



**House Natural Resources Committee  
Public Service Board Approval of Siting Facilities  
April 7, 2015**

Thank you for the opportunity to testify on behalf of VLCT.

The VLCT represents all 246 cities and towns in Vermont. Cities and towns are very interested in doing their part to reduce the consumption of fossil fuels and increase the proportion of their energy usage that is from renewable sources. Through conservation and efficiency efforts as well as projects to install renewable energy, municipalities are making changes that result in both efficiency and renewable energy use all around the state.

Municipalities have multiple responsibilities to their citizens and mandates from the state and federal governments, in addition to addressing climate change and their carbon footprints. We take them all seriously.

The primary responsibility for land use planning and zoning is at the municipal level and has been since the early 1900s. This is why we are so concerned about the process in which the Public Service Board (PSB) engages in when reviewing the siting of energy generation and transmission facilities in our communities.

Specifically we are concerned at the lack of attention given to municipal plans, recommendations and municipal regulations when proposals for projects are brought before the Board for approval, and the lack of time to even consider developing recommendations when a project of limited scope is before the board. When the PSB fails to address the findings in municipal plans and recommendations in its Certificates of Public Good (CPG), the Vermont League of Cities and Towns hears about it. We have heard a lot in the last many years.

Municipalities which seek to address the energy and land use components of their plans when projects are proposed are thwarted at the PSB. Thus at the VLCT Annual Meeting last October 9, the membership adopted the following position.

4.06 E. Accord automatic party status to host municipalities in Section 248 proceedings. In the Certificate of Public Good (CPG) process, the Public Service Board (PSB) should give “substantial deference” to municipal concerns and determinations by holding hearings in any municipality potentially affected by a proposed project. The PSB should include all local decisions concerning the project within the PSB docket, formulate areas of inquiry based on concerns raised in the local hearing process, and require any decision to address local concerns raised in local determinations and adopted municipal plans.

In Vermont if a municipality adopts a municipal plan, it must include “an energy plan, including an analysis of energy resources, needs, scarcities, costs and problems within the municipality, a statement of policy on the conservation of energy, including programs, such as thermal integrity standards for buildings, to implement that policy, a statement of policy on the development of renewable energy resources, a statement of policy on patterns and densities of land use likely to result in conservation of energy,” 24 VSA § 4382 (a) (9). The section was originally added to statute in the 1970s.

A few of the municipalities that have recently addressed energy conservation goals, clear community standards as required by the PSB, and renewable energy development in their plans are Burlington, Calais, Clarendon, Concord, E. Montpelier, Hubbardton, Hyde Park, Ira, Londonderry, Middlesex, Moretown, Morristown, Newark, New Haven, Pittsford, Poultney, Richmond, Rutland City, Sutton, Waitsfield, Williston, and Windham.

A number of towns have written their municipal plans so as to prevent large industrial wind projects from locating there. They wrote those elements of their plans because of the experience with industrial wind projects in many towns around the state. At the March 26, 2015 meeting of the Northeast VT Development Corp. (NVDA) full Board of Directors, members unanimously approved the committee's recommendation that "no further development of industrial-scale wind turbines should take place in the Northeast Kingdom". That position will be incorporated in the next regional plan. Municipalities that seek to prevent additional large scale wind facilities in their plans include:

Newark	Ira
Brighton	West Rutland
Westmore	Hubbardton
Charleston	Poultney
Sutton	Pittsford
Waitsfield	Londonderry
Windham	Clarendon
Unified Towns and Gores of Essex County	Northeast VT Development Corp. (NVDA)
Castleton	

The pace of development of solar arrays has picked up considerably in the last two to three years. There are residential size installations, small arrays that are owned by the town or businesses in town and very large arrays. Just for an idea of scale, a 2 MW solar installation financed in October at Cornell University consists of 6,778 solar panels on eleven acres. The expectation is they will produce 2,388,357 kWh in year one.

<http://www.solsystemscompany.com/blog/2014/10/01/2mw-of-solar-energy-admitted-into-cornell-university/>

Since January 2015, some of the fairly large proposals before the PSB are:

<b>Town</b>	<b>Size</b>	<b>Company</b>	<b>Name of Facility</b>
Bennington	2 MW	West Chester community solar	
Bondville –	2.2MW	VT Solar Farmers LLC	Bondville Solar Farm
Bennington	2 MW	Chelsea Solar LLC	
Bridport	2 MW	Bridport Solar Holdings LLC	
FBair Haven	8kw	Renewable Generation	
Middlebury	2.2 MW	Champlain Valley Solar Farm LLC	Champlain Valley Solar Farm
Poultney	496kW	Renewable generation LLC	
Proctor	500kW	Proctor GLC Solar LLC	
Rutland –	2.3 MW	Rutland Renewable Energy LLC	
Rutland	1MW	Charter Hill Solar	
Springfield –	500 kw –	VT Allsun Solar IV, LLC,	SSCF Solar Facility
Springfield	500kW	WE46 Precision Dr. LLC (net metered)	

Again, because of the experience with the PSB and private development companies with no concern for either the Vermont landscape or significant municipal planning efforts over many years to realize a vision for their communities, a number of towns have signed a resolution “to instruct their state representatives and senators to develop amendments to the statutes that concern the siting and approval of renewable energy projects, and to the procedures of the PSB in order to ensure that Vermont municipalities have a more meaningful role in the CPG process and to require compliance with appropriately-developed municipal siting standards”.

Andover	Lincoln
Baltimore	Ludlow
Barre Town	Maidstone
Bolton	Middletown Springs
Canaan	Montgomery
Danville	New Haven
Derby	Newark
Dover	Orwell
Duxbury	Pawlet
Fairlee	Pittsfield
Georgia	Plainfield
Glover	Poultney
Grafton	Ripton
Greensboro	Rutland Town
Killington	Salisbury
Landgrove	Shelburne

Sudbury  
Sutton  
Swanton

Westmore  
Windham  
Woodbury

Cities and towns in Vermont are not making a radical request. We are asking for a seat at the table and for the PSB to be required to address municipal plans, standards and recommendations in the CPG Process. VLCT urges you to take up the issue of energy facility siting in the context of H. 377. We worked on this legislation with the bill's sponsors to address the short shrift municipal plans and recommendations get today in the siting process.

*Karen Horn, Director  
Advocacy & Public Policy*