pole cost. On the poles where GMP has two existing feeders and one new feeder is being added, GMP will pay two-thirds and Mount Snow will pay one-third of the GMP portion of the pole cost. Kearny supp. pf. (6/16/08) at 4; GMP-PK Exhs. O and P.

Discussion

GMP is proposing that Mount Snow pay approximately 20% of the cost of the substation portion of the project, despite the fact that Mount Snow is requesting approximately half of the

incremental capacity of the new transformer. GMP arrived at the 20% figure by determining the "ratio between the increase in the capacity being made available to Mount Snow (4.5 MVA) to the total new transformer capacity of 22 MVA."²

GMP's calculation inappropriately compares Mount Snow's incremental load to the total substation capacity, rather than to the incremental substation capacity. Mount Snow will utilize 4.5 MVA of the 8 MVA increment in transformer capacity. Consequently, because Mount Snow's request for increased capacity results in 56.25% of the need to increase the size of the transformer, it should be responsible for 56.25% of the substation costs. With this corrected allocation of costs, the Project would promote the public good.

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

[30 V.S.A. § 248(b)(5)]

32. The 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 34 through 58 below, which are the criteria specified in 10 V.S.A. §§ 1424 a (d) and 6086 (a) (1) – (8) and (9)(k).

Outstanding Resource Waters

[10 V.S.A. § 1424(a)(d)]

33. No outstanding resource waters are located in the vicinity of the Project. Kearney pf. at 12.

Water and Air Pollution

[10 V.S.A. § 6086(a)(1)]

34. The Project will not produce any emissions. The improved oil spill containment system will provide greater protection to water resources than the current system. Accordingly, the Project will not result in any undue water or air pollution. Kearney pf. at 12.

2. Kearney supp. pf. (6/16/08) at 2.

Headwaters

[10 V.S.A. § 6086(a)(1)(A)]

35. The Project is not located within a headwaters area. Kearney pf. at 12.

Waste Disposal

[10 V.S.A. § 6086(a)(1)(B)]

36. The Project will meet applicable health and environmental conservation department regulations for the disposal of wastes, and will not involve the injection of waste materials or any harmful or toxic substances into ground water or wells. The transformers being replaced will be removed, tested and put back in GMP inventory. In the event that it is necessary to remove oil, then the work will be performed by a recycler that is licensed in the State of Vermont for disposal. There are no PCBs in the oil. Kearney pf. at 6, 12-13.

Water Conservation

[10 V.S.A. § 6086(a)(1)(C)]

37. The Project will not utilize any water during or after construction. Kearney pf. at 13.

Floodways

[10 V.S.A. § 6086(a)(1)(D)]

38. The Project will not be located in a floodway. Kearney pf. at 13.

Streams

[10 V.S.A. § 6086(a)(1)(E)]

39. The Project will not result in an adverse impact on streams. All of the Project changes will take place within the existing substation footprint. There is a significant amount of vegetative screening between the substation and the river. In addition, the stream will benefit from the new oil containment system which will provide additional protection against an oil spill. Kearney pf. at 13; Kearney supp. pf. (4/16/08) at 6.

Shorelines

[10 V.S.A. § 6086(a)(1)(F)]

40. The Project will, insofar as possible, retain all shorelines and waters in their natural condition, allow continued access to the waters and the recreational opportunities provided by the waters, retain or provide vegetation which will screen the proposed project from the waters, and stabilize the bank from erosion, as necessary, with vegetation cover. This finding is supported by findings 42 through 46, below.

41. The North Branch of the Deerfield River is located approximately 92 feet from the southwest property line of the Dover Substation. Kearney supp. pf. (4/16/08) at 6.

42. The shoreline and the waters will retain their natural condition. The changes to the existing substation will occur within the existing fenceline. Kearney pf. at 15.

43. There will be continued access to the waters and recreational opportunities provided by the water. Because the construction will take place within the existing substation, access to the water will not be impacted. Kearney pf. at 15.

44. The Project will not necessitate the removal of vegetation that currently provides screening for the existing substation. Kearney pf. at 15.

45. The Project will not involve any changes to the bank. Kearney pf. at 15.

Discussion

_____ Subsection 6086(a)(1)(F) provides that a permit may be issued if the applicant demonstrates that the "development or subdivision of shorelines must be located on a shoreline in order to fulfill the purpose of the development or subdivision"

No party has questioned whether the Project "must of necessity be located on a shoreline in order to fulfill the purpose" of the Project. The Project involves construction at an existing substation with the existing fenced enclosure; rebuilding the substation at a site distant from the shoreline could have significant economic and environmental impacts. Accordingly, the necessity standard has been met in this case.

Wetlands

[10 V.S.A. § 6086(a)(1)(G)]

46. The Project is being constructed within the existing Substation footprint and will not impact any wetlands. Kearney pf. at 13.

Sufficiency of Water and Burden on Existing Water Supply

[10 V.S.A. §§ 6086(a)(2)&(3)]

47. Existing water supplies will not be affected and the Project will not place a burden on any existing water supply, as the Project will not utilize any water. Kearney pf. at 14.

Soil Erosion

[10 V.S.A. § 6086(a)(4)]

48. The Project will not result in unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result. Any soils that are disturbed by the Project will be restored with appropriate soil erosion measures. The Project will be constructed and operated in compliance with the Low Risk Site Handbook for Erosion Prevention and Sediment Control (VT DEC. 2006). Less than an acre of soil will be disturbed by construction of the Project. Kearney pf. at 14.

