

Testimony of Sam Swanson before the Vermont House Committee  
on Government Operations and Military Affairs

Regarding Provisions of H.125 establishing a Sunset Date  
for the Vermont Clean Energy Development Board

Thursday, March 14, 2023

I am Sam Swanson. I serve as Chair of the Vermont Clean Energy Development Board. I have served on this Board since 2009 as a member, Co-Chair, and now Chair.

I am a resident of the City of South Burlington, where I have lived since 1998.

Until 2022 I served as a Senior Policy Advisor at the Pace Energy and Climate Center at the Elisabeth Haub School of Law at Pace University. Before joining the Pace Energy and Climate Center I served as Deputy Director of the New York State Public Service Commission Office of Energy Efficiency and the Environment.

In my community I now serve as a volunteer member of the City of South Burlington Energy Committee and the Board of Directors of Vermont Interfaith Power and Light.

I am here today to speak on behalf of the Clean Energy Development Board to request that the Legislature defer action on the provisions of H.125 that would sunset the Board on June 30, 2025.

H.125 would revise or repeal provisions of certain boards and commissions. Sections 127 and 140 would eliminate this Board on June 30, 2025. This action is being proposed because, until now, all indications have been that Clean Energy Development Fund (CEDF) resources would by June 2025 be fully spent or committed. There would then be little meaningful role for the Board.

We have recently learned a significant infusion to the CEDF is likely if the TDI New England Clean Power Transmission Link Project goes forward. This fully licensed project remained dormant for eight years because other transmission options were being developed to serve the need for which this project was designed. This project is relevant to the CEDF because provisions of the Certificate of Public Good (CPG) awarded by the Vermont Public Utility Commission for this project would provide the CEDF with \$109 million, paid at a rate of \$5 million annually for the first 20 years of the life of the project.<sup>1</sup>

While the construction of the TDI New England Transmission project is not certain, it is now under active consideration. Governor Scott reported at his February 14 news conference that this project, which he and Governor Shumlin have supported, is again being actively considered by several New England Governors. Governor Scott is reported to have said,

*“...now with significant problems encountered with other routes considered in New Hampshire and Maine, the New England Governors are very interested in the opportunity TDI provides to us and it now has legs again, which would be good news for Vermont and the entire region.”*

The real possibility of additional funding for the CEDF was not anticipated when the Sunset Commission considered the future of the Board in the October 2022 public hearing. The Board urges the Legislature to pause to re-examine the Sunset Commission recommendation in light of the possible new funding. .

The Board and the CEDF have a long track record of committing limited funds productively to advance progress toward Vermont’s renewable energy goals. The CEDF, with guidance from the independent Board and direction by the Department of Public Service, has stretched diminishing available resources to deploy small scale renewable energy across VT with programs that

- Create new employment and economic investment
- Decrease the use of fossil fuels
- Keep heating dollars local, and
- Distribute program benefits equitably

The testimony presented to the Sunset Commission reported favorably on the effectiveness and value of the Board in providing the independent oversight of the Department of Public Service administered CEDF. The Board has years of experience providing an independent perspective in a cooperative partnership with the Department of Public Service.

If significant new funds are committed to the CEDF, Vermont will be better served by having the experienced independent Board in place and well positioned to make an important contribution to building a revitalized CEDF program aligned with Vermont’s renewable energy and climate action goals.

I suggest extending the sunset date by two or three years, to June 2027 or 2028, or removing the sunset date for the Board entirely, to provide time to learn whether this much needed funding will materialize.

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<sup>1</sup> See the appended Stipulation Agreement in the New England Clean Energy Transmission Link Project CPG proceeding which provides for “Vermont Renewables Programs (through the CEDF) – a total of \$109 million...” (at page 3) Stipulation between Champlain VT, LLC, the Vermont Public Service Department, the Vermont Agency of Natural Resources, and the Vermont Division for Historic Preservation. July 17, 2015. Vermont Public Service Board, Docket 8400. Petition of Champlain VT, LLC d/b/a TDI New England for a Certificate of Public Good, pursuant to 30 V.S.A. §248, authorizing the installation and operation of a high voltage direct current (HVDC) underwater and underground electric transmission line with a capacity of 1,000 MW, a converter station, and other associated facilities, to be located in Lake Champlain and in the Counties of Grand Isle, Chittenden, Addison, Rutland, and Windsor, Vermont, and to be known as the New England Clean Power Link Project (“NECPL”)