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November 5, 2013

Hon. Robert Hartwell, Hon. Tony Klein
Chairs, Natural Resources and Energy Committees
Vermont State House
Montpelier, VT 05633-5301

Dear Sen. Hartwell and Rep. Klein:

Thank you for taking the time to hear our testimony regarding the Public Service Board (PSB) Certificate of Public Good (CPG) last Wednesday.

Several committee members asked what “substantial consideration” means. In adopting that term, the VLCT Board of Directors intended that the decisions, recommendations, and plans of municipalities be given more attention than the “due consideration” the PSB is now obligated to accord municipal plans and recommendations. (We actually found neither term in the 2004 print edition of Black’s Law Dictionary).

We urge you to define “substantial consideration” as requiring the PSB to include the following in its CPG process:

- holding hearings in the municipalities potentially affected by the projects at issue,
- including all local decisions concerning the project within the PSB docket,
- requiring the PSB to formulate areas of inquiry based on concerns raised in the local hearing process, and
- requiring that any decision on the project address the local concerns raised in the local decisions.

Thank you for your attention to this issue.

Sincerely,

Karen Horn, Director
Public Policy and Advocacy

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Center

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