Transportation Systems

[10 V.S.A. § 6086(a)(5)]

49. The Project will not cause unreasonable congestion or unsafe conditions with respect to the use of highways, waterways, railways, airports, and airways, and other means of transportation existing or proposed. There will be a minimal increase in traffic on Route 100 and Stigger Road during the construction period. Parking will be at the Substation site. Kearney pf. at 14.

Educational and Municipal Services

[10 V.S.A. § 6086(a)(6)&(7)]

50. The Project is unrelated to and will not cause any burden on the ability of any municipality to provide educational services. Accordingly, the Project will not require any municipal or governmental services. Kearney pf. at 14, 15.

Aesthetics, Historic Sites and Rare and Irreplaceable Natural Areas

[10 V.S.A. § 6086(a)(8)]

51. The Project will not have an undue effect on the scenic or natural beauty of the area, aesthetics, historical sites, or rare and irreplaceable natural areas. This finding is supported by findings 53 through 56, below.

52. The Project does not involve increasing the size of the footprint of the Substation fence; the Project will be located within the existing footprint of the Substation and the steel superstructure will not be altered, with the height profile of Substation equipment remaining essentially the same. Kearney pf. at 15.

53. The Substation is currently moderately screened from view from Stugger Road at the north and east sides by trees and shrubs and all of those trees and shrubs will remain after construction. Accordingly, no additional screening is required for this Project. The addition of two new distribution poles on the north side of the Substation fence to support the new feeder distribution feeder arrangement will also have a minimal visual impact due to the existing screening and will have little affect on the view from Stugger Road. The Substation night lighting will not change. Kearney pf. at 15; GMP-PK Exh. M.

54. Although not a part of the Project, the related upgrade of the distribution circuit will have only minor aesthetic impacts. The existing lines are already clearly visible. The circuit from the Substation to the Mount Snow Ski Area will be built within existing distribution corridors under current easements with poles replaced very near the same location where existing poles are located. The pole heights will not be increased by more than ten feet and limited tree removals are anticipated. Kearney pf. at 15-16; GMP-PK Exhs. A and E.

55. The Project will take place within the existing substation and will not impact historic sites or rare and irreplaceable natural areas. Kearney pf. at 15.

Necessary Wildlife Habitat and Endangered Species

[10 V.S.A. § 6086(a)(8)(A)]

56. The Project will not impact, destroy or imperil necessary wildlife habitat or any endangered species by reason of its location at the existing Substation. Kearney pf. at 16.

Development Affecting Public Investments

[10 V.S.A. § 6086(a)(9)(K)]

57. The Project will not unnecessarily or unreasonably endanger the public or quasi-public investment in the facilities listed in 10 V.S.A. § 6086(a)(9)(K), 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. Kearney pf. at 16, 17.

Least-Cost Integrated Resource Plan

[30 V.S.A. § 248(b)(6)]

58. The Project is consistent with the provisions of GMP's Integrated Resource Plan ("IRP"), as approved by the Board's Order in Docket No. 6895, entered on July 13, 2006. The IRP provides at Section III c, 2., b, at p. 36: "Green Mountain Power desires to provide consistent, reliable service throughout its distribution system." There will be little environmental impact from the Project as found above and below. The benefits from the Project found above and below, satisfy the criteria in the IRP. The IRP identifies areas subject to delivery constraint subject to the ASC planning process, one of which is the Mount Snow Ski Area load served by the Dover Substation. IRP pp. 37-38. As discussed above, the Project is the phase I proposal embodied in the ASC Agreement and is, thus, consistent with the IRP. Kearney pf. at 17.

Compliance with Electric Energy Plan

[30 V.S.A. § 248(b)(7)]

59. The Project is consistent with the State of Vermont Electric Plan. *See* in particular Chapter 1, Section 1-4 of the 2005 Vermont Electric Plan which sets forth goals as including:

Adequate electric service means that there is sufficient electric energy to meet the needs of Vermont's businesses and residents as the state grows and expands. To assure the adequacy of Vermont's electric energy, we must recognize that there are some energy needs for which electricity is uniquely suitable.

Kearney pf. at 18-19.

60. On August 6, 2008, the DPS filed a letter stating that it has determined that the proposed project is consistent with the Vermont Electric Plan.

Outstanding Resource Waters

[30 V.S.A. § 248(b)(8)]

61. No outstanding resource waters are located in the vicinity of the Project. Kearney pf. at 18.

Existing or Planned Transmission Facilities

[30 V.S.A. § 248(b)(10)]

62. The proposed Project can be served economically by the existing transmission facilities without undue adverse affect on Vermont utilities or customers. Kearney pf. at 18.

III. DISCUSSION

We are approving this petition, but find GMP's inability to file all the information necessary for the Board's thorough review of the project to be problematic. A written information request, a prehearing conference, and a conference call were all required to receive the necessary information. Although the petition was filed on March 12, 2008, GMP did not provide the information necessary to adequately review the petition until July 7, 2008. This inability to file the necessary information delayed the project for months. The Board expects that GMP will improve the quality of its filings in the future in order to allow for a more timely and efficient review.

IV. CONCLUSION

Based upon all of the above evidence, we conclude that the proposed Project 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. We condition this approval on Mount Snow contributing 56.25% of the total cost of the Dover substation upgrade.

V. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that:

1. The proposed changes to Green Mountain Power Corporation's Dover #90 Substation, in Dover, Vermont, 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. § 248, and a certificate of public good to that effect shall be issued in this matter.
2. The certificate of public good shall be conditioned on Mount Snow contributing 56.25% of the total cost of the Dover substation upgrade.

Dated at Montpelier, Vermont, this 26th day of August, 2008.

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

PUBLIC SERVICE
 BOARD
 OF VERMONT

OFFICE OF THE CLERK

FILED: August 26, 2008

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.