

I respectfully submit this as testimony and implore you to take action. Thank you for your hard work and efforts. I know you all care deeply about Vermont and Vermonters. Please work to take action and protect Vermonters from these imminent threats that may theoretically sound good but in reality, are devastating and hurt the people and businesses of Vermont.

Thank you for your consideration

Gratefully and Respectfully

Alison Despathy

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### **Open Letter to House and Senate Energy Committees**

Dear Chair Watson, Chair James and Senate and House Energy Committee Members,

It has been more than three months since the start of the legislative session. Three months with zero action taken to address the imminent threats that Vermont faces due to the irresponsible and extremist, supermajority Global Warming Solutions Act (GWSA) that was passed over the Governor's veto. Your committees could easily resolve these threats. The bills that would fix the problems already exist, they are within the jurisdiction of your committees, yet you have essentially ignored them and thereby have refused to help Vermonters. Your inaction is enabling lawsuits, wasting taxpayer money, will crush local businesses and financially burden Vermonters. Why are you not stepping up to help Vermont?

As you are well aware, Conservation Law Foundation filed a lawsuit against the state of Vermont for not meeting the unrealistic and self-imposed emission reductions requirements mandated in the GWSA. The [Global Warming Solutions Act](#) mandates that the Climate Council produce the Climate Action Plan which outlines initiatives, programs and strategies, "to prioritize the most cost-effective, technologically feasible, and equitable greenhouse gas emissions reduction pathways and adaptation and preparedness strategies informed by scientific and technical expertise."

This is the law yet none of the Climate Councils' proposals have aligned with this statement. The Clean Heat Standard, ironically called the Affordable Heat Act, would increase heating fuel costs, the Cap and Invest program would significantly increase the cost of gas and diesel and the Advanced Clean Car regulations are set to destroy the sale of vehicles in Vermont and further depress the economy here in Vermont.

The GWSA has already cost Vermonters intense agony and millions of dollars for studies, new positions, contracts, data modeling and reports. This money could have been spent weatherizing homes, increasing efficiency, and hardening infrastructure to save Vermonters money, reduce energy use and prepare for storms

If the private right of action -the ability for anyone to bring a lawsuit- is not removed from the Global Warming Solutions Act, Vermont will undoubtedly be ordered by the courts to take action. In 2016, when Massachusetts [was sued by Conservation Law Foundation](#) for not meeting their self-imposed emission reduction requirements, part of the “solution” was the highly controversial and expensive Northern Pass project which was a plan to run 'clean energy' from Canada's Hydro-Quebec through New Hampshire to Massachusetts. [Communities and environmental groups](#) in New Hampshire fiercely fought this plan and won which resulted in MA [rerouting through Maine](#) only to run into the same battle.

This has been an expensive ordeal and hostilities between the states has increased dramatically. Vermont does not need to be forced to take impulsive, extreme and financially burdensome action at the expense of Vermonters, especially when your committee can prevent this destructive path. Court mandated action would NOT need to go through an extensive and thorough legislative process thus potentially inflicting even more harm to Vermonters. A court order will move decision making out of your control and bring wide ranging collateral damage.

Conservation Law Foundation is a special interest, tax exempt organization based in Boston and specializing in climate activist lawsuits. They are positioned to make out like bandits on Vermont taxpayers who will foot the bill for this lawsuit in addition to any court ordered action. Conservation Law Foundation's 2021 Form 990, reports \$28,629,801 in total revenue and \$40 million in total assets.

With all due respect, you currently have several bill options in your committees to resolve this issue and help, yet you are failing to act. The end of the session is upon us. H.52 would repeal the lawsuit clause and change emission reductions requirements to goals while H.62 repeals the GWSA including the Climate Council and reverts back to the Comprehensive Energy Plan for Vermont's climate and energy policy.

House Bill 289 and Senate Bill 110 both offer a comprehensive approach to rebalancing Vermont's current impractical and unaffordable climate policy. As you heard in testimony, this

bill also rectifies the Renewable Energy Standard (RES) passed into law last year, despite the Governor's veto. The RES favors special interest over Vermonters and if allowed to move forward, Vermont ratepayers will unnecessarily pay hundreds of millions of dollars more in electricity rates, including millions to buy renewable energy credits in order to ridiculously hide the fact that we still use and will need nuclear as a reliable base load power source. Many Vermonters are struggling to make ends meet and with the unknown impacts of federal actions, taking risks with Vermonters' ability to afford living expenses is cruel and regressive policy.

Ignoring these bills has moved beyond irresponsible, it has entered the realm of injurious. It begs the questions: Do you want Vermont to be sued? Do you care what the economic impacts will be on Vermonters and our local businesses who already have the third highest tax burden in the country and are experiencing exponentially increasing property taxes and healthcare costs? As elected officials, I know you care deeply for you constituents, Please see the reality of the situation and take action to fix this crisis.

