

Act 250 review caseload and alternatives

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Overview of Matters Reviewed by Various Tribunals

Name of Tribunal	Average Number of Cases Heard Annually
Environmental Board	43 appeals per year (31 permit appeals; 13 JO)
Environmental Division, Superior Court	17 appeals per year (13 permit appeals; 4 JO)
Public Utilities Commission	25 major appeals per year (18 Section 248; 7 contested tariff)
Enhanced NRB	40 major permit reviews

Major Considerations in Act 250 Revisions

- Decrease or eliminate redundancy;
- Increase preapplication process;
- Increase citizen participation;
- Increase predictability in administration of Act 250;
- Ensure impartiality decisionmakers in Act 250;
- Ensure regional input into permitting processes; and
- Create authority for policy evolution of Act 250.

Brief Overview of Alternative Permit and Appeal Tribunals

	District Commission	Environmental Board	Environmental Court	VERB	ENRB
Preapplication Review	No	No	N/A	No	Yes
Discovery	No	No	Yes	No	Maybe
Depositions	No	No	Yes	No	No
Prefiled Testimony	Yes	Yes	Sometimes	Yes	Yes
Direct Testimony	No	No	Yes	No	No
Cross Examination	Yes	Yes	Yes	Yes	Yes
Independent Body	Somewhat	Somewhat	Yes	Somewhat	Yes
Professional Board	No	No	No	Somewhat	Yes
Regional Distinctions	Yes	No	No	No	Somewhat
Policy Oversight	No	Yes	No	Yes	Yes