

Public Comment  
H.289  
February 20, 2024

Dear Chair Sheldon, Chair Kornheiser, House Environment and Energy and House Ways and Means Committee Members,

I write with a heavy heart and honestly in a state of shock because of the lack of due diligence and scrutiny happening around the cost impacts to Vermonters with the current version of H.289- the Renewable Energy Standard (RES).

On January 30, TJ Poor from the Public Service Department (PSD) presented testimony to the House Environment and Energy Committee regarding the exorbitant cost impacts of the current RES. It was requested that he submit a memo to provide additional information related to the costs of the RES proposal, which he did. I am sure at this time and I certainly hope that all of you have had time to review both his testimony and memo. I have linked the full memo below to ensure this is the case.

Specifically Poor stated,

"Incremental cost estimates for H.289 are driven by increased power supply costs, and increased transmission investment caused by Vermont based generation. **The PSD roughly estimates these two areas to cost \$1 billion to Vermont ratepayers.**"

Poor also shared that

"the Public Service Department's proposal is estimated to be only a fraction of those costs, at \$164 million over 10 years (relative to business as usual). The PSD's proposal remains the only proposal that is based on Vermonters' input, and is intended to reflect the priorities heard during the stakeholder engagement process. As a reminder, **each proposal produces the exact same emissions reductions toward Global Warming Solutions Act requirements**, according to Vermont's Greenhouse Gas Inventory, while the PSD's proposal supports access to renewables for communities and is much more affordable".

Immediately in response to this testimony and his follow up memo submitted on behalf of the PSD, both Jonathan Dowds and Peter Sterling of Renewable Energy Vermont submitted their rebuttal- also posted below.

As I am sure you are all well aware, REV represents, works for and is funded by the renewable energy industry as is evident from their staff, board and member directory. Their service is not to Vermonters and the economic impacts and residual collateral damage are not the thrust of their intentions or priorities. REV and their members hold a significant financial stake in the passage of H.289.

In direct contrast to this, the PSD as well as yourselves are representing, serving and protecting Vermonters as you all know better than anyone. You have worked hard to be there and you do the work because you care deeply for Vermont and Vermonters. This is why I am so perplexed

and frankly appalled that H.289 would move through House Environment and Energy without the demanded and justified conversation regarding cost impacts to Vermonters..

It does not matter that the majority of stakeholders in the RES Working Group embraced this model. If it is economically destructive and not financially feasible then you owe it to your constituents through both service and oath to seek an alternative solution.

TJ Poor from the PSD has offered a solution which is significantly less (~800 hundred million dollars less) in costs to ratepayers. Honesetly, I am having flashbacks to S.5, the ironically named Affordable Heat Act, now Act 18. This lack of economic assessment is becoming a dangerous pattern and many Vermonters are concerned.

What is going on?

The fact that this was not discussed and deliberated in House Environment and Energy is beyond comprehension and constitutes a true disservice to Vermonters. Understandably this is not your intention but this is the actual reality.

Unfortunately it does not stop there-

Again as you all know, once the RES was voted out of House Environment and Energy with no worthy discussion and assessment of cost impacts, it moved to House Ways and Means where it now resides. This previous Wednesday in House Ways and Means, Chair Kornheiser directed her committee to narrow their scope and limit their focus to their specific jurisdiction versus addressing the overall bill or economic burdens on Vermonters.

Although this may be a correct assessment on the jurisdiction of Ways and Means, The fundamental question is blatantly obvious. **Who and when is the House going to perform a real check and properly deliberate and review the dueling cost scenarios and the overall economic impacts on Vermonters who are already struggling with basic expenses.?** I must add I cannot believe that I am asking this question.

I have been told by some representatives that this is the jurisdiction of Senate Finance. If this is the case, there is a serious problem with the House procedural process on issues related to economic burdens to Vermonters. If I am missing something here, I apologize and please advise. However at this time, it seems that this colossal issue will be punted to Senate Finance. The fact that it would move through the House without responsible and careful due diligence in service to Vermonters is completely unacceptable.

If something is voted out of the House favorably, this sends a message that the majority agreed this is worthy legislation. How can this be the case? I will say that again, how can this be the case?

There are murmurings that this bill is the Speaker's Bill and that it was written by VPIRG and REV. I do not know if this is indeed the case and I do not want to speculate. However, if this is true, I hope it is not driving this destructive path. Further, I hope that someone is brave enough to take the reins and ensure the right direction for Vermont. This is the job description of our legislatures.

When H.289 was first taken up in House Ways and Means last Wednesday, TJ Poor was present, not because he was invited to testify but because he cares and holds concerns for the cost impacts of the RES as it currently stands and he has offered an solution.

I respectfully request that you offer him the opportunity to provide testimony so that this can be brought under the microscope and all can be aware of this potential and significant financial burden that can easily be corrected with an already developed intact, significantly more affordable solution which actually offers the same results and goals.

Please correct this deficiency in the House procedural process and ensure that the RES is either returned to House Environment and Energy for a fix or dealt with appropriately in another House committee.

According to the House Ways and Means agenda, H.289 will be discussed this Tuesday. Joining Ellen Czajkowski from the Legislative Counsel, is Joyce Manchester, Senior Economist/Associate Fiscal Officer from the Joint Fiscal Office. Vermonters are counting on you- our representatives - to uphold your oath to be true and faithful to Vermont and not do anything injurious. Please join the PSD and take action in protecting and serving Vermonters. Please ask the tough questions and allow the real discussion to come through so that Vermonters can be protected from greater financial burdens due to compromised, destructive legislation.

Thank you for your time and service. For those of us paying close attention, this is excruciatingly painful and upsetting to witness. I implore you to take appropriate action and ensure a comprehensive economic impact analysis and that alternatives and amendments are considered and implemented.

Gratefully and respectfully  
Alison Despathy  
Danville, Vermont

Public Service Department memo submitted to House Environment and Energy by TJ Poor

<https://legislature.vermont.gov/Documents/2024/WorkGroups/House%20Environment/Bills/H.289/Witness%20Testimony/H.289~TJ%20Poor~PSD%20Renewable%20Energy%20Standard%20Costs%20Memo~2-6-2024.pdf>

Peter Sterling of Renewable Energy Vermont written testimony in response to PSD. Note the higher cost and the lack of battery cost discussion

<https://legislature.vermont.gov/Documents/2024/WorkGroups/House%20Environment/Bills/H.289/Witness%20Testimony/H.289~Peter%20Sterling~VPIRG%20-%20REV%20Memo%20Regarding%20PSD%20Testimony~2-6-2024.pdf>

Jonathan Dowds of Renewable Energy Vermont testimony in response to PSD

<https://legislature.vermont.gov/Documents/2024/WorkGroups/House%20Environment/Bills/H.289/Witness%20Testimony/H.289~Jonathan%20Dowds~Better%20Understanding%20the%20Costs%20of%20H.289%20-%20Slides~2-6-2024.pdf>