

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Petition of Vermont Gas Systems, Inc., )  
requesting a Certificate of Public Good pursuant )  
to 30 V.S.A. § 248, authorizing the construction )  
of the “Addison Natural Gas Project” consisting )  
of approximately 43 miles of new natural gas )  
transmission 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 )

Docket No. 7970

RESPONSE OF PETITIONER TO TOWN OF MIDDLEBURY’S  
FIRST SET OF INFORMATION REQUESTS ON PETITIONER

This is the response of Vermont Gas Systems, Inc. (“VGS” or “Petitioner”) to the First Set of Discovery Requests (“Discovery Requests”) of the Town of Middlebury (“Middlebury”). Petitioner is filing one complete hard copy of its responses with the Public Service Board (“Board”), with two copies served on the Town of Middlebury and a copy served on each other party of record.

**General Objections:**

1. Petitioner objects to any instructions contained in the Discovery Requests to the extent such instructions purport to place on Petitioner greater requirements or reserve greater rights to the Town of Middlebury than are permitted by the Vermont Rules of Civil Procedure as made applicable to Board proceedings through Board Rule 2.214 (A).
2. Petitioner objects to any request for information or production of document(s) that is (or are) subject to the attorney-client privilege, constitute work product, are protected under state or federal law or are proprietary, competitively sensitive or confidential.
3. Petitioner objects to requests to the extent that they (a) are overbroad or unduly burdensome; (b) are cumulative; (c) call for the production of documents not in the possession, custody or control of Petitioner; (d) call for the review, compilation, or production of publicly-available documents that could be obtained by the requesting party in a less burdensome manner; (e) are vague and/or ambiguous; (f) seek information not reasonably calculated to lead to the discovery of admissible evidence; or (g) call for the review, compilation, or production of a voluminous number of documents at great expense to Petitioner.

4. Petitioner does not hereby waive any objections, and it reserves the right to later raise any additional, available objections.

5. Responses and objections indicated herein reflect the position of the individual specified by Petitioner and not the other respondents unless specifically stated otherwise.

**Q.Middlebury:VGS.1-1:** 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).

**A.Middlebury:VGS.1-1:**

There will be approximately 2,070 linear feet of 12-inch pipeline proposed to be constructed between the New Haven-Middlebury town boundary line and the proposed Middlebury Gate Station.

Person Responsible for Response: John Heintz  
Title: Project Manager  
Date: May 3, 2013

**Q.Middlebury:VGS.1-2:** 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).

**A.Middlebury:VGS.1-2:**

There will be approximately 7,100 feet of 6-inch pipeline between the Gate Station and the termination at Exchange Street.

Person Responsible for Response: John Heintz  
Title: Project Manager  
Date: May 3, 2013

**Q.Middlebury:VGS.1-3:** 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.

**A.Middlebury:VGS.1-3:** Objection regarding fair market valuations as not reasonably calculated to lead to the discovery of relevant evidence. Without waiving the objection, as to tax projections, see **Attachment A.Middlebury:VGS.1-3.**

Person Responsible for Response: Eileen Simollardes  
Title: Vice President, Supply and Regulatory Affairs, Vermont Gas Systems, Inc.  
Date: May 3, 2013

**Q.Middlebury:VGS.1-4:** 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.

**A.Middlebury:VGS.1-4:** Please see Exhibit Petitioner Supplemental MJB-2.1 (2/28/13), Appendix A, Sheet L-3.

Person Responsible for Response: Michael J. Buscher  
Title: Professional Landscape Architect, T.J. Boyle Associates, LLC  
Date: May 3, 2013

**Q.Middlebury:VGS. 1-5:** 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.

**A.Middlebury:VGS. 1-5:** Yes.

Person Responsible for Response: Jean-Marc Teixeira  
Title: Vice President of Operations, Vermont Gas Systems, Inc.  
Date: May 3, 2013

**Q.Middlebury:VGS. 1-6:** 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.

**A.Middlebury:VGS. 1-6:** The gate station will be surrounded by a 7-foot locked perimeter fence with a locked gate. Some equipment will be housed in a building that will be locked. Other measures are described in VGS' Operating and Maintenance Procedures. See **Attachment A.Middlebury:VGS.1-6.**

Person Responsible for Response: Jean-Marc Teixeira  
Title: Vice President of Operations, Vermont Gas Systems, Inc.  
Date: May 3, 2013



**Q.Middlebury:VGS.1-7:** 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.

**A.Middlebury:VGS. 1-7:** Yes.

Person Responsible for Response: Jean-Marc Teixeira  
Title: Vice President of Operations, Vermont Gas Systems, Inc.  
Date: May 3, 2013

**Q.Middlebury:VGS.1-8:** 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.

**A.Middlebury:VGS.1-8:** VGS is willing to provide gas transmission and distribution pipeline information to Middlebury, on request.

