

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

**PETITIONER'S FIRST SET OF DISCOVERY REQUESTS TO
VERMONT FUEL DEALERS ASSOCIATION**

Vermont Gas Systems, Inc. ("Petitioner"), serves the following discovery requests on the Vermont Fuel Dealers Association ("VFDA" or "Respondent").

Petitioner respectfully requests that the Respondent answer the following discovery Requests in writing and under oath and deliver one complete copy of all documents, plus an electronic version of such responses, by July 12, 2013 to Petitioner's counsel whose names and addresses are set forth on the Certificate of Service accompanying this request.

DEFINITIONS

The following definitions apply to the following discovery requests:

1. **Communication**. The term "communication" means the transmittal of information in the form of facts, ideas, inquiries or otherwise.
2. **Document**. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of this term in Vermont Rule of Civil Procedure 34(a) and includes any and all writings or other materials, whether handwritten, typed, printed, recorded or reproduced by any other physical, mechanical, electronic or electrical means, including, but not limited to, records, papers, correspondence, telegrams, memoranda, notes, letters, photographs, photographic slides or negatives, films, filmstrips, computer diskettes, computer files, tapes and recordings, summaries or records of telephone conversations, summaries or records of personal conversations, and all carbons or photocopies bearing any underlining, highlighting, additions, corrections, or marginal notations which are in the possession, custody, or control of VFDA, its agents, employees, representatives, attorneys or experts, wherever located.

3. Identify (With Respect to Persons). When referring to a person to “identify” means to provide, 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 the person need be listed in response to subsequent discovery requesting the identification of that person.

4. Identify (With Respect to Documents). When referring to documents, to “identify” means to provide, to the extent known, information about the (i) type of document; (ii) its general subject matter; (iii) the date of the document; and (iv) its author(s), and each recipient.

5. You or Your(s): VFDA, you or your(s) means Vermont Fuel Dealers Association and, where applicable, its officers, directors, employees, representatives, subsidiaries or affiliates.

6. Person. The term “person” is defined as any natural person or any business, legal or governmental entity or association.

7. Concerning. The term “concerning” means relating to, referring to, describing, evidencing or constituting.

8. Produce. The term “produce” means to provide the original or an exact legible copy of a requested document to Petitioner’s counsel. A draft or non-identical copy is a separate document within the meaning of this term.

The following rules of construction apply to all discovery requests:

1. All/Each. The terms “all” and “each” shall both be construed as all and each.
2. And/Or. The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
3. Number. The use of the singular form of any word includes the plural and vice versa.

INSTRUCTIONS

1. Provide a separate page for each separate question. Reproduce the discovery request made before presenting the response.

2. The response to each request should 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, state (1) the name(s) and title(s) of the person or persons responsible for preparing the response; and (2) the date on which each question was answered.

3. Where information requested is not available in the precise form described in the question or is not available for all years (or other periods or classifications) indicated in a series of years (or other periods or classifications), provide all information with respect to the subject matter of the question that can be identified in your work papers and files or that is otherwise available.

4. These discovery requests are continuing in nature, and require you to file supplementary answers pursuant to the Vermont Rules of Civil Procedure as incorporated by the Rules of the Vermont Public Service Board. Change, supplement and correct your responses to conform to all information as it becomes available to you, including the substitution of actual data for estimated data. Responses to requests 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.

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

6. For any matter where a request for admission is being answered by a denial or objection, the answer should set forth in detail the reasons for the denial or objection, in conformity with Vermont Rule of Procedure 36.

7. In construing these discovery requests, the terms "refer to" and "relate to" shall include any and all logical or factual connections to the subject of the discovery request as specified.

8. Organize responses and supporting documents using the identifying number to which they respond.

DISCOVERY REQUESTS

Q.PET:VFDA.1-1. Please produce any and all documents you expect to offer as exhibits at the technical hearing of this proceeding.

Q.PET:VFDA.1-2. Please produce all supporting workpapers, notes, reports, spreadsheets and

all other documents used, referred to or relied upon for the development of your prefiled testimony and exhibits.

Q.PET:VFDA.1-3. For each of the VFDA witnesses that have offered prefiled testimony in this matter, please identify and produce for the past 5 year period, copies of the following:

- (a) a list of all court or administrative proceedings in which the witness has been a witness or a party;
- (b) a detailed description of any testimony given by the witness in any court or administrative proceeding, and copies of all transcripts, prefiled testimony, exhibits, reports, and other documents relating to such testimony.

Q.PET:VFDA.1-4. Please produce all supporting workpapers, notes, reports, spreadsheets and all other documents used, referred to or relied upon for the development of VFDA's responses to these discovery questions.

Q.PET:VFDA.1-5. Please produce a copy of every report, paper or presentation prepared by CLF regarding GHG impacts associated with natural gas leaks, unaccounted for natural gas, of lifecycle emissions associated with natural gas.

