

STATE OF VERMONT

PUBLIC SERVICE BOARD

Petition of Vermont Transco, LLC, and)
Vermont Electric Power Company, Inc.)
(collectively, "VELCO"), and Central Vermont)
Public Service Corporation ("CVPS") for a)
Certificate of Public Good, pursuant to 30)
V.S.A. §248, for the "**Southern Loop Project**,")
Located in Vernon, Guilford, Brattleboro,)
Dummerston, Newfane, Brookline, Townshend,)
Grafton, Windham, Andover, Chester, Ludlow)
and Cavendish, Vermont, consisting of the)
following elements: (1) a new, approximately)
51-mile, 345 kV transmission line between)
Vernon-Cavendish, to be built parallel to and)
within the same utility right-of-way as)
VELCO's existing Vernon-Cavendish 345kV)
line; (2) a new VELCO 345 kV Vernon)
substation, to be located just north of the)
Vermont Yankee Nuclear Power Station; (3) a)
new 345/115/46 kV Newfane substation; (4) a)
new, approximately one-mile, 345 kV)
transmission line loop between the new)
Newfane substation and the new Vernon-)
Cavendish 345 kV line; (5) expansion of)
VELCO's Coolidge substation in Cavendish,)
Vermont; and (6) the implementing of)
incremental energy efficiency to defer)
transmission upgrades in Southern Vermont)

Docket No. 7373

**REPLY OF THE VERMONT LAND TRUST
WITH RESPECT TO PUBLIC SERVICE BOARD ORDER RE: MOTIONS TO
INTERVENE AND MOTION TO ADMIT PRO HAC VICE**

NOW COMES the Vermont Land Trust and replies to the Public Service Board's Order Re: Motions To Intervene and Motion To Admit Pro Hac Vice.

The PSB Order states that within fifteen days of the Order (dated 2/8/2008), the Vermont Land Trust must provide the following information: the specific locations of its property interests and a specific description of those interests at each location; an explanation of how those interests will be affected by the proposed project; and a demonstration that VLT's participation will be related to the issues subject to review under 30 V.S.A. §248.

1. Specific locations of VLT's property interests (See Attachment A for maps):

Project Name	Current Landowner/s	Town	VLT Interest	Date Recorded	Book / Page
Goodenough Farmland Trust	Same	Brattleboro	Conservation Easement	12/27/04	333/136
Thurber	Marjorie, Beverly & Stuart Thurber Jr.	Brattleboro	Conservation Easement	1/4/99	271/801
	Beverly & Stuart Thurber Jr.	Brattleboro	Conservation Easement Amendment	7/13/04	327/802
Hamilton	Dean, Timothy & Jay Hamilton	Brattleboro	Conservation Easement	6/25/98	267/120
McDermet	Kristen & Stewart McDermet	Dummerston	Conservation Easement	6/29/99	71/457
Buckley	Carl & Judy Ferenbach	Townshend	Conservation Easement	12/29/95	62/242
Pearson	Vermont Land Trust	Windham	Fee	12/28/00	35/317
Codere	Vermont Land Trust	Andover	Fee	10/31/97	34/398 34/395
		Chester		11/5/97	81/434

2. Specific descriptions of those interests at each location: See Attachment B for Conservation Easements and Deeds.
3. Explanation of how those interests will be affected by the proposed project and a demonstration that VLT's participation will be related to the issues subject to review under 30 V.S.A. §248:

Goodenough Farmland Trust Property. The Goodenough Farmland Trust lands contain wildlife habitats and biological communities, recreational opportunities, timber resources with forest management plans, aesthetics and natural beauty, and the Vermont Land Trust conservation easement is designed to protect these resources. Other impacts to natural resources on the property may be discovered through further investigation. VLT's interests, as described, fall within the scope of 30 V.S.A. §248(b)(5) because these resources will be impacted by the proposed activity due to the disturbance and removal of vegetation and alteration of access points and roads.

Thurber Property. The Thurber Property contains productive agricultural soils, water courses, timber resources with forest management plans, productive sugarbush, aesthetics and natural beauty, and the Vermont Land Trust conservation easement is designed to protect these resources. Other impacts to natural resources on the property may be

discovered through further investigation. VLT's interests, as described, fall within the scope of 30 V.S.A. §248(b)(5) because these resources will be impacted by the proposed activity due to the disturbance and removal of vegetation and alteration of access points and roads.

Hamilton Property. The Hamilton Property lands contain productive agricultural soils, water courses, timber resources with forest management plans, wildlife habitats and biological communities, productive sugarbush, aesthetics and natural beauty, and the Vermont Land Trust conservation easement is designed to protect these resources. Other impacts to natural resources on the property may be discovered through further investigation. VLT's interests, as described, fall within the scope of 30 V.S.A. §248(b)(5) because these resources will be impacted by the proposed activity due to the disturbance and removal of vegetation and alteration of access points and roads.

