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May 22, 2013

Susan M. Hudson, Clerk
VT Public Service Board
112 State Street, Drawer 20
Montpelier, VT 05620-2701

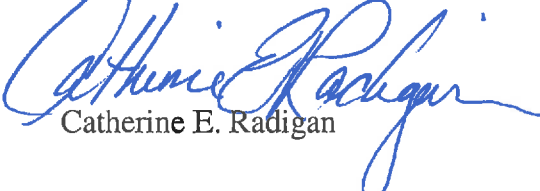
Re: Docket 7970

Dear Sue:

Enclosed for filing with the Board please find the Town of Monkton's First Set of Discovery Requests upon the Petitioner in the above docket. Also enclosed is a Discovery Certificate.

Please feel free to call if you need anything further.

Sincerely,



Catherine E. Radigan

Enclosure

cc: Service List

**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) Docket No. 7970
new distribution mainline in Addison County,)
together with three new gate stations in)
Williston, New Haven, and Middlebury,)
Vermont)

DISCOVERY CERTIFICATE

NOW COMES The Town of Monkton, by and through its attorney, Joshua R.

Diamond, and hereby certifies that The Town’s Second Set of Discovery Requests have been sent via electronic mail and U.S. First Class Mail, postage prepaid, on May 22, 2013 to the following:

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Timothy M. Duggan, Special Counsel
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Williston, VT 05495

Dated at Montpelier, Vermont this 22nd day of May, 2013.

DIAMOND & ROBINSON, P.C.

By: 

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**STATE OF VERMONT
PUBLIC SERVICE BOARD**

Petition of Vermont Gas Systems, Inc.,)
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new distribution mainline in Addison County,)
together with three new gate stations in)
Williston, New Haven, and Middlebury,)
Vermont)

Docket No. 7970

TOWN OF MONKTON’S SECOND SET OF DISCOVERY REQUESTS

NOW COMES the Town of Monkton, by and through its attorney, Joshua R. Diamond of Diamond & Robinson, P.C., pursuant to VT Public Service Board (the “Board” or “PSB”) Rule 2.214 and V.R.C.P. 33 and 34, hereby request that Vermont Gas Systems, Inc. (“VGS” or “Petitioner”) answer the following discovery requests in writing in accordance with V.R.C.P. 33 and 34:

INSTRUCTIONS

The full text of the definitions and rules of construction set forth below are incorporated by reference into all interrogatories, requests to produce, and requests to admit but shall not preclude (i) the definition of other terms specific to the particular litigation, (ii) the use of abbreviations or (iii) a more narrow definition of a term defined below. The following definitions apply to all interrogatories.

A. **COMMUNICATION.** “Communication” means the transmittal of information (in the form of facts, ideas, inquiries or otherwise). The term includes, but is not limited to, oral discussions, written correspondence, e-mails, etc.

B. **DOCUMENT.** “Document” is defined to be synonymous in meaning and equal in scope to the usage of the term in V.R.C.P. 34. Please note that a draft or non-identical copy is a separate document within the meaning of this term. The term “document” includes, but is not limited to, writings, memoranda, e-mail, excel files, letters, notes, minutes, drawings, drafts, estimates, invoices, bills, charts, photographs, movies, phonograph records, video tape, audio tape, computer files or other recording tape, and every other type of data compilation from which information can be obtained, translated or transcribed, whether originals or copies. Copies of all excel files should contain full access to formulas and computations utilized.

C. **IDENTIFY.** (With Respect To Persons). When referring to a person, “to identify” means to give, to the extent known, the person’s full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

D. **IDENTIFY.** (With respect to other than a natural person), When referring to an entity, such as a business, corporation, limited liability company, partnership, governmental entity, or other business entity means to give, to the extent known, the person’s full name, present or last known address, and principal place of business.

E. **IDENTIFY.** (With Respect To Documents). When referring to documents, “to identify” means to give, to the extent known, (i) the type of document; (ii) its general subject matter; (iii) the date of the document; (iv) its author(s), addressee(s) and recipient(s); (v) its present location and/or custodian; and (vi) if the document is claimed to be protected from discovery by privilege, the grounds on which the privilege is claimed. Please note that as an alternative to identifying a document, you may instead produce a complete and legible copy.

F. **YOU.** “You” means Vermont Gas Systems, Inc. (“VGS” or “Petitioner”), to whom the question or request is directed and, where applicable, its agents, representatives, officers, directors, employees, partners, corporate parent, subsidiaries or affiliates, as applicable.

