

**State of Vermont
Water Resources Board**

**Re: Appeal of Vermont Natural Resources Council
Docket Nos. 92-02 and 92-05**

Interim Order

Background

On May 28, 1992, appellee Snowridge, Inc. filed a Conditional Motion For Consolidation of Appeal Proceedings, requesting that the Water Resources Board (Board) consolidate all further proceedings and/or hold joint evidentiary hearings in Docket Nos. 92-02 and 92-05. The Motion was expressly conditioned upon the proceedings maintaining the existing pre-filing and hearing schedule established by Board Order in Docket No. 92-02.

On June 2, 1992, the Agency of Natural Resources (ANR) filed a Reply to Snowridge's Conditional Motion For Consolidation of Appeal Proceedings. In its Reply, ANR suggested that the two proceedings be kept separate, but that joint hearings be established.

On June 3, 1992, Vermont Natural Resources Council (VNRC) filed a Memorandum in Opposition to Snowridge's Conditional Motion to Consolidate Appeal Proceedings. VNRC did not oppose Snowridge's alternate proposal for joint hearings to be held at the time of the hearing for Docket No. 92-02, but requested the opportunity to file additional evidence and hold additional evidentiary hearings to address issues potentially unique to the 401 certification.

ORDER

At its meeting of June 5, 1992, the Board took under consideration the Conditional Motion filed by Snowridge. The Board now holds:

In the matter of Vermont Natural Resources Council, 401 Certification, Docket No. 92-05, the Conditional Motion to Consolidate Appeal Proceedings is denied.

In the matter of Vermont Natural Resources Council, Dam Permit, Docket No. 92-02, the proceedings are postponed to a date to be determined.

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Docket Nos. 92-02 and 92-05
Interim Order on Conditional Motion to Consolidate

In the matter of Vermont Natural Resources Council, Dam Permit and 401 Certification, Docket Nos. 92-02 and 92-05, the Board will conduct joint hearings at a date to be determined. The two proceedings will not be consolidated.

Dated at BURLINGTON, Vermont, this 15TH day of

JUNE, 1992.

Vermont Water Resources Board
by its Chairperson


Dale A. Rocheleau, Chair

Concurring: Thomas Adler
William B. Davies