McDermet. The McDermet Property lands contain productive agricultural soils, water courses, timber resources with forest management plans, trails for public recreation, wildlife habitats and biological communities, productive sugarbush, aesthetics and natural beauty, and the Vermont Land Trust conservation easement is designed to protect these resources. Other impacts to natural resources on the property may be discovered through further investigation. VLT's interests, as described, fall within the scope of 30 V.S.A. §248(b)(5) because these resources will be impacted by the proposed activity due to the disturbance and removal of vegetation and alteration of access points and roads.

Buckley/Ferenbach. The Ferenbach lands contain wetlands, a stream and bodies of water, a trail system, natural botanical and biological communities, timber resources with forestry management plans, aesthetics and natural beauty, unusual and irreplaceable natural areas, and the Vermont Land Trust conservation easement is designed to protect these resources. Other impacts to natural resources on the property may be discovered through further investigation. VLT's interests, as described, fall within the scope of 30 V.S.A. §248(b)(5) because these resources will be impacted by the proposed activity due to the disturbance and removal of vegetation and alteration of access points and roads.

Pearson (VLT fee-owned) VLT's Pearson property contains timber resources with forest management plans, wildlife habitats and biological communities, aesthetics and natural beauty. Other impacts to natural resources on the property may be discovered through further investigation. VLT's interests, as described, fall within the scope of 30 V.S.A. §248(b)(5) because these resources will be impacted by the proposed activity due to the disturbance and removal of vegetation and alteration of access points and roads.

Codere (VLT fee- owned property). VLT's Codere property contains timber resources with forest management plans, water courses, wildlife habitats and biological communities, aesthetics and natural beauty. Other impacts to natural resources on the property may be discovered through further investigation. VLT's interests, as described, fall within the scope of 30 V.S.A. §248(b)(5) because these resources will be impacted by the proposed activity due to the disturbance and removal of vegetation and alteration of access points and roads.

All Properties Except Buckley/Ferenbach: Use Value Program. With the exception of the Buckley/Ferenbach property, each property identified in the table found in section (1), above, is enrolled in Vermont's Land Use Value Program. See 32 V.S.A., Chapter 124. VELCO's removal of standing timber may have an impact on the continued eligibility of these properties, may alter the terms of eligibility, and/or may increase the property tax burden on the landowners. VLT's interests, as described, fall within the scope of 30 V.S.A. §248(b)(5).

VELCO has suggested that VLT's interests are already protected by ANR. In rejecting a similar argument, the Environmental Board explained that under this logic, no nongovernmental party would ever qualify for party status. Moreover, as the Board pointed out, "there is no guarantee that the statutory party would take the same position at the hearing or represent that position with the same zeal." McLean Enterprises Corp., Land Use Permit #2S1147-1-EB 9/19/03, p.7.

Permissive intervention should be allowed because VLT will be affected by the Board's ruling in this matter. Permissive intervention should be allowed because these interveners plan to, and can, constructively contribute to the Board's evaluation of the project. VLT commits to work with the other parties to avoid duplication of effort, delay, and waste of Board time.

As the Board has repeatedly ruled: "In general, when the Board considers motions to intervene, we recognize that public participation in Board proceedings is beneficial to the Board, other parties, and the public interest. We have found in the past and continue to believe that, to the extent that a particular individual, group, or organization has an interest in the proceeding and can assist us in understanding the issues, we are better able to fulfill our statutory duties." In re: General Order Notice 45... (Energy/Vermont Yankee), Docket No. 6545, Order on Schedule and Intervention issued 10/26/01.

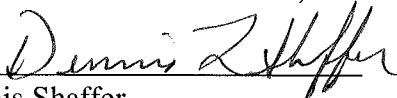
VLT has specific interest in the preservation and conservation of lands of significant interest in the State of Vermont. VLT has been in existence since 1977. "The corporation is organized to promote the conservation and appropriate use of land in Vermont..." (Articles of Incorporation of Vermont Land Trust, Inc.). During its years in operation, VLT has developed considerable expertise and understanding of potential environmental impacts by activity and development on sensitive lands. In addition, VLT has negotiated with private parties to protect said lands with respect to environmental and aesthetic impacts on such lands. VLT is able to bring to the proceedings an expertise and unique perspective with regards to the lands owned and conserved by it which will be impacted by the project under consideration.

The Vermont Land Trust therefore respectfully requests that the Public Service Board grant its Motion to Intervene.

DATED at Montpelier, Vermont this 22nd day of February, 2008.

Respectfully submitted,

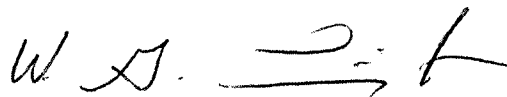
VERMONT LAND TRUST, INC.

By: 

Dennis Shaffer

Vice President for Stewardship

And



W. G. Livingston, Esq.
President

8 Bailey Avenue
Montpelier, VT 05602
(802) 262-1226
(802) 223-4223 (fax)

