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STATE OF VERMONT
DEPARTMENT OF PUBLIC SERVICE

RE: NOTICE OF PUBLIC HEARING ON THE CENTRAL
VERMONT REGIONAL PLANNING COMMISSION'S
REQUEST FOR A DETERMINATION OF ENERGY
COMPLIANCE PURSUANT TO 24 V.S.A. SECTION 4352

July 19, 2018
6:00 p.m.

CVMC Conference Room 1
Berlin, Vermont

Public hearing held before the Department of
Public Service at Central Vermont Medical Center,
Conference Room 1, 130 Fisher Road, Berlin, Vermont,
on July 19, 2018, beginning at 6:00 p.m.

P R E S E N T

Vermont Department of Public Service

Riley Allen, Deputy Commissioner
Jim Porter, Public Advocate
Anne Margolis, Planning & Energy Resources Manager

COURT REPORTER: Deborah J. Slinn, RPR, CSR

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1 (COMMENCING AT APPROXIMATELY 6:10 p.m.)

2 DEPUTY COMMISSIONER ALLEN: Welcome.

3 This is a public hearing regarding the
4 Central Vermont Regional Planning
5 Commission's request for determination of
6 energy compliance pursuant to Title 40 -- 24,
7 Section 4352.

8 My name is Riley Allen. I'm Deputy
9 Commissioner of the Vermont Department of
10 Public Service. With me tonight is
11 Anne Margolis, who is with the Department of
12 Public Service's Planning and Energy
13 Resources Division, and Jim Porter, who is
14 the director of our Public Advocacy Division.

15 I'll start this evening by offering a
16 little context for the hearing. Act 174,
17 created a new energy planning process in
18 Vermont for regional planning commissions and
19 municipalities.

20 Pursuant to this process, a regional
21 planning commission has the option of
22 submitting this duly adopted plan to the
23 Commissioner of the Department of Public
24 Service for an affirmative determination of
25 compliance with the statutory standards of

1 the Vermont statutes.

2 When a regional plan has received an
3 affirmative compliance determination under
4 Section 4352, the Vermont Public Utility
5 Commission is required to afford substantial
6 deference in Section 240(a) proceedings to
7 the land conservation measures and specific
8 policies contained in such a plan when
9 reviewing any proposed electric generation
10 facility in the region covered by the plan.

11 The purpose of this hearing is to gather
12 input from you, the public, regarding the
13 Central Vermont Regional Planning
14 Commission's request for determination from
15 the Department of Public Service; that the
16 regional plan complies with the energy
17 planning requirements set forth in statute.

18 If the Department finds the plan
19 complies with the land conservation measures
20 and specific policies contained in the plan,
21 will receive substantial deference during any
22 Public Utility Commission siting review of
23 any proposed electric generation facility
24 within the member towns of Central Vermont
25 Regional Planning Commission.

1 We will ask Bonnie Waninger, Executive
2 Director of the Central Vermont Regional
3 Planning Commission, to begin this hearing
4 with a brief overview of the plan, after
5 which we'll invite members of the public to
6 provide input.

7 Attendance is light so far, so we're
8 hoping we get further attendance. Please
9 sign up on the sheet if you are going to
10 speak. I also encourage you to submit
11 written comments to the Department via
12 e-mail, psd.planning.standards@Vermont.gov --
13 that's psd.planning.standards@vermont.gov --
14 if you have comments.

15 If anyone needs that e-mail address,
16 just let me know.

17 Also, one last formality. Tonight's
18 hearing is being transcribed by a court
19 reporter, so if you do have comments, please
20 state your name and spell out your name.

21 So, Bonnie, if you wouldn't mind giving
22 your presentation.

23 MS. WANINGER: Certainly. To begin
24 tonight, I was going to walk through the
25 Regional Planning Commission's hour. Given

1 that I believe most of you in the room
2 understand who we are, I will skip through
3 that portion of it and what we do.