### **Advanced Clean Car and Truck Regulations**

On Thursday, March 27, the House Transportation Committee invited [testimony](#) on the Advanced Clean Car and Truck Regulations that were adopted by Vermont and several states choosing to follow California's Clean Air Act Waiver. It was made abundantly clear how devastating these mandates have been to the vehicle industry in New York and Massachusetts, who also adopted these rules and are currently a year ahead in implementation.

We must prevent this widespread, small business economic destruction in Vermont. I implore you to watch this testimony to understand the urgent need to move House Bill 65 or Senate Bill 101 through this session and revoke the California Air Act Waiver. It is both disturbing and unclear why you have not received this testimony in your own committees.

The Advanced Clean Car and Truck regulations mandate that dealers keep a percentage of electric vehicles (EV) on their lots even if there is not demand or interest by consumers. Certain classes of electric trucks cost three times as much as new, efficient diesel trucks. In order to sell internal combustion engine vehicles, a certain amount of electric vehicles must be sold or there are financial penalties. Dealers will struggle to sell electric vehicles if consumers do not want them. Fines are in place if they sell what consumers demand without meeting their EV sales quota. Would we ever do this to another business? Legislators tried to do this to our small local fuel dealers with the Clean Heat Standard and VT revolted.

Also vehicle dealers should not have to buy 'clean car credits' a/k/a carbon credits from Elon Musk in order to sell the cars that their customers want and need. [Tesla](#) earned \$692 million from selling regulatory credits in the fourth quarter of 2024 alone. These credits contributed 30% of its 2024 fourth quarter net income of \$2.33 billion. This is economic tyranny and ultimately transfers wealth from everyday working people to super billionaires. Please let's see this for what it truly is and prevent the damage.

Customers will go out of state to purchase their vehicles and will even register their businesses in other states if they cannot purchase the vehicles they need. This is already happening in MA and NY as car and truck dealers are limited in their sales of internal combustion engines because the market for electric trucks is almost nonexistent at this time. This destroys the local economy and results in the loss of local jobs and businesses that are invested in our communities. If we want to actually fight oligarchs, now is your chance right here in this moment: Revoke the Advanced Clean Car regulations and amend or repeal the GWSA. This action would protect Vermonters and our local businesses from this economic tyranny that fuels wealth transfers via small business closures that cannot afford these penalties.

New diesel trucks use 60% less diesel than trucks made in 2004. The truck dealers providing testimony emphasized the need to encourage and incentivize these new efficient diesel trucks versus businesses holding onto old and higher polluting trucks because of these advanced clean car regulations. Vehicle dealers are also mandated to install charging infrastructure which can cost on average of \$150,000 for one 3-phase power charging station required for certain trucks. With Vermont's severe lack of charging infrastructure and the need for electric grid upgrades, this advanced clean car program is destined to fail and will bring down our small businesses and local economy with it.

As Representative Ken Wells (R- Orleans) perfectly summed up after hearing this shocking testimony in Committee, "Let's say we get past the fact that they (electric trucks) cost three times as much as a diesel, let's say we get past the fact they can only go a third of the mileage of a diesel. Let's get past the fact that you cannot charge them anywhere and you have to charge them for a day and a half. Do they have the same performance, can they handle your workload?"

In response to his questions, it was acknowledged that at this time, there are several limited roles for electric buses and trucks in contained spaces such as community and city transit or yard trucks. However, it also surfaced that the weight of these trucks due to the batteries is 5000-7000 pounds more than clean diesel trucks which massively cuts into transport capacity.

Also, the mined minerals required for these batteries involves major ecological devastation and human rights abuses, including [slave labor](#) and [child labor](#) especially in the [Global South](#), including [indigenous lands](#).

As reported by the [Guardian](#), Tesla, Google, Microsoft and Apple have been sued for the deaths of children mining minerals in the Democratic Republic of the Congo. This issue was repeatedly and adamantly raised by House Transportation Committee member Representative Jim Casey (R-Addison-Rutland), during the [Agency of Natural Resources Presentation](#) on the Advanced Clean Car rules on February 12. This testimony was devoid of any legitimate benefit/risk analysis. Comparatively, the recent testimony in House Transportation provided the real world impacts that your committees should become deeply acquainted with and soon;

You have it in your power to literally eliminate these imminent threats and help Vermont save money, support our local economy, buffer small businesses from monopoly control and continue to work on steps in the right direction without this expensive, extreme, punish and attack approach. Please take action and move these bills, please understand the urgency of the matter. With all due respect, it is absolute negligence otherwise.

Gratefully and Respectfully

Alison Despathy- a deeply concerned Danville Resident.