Questions for Mr. Guilford

Q.PET:VFDA.1-6. Describe your education and training including all degrees held. Produce a current resume.

Q.PET:VFDA.1-7. Describe CEMA, its members and mission.

Q.PET:VFDA.1-8. Admit that CEMA was formerly named the Independent Connecticut Petroleum Association (ICPA).

Q.PET:VFDA.1-9. Admit that CEMA's web homepage states that it is "the priority" of CEMA "to protect and strengthen the future of the petroleum industry in Connecticut."

Q.PET:VFDA.1-10. Explain why CEMA is presenting testimony in a Vermont regulatory proceeding.

Q.PET:VFDA.1-11. Regarding your testimony at A6, explain why CEMA has an interest in the economic benefits of the Addison Natural Gas Project?

Q.PET:VFDA.1-12. Admit that if natural gas service expands in Connecticut and Vermont, it will have an adverse economic impact on the petroleum industry.

Q.PET:VFDA.1-13. Admit that the Connecticut Department of Energy and Environmental Protection ("DEEP") on February 19, 2013 issued a Comprehensive Energy Strategy to expand natural gas service throughout the state.

Q.PET:VFDA.1-14. Admit that the Connecticut legislature passed a bill this term implementing the Comprehensive Energy Strategy.

Q.PET:VFDA.1-15. Admit that the Comprehensive Energy Strategy states at page 119 that: "The emergence of new extraction techniques ... have made it economic to bring enormous amounts of new domestic natural gas supply to the marketplace from shale basins across the country."

Q.PET:VFDA.1-16. Do you agree with the statement quoted in the previous question? Explain your answer and identify all documents that support your response.

Q.PET:VFDA.1-17. Admit that the Comprehensive Energy Strategy also states at page 119 that while natural gas prices are "likely to rise slowly in the coming years, natural gas prices are projected to remain relatively low for the foreseeable future."

Q.PET:VFDA.1-18. Do you agree with the statement quoted in the previous question? Explain your answer and identify all documents that support your response.

Q.PET:VFDA.1-19. Admit that the Comprehensive Energy Strategy also states at page 119 that: "Oil prices are projected to remain high due to growing global demand, especially in emerging markets such as China and India."

Q.PET:VFDA.1-20. Do you agree with the statement quoted in the previous question? Explain your answer and identify all documents that support your response.

Q.PET:VFDA.1-21. Admit that if Vermont Gas expands natural gas service in Vermont, it will have an adverse economic impact on the state petroleum industry.

Q.PET:VFDA.1-22. With respect to A10 and A11 of your testimony, what assumptions or opinions do you have regarding residential retail prices of natural gas, oil and propane over the next 20 years? Identify and produce all documents relating to same.

Q.PET:VFDA.1-23. With respect to your testimony at page 9 lines 16-18 regarding oil prices, identify and produce all documents supporting same.

Q.PET:VFDA.1-24. With respect to your testimony at Page 9 lines 18-19, identify and produce a current U.S. EIA forecast that estimates that oil prices are expected to fall nominally and relative to natural gas prices.

Q.PET:VFDA.1-25. With respect to your testimony at Page 9 lines 16-18, provide the economic analysis that supports your statements, and if you have not performed that analysis, please provide all other documents relied on for the assertion.

Q.PET:VFDA.1-26. Admit that on March 22, 2013, the EIA issued a Federal Register Notice

forecasting for the year 2013 representative average unit costs of electricity, natural gas, No. 2 heating oil, propane, and kerosene.

Q.PET:VFDA.1-27. Admit that in the Federal Register Notice referenced in the previous question, EIA reported the following units costs:

- natural gas - \$10.87 per million Btu
- No 2 heating oil - \$27.40 per million Btu
- Propane - \$31.19 per million Btu

Q.PET:VFDA.1-28. In your expert opinion, in what year over the next 20 years do you expect the unit cost of oil or propane to be lower than natural gas? Please explain the basis of your opinion and produce all documents and analysis that support your conclusion.

Q.PET:VFDA.1-29. Is it your opinion that the energy forecasts reported by the EIA are credible? Please explain your answer.

Q.PET:VFDA.1-30. Is it your opinion that the Vermont Public Service Board should not rely upon energy forecasts produced by the EIA? Explain your answer and produce all documents and analysis that supports your response.

Q.PET:VFDA.1-31. With respect to your testimony at A18, identify and produce the Merrill Lynch document referenced at lines 19-20, and identify and produce all other data relied upon by

you that support the statements and opinions stated in your A18.

Q.PET:VFDA.1-32. Identify and produce all analyses, reports and data reviewed by you that forecast that oil prices will be higher than \$50/barrel in the next two years.