4 DEPUTY COMMISSIONER ALLEN: Just
5 remember, there are folks that aren't in the
6 room, that might be listening in.

7 MS. WANINGER: So I will --

8 MR. PORTER: I don't think he's live,
9 are you? This is just --

10 MS. WANINGER: Would you like me to walk
11 through --

12 DEPUTY COMMISSIONER ALLEN: I think
13 briefly, yeah, if you could.

14 MS. WANINGER: So who are Regional
15 Planning Commissions? There are eleven of us
16 around the state. We are political
17 subdivisions of the state of Vermont, who
18 were structured to provide a variety of
19 professional services to municipalities.

20 And essentially, we build bridges
21 between local, state and federal governments.
22 In most states across the nation, that role
23 is taken on by county government. But
24 Vermont, other than the court system, the
25 sheriff, does not have county government. So

1 we provide the incentive bridge without the
2 authority that most county governments
3 have.

4 For Central Vermont Regional Planning
5 Commissions, what we do is -- our mission is
6 to assist our municipalities to provide
7 effective local government and to work
8 cooperatively with them on regional issues.
9 So the things that cross their boundaries.

10 We shorten it by saying we leverage the
11 power of people working together. Most of
12 what we do is to bring people together around
13 topics or around issues, and leverage their
14 power to come to decisions together.

15 The professional services we provide are
16 in a variety of program areas, including land
17 use, mapping and geographic information
18 system analysis, transportation, hazard
19 mitigation, emergency management, water
20 quality, ground fields and now energy.

21 The Regional Energy Plan, you provided
22 some background on that. It's based in the
23 state goals of 90 percent renewable by 2050.
24 It is focused on conservation, conversion and
25 efficiency. In the areas of transportation,

1 thermal, which is home heating and electric.
2 And there are targets for three different
3 time frames, as the regional plan and the
4 state plan and now municipality plans are
5 aimed at.

6 Pathways is what we're calling
7 implementation. How are we going to get from
8 here to there in each of those areas, there
9 are four general ways. Conservation and
10 efficient use of our energy resources, reduce
11 single occupancy vehicle use or the trips and
12 provide some sort of alternative, different
13 kinds of land use policies that are aimed at
14 increasing the efficiency of use and reducing
15 energy use, and siting of renewable energy
16 generation.

17 The Regional Energy Plan has both the
18 regional targets, our proportionate share of
19 state goals, as well as we develop municipal
20 targets from them based on some factors.

21 So from a regional perspective, Central
22 Vermont has a variety of goals for
23 residential thermal efficiency, increase the
24 efficiency by 92 percent. That's a pretty
25 dramatic goal. Increase commercial thermal

1 efficiency by 61 percent, electric efficiency
2 and conservation. These are all increases by
3 15 percent. Assume some transportation
4 renewables at 90 percent. Thermal renewables
5 at 92 percent. And new generation, renewable
6 generation, at 420 megawatt-hours. And given
7 the audience, I won't talk about
8 megawatt-hours versus megawatts.

9 DEPUTY COMMISSIONER ALLEN: Bonnie,
10 should I hold questions for the end or would
11 you like --

12 MS. WANINGER: It is your choice.

13 DEPUTY COMMISSIONER ALLEN: I'm just
14 interested and sort of intrigued by that
15 prior slide and reference to specific
16 efficiencies that you targeted, and wondered
17 whether there was some math behind those
18 values. How they -- how you kind of arrived
19 at such specific targets for each category.

20 MS. WANINGER: So working with the
21 Department and Efficiency Vermont or Vermont
22 Energy, VEIC, the statewide goals were
23 essentially broken down into regional goals
24 based on a variety of factors within each of
25 those items. So they were essentially goals

1 given to us --

2 DEPUTY COMMISSIONER ALLEN: Uh-huh.

3 MS. WANINGER: -- from that perspective.

4 DEPUTY COMMISSIONER ALLEN: Okay,
5 thanks.

6 MS. WANINGER: So generally, how do we
7 get there? How do we transform our energy
8 use? We use different policy initiatives
9 based on land use, transportation and energy
10 codes. We use incentive and nonregulatory
11 approaches, such as using the state
12 designation programs aimed at compact
13 settlements surrounded by rural countryside.

