

- I. Good morning Mr. Chairman and Committee members. My name is James Matteau and I live in Westminster. Thank you for allowing me time on your agenda. A little about my background in regard to regional planning and planning for energy development in particular:
 - A. I was at the Windham Regional Commission for a little over 20 years, the last 11 as Executive Director. I retired in 2010, and while at the WRC I was involved in a number of energy planning and siting issues, including appearing pro se before the Public Service Board (PSB) in wind generation dockets, transmission line projects, and primarily in several Vermont Yankee Nuclear Power Station dockets.
 - B. I was appointed to the Governor's Energy Generation Siting Policy Commission in 2012, but I stepped down early in that process because I was on call for FEMA and was deployed for an extended period following Hurricane Sandy.
 - C. Currently I'm one of six citizen members of the Nuclear Decommissioning Citizens Advisory panel.
 - D. And I'm a big proponent of more renewables, my wife and I having invested in a solar pv system at our home a few years ago.
 - E. But importantly today, I currently have no personal connection to any regional planning activities or projects nor do I foresee any. As noted, I have had a bit of related experience but as they say, I have no dog in this fight.
- II. I want to talk with you today only about three specific aspects of S.230:
 1. First is the proposal in that bill for regional plan energy policies to be certified by the Commissioner of Public Service, which I think is terrible idea;

2. Second is the importance of improved energy planning—and specifically stronger and clearer siting policies.
3. And my third issue is the bill’s proposed funding for the difficult work that regional commissions do.

III. First: Certification of regional plan energy policies by DPS

A. My greatest concern here is what I consider to be a flagrant conflict that this proposal introduces. This bill would authorize the Public Service Commissioner to establish standards by which the Department of Public Service (DPS) would certify regional plan energy policies, and then to issue a certification if he or she finds that the plan is consistent with state energy statutes, goals and policies.

1. Consistency with state energy policies certainly is needed and the Department has ample opportunity to speak up during a regional plan’s 35 day review period if a problem is seen. But certification creates a new problem:
2. In a contested case before the PSB, the key state party—the DPS—will have had the power to heavily influence, even to direct, the policies of a key regional party—the RPC—even so far as to have determined what recommendations the RPC is even allowed bring to the table. If RPCs are to review municipal plans in accordance with what DPS has approved, then, by extension, the DPS is determining what recommendations municipalities are allowed to bring to the table as well.
3. It’s only logical to require regional plan policies to be consistent with state energy statutes, goals and policies—including the existing related goal in Title 24 [T24§4302(c)(7)] which is “To encourage the efficient use of energy and the development of renewable energy resources”—

and you can be sure that the RPCs intend that. But administrations change, and with those changes come sometimes widely divergent interpretations of the State's goals and how to meet them. I suggest that it would be a mistake to give that degree of control to a single entity. If certification is the way you go, which I hope you won't, then it must at least involve some collaborative review beyond a single Commissioner's office, and not allow the administration to reach down into regional and local policy making.

4. Finally on this point, the existing RP reviews and municipal plan approval processes address this issue and they work. It can get pretty dicey when a RPC has to deny municipal plan approval or when a state agency has a major problem with part of a regional plan, but they get resolved. Regional plans have transportation policies, but VTrans doesn't certify them. They have policies and recommendations related to water quality and wildlife conservation, but the ANR doesn't certify them. You could make a long list of important state goals and policies within which the RPCs develop and support regional and municipal plans, and it works pretty well. Renewable energy siting can be exceptionally difficult at times, but certification of regional plan policies by the DPS would only make it worse.

IV. Second: Improved energy planning

- A. The Windham Regional Plan has included an energy element for at least twenty years, and I suspect that they now look forward to further strengthening the policies in accordance with the principles under consideration here. I know that a few RPCs are currently working with the DPS to develop new or improved energy elements, and there's no doubt in my mind that all want to be on that same track. Renewables are

inherently place-based. Their location and orientation matter. Working with towns to determine what is a good fit in a specific area is what RPCs do on a daily basis.

B. The heightened and growing importance of renewable energy and attendant siting controversies might require more specificity in regional or municipal plan policies in order for them to be more effective and useful in section 248, and that must be managed and coordinated by RPCs.

1. This is a difficult challenge and towns can't all develop & maintain that capacity. It's a major effort and a long term commitment, and the RPCs can provide the depth and continuity needed to see it through effectively.

2. Through the DPS the State must guide and support that process, but it must not have too heavy a hand on the wheel.

V. My last point is the proposed funding, which is essential:

A. RPCs take on a huge and varied workload, and they carry a lot of responsibility serving towns' needs not only in regard to traditional land use planning and regulation, but also a wide variety of local, state and federal initiatives. Added to that is growing demand by the public for more energy efficiency, better conservation, and the development of more renewables despite siting controversies that may arise. It doesn't get easy.

B. It's a tough job, and the needed support should be awarded directly from DPS to RPCs, who would then work with their municipalities to accomplish those goals.

VI. Thank you, and I'll do my best to answer any questions.