



July 26, 2024

Via email only
PSD.CleanHeat@vermont.gov

Re: Questions on Potential Study

To Whom It May Concern:

Conservation Law Foundation (CLF) submitted a public records request today respectfully requesting a copy of the model that generated “2024.07.19 DRAFT VT CHS Potential Analysis Reporting Workbook V2.1.xlsx” (Potential Study Model) or, in the alternative, and in acknowledgment that NV5, the consultant that prepared the Potential Study Model, has indicated that it is not willing to produce the Potential Study Model to members of the Technical Advisory Group (TAG) and members of the public, the portions of the Potential Study Model that contain carbon intensity scores. *See* Letter from A. Dexter-Cooper to C. Flint, July 26, 2024 (Enclosure 1).

Through this letter, CLF also respectfully requests the Public Service Department promptly respond to the following questions:

1. Please provide the carbon intensity scores used for each clean heat measure included in the Potential Study Model. If NV5¹ assumed that any of the clean heat measures are associated with a carbon intensity score that changes over time, please provide the full time series.
2. Please briefly describe the methodology and/or source(s) of NV5’s carbon intensity score assumptions. Were NV5’s carbon intensity scores derived from a particular model or external reference? If so, which one? If not, do they reflect NV5’s technical judgments?
3. Are the carbon intensity scores used in the Potential Study Model the same as the values included in Vermont Energy Sector Life Cycle Assessment, May 24, 2024, as presented in “VT_Inventory_Upstream_2024_01_30 (1).xlsx” (ERG Emissions Factors)?² If not,

¹ For purposes of these questions, NV5 includes Energy and Environmental Economics, Inc. (E3) in E3’s capacity as NV5’s emerging fuels subject matter expert.

² [Vermont Energy Sector Life Cycle Assessment, May 24, 2024](#), was prepared for the Vermont Agency of Natural Resources by Eastern Research Group, Inc. and “combines emissions from the energy sector components of the existing Vermont GHG Inventory with the upstream emissions occurring due to the use of that energy in the state to estimate total Vermont energy sector life cycle emissions total for the time series

what steps are needed to ensure consistency across the analytical frameworks used to design the mechanics of the Clean Heat Standard, including the ERG Emissions Factors and the work of Opinion Dynamics?

These questions cover information CLF believes is necessary for CLF, members of the TAG,³ and members of the public to have in order to comprehensively respond to the Department of Public Service’s pending request for comments on Clean Heat Standard Potential Study, Final Draft Rules, July 25, 2024 (presentation NV5 gave to the TAG on July 25, 2024) and “2024.07.19 DRAFT VT CHS Potential Analysis Reporting Workbook V2.1.xlsx.” Accordingly, **CLF requests answers to these questions not later than the close of business on Monday, July 29, 2024.** To the extent answers cannot be provided by the close of business on Monday, July 29, 2024, CLF respectfully requests that the current July 31, 2024, comment deadline be extended until three business days after answers to these questions are provided.

Thank you in advance for your prompt attention to this request. Please do not hesitate to contact me with any questions.

Sincerely,

/s/ Anthea Dexter-Cooper
Anthea Dexter-Cooper
Senior Attorney
Conservation Law Foundation
15 East State Street, Ste. 4
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(802) 622-3015

cc: Benjamin Cartwright (Benjamin.Cartwright@NV5.com)
Matthew Socks (Matthew.Socks@NV5.com)
PUC Case No. 23-2220-RULE - SERVICE LIST (via ePUC)

(1990 – 2020)[,]” [Vermont Greenhouse Gas Emissions Inventory and Forecast, Methodologies, Sec. 3.5.2](#), as required pursuant to [10 V.S.A. § 582\(a\)](#) (“The Secretary of Natural Resources shall include a supplemental accounting in the Vermont Greenhouse Gas Emissions Inventory and Forecast that measures the upstream and lifecycle greenhouse gas emissions of liquid, gaseous, solid geologic and biogenic fuels combusted in Vermont.”). This report has been referenced, and proposed for incorporation in, the Public Utility Commission’s Clean Heat Standard rulemaking proceeding. See [Staff Straw Proposal on Pacing – Part I, May 29, 2024](#), at p. 4 (“Using the ‘emissions factors’ identified in the Agency of Natural Resources (ANR) lifecycle-based supplement to the inventory, determine the upstream emissions of each fuel type based on their respective volumes.”).

³ Emily Levin, Vice Chair of the TAG, asked NV5 portions of these questions during the presentation NV5 gave to the TAG on July 25, 2024.

ENCLOSURE 1



July 26, 2024

Via email only

Carol Flint
Freedom of Information Act/Public Records Officer
112 State Street
Montpelier, VT 05620-2601
Carol.Flint@vermont.gov

Re: Potential Study Model Public Records Request

Dear Ms. Flint:

Conservation Law Foundation (CLF) respectfully requests a copy of the model that generated “2024.07.19 DRAFT VT CHS Potential Analysis Reporting Workbook V2.1.xlsx” (Potential Study Model).

CLF requests that the Potential Study Model be made available in electronic format, with the ability to download or otherwise save the file. If you determine that portions of the Potential Study Model are exempt from disclosure, CLF is willing to narrow the public records request to only cover the carbon intensity scores contained within the Potential Study Model.

To be clear, CLF is not requesting that a new public record be created, but rather acknowledging that NV5, the consultant that prepared the Potential Study Model, has indicated that it is not willing to produce the Potential Study Model to members of the Technical Advisory Group (TAG) and members of the public and therefore CLF is willing to proactively amend this request to only seek the portions of the Potential Study Model that contain carbon intensity scores.

As a non-profit, public interest group with 501(c)(3) status, CLF kindly requests the Department of Public Service waive any fees in connection with the collection and distribution of the Potential Study Model, especially given the applicability of the Potential Study Model to the pending request for comments on Clean Heat Standard Potential Study, Final Draft Rules, July 25, 2024 (presentation NV5 gave to the TAG on July 25, 2024) and “2024.07.19 DRAFT VT CHS Potential Analysis Reporting Workbook V2.1.xlsx.” In the event the Department of Public Service does not waive fees, we ask that you provide a written, itemized, and good faith estimate of such fees in advance.

Thank you in advance for your prompt attention to this request as the Department of Public service is seeking comments on Clean Heat Standard Potential Study, Final Draft Rules, July 25, 2024, and “2024.07.19 DRAFT VT CHS Potential Analysis Reporting Workbook V2.1.xlsx” not

later than Wednesday, July 31, 2024. Please do not hesitate to contact me with any questions.

Sincerely,

/s/ Anthea Dexter-Cooper
Anthea Dexter-Cooper
Senior Attorney
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