Q.PET:VFDA.1-33. Is it your opinion and recommendation to the Vermont Public Service Board that it should deny a permit to VGS in this proceeding until we see the lower oil prices you mention in your A18?

Q.PET:VFDA.1-34. With respect to your testimony at A21 - A25, explain how the issue raised impacts the transmission Project under review in this proceeding or Vermont Gas. Explain your response and produce all documents supporting same.

Q.PET:VFDA.1-35. Admit that the transmission project under review in this docket does not involve or include as a project component a natural gas generating plant.

Q.PET:VFDA.1-36. Admit that the Vermont Gas transmission system is not interconnected to the U.S. interstate pipeline system.

Q.PET:VFDA.1-37. Admit that the Vermont Gas system is supplied from a lateral connection to the Canadian TransCanada system.

Q.PET:VFDA.1-38. With respect to your A22, identify the source of the statements and produce all documents relating to same.

Q.PET:VFDA.1-39. With respect to your testimony at A23, identify the source of the statements and produce all documents relating to same.

Q.PET:VFDA.1-40. With respect to your testimony at A24, identify the source of the statements and produce all documents relating to same.

Q.PET:VFDA.1-41. With respect to your testimony at page 5 lines 17-22 to page 6 lines 1-2, state whether you agree with the statements you reference and if you do not agree, explain why not as to each bullet and produce all documents supporting your response.

Q.PET:VFDA.1-42. With respect to your testimony at A27, identify the basis for your statements and produce all documents supporting your statements.

Q.PET:VFDA.1-43. With respect to your testimony at A28, identify and produce all documents supporting your statement that the regulations will result in higher gas prices. Describe the expected increase in prices over the next 20 years.

Q.PET:VFDA.1-44. Do you have any education, experience or training in performing economic analysis of energy prices. Describe in detail and produce all such analyses performed

within the past 5 years.

Q.PET:VFDA.1-45. With respect to your testimony at A30, explain your current experience with Vermont energy policy regarding natural gas.

Q.PET:VFDA.1-46. With respect to your statements at page 17 lines at 19-21, are you testifying to the Vermont PSB that Vermont government “collaborates with the utilities in what we now call crony capitalism to give the utilities a free ride to the pocketbooks of consumers”?

Q.PET:VFDA.1-47. Is it your testimony that if the Vermont PSB approves the natural gas project in this docket it will be “collaborating with VGS” in what you call “crony capitalism”? If this was not what you intended to convey, why are these statements included in your testimony? Please clarify.

Questions for Mr. Sweetster

Q.PET:VFDA.1-48. Admit that the ICF study that you reference at A9 of your testimony is a credible study.

Q.PET:VFDA.1-49. With respect to A13 of your testimony, identify and describe all data and reports with projections that fuel oil will be cleaner than natural gas at some point in the future and produce all of same.

Q.PET:VFDA.1-50. With respect to your Exhibit 6, identify and produce all market data and studies that support that we can expect to achieve the B20 market penetration at the levels you utilize to support your results.

Q.PET:VFDA.1-51. Is it your professional opinion and recommendation that the Vermont PSB should not approve the Addison Natural Gas Project because of a potential for B20 market penetration to achieve the results you modeled?

Q.PET:VFDA.1-52. Is it your professional opinion that GHG emissions will increase if the Addison Natural Gas Project is built? Explain your response and produce all documents supporting your response.

Q.PET:VFDA.1-53. Admit that construction of the project will increase opportunities for biomethane. If denied, please explain the basis for your denial and produce all documents supporting your response.

Q.PET:VFDA.1-54. Admit that ultralow sulfur diesel and biodiesel are more expensive than conventional heating oil. If denied, please explain the basis for your denial and produce all documents supporting your response.

Q.PET:VFDA.1-55. Admit that 50% biodiesel is not currently commercially available. If denied, please explain the basis for your denial, and produce all documents supporting your

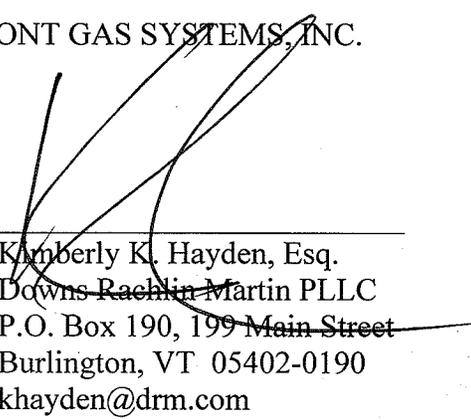
response.

Q.PET:VFDA.1-56. Admit that the infrastructure, transportation and storage capacity required for the delivery of biodiesel is not currently in place. If denied, please explain the basis for your denial and produce all documents supporting your response.

Dated at Burlington this 21st day of June, 2013

VERMONT GAS SYSTEMS, INC.

By: _____


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cc: Certificate of Service

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