

State of Vermont
WATER RESOURCES BOARD

In re: Passumpsic River Hydroelectric Project (CVPS)
Section 401 Certification
Docket No. WQ-94-09

STAY ORDER

On May 20, 1997, the Water Resources Board (Board) issued a Stay Order in the above-captioned matter with an expiration deadline of August 22, 1997. On August 5, 1997, the Board received a letter tiled by the Vermont Natural Resources Council (VNRC), Appellant, on behalf of itself and the other parties to the above-captioned appeal, Central Vermont Public Service Corporation (CVPS) and the Agency of Natural Resources (ANR), asking for an extension of time in which to file a complete negotiations in this appeal.

The Board reviewed the joint request at its regular meeting on August 27, 1997, and determined that due to the fact that the May 1997 Stay Order had expired, a new Stay Order should issue, but with specific conditions. Therefore, it is hereby ordered that:

- (1) A stay is granted to expire **4:30 p.m., Tuesday, October 14, 1997;**
- (2) The parties shall tile with the Board on or before **4:30 p.m., Monday, September 22, 1997**, a joint status report indicating whether they will require an additional extension of the Stay Order to complete an agreement, whether they are prepared to file with the Board a settlement agreement in time for consideration on October 14, 1997, or whether this matter is ready to be scheduled for a hearing on disputed issues;
- (3) If the parties should need an extension of the Stay Order, they shall file their request no later than **4:30 p.m., Monday, September 22, 1997;**
- (4) If the parties are prepared to tile a settlement agreement, they should tile this document along with any joint motion to dismiss on or before **4:30 p.m., Thursday, October 2, 1997**, and the Board will schedule consideration of this matter at its next regular meeting on October 14, 1997, or on another date, at a time and place to be confirmed by subsequent notice; and
- (5) If the parties are unable to reach agreement and do not timely request an extension of this Stay, the Board Chair will convene a prehearing conference at which a schedule for filing deadlines and a hearing date shall be established for the resolution of disputed issues in this proceeding.

Dated at Leicester, Vermont, this ~~27~~²⁸th day of August, 1997.

Concurring: Ruth Einstein
Gerry Gossens
Gail Osherenko

Vermont Water Resources Board
By its Chair,


William Boyd Davies