14 We engage in business and -- the
15 business and larger communities. By
16 community, I mean residents and people who
17 are here for different reasons. And then we
18 work on efficiency swaps.

19 From a siting perspective, we talk about
20 preferred and prohibited locations. In
21 Central Vermont we didn't -- we didn't
22 necessarily prohibit development of a
23 renewable energy resource in any particular
24 area. We did talk quite a bit about what's
25 an appropriate scale based on the other types

1 of uses that we were -- and the intensity of
2 uses that we were proposing in those areas.

3 So how are we going to get there? What
4 I'm focusing on is what we considered high
5 priority actions for us, essentially for the
6 next one to three years. We also have
7 medium, low priority, as well as some ongoing
8 initiatives that we would do regardless of
9 time frame.

10 I did not put the ongoing initiatives in
11 here, but they were the typical things you
12 would include in a regional plan aimed at
13 land use and energy efficiency. They were
14 items already in the regional plan, for the
15 most part.

16 So under conservation and efficiency, we
17 are working to increase conservation of
18 energy by individuals and organizations.
19 Essentially, we are talking about a
20 weatherization program directory.

21 We found working with our program, that
22 folks are familiar with things like CVOEO and
23 some of their programs for lower income
24 Vermonters, but they weren't necessarily
25 aware of all that our utilities are

1 providing. They have plethora of programs
2 and it's quite a bit to work through if
3 you're a citizen just starting out.

4 So creating a weatherization program
5 directory and trying to match people with
6 what they may need was a good place to start.

7 Promoting the programs that are out
8 there is part of that. Supporting municipal
9 energy or climate action committees is
10 something we did for a while and then stepped
11 away from.

12 Our municipalities told us that would be
13 effective, that we helped launch those
14 groups. We stepped away. Some of them
15 progressed and some of them stumbled or died.
16 So they asked us to come in and look at
17 lessons learned and move them along or
18 provide them some support.

19 And then looking at municipal bylaw
20 updates. In Vermont from a land use
21 perspective, you have state-level permits and
22 municipal zoning and planning. You do have
23 regional plans as well. They are plans.

24 The bylaws are essentially an
25 implementation tool, a regulatory

1 bylaw implementation -- or regulatory tool to
2 implement the plan. So from that
3 perspective, that's where the municipal
4 rubber really starts hitting the road about
5 what development looks like. So supporting
6 those municipalities to think about
7 conservation and renewable generation
8 development is one of our highest
9 priorities.

10 Also, looking at building systems and
11 codes, working with those municipalities --
12 those that are interested -- to develop
13 stretch codes. To look at local energy code
14 development. Montpelier has some in that
15 area.

16 Identifying ways to decrease -- so the
17 glue is the overarching policy or goal, and
18 then we have actions underneath there.

19 Identify ways to decrease fossil fuel
20 use for heating. Again, funding sources for
21 heating source conversion. For those who are
22 able to make that conversion on their own,
23 they simply do it. For those who are not,
24 they were looking for ways to make the
25 conversion.

1 So providing information about energy
2 turned out to be one of the strongest areas
3 that we were asked to pursue. To simply get
4 information out there in a format people
5 could understand.

6 Posting workshops on innovative
7 conversion projects. People want to know
8 more. They go to some of the things that are
9 out there or they look at the utility or the
10 private company information, but we found
11 they weren't fully trusting the information
12 when they came from the source of someone who
13 wants to sell you something.

14 So they asked us to look at different
15 types of workshops to help them understand
16 how they might move in those directions.

17 Again, bylaw updates, that one was aimed
18 at centralizing renewable energy generation
19 facilities. So how -- are we really
20 approaching it from a house by house, or how
21 do we understand some of these larger
22 projects?

23 For instance, in Worcester, they are
24 getting ready to propose -- a developer is
25 getting ready to propose a 500-kilowatt

1 project and is seeking preferred siting
2 status from us and from the town.

