

**From:** Kunin, Lisa [Lisa.Kunin@vermont.gov]  
**Sent:** Tuesday, October 02, 2012 3:43 PM  
**To:** London, Sarah  
**BCC:** Kunin, Lisa  
**Subject:** Amended Hurricane Irene-Related Temporary Waiver  
**Attachments:** SEXE-Copier12100214341.pdf

-----Original Message-----

From: EXE-Copier@state.vt.us [<mailto:EXE-Copier@state.vt.us>]  
Sent: Tuesday, October 02, 2012 10:35 AM  
To: Kunin, Lisa  
Subject: PLEASE DO NOT REPLY

Attachment from EXE-Copier.

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**STATE OF VERMONT  
OFFICE OF THE GOVERNOR**

**Amended Hurricane Irene-Related Temporary Waiver of 30 V.S.A. § 248**

**WHEREAS**, I, Peter Shumlin, Governor of the State of Vermont, pursuant to 20 V.S.A § 9, on August 27, 2011, declared a state of emergency in Vermont due to the anticipated impact of Hurricane Irene, and

**WHEREAS**, on August 28<sup>th</sup> and 29<sup>th</sup>, 2011, Hurricane Irene caused extensive flooding and other damage in Vermont, resulting in among other things the loss of at least three electric transmission structures in the town of Clarendon on the so-called K35 115kV transmission line, between the West Rutland and Cold River substations, and

**WHEREAS**, the Vermont Electric Power Company, Inc. (VELCO), which operates and maintains the state's electric transmission grid, has taken this line out of service, and

**WHEREAS**, the stability and reliability of the Vermont electric transmission system are adversely impacted by the line being out of service and VELCO intends to immediately replace the damaged structures in order to restore the line to service, and to bring Vermont's transmission service back to stable, safe and reliable service levels, and

**WHEREAS**, I have, pursuant to 30 V.S.A. § 248(1), consulted with the Commissioner of the Vermont Department of Public Service and the Chair of the Vermont Public Service Board (or their designees),

**NOW, THEREFORE, BE IT RESOLVED THAT** I, Peter Shumlin, by the virtue of the power vested in me as Governor, pursuant to to 30 V.S.A. § 248(1), do hereby waive the prohibitions pending issuance of a Certificate of Public Good on construction and site preparation found in to 30 V.S.A. § 248, in order that VELCO may immediately commence site preparation and construction necessary to restore the so-called K35 line to service, subject o the following conditions:

- The waiver shall be effective immediately and valid for the duration of the declared emergency, plus 180 days;
- This waiver may be amended, if necessary, in writing by me or my designee, in consultation with the DPS Commissioner and the PSB Chair (or their designees);

- VELCO shall apply for and obtain a Certificate of Public Good for the work undertaken pursuant to this waiver, prior to the expiration of the waiver;
- VELCO shall obtain any necessary landowner approvals and property rights;
- VELCO shall provide a copy of this waiver to the relevant local, state and federal environmental officials, as well as to affected landowners; and
- VELCO shall obtain as soon as reasonably possible all other necessary state and federal permits for this construction.

This waiver shall take effect upon signing. This waiver expressly arises under Section 248(1) of Title 30, and does not alter, affect, or waive any other provision of law of VELCO's substantive obligations thereunder.

Dated this 2<sup>nd</sup> day of October, 2012.



  
Peter Shumlin  
Governor