

Ms. Judith Whitney, Clerk
Public Utility Commission
112 State Street
Montpelier, VT 05702

Electronically Filed Using ePUC

October 18, 2019

RE: Case No. 19-0855-RULE_Proposed revisions to Vermont Public Utility Commission Rule 5.100

REQUEST FOR ADDITIONAL INFORMATION AND DISCUSSION OF NEXT STEPS

Dear Commissioners,

The Springfield Energy Committee is providing these written comments regarding the proposed revisions to Rule 5.100. We are specifically concerned about Section 5.103's definition of "preferred sites." Our committee is providing additional information as requested.

16. What standards or criteria should regional and local bodies apply to determine whether a site should be designated as "preferred"?

Response:

The statewide goal is to create 90% renewable energy. To achieve that goal we need to define "preferred site" as broadly as possible. The standard should be that preferred sites are those that do not have "known constraints", and that have demonstrated effective mitigation on sites that may have "possible constraints." The role of "aesthetics" in solar siting should be minimized. As it exists now, it serves as a tool to prohibit sufficient renewable energy development.

17. Which entity should be responsible for making a determination that a preferred site meets the applicable standards and criteria? Should it be the local planning body, the regional planning body, or the local legislative body? Or all three?

Response:

It should be all three bodies above to ensure perspectives from all three entities are included in the decision-making process.

18. What procedures should regional and local bodies follow before designating a site as preferred? Should notice be provided to adjoining landowners and the public before this decision is rendered?

Response:

The regional and local bodies should make a site visit to the proposed project. A public meeting should be warned, abutters notified, and at the meeting the legislative body uses a checklist based on the

criteria that is in the existing energy plan and applies that to the proposed site. Abutters will be given a chance to present their case.

19. What information should applicants be required to provide to regional and local bodies before a site is designated as preferred?

Response:

Applicants should provide maps, show how the proposed site meets existing criteria in the town plan, show how known constraints do not apply to their site, and if there are possible constraints, demonstrate how they would mitigate those possible constraints. Applicants should also reveal who will benefit from the energy being produced.

20. Should a local determination that a site is or is not a preferred site be subject to review by the Commission? If so, what procedures should the Commission use to review such determinations?

Response:

The Commission (PUC) should have the power to verify a site is a preferred site, but **not to** nullify a site as preferred unless mitigation issues are not addressed.

The Springfield Energy Committee respectfully requests that the PUC keep the ability for municipalities to write a joint letter to identify “preferred sites.”

Sincerely,



Char Osterlund
Chair, Springfield Energy Committee