3 So to some degree, we consider that a
4 little centralized. You are really talking
5 about a size of which you're pulling a
6 variety of information together. And we
7 recognize that our language may not
8 completely match with yours.

9 Then engaging communities and energy
10 storage technologies and their use. This is
11 something that communities are beginning to
12 focus on. They are getting applications for
13 storage. And conceptually, they understand
14 storage is something we need to do as
15 renewables come online, but is this the right
16 spot? Is this the right size? Should they
17 be encouraging something else? A
18 conversation about storage is something they
19 want to have.

20 DEPUTY COMMISSIONER ALLEN: Can I just
21 ask you a question about that part as well?

22 MS. WANINGER: Uh-huh.

23 DEPUTY COMMISSIONER ALLEN: Are there
24 any municipalities that have actually adopted
25 stretch codes or have expressed interest in

1 adopting stretch codes?

2 MS. WANINGER: I don't believe there are
3 any that have adopted yet. Some of them are
4 exploring the concept, is how I will put it.
5 I don't think they are ready to move there
6 yet.

7 DEPUTY COMMISSIONER ALLEN: Okay.

8 MS. WANINGER: But if you were, it would
9 probably be a Montpelier, a Barre, a
10 Waterbury, some of the larger ones who would
11 be there first.

12 DEPUTY COMMISSIONER ALLEN: When you
13 talk about storage technologies, are you
14 referring to large batteries or what else
15 might be --

16 MS. WANINGER: Large batteries is it
17 right now. We're leaving open the
18 possibility that new technologies emerge all
19 the time.

20 DEPUTY COMMISSIONER ALLEN: Thanks.

21 MS. WANINGER: Uh-huh. The other type
22 of storage I will say that has recently come
23 up for discussion is what I will call water
24 storage, pumping water up and releasing it at
25 the time that you need it.

1 DEPUTY COMMISSIONER ALLEN: Right.

2 MS. WANINGER: We're a little bit away
3 from creating those kinds of reservoirs, but
4 it came up in a discussion of the
5 Wrightsville generation facility and how they
6 might move in the future.

7 DEPUTY COMMISSIONER ALLEN: Okay.

8 MS. WANINGER: Not that they were
9 intending to move there, but someone was
10 wondering whether that might make that
11 project more viable to run into the future.

12 Encouraging transit use. Public transit
13 is something we sit on, the Green Mountain
14 Transit Board. We are their regional
15 commissioner from Central Vermont. And we
16 have been working with them all along to look
17 at how do you do transit-oriented
18 development? More importantly, how do you
19 encourage municipalities to do that level of
20 density?

21 So introducing land use incentives that
22 encourage public transit use, working with
23 employers and the State to encourage
24 incentives that support transit use.

25 Fostering transit-oriented development. We

1 are working with Montpelier, Barre, Berlin,
2 VTrans and Green Mountain Transit right now,
3 on an application that would look at rail
4 service between Montpelier and Barre. A rail
5 bus -- this is a longer-term plan, but let's
6 put some numbers to what that means.

7 Those partners are working together in
8 part. If a bus isn't feasible or a rail bus
9 isn't feasible, this project is also looking
10 at transit-oriented development because the
11 road corridor is parallel to the rail
12 corridor. So that kind of investigation
13 works for bus as well as rail, regardless of
14 which one proves to be the most feasible into
15 the future.

16 Identifying public transit service
17 options for underserved populations. There
18 are programs available. There are some gaps
19 in those programs. And around the state,
20 regional planning commissions have worked
21 with transit agencies and other partners to
22 figure out how to fill those gaps.

23 When you don't fit the box that has to
24 be checked, but you are canceling
25 appointments because you can't get there

1 based on your transportation.

2 Requiring large scale development.

3 This is actually something we do right now.

4 We require large scale developments -- those
5 going through Act 250 -- to consult with
6 transit providers so that transit and its
7 infrastructure are included in the
8 development proposals.

