

**STATE OF VERMONT  
GREEN MOUNTAIN CARE BOARD**

In re: Fletcher Allen Health Care            )  
      Burlington Property Acquisition        )  
      Certificate of Need Application         )     Docket No. GMCB 015-14con  
\_\_\_\_\_)

**ORDER GRANTING AMICUS CURIAE STATUS  
TO THE CITY OF SOUTH BURLINGTON**

The City of South Burlington has filed a motion with the Green Mountain Care Board requesting amicus curiae status in this certificate of need (CON) proceeding. For the reasons below, the City’s motion is granted.

In this proceeding, Fletcher Allen Health Care, Inc. (FAHC) seeks a CON permitting it to purchase four commercial office buildings, five vacant lots, and an abutting parcel of vacant land located in South Burlington (the Property) for a total cost of \$52,641,971. The project involves only the acquisition of the Property. FAHC is not seeking CON approval for any construction, renovation, or development of new or existing buildings, the acquisition of equipment, or the creation of any new health care facilities or health services. As FAHC acknowledges in the CON application, any such project(s) will require separate CON approval in the future.

The City requests amicus curiae status pursuant to 18 V.S.A. § 9440(c)(7) and Rule 4.000, § 4.406(6). As the “municipal host of both existing and planned” facilities at the Property, we find that the City is poised to offer nonduplicative evidence likely to assist the Board’s review, including evidence regarding how this project aligns with the City’s “planning goals, land use regulations, and existing development patterns” as well as relevant municipal infrastructure and services. City’s Req. for Amicus Curiae Status at 4. We agree with the City that this evidence is

relevant to our review of the statutory CON criteria concerning cost of the project, quality improvement of and access to health care, the public good, and the application's consideration of transportation issues. 18 V.S.A. § 9437(2), (4), (6), (7).

Based on the above, it is ORDERED that the City of South Burlington is granted Amicus Curiae status in this docket. The City shall be copied by all parties on all materials entered into the record and materials submitted by the City shall be admitted into record and copied to all parties. Finally, if the City intends to submit any proposed questions for the Board to consider posing to the applicant, it must do so on or before August 11, 2014.

Dated: August 1, 2014  
Montpelier, Vermont

GREEN MOUNTAIN CARE BOARD

By: /s/ Alfred Gobeille  
Alfred Gobeille, Chair