STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 8734

Investigation pursuant to 30 V.S.A. §§ 30 and 209 into operations during icing conditions by the Georgia Mountain Community Wind, LLC wind electric generation facility in Georgia, Vermont	))))

Order entered: 5/25/2016

ORDER OPENING INVESTIGATION AND NOTICE OF PREHEARING CONFERENCE

I. Introduction

On the evening of Friday, March 11, 2016, the Vermont Public Service Board ("Board") received five emails from Melodie McLane alleging that the Georgia Mountain Community Wind, LLC ("GMCW") turbines (the "Project") were operating with ice on the turbine blades in violation of GMCW's certificate of public good ("CPG"). On the evening of March 14 and the morning of March 15, 2016, Ms. McLane sent an additional three emails containing similar allegations.[1]

By procedural order issued March 18, 2016, the Board directed GMCW to respond to Ms. McLane's complaint, and established a date for the Vermont Department of Public Service ("DPS" or the "Department") and the Agency of natural Resources ("ANR") to reply to both Ms. McLane's complaint and GMCW's response.

On April 8, 2016, GMCW filed its response describing why it believes it was not in violation of its obligations with respect to turbine operations in icing conditions and asserting that no further action is warranted in response to Ms. McLane's complaint. According to GMCW, the Project turbines do not need to be shut down solely as a result of ice accumulation

1. The filing of the complaint by Ms. McLane does not automatically confer party status on her for the investigation we open with today's Order. If Ms. McLane wishes to participate as a party in this proceeding, she must file a motion to intervene pursuant to Board Rule 2.209, which can be found on the Board's website at http://psb.vermont.gov/sites/psb/files/rules/OfficialAdoptedRules/2000_Rules_of_Practice.pdf. Party status confers both rights and responsibilities. While the Board makes efforts to enable participation by non-attorneys, *pro se* parties are still required to adhere to all of the Board's Rules of Practice. This includes the requirement that all documents be served on all other parties to the proceeding. It also obligates *pro se* parties to respond in a timely fashion to discovery requests and be subject to cross-examination of any testimony they provide.

on the blades; rather, there must be ice accumulation coupled with extreme weather conditions that pose a safety risk. GMCW also stated that it intends to develop a more robust approach to ice detection and safety assessments during icing conditions than exists at present.

On April 18, 2016, the Department filed a reply stating that it disagreed with GMCW's analysis and believes that GMCW did violate its winter operating protocol (the "Protocol") by operating the turbines with ice on the blades. The Department recommended that the Board either open an investigation into the alleged violation, or allow GMCW an opportunity to file the more robust ice detection protocol for comment by the parties and review by the Board.

In today's Order, the Board is initiating an investigation to determine whether operation of the Project while the turbine blades were experiencing ice accumulation was a violation of the Project's CPG or the Protocol.

II. ORDER

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

1. Pursuant to 30 V.S.A. §§ 30 and 209, an investigation is opened into whether operation of the Georgia Mountain Community Wind, LLC wind electric generation facility during icing conditions constitutes a violation of the Project's certificate of public good or winter operating protocol.

2. Pursuant to 30 V.S.A. § 8, John Cotter, Staff Attorney, is appointed to serve as the Hearing Officer to conduct the proceedings in this matter.

3. Pursuant to 30 V.S.A. § 10, a prehearing conference will be held before the Hearing Officer on Monday, June 13, 2016, commencing at 1:30 P.M., in the Board's Hearing Room located on the 3rd floor of the People's United Bank Building, 112 State Street, Montpelier, Vermont.

Dated at Montpelier, Vermont, this 25th day of May, 2016.

s/James Volz)
)
) PUBLIC SERVICE
)
s/Margaret Cheney) BOARD
)
) OF VERMONT
s/Sarah Hofmann)

OFFICE OF THE CLERK

FILED: May 25, 2016

ATTEST: s/Judith C. Whitney
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@vermont.gov)