9 Prioritize areas for public transit
10 expansion. Public transit plans often list
11 the realm of possibility for what transit
12 could serve and what it does serve now. But
13 if we are going to prioritize area to be
14 served by transit in the future, we need to
15 create the density of developments that
16 support transit going there.

17 And then supporting transit providers.
18 That goes along with it, with land use,
19 infrastructure and planning. In part, it was
20 those conversations with regional planning
21 commissions that moved Green Mountain Transit
22 and other organizations along and really
23 thinking about participating in the Act 250
24 process, and having those conversations with
25 developers before those development proposals

1 were so set that there was no room for
2 transit facilities.

3 Promoting the shift away from single
4 occupancy vehicles. Really, for us, that's
5 park-and-ride capacity and making sure that
6 capacity is there into the future and mapping
7 gaps in telecommunications infrastructure.
8 If we want folks not to drive, they need to
9 have a work-at-home component or at least a
10 work share component somewhere.

11 We have quite a few gaps in our
12 mountainous terrain. I'll just leave it at
13 that. You're more than likely aware of those
14 gaps.

15 From patterns and density of land use,
16 reducing sprawl and minimizing low impact or
17 low development density is something that
18 will create those opportunities to move our
19 energy profile forward.

20 So working with municipalities on
21 infrastructure projects that allow that
22 density to occur. Many of our village
23 centers don't have water and wastewater. And
24 they are about at capacity for what they can
25 absorb into the septic system. Unless we

1 move the infrastructure, we can't move the
2 denser development.

3 Policies that incentivize development in
4 designated growth areas. Some people look at
5 that and say maybe I'm exempt from Act 250.
6 Maybe there are certain kinds of bonus
7 densities. But it's basically land use and
8 other types of incentives that allow density
9 to occur in the places you want it to.

10 And that goes along with prioritizing
11 development and compact mixed use centers.
12 Again, it's working with those municipalities
13 to support that infill. One of the
14 conversations we're having right now related
15 to preferred sites is somewhat related to
16 that. There are different approaches you can
17 take when you think about the appropriate
18 location for renewable energy generation.

19 Rooftops, easy thing. People love that.
20 But beyond that, in an urban area, if you
21 think of Montpelier or Barre, do you want the
22 energy generation other than rooftop or
23 canopy? Do you want that facility sited on
24 the land you are trying to densely develop,
25 or do you want it in a ring outside, close to

1 the road? Or are we going to ship it out
2 into the countryside, where there's going to
3 be less impact from a neighbor-to-neighbor
4 perspective because there are fewer people to
5 see and feel those impacts. Those
6 conversations are happening town by town, and
7 they don't necessarily all take the same
8 approach.

9 Again, with compact and mixed use
10 centers -- that looks a little bit like the
11 first one, I may have duplicated.

12 Public investment strategies and capital
13 planning are something municipalities know
14 about generally, but are really -- many of
15 them are just beginning to use that as
16 resources are becoming fewer and fewer. They
17 have more to do with less or the same amount
18 of money as before.

19 Prioritizing and planning out different
20 kind of public investment strategies is
21 becoming critical to their energy use. And
22 then again, identifying priority development
23 areas where you talk about high demand for
24 load exists or plans to exist. So if they
25 are creating dense development and infill,

1 that's where the load is going to be in the
2 future. And how do we get the generation
3 next to that load, but also how do we get the
4 generator to link with that load. You can
5 put the generation next to the load but if
6 the load is not using that generation, how do
7 you really accomplish what you were aiming
8 for here?

9 And then from a siting perspective, I
10 shortened this. There were several
11 strategies, but they all came down to
12 providing regular updates to municipalities
13 and helping them through siting of
14 facilities, figuring out what their local
15 constraints are, looking at both preferred
16 and unsuitable locations, and thinking about
17 more than wind and solar from the
18 perspectives we have.

19 Siting right now is the stronger
20 discussion in our region as the solar
21 projects and preferred sites have come into
22 being. We are augmenting our plan with
23 some -- either guidance about how we'll go
24 about determining our preferred sites
25 approval, if you will -- support, as the

1 letter said -- or what we would look for from
2 municipalities in order to simply stamp their
3 choices before they have gone through the
4 energy planning process.