- a: VGS does not map this infrastructure.
- b: VGS does not map this infrastructure.
- c: VGS does not map this infrastructure.
- d: VGS does not map this infrastructure.

Person Responsible for Response: Jean-Marc Teixeira  
Title: Vice President of Operations, Vermont Gas Systems, Inc.  
Date: May 3, 2013

**Q.Middlebury:VGS.1-9:** 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.

**A.Middlebury:VGS.1-9:** See response to Q.Middlebury:VGS.1-8 above.

Person Responsible for Response: Jean-Marc Teixeira  
Title: Vice President of Operations, Vermont Gas Systems, Inc.  
Date: May 3, 2013

**Q.Middlebury:VGS.1-10:** 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.

**A.Middlebury:VGS.1-10:** Mr. Heintz's testimony describes traffic impacts and measures to mitigate traffic impacts. Traffic impacts will be temporary and localized. VGS will limit its hours of construction as explained in Mr. Heintz's testimony.

Person Responsible for Response: John Heintz  
Title: Project Manager  
Date: May 3, 2013

**Q.Middlebury:VGS.1-11:** 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.

**A.Middlebury:VGS.1-11:** Yes.

Person Responsible for Response: Jean-Marc Teixeira  
Title: Vice President of Operations, Vermont Gas Systems, Inc.  
Date: May 3, 2013

**Q.Middlebury:VGS.1-12:** 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.

**A.Middlebury:VGS.1-12:** For the transmission mainline all landscaping will be restored to the satisfaction of the landowner to the extent feasible. Trees will not be permitted within the 50-foot corridor. VGS will work with landowners on a case-by-case basis to seek alternate locations for trees removed in the pipeline corridor during construction.

Person Responsible for Response: John Heintz; Jean-Marc Teixeira  
Title: Project Manager; Vice President of Operations, Vermont Gas Systems, Inc.  
Date: May 3, 2013

**Q.Middlebury:VGS.1-13:** 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.

**A.Middlebury:VGS.1-13:** Yes.

Person Responsible for Response: Jean-Marc Teixeira  
Title: Vice President of Operations, Vermont Gas Systems, Inc.  
Date: May 3, 2013

**Q.Middlebury:VGS.1-14:** 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.

**A.Middlebury:VGS.1-14:** As explained in Answer 22 to Mr. Teixeira's 12/20/12 testimony, the company has in place and will utilize its Public Awareness Program, which includes as a component, enhanced communications with state and local emergency response and planning officials and first responder organizations. To support emergency responders, VGS provides training to assist them in responding to any incidents or emergencies. See **Attachment A.CSWD:VGS.RTP.1-12.2.**

Person Responsible for Response: Jean-Marc Teixeira  
Title: Vice President of Operations, Vermont Gas Systems, Inc.  
Date: May 3, 2013



**Q.Middlebury:VGS.1-15:** 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.

**A.Middlebury:VGS.1-15:** Yes. VGS is willing to accept, as a condition to the CPG, the training and outreach described in the previous response.

Person Responsible for Response: Jean-Marc Teixeira  
Title: Vice President of Operations, Vermont Gas Systems, Inc.  
Date: May 3, 2013

**Q.Middlebury:VGS.1-16:** 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.

**A.Middlebury:VGS.1-16:** Please see Exhibit Petitioner TSL-1.1. Consistent with VGS' historical experience, it is reasonable to expect that additional infrastructure will be installed in Middlebury in the future. Specifically, since December 2012, Vermont Gas has been working with the Town of Middlebury to evaluate other areas for natural gas service, such as East Middlebury, and a potential timeline for natural gas service in those areas. The discussions are ongoing and, therefore, planning for initial and future service areas has not been completed.

Person Responsible for Response: Timothy S. Lyons  
Title: Vice President of Sales and Marketing, Vermont Gas Systems, Inc.  
Date: May 3, 2013

**REQUESTS TO PRODUCE**

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

**A.Middlebury:VGS.RTP.1-1:** The lengths of the Transmission Mainline and the Distribution Mainline are specified in Exhibits Petitioner Supplemental JH-3 (2/28/13) and JH-5 (2/28/13) respectively.

