

STATE OF VERMONT
PUBLIC SERVICE BOARD

Re: Petition of Vermont Gas Systems, Inc.)
Requesting a Certificate of Public Good, Pursuant)
to 30 V.S.A. Section 248, authorizing the construction)
of the "Addison Natural Gas Project" consisting of)
approximately 43 miles of new natural gas transmission) Docket No. 7970
pipeline in Chittenden and Addison Counties,)
approximately 5 miles of new distribution mainlines in)
Addison County, together with three new gate stations)
in Williston, New Haven and Middlebury, Vermont)

**TOWN OF MIDDLEBURY'S FIRST SET OF INTERROGATORIES AND REQUESTS
FOR PRODUCTION TO PETITIONER, VERMONT GAS SYSTEMS, INC.**

The Town of Middlebury (hereafter "Middlebury"), by its attorneys, Neuse, Duprey & Putnam, P.C., hereby serves its First Set of Interrogatories and Requests for Production to Petitioner, Vermont Gas Systems, Inc., in accordance with Public Service Board Rule 2.214 and V.R.C.P. 33 and 34, and requests that Petitioner answer the requests set forth herein within thirty (30) days of the date hereof.

INSTRUCTIONS

1. Every interrogatory and request for production shall be answered separately and under oath.
2. If the complete answer to an interrogatory is not presently known, or a document requested cannot presently be produced, please (i) so state, giving the reasons therefor, (ii) answer as fully as possible every part of the interrogatory to which an answer is presently known and produce as fully as possible the documents which can presently be produced, and (iii) promptly complete the answer to the interrogatory and produce the documents requested which have not been produced as soon as the answer can be made and the documents can be produced.
3. If an interrogatory seeks the identification of facts, persons having knowledge of facts, or documents supporting a particular allegation or contention, provide all information known to you at the present time, bearing in mind that you have an obligation to supplement your responses as further information becomes known to you.
4. These interrogatories and requests for production shall be continuing to the full extent permitted by law.

5. If any information is withheld under a claim of privilege, immunity or qualified immunity, including, without limitation, the work product doctrine or attorney/client privilege, the following information shall be provided: (a) the basis upon which the privilege, immunity or qualified immunity is claimed; (b) the identity of the person who is the source of the information; (c) the identity of the person to whom the information has been communicated; (d) whether the information, or any part thereof, is based upon or evidenced by or is contained within any document(s) and the identity of all such documents; and (e) the subject matter of the information sufficient for its identification.

6. Each interrogatory that seeks information relating in any way to communications to, from, or within a business, public office, individual and/or corporate entity is hereby designated to mean, and should be construed to include, all communications, to, from, and/or between representatives, agents, officers, directors, managers, employees, independent contractors of an entity or individual, and/or anyone acting on their behalf.

7. The requests for production herein shall extend to all documents (as defined below) in the possession, custody, or control of the Petitioner, Vermont Gas Systems, Inc. (hereafter "VGS"), and includes all documents VGS has the legal right or ability to obtain, regardless of whether they are actually in the possession of VGS, including, but not limited to, documents in the possession, custody, or control of any past or present consultants engaged by VGS.

DEFINITIONS

1. The term "Petition" as used herein refers to the Petition for a Certificate of Public Good filed as Docket No. 7970 before the Vermont Public Service Board.

2. The term "Project" refers to the construction of a natural gas pipeline as more fully described in the Petition.

3. "The Board" refers to the Vermont Public Service Board.

4. "VGS" and "Petitioner" refer to Vermont Gas Systems, Inc.

5. "Middlebury" refers to the Town of Middlebury, Vermont.

6. "Document" means the original and any non-identical copies of any medium on which information or intelligence may be recorded, stored, or retrieved, including, without limitation, any written, printed, typed, or graphic matter of any kind or nature, however produced or reproduced, and all mechanical, phonic, photographic, computer, or electronic recordings or transcripts thereof, however produced.

