



**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. 19-0855-RULE

Proposed revisions to Vermont Public)
Utility Commission Rule 5.100)

**Renewable Energy Vermont's Response to the
Vermont Department of Public Services's Request for Citations
to the Paris Agreement Requirements**

In its October 29, 2021 reply comments in this proceeding, the Vermont Department of Public Service ("Department" or "DPS") called upon Renewable Energy Vermont ("REV")¹ to provide specific citations to the Paris Agreement² and the Vermont Global Warming Solutions Act of 2020 (the "GWSA").³ REV notes that multiple submissions were made by REV in this proceeding on October 15, 2021, including an updated PowerPoint presentation that was presented by REV at the September 16, 2021 workshop. This presentation includes over 10 pages with numerous citations, including quotations from and citations to specific sections of the Paris Agreement and the GWSA, as well as supporting and well documented climate change policy literature, that explain in detail the requirements of the Paris Agreement, GWSA, and the basis for REV's concerns regarding the lack of additionality associated with Vermont's practice of procuring carbon offsets from Hydro Quebec and other aged generation resources that lack the fundamental precondition of additionality.⁴

Additionality is a cornerstone of climate change policy. "Within the context of climate change policy, experience with assessing additionality began with the development and implementation of a pilot program started after the first Conference of Parties (COP-1) to the United Nations Framework Convention on Climate Change (UNFCCC) in 1995."⁵ REV notes

¹ In its comments, the DPS describes REV as "the trade association for renewable developers". This is not accurate. REV is a nonprofit whose members include a broad coalition of businesses, nonprofits, and Vermont utilities committed to renewable energy in Vermont.

² Throughout its comments, the DPS refers to the "Paris Accord" and "Paris Accords". REV points out that the correct name of this international climate agreement is the "Paris Agreement".

³ DPS 10/29/21 Reply Comments at 2.

⁴ See REV 9/16/21 PowerPoint presentation prepared by REV member Paul Frank + Collins P.C. at 5, 9-18 (re-submitted 10/15/21 with additional citations to slide 20).

⁵ [What is additionality \(ghginstitute.org\)](https://www.ghginstitute.org/what-is-additionality) at 10-11 (provides a detailed discussion of the development and role of additionality in climate policy). For additional literature about the importance of additionality under the Paris



there was a robust discussion around the issue of additionality as it relates to carbon offsets at the October 21, 2021 Climate Council Cross Sector Mitigation Subcommittee.⁶

Notwithstanding, the DPS Reply Comments assert that “it is a readily ascertainable fact that several other states have pledged to meet the Paris Accord by utilizing existing large-scale hydroelectric and nuclear resources to meet their climate commitments, among other measures.”⁷ To support this claim, footnote 5 to the DPS Reply comments cites to recent energy legislation enacted by the states of Connecticut, Massachusetts, and Washington.⁸ However, none of the documents cited in footnote 5 mention the Paris Agreement or suggest if or how resource procurements covered by the laws cited are intended to or would satisfy the additionality requirement for GHG emissions reduction mechanisms under Articles 4 or 6 of the Paris Agreement,⁹ and the DPS failed to address or explain the issue.

Consistent with observations stated in DPS’ Reply Comments, any assertion about compliance with the Paris Agreement and the GWSA “should be backed up with specific citations to language in the Paris Accord and the GWSA” as “[s]uch reference points are crucial for the kind of transparent and accountable discussion that is necessary for the PUC to determine whether there is any merit to such assertions, and if so, to provide guidance for policymakers to ensure that Vermont law and regulation are modified to be consistent with the Paris Accord.”¹⁰

Lastly, REV believes that Net metering is not a “business model” as referenced several times in the DPS’s comments, but a policy framework put forth by the Vermont Legislature in 30 VSA § 8010.

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Agreement, *see* [653476_d09c3ae55ba346d78450df01fdc567dc.pdf \(filesusr.com\)](#) (International Carbon Reduction & Offset Alliance’s 2020 position paper).

⁶ *See* the Subcommittee’s video available at [Cross-Sector Mitigation Subcommittee Meeting | Climate Change in Vermont](#) beginning at approximately hr. 2 which lasted several minutes.

⁷ DPS 10/29/21 Reply Comments at 2.

⁸ *Id.* at n.5.

⁹ *See* REV 9/16/21 PowerPoint presentation prepared by REV member Paul Frank + Collins P.C. at 5, 9-18

¹⁰ DPS 10/29/21 Reply Comments at 2-3.