5 Does that make sense?

6 For instance, if you don't have a Town
7 Plan that -- if you don't have a valid Town
8 Plan, it's expired -- how do you determine
9 that your siting is compatible with your Town
10 Plan? So working them through the process of
11 both encouraging them to plan as well as to
12 do the site-by-site analysis.

13 And those were our highest priority
14 actions right now. A lot of them, again, are
15 information and conversations because that's
16 where our municipalities are at. And then
17 making those links between the municipal
18 conversations with the energy generation
19 developer, with the utilities and VELCO.

20 And I will say that the utilities and
21 VELCO are engaging us in conversations and
22 ways they haven't before, and that's been
23 very helpful to understanding energy beyond
24 land use siting. And the more they can help
25 us understand that, the more we can help

1 municipalities and their partners understand
2 that.

3 DEPUTY COMMISSIONER ALLEN: Can you just
4 expand on that a little bit? What kind of
5 conversations were you referring to when you
6 say conversations with utilities are helping
7 you to understand their issues?

8 MS. WANINGER: So there are a couple of
9 things. They're the simplest things -- Green
10 Mountain Power putting on their website where
11 substations are being backed up, and where
12 might there be problems in the future. How
13 do we think about this?

14 Some of those substations come through a
15 process where local and regional planning
16 commissions can comment on them. We need to
17 understand what's being proposed and why, so
18 information on their website is simple.

19 They're coming to the table with
20 conversations and explaining their needs and
21 why. The why is as important. Why are they
22 moving in the directions they are.

23 VELCO presented to our board earlier
24 this month. When you look at a map and look
25 at the issues, the obvious question is why

1 don't we just create -- close the SHEI Loop
2 and finish that up. Obviously, there's a
3 little bit more to closing that loop than
4 having that conversation. But understanding
5 what they're exploring and why helps us
6 position the plans to help support it where I
7 can, and have the conversation in advance so
8 that they are less reactive than they have
9 been in the past.

10 DEPUTY COMMISSIONER ALLEN: Right.

11 MS. WANINGER: I think with solar in
12 particular, or wind in particular, a lot of
13 what you saw was a reaction to impacts people
14 simply weren't ready for, and that's what's
15 beginning to happen with solar. They are
16 coming fast and furious.

17 So the utilities are helping us
18 understand some of the broader energy issues,
19 as is the department. And the developers as
20 well, from their perspective.

21 DEPUTY COMMISSIONER ALLEN: Thank you,
22 Bonnie.

23 So are there questions from other
24 members of the Department or anyone else in
25 the room?

1 Well, thank you very much, Bonnie. That
2 was very helpful.

3 MR. PORTER: Nice presentation.

4 MS. WANINGER: Thank you.

5 DEPUTY COMMISSIONER ALLEN: Well done.

6 MS. WANINGER: I will give our senior
7 planner, Eric Vorwald, who is no longer with
8 us as of two weeks ago. This is one of his
9 presentations to municipalities.

10 DEPUTY COMMISSIONER ALLEN: Okay. Well,
11 we have a light audience, to say the least.
12 I'm opening things up in case anyone else
13 wants to provide comment.

14 Is there anything in addition to the
15 presentation that you would like to say about
16 the plan?

17 MS. WANINGER: Not generally, other than
18 that we appreciate the opportunity to put it
19 together to increase our own knowledge, but
20 also to work with our municipalities. And
21 hopefully, we can all move together towards
22 one energy future.

23 DEPUTY COMMISSIONER ALLEN: Very good.
24 Okay. With that, I'm going to close this
25 hearing. Thank you very much.

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MS. WANINGER: Thank you.

(WHEREUPON, the Public Hearing was
concluded at approximately 6:40 p.m.)

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CERTIFICATE

I, Deborah J. Slinn, Certified Shorthand
Reporter, certify:

That the foregoing proceedings were reported
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That the foregoing is a true and correct
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Deborah J. Slinn

My commission expires February 10, 2019.