INTERROGATORIES

1. Please indicate the length, in linear feet, of all 12-inch pipeline to be constructed between the New Haven-Middlebury town boundary line and the proposed Middlebury Gate Station (*See* Petitioner Supplement JH-3 (2/28/13) DWG. ANGP-T-C-0848; DWG. ANGP-T-C-085).
2. Please indicate the length, in linear feet, of all 6-inch pipeline to be constructed from the Middlebury Gate Station to the point on Exchange Street described as "6" HDPE Ball Valve and Locator Box at End of Proposed 6" HDPE Natural Gas Distribution Main." (Petitioner Supplement JH-5 (2/28/13) DWG.-ANGP-D2-C-001 through DWG. ANGP-D2-C-007).
3. Please provide all fair market valuation calculations and/or tax valuation projections or determinations made by or on behalf of VGS relating to the anticipated value of the portion of the Project to be constructed in the Town of Middlebury.
4. Please describe all landscaping, planting and other measures to be utilized as part of the Project to screen the Middlebury Gate Station from view of properties and roadways located to the south, southwest, west, northwest, and north of the Gate Station.
5. Please state whether VGS is willing to accept inclusion of the landscaping, planting and screening measures stated in the response to the preceding Interrogatory as a condition of any Certificate of Public Good (CPG) issued by the Board for the Project.
6. Please describe how, once constructed, the Middlebury Gate Station and other components of the Project will be secured against access by the public, including potential trespass, vandalism or other criminal activity.
7. Please state whether VGS is willing to accept inclusion of the security measures stated in the response to the preceding Interrogatory as a condition of any Certificate of Public Good (CPG) issued by the Board for the Project.
8. Please state whether, at the completion of the Project construction in Middlebury, VGS will provide to Middlebury "as-built" plans depicting the infrastructure constructed within Middlebury, and if so, indicate whether the "as-built" plans will show the location of each of the following:
 - a) water and sewer lines;
 - b) above-ground and underground telephone lines;
 - c) above-ground and underground cable lines;
 - d) above-ground and underground electric power lines.
9. Please state whether VGS is willing to accept inclusion of a requirement to provide as-built plans consistent with the response to the preceding Interrogatory as a condition of any Certificate of Public Good (CPG) issued by the Board for the Project.

10. Please describe what measures will be utilized to mitigate any disruption and inconvenience to traffic, businesses, and residences in Middlebury during construction of the Project.

11. Please state whether VGS is willing to accept inclusion of the mitigation measures stated in the response to the preceding Interrogatory as a condition of any Certificate of Public Good (CPG) issued by the Board for the Project.

12. Please describe what measures will be utilized to mitigate any damage or adverse impact the construction and operation of the Project may have on existing landscaping and flora (trees, etc.) in Middlebury.

13. Please state whether VGS is willing to accept inclusion of the mitigation measures stated in the response to the preceding Interrogatory as a condition of any Certificate of Public Good (CPG) issued by the Board for the Project.

14. Please list any and all training, equipment, services, or other resources VGS is willing to argue to provide to first responders and emergency service providers serving Middlebury (including but not limited to the Middlebury Fire and Police Departments and the Middlebury Volunteer Ambulance Association) to assist them in planning for and responding to incidents and emergencies involving the Project during and after construction.

15. Please state whether VGS is willing to accept inclusion of the training, equipment, services and other resources stated in the response to the preceding Interrogatory as a condition of any Certificate of Public Good (CPG) issued by the Board for the Project.

16. Please state whether VGS contemplates future construction of natural gas distribution or transmission lines or other infrastructure in Middlebury in addition to those shown in the Petition, and if so, please describe in detail the type, location, and anticipated construction schedule for any such contemplated future natural gas distribution lines.

REQUESTS FOR PRODUCTION

1. Please produce all documents summarizing, describing, or depicting the length of each category of pipeline and any other infrastructure to be constructed in Middlebury.

2. Please produce all documents relating to the anticipated valuation of VGS infrastructure as referenced in Interrogatory No. 3 above.

3. Please produce all documents describing or depicting the landscaping and screening measures described in your response to Interrogatory No. 4 above.

4. Please produce all documents describing the security or safety measures described in your response to Interrogatory No. 6 above.

5. Please produce all documents describing the mitigation measures described in your response to Interrogatory No. 10 above.

6. Please produce all documents describing the mitigation measures described in your response to Interrogatory No. 12 above.

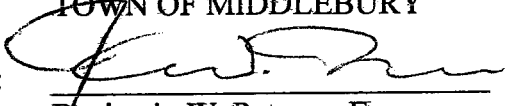
7. Please produce all documents describing the training, equipment, services and other resources described in your response to Interrogatory No. 14 above.

8. Please produce all maps, plans, or other documents describing or depicting any plans for construction of future natural gas distribution or transmission lines or other infrastructure in Middlebury, as referenced in your response to Interrogatory No. 16 above.

Dated at Middlebury, Vermont this 19th day of April, 2013.

TOWN OF MIDDLEBURY

By:


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cc: Kathleen Ramsay, Middlebury Town Manager
Service List