

Ms. Judith Whitney, Clerk
Vermont Public Utility Commission
112 State Street
Montpelier, VT 05702
(Filed via email: PUC.Clerk@Vermont.gov)

RE: State of Vermont Public Utility Commission Case #19-0855-RULE

Dear Commissioners,

We were appalled to learn that the draft Rule 5.100 (“the Rule”) has removed Towns’ abilities to designate “preferred sites” with the expressed consent of the Selectboard, Planning Commission, and RPC. In the draft, the following, defining a “preferred site,” was struck from the Rule:

...a specific location that is identified in a joint letter of support from the municipal legislative body and municipal and regional planning commissions in the community where the net-metering system will be located.

This provision provided Towns the ability to incentivize renewable energy in locations deemed appropriate by the Town (providing relevant provisions and constraints are met), limiting conflict and increasing local electricity generation in a mutually agreeable format, particularly if the Town and RPC remain parties in the development process.

According to [VAPDA](#), less than 10% of municipalities in Vermont currently have approved Enhanced Energy Plans (24 /255). Thus, for over 90% of municipalities in Vermont, local planners are not afforded a tool to incentivize the placement of renewable energy within their borders. The Town of Sharon is currently working through preferred-site designations to fulfill the requirements set out in Act 174. With the assistance of our RPC, we have identified carbon and energy consumption reduction strategies, made projections of future energy demand and consumption, studied available modes of renewable generation pertinent to our Town’s geography and topography, and begun to designate areas preferred site designation. Prior to having an approved plan, it seems punitive to not allow Towns to designate preferred sites, particularly if the specific site’s development is supported by documented planning goals. We also realize that we will not find all of the “best sites” the first time through this process and thus need the flexibility to designate preferred sites between Town Plan revisions.

Removing the ability to designate preferred sites dulls the tools we have for directing renewable energy development to appropriate locations in our Towns. Working with tools that are not sharp is not just more difficult—it is also more dangerous. As you are aware, Vermont is way behind meeting targets for our climate change goals. All Vermonters and ecosystems will experience increasing costs as we continue to not demonstrably reduce the use of fossil fuels. Renewable energy generation is paramount to the future of mankind and the ecosystems on which we rely. We don’t have time to wait around for their next Town Plan update cycle to designate all appropriate sites.

Also, printed comments regarding the “joint letter of support” in “Memo re Workshop Summary & Discussion of Next Steps,” issued on 2018-07-20 from Case No. 17-5202) read:

"Other participants stated that the current process is working and that additional requirements should not be adopted. ANR stated that the "joint letter of support" option is resulting in proposals at sites that have forest cover and other natural resource issues."

In response to the above statement: We understand, appreciate, and support the need for the State to designate critical areas as constrained and thus not appropriate for development due to historical, natural resource, or ecological value. But aren't these constraints realized by the ANR during the CPG process, regardless of preferred site status? Preferred siting is not designed to "stop" development in unwanted areas. Substantial deference is currently only afforded to Towns if Enhanced Energy Plans are compliant. Otherwise, designations applied by Towns without approved Enhanced Energy Plans have less weight during the CPG process.

Notwithstanding, we fully support the language suggested by the Department of Public Service in their comments on August 3, 2018, pursuant to the drafting of the new Rule (in Case No. 17-5202-PET). For convenience, the Department's suggestion revision is reprinted here:

(7) A specific location designated in a duly adopted municipal plan under 24 V.S.A. chapter 117 for the siting of a renewable energy plant or specific type or size of renewable energy plant, provided that the plant meets the siting criteria recommended in the plan for the location; or a specific location that is identified in a ~~joint~~ letter, ~~or letters, of support~~ from the municipal legislative body and municipal and regional planning commissions ~~as preferred for siting projects of the type and scale of the project proposed, subject to review of the relevant siting criteria in Rule 5.100, certificate of public good, proceedings in the community where the net-metering system will be located.~~

Lastly, grid capacity constraints for all interconnections are not irrelevant. Utilities play an important role in ensuring that Towns and residences stay connected. However, this infrastructure is not maintained by municipalities. Perhaps additional (separate) siting incentives should be considered that assist utilities in their infrastructure build out and/or account for improvements afforded by deploying distributed sources of energy. For example, renewable energy generation sites that provide some means for storing the generated energy should aid electric utilities by absorbing the peak solar energy production and saving the power for when it is needed (e.g., in the case of solar PV, when the sun is not shining). We believe strategies for storage or reclamation of renewably produced energy should be incentivized in order to provide added reliability and resilience of local energy infrastructure. The benefits and promises of renewable energy generation evaporate when the chorus of generators roars to life during power outages.

Thank you for considering our comments.

Sincerely,

T. Ryan Haac (Chair, Sharon Energy Committee)

on behalf of the Sharon Energy Committee