Person Responsible for Response: John Heintz  
Title: Project Manager  
Date: May 3, 2013

**Q.Middlebury:VGS.RTP.1-2:** Please produce all documents relating to the anticipated valuation of VGS infrastructure as referenced in Interrogatory No. 03 above.

**A.Middlebury:VGS.RTP.1-2:** See **Attachment A.Middlebury:VGS.1-3.**

Person Responsible for Response: Eileen Simollardes  
Title: Vice President, Supply and Regulatory Affairs, Vermont Gas Systems, Inc.  
Date: May 3, 2013

**Q.Middlebury:VGS.RTP.1-3:** Please produce all documents describing or depicting the landscaping and screening measures described in your response to Interrogatory No. 04 above.

**A.Middlebury:VGS.RTP.1-3:** See Exhibit Petitioner Supp. MJB-2.1 (2/28/13).

Person Responsible for Response: Michael J. Buscher  
Title: Professional Landscape Architect, T.J. Boyle Associates, LLC  
Date: May 3, 2013

**Q.Middlebury:VGS.RTP.1-4:** Please produce all documents describing the security or safety measures described in your response to Interrogatory No. 06 above.

**A.Middlebury:VGS.RTP.1-4:** See **Attachment A.Middlebury:VGS.1-6.**

Person Responsible for Response: Jean-Marc Teixeira  
Title: Vice President of Operations, Vermont Gas Systems, Inc.  
Date: May 3, 2013

**Q.Middlebury:VGS.RTP.1-5:** Please produce all documents describing the mitigation measures described in your response to Interrogatory No.10 above.

**A.Middlebury:VGS.RTP.1-5:** Please refer to Mr. Heintz's testimony.

Person Responsible for Response: John Heintz  
Title: Project Manager  
Date: May 3, 2013

**Q.Middlebury:VGS.RTP.1-6:** Please produce all documents describing the mitigation measures described in your response to Interrogatory No 12 above.

**A.Middlebury:VGS.RTP.1-6:** See Exhibit Petitioner Supplemental MJB-2.1 (2/28/13).

Person Responsible for Response: Michael J. Buscher  
Title: Professional Landscape Architect, T.J. Boyle Associates, LLC  
Date: May 3, 2013



**Q.Middlebury:VGS.RTP.1-7:** Please produce all documents describing the training, equipment, services and other resources described in your response to Interrogatory No. 14 above.

**A.Middlebury:VGS.RTP.1-7:** Refer to Mr. Teixeira's prefiled testimony as well as **Attachment A.CSWD:VGS.RTP.1-12.2.**

Person Responsible for Response: Jean-Marc Teixeira  
Title: Vice President of Operations, Vermont Gas Systems, Inc.  
Date: May 3, 2013

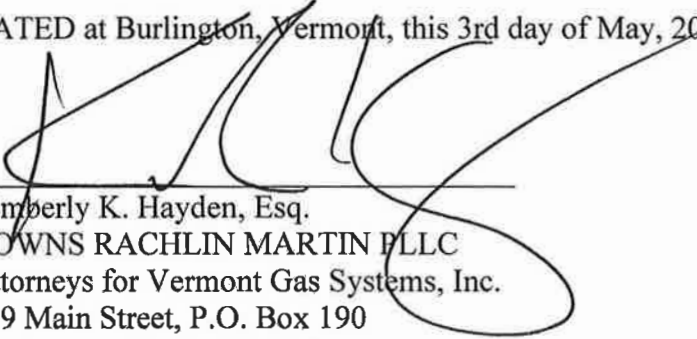
**Q.Middlebury:VGS.RTP.1-8:** Please produce all maps, plans, or other documents describing or depicting any plans for construction of future natural gas distribution or transmission lines or other infrastructure in Middlebury, as referenced in your response to Interrogatory No. 16 above.

**A.Middlebury:VGS.RTP.1-8:** Please refer to VGS' response to Q.Middlebury:VGS.1-16.

Person Responsible for Response: Timothy S. Lyons  
Title: Vice President of Sales and Marketing, Vermont Gas Systems, Inc.  
Date: May 3, 2013

**As to objections:** Kimberly K. Hayden, Esq.

DATED at Burlington, Vermont, this 3rd day of May, 2013.



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