

WHEREAS, under 10 V.S.A. § 8221, GMP is potentially liable for civil penalties of up to \$85,000 per violation and \$42,500 per violation for each day the violation continued;

WHEREAS, the State considered the criteria in 10 V.S.A. § 8010(b) in arriving at the proposed penalty amount, including the degree of the violation's actual or potential impact on public health, safety, welfare, and the environment and whether GMP knew or had reason to know the violation existed;

WHEREAS, the Attorney General believes this settlement is fair, reasonable, and in the State's interest as it upholds the statutory regime of Title 10, Chapter 47, under which the violations occurred; and

WHEREAS, the State and GMP have negotiated the Consent Order and Final Judgment Order (Consent Order) in good faith and agree that the implementation of this Consent Order will avoid prolonged and complicated litigation between the parties.

NOW, THEREFORE, the State and GMP hereby stipulate and agree as follows:

1. Without formally admitting or denying liability, GMP agrees to this settlement of the violations alleged in the Pleadings by Agreement in order to resolve this dispute;
2. GMP agrees that the violations alleged are deemed proven and established as a "prior violation" in any future State proceeding that requires consideration of GMP's compliance record, including but not


limited to permit proceedings and administrative or judicial enforcement actions for penalties calculated pursuant to 10 V.S.A. § 8010;

3. GMP hereby waives all rights to contest or appeal the Consent Order and shall not challenge, in this or any other proceeding, the validity of any of the terms of the Consent Order or this Court's jurisdiction to enter the Consent Order;
4. The Consent Order sets forth the complete agreement of the parties, and it may be altered, amended, or otherwise modified only by subsequent written agreements signed by the parties and approved by the Court;
5. The Court should hold this Stipulation and the Consent Order for twenty-one (21) calendar days following their submission to the Court for the State to post them on its website to facilitate possible public participation in consideration of this settlement; and
6. Following expiration of the twenty-one (21) day period, the attached Consent Order may be entered as a final Judgment in this matter by the Court.

Dated at Montpelier, Vermont, this 10th day of June 2023.

STATE OF VERMONT

**CHARITY R. CLARK
ATTORNEY GENERAL**

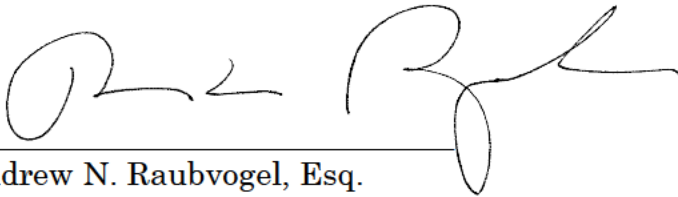
By: 

Melanie Kehne,
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Dated at Burlington, Vermont, this 7th day of July 2023.

GREEN MOUNTAIN POWER

By: 

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