G. **AND/OR.** The phrase “and/or” means either or both.

H. **PERSON.** “Person” means any natural person, association, organization, corporation, partnership or other business entity, or governmental entity.

I. **RELATE TO.** The phrase “relate to” means: concerns, refers to, or otherwise describes evidence.

J. **DEPARTMENT.** The phrase "Department" means the Vermont Department of Public Service.

K. **BOARD OR PSB.** The phrase "Board" or "PSB" means the Vermont Public Service Board.

M. V.R.C.P. 33 requires the response to each request to be made under oath by a person competent to testify concerning the response and all documents and exhibits produced as part of the response. With respect to each request, please state (1) the name(s) and title(s) of the person or persons responsible for preparing the response; and (2) the administrative unit which maintains the records being produced or maintains the data from which the answer was prepared; and (3) the date on which each question was answered.

N. If any interrogatory or request is objected to in whole or in part, please describe the complete legal and factual basis for the objection, and respond to all parts of the interrogatory or request to the extent it is not objected to. If an objection is interposed as to any requested documents, please identify the document by author, title, date and recipient(s), and generally describe the nature and subject-matter of the document as well as the complete legal and factual basis for the objection.

O. These requests shall be deemed continuing and must be supplemented in accordance with V.R.C.P. 26(e). Petitioner is directed to change, supplement and correct its answers to conform to all information as it becomes available to Petitioner, including the substitution of actual data for estimated data. Responses to requests for information covering a period not entirely in the past (or for which complete actual data are not yet available) should include all actual data available at that time and supplementary data as it becomes available.

P. Wherever responses include estimated information, include an explanation (or reference to a previous explanation) of the methods and calculations used to derive the estimates.

Q. If in response to any interrogatory you refer to industry practice, industry standard, regulatory standard, or similar requirements, please identify the specific practice, standard, or requirement to which you are referring or relying upon.

R. If any interrogatory is objected to in whole or in part, please describe the complete legal and factual basis for the objection, and respond to all parts of the interrogatory or request to the extent it is not objected to. If an objection is interposed as to any requested documents, please identify the document by author, title, date and

recipient(s), and generally describe the nature and subject-matter of the document as well as the complete legal and factual basis for the objection.

S. The Town of Monkton reserves the right to submit additional discovery requests to VGS after receipt of answers to these interrogatories and requests to produce.

DISCOVERY REQUESTS

1. Please produce a GIS shape file that delineates the following: (a) pipeline siting; (2) laydown areas; and/or (3) any anticipated access roads/routes for construction in the Town of Monkton (hereinafter "Town" or "Monkton").
2. Please identify and describe fully how VGS intends to test wells, septic systems and residences to determine if there has been any damage or adverse impact due to pipeline construction including blasting.
3. Please provide all available map(s) of areas that will be impacted by blasting within the Town including proposed blast sites and water resources within 2000 feet of the proposed blast sites.
4. Identify those section(s) of the proposed transmission pipeline within the Town that have not been surveyed including, but not limited to, anticipated surveys for impacted lands and animals. Identify the dates when VGS anticipates the non-

surveyed lands will occur. Produce all maps delineating those sections identified above.

5. Describe fully how VGS intends to notify Town landowners and current residents about specific locations and times for blasting and other construction activities impacting the use and enjoyment of the respective resident's and/or landowner's properties.

6. Would VGS consent, as a condition of the CPG, to develop and file with the Board for prior approval a blasting plan, which includes preconstruction surveys of any residential or agricultural water sources within one half mile of any proposed blasting site within the Town? If the answer is no, please explain fully VGS' position for not agreeing to such a condition.

7. Does VGS agree that it will be responsible to fully remediate, indemnify and hold harmless property owners within the Town for any damage caused by VGS' construction and/or blasting outside of the respective right of ways that it acquires related to this Project? If the answer is no, please explain fully VGS' position.

8. Would VGS consent, as a condition to the CPG, to pay for the services of an engineer hired by the Department of Public Service to oversee construction for the purpose of insuring that the Project conforms to the terms and conditions of the

CPG? If the answer is no, please explain fully VGS' position for not agreeing to such a condition.

9. Please provide copies of any request for proposals or other documents reflecting the qualifications needed for all contractors and subcontractors that will be used on the construction of the Project (e.g., technical training, certifications, bonding, etc).

DATED at Montpelier, Vermont this 22nd day of May, 2013.

DIAMOND & ROBINSON, P.C.

By: 

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