

**STATE OF VERMONT  
PUBLIC SERVICE DEPARTMENT**

**24 V.S.A. § 4352 Determination No. 7**

**DETERMINATION OF ENERGY PLANNING COMPLIANCE PURSUANT TO  
24 V.S.A. § 4352 FOR WINDHAM REGIONAL COMMISSION'S REGIONAL PLAN  
AND REGIONAL ENERGY PLAN**

**I. INTRODUCTION**

Today, in my capacity as the Commissioner of the Vermont Public Service Department (“Department”), I have issued the attached certificate memorializing my affirmative determination pursuant to 24 V.S.A. § 4352(a) that the Windham Regional Energy Plan (“WREP”) and the Windham Regional Plan (“WRP”) comply with the requirements of 24 V.S.A. § 4352 for enhanced energy planning.<sup>1</sup> This determination is made solely as to whether the WREP and WRP comply with the statutory planning requirements of 24 V.S.A. § 4352. This determination does not mean that the Department endorses the substantive policy judgments contemplated or promoted in these plans. Additionally, I hereby record the procedural history leading to the compliance determination, as well as a report of the public comments the Department received.

**II. PROCEDURAL HISTORY**

On April 30, 2018, the Windham Regional Commission (“WRC”) submitted the WREP and WRP (collectively the “Plans”) for a determination of compliance with the enhanced energy planning standards set forth in 24 V.S.A. § 4352.

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<sup>1</sup> The WREP was duly adopted as an amendment to the WRP on April 24, 2018.

On May 2, 2018, the Department solicited recommendations from the Secretaries of Agriculture, Food, and Markets; Commerce and Community Development; Natural Resources; and Transportation as to whether WRC's Plans should be certified as compliant with the requirements of 24 V.S.A. § 4352.

On May 7, 2018, notice of a public hearing scheduled for June 5, 2018 was posted on the Department's website.

On May 7, 2018, notice of a public hearing scheduled for June 5, 2018 was mailed directly to the WRC.

On May 16, 2018, notice of a public hearing scheduled for June 5, 2018 was published in the Brattleboro Reformer.

On May 30, 2018, the Department received responses from the Agencies of Natural Resources ("ANR") and Transportation ("AOT"). Neither ANR nor AOT objected to certification of the plan.

On June 2, 2018, notice of a public hearing scheduled for June 5, 2018 was published in the Brattleboro Reformer.

On June 5, 2018, the Department convened a public hearing in the Townshend Town Hall in Townshend, Vermont.

### **III. PUBLIC COMMENTS**

I thank the members of the public who took the time to provide me with feedback on the Plans and this review process, whether in writing or by speaking at the June 5<sup>th</sup> public hearing. It has been both my duty and privilege to listen to and consider these public comments. This determination decision I am statutorily charged with making affects the lives of the citizens of

the Windham Regional Commission's service area and I have not undertaken it lightly. What follows is a summary description of the comments the Department received:

Several members of the public expressed support for the plan and the work completed by the WRC. Others discussed the plans' protections surrounding resource lands and the balance achieved in the region regarding utility-scale wind development. Additionally, one member of the public expressed concern regarding grid reliability and stability as the region plans for a transition to intermittent, renewable generation resources.

The WRP and the WREP reflect the balance the community struck on these issues. These plans are designed to evolve over time and are required by Vermont law to be updated every eight years; often they are updated more frequently. Such a structure affords the community the opportunity to revisit these balances as circumstances or community dynamics change over time.

Dated at Montpelier, Vermont this 19 th day of June 2018.

VERMONT PUBLIC SERVICE DEPARTMENT



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June E. Tierney  
Commissioner  
Vermont Public Service Department