



VLCT LEGISLATIVE ACTION ALERT

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

Date April 3, 2017
To Selectboards, Managers, Mayors, Planning Commissions
From Karen B. Horn, Director, Public Policy & Advocacy (khorn@vlct.org)
Re Municipal and Regional Energy Planning In Senate Natural Resources

On Wednesday morning, April 5 at 8:30 am, the Senate Natural Resources Committee is scheduled to discuss Act 174, town and regional energy planning. No one is listed the schedule to testify. Later that same morning, the schedule has the committee discussing and voting on the miscellaneous energy bill, which addresses net metering rules, building energy efficiency, establishes the state comprehensive energy planning goals of 90 percent renewable energy by 2050 and 25 percent renewable by 2025 in statute, requires municipal and regional plans (which are in effect for eight years) to be consistent with both those goals. There is no bill number yet.

[Act 174](#) of 2016 established energy planning requirements that must be addressed in order for towns and regions to gain “substantial deference” for their plans and recommendations in Public Service Board (PSB) permitting proceedings. The Public Service Department (PSD) issued standards for energy planning on November 1, 2016 in compliance with Act 174; on March 2, the PSD released guidance for addressing the standards. If a town adequately addresses all of the standards – including statements on reducing transportation energy demand and single occupancy vehicle use – and the PSD or regional commission grants a “determination of compliance” the PSB must accord the town plan “substantial deference” in any Section 248 proceeding that concerns energy generation facilities.

As towns struggle to produce energy plans that meet the standards, the law should be amended to:

- ✓ provide flexibility to regional or municipal planning commissions to determine not only that an area is preferred for a specific technology but also that a particular type or size of renewable energy facility is not appropriate given the constraints in their area;
- ✓ Give municipalities flexibility to determine that predicting and designing transportation energy demands is more effective if included in regional and state energy plans;
- ✓ In the interim, acknowledging that projects continue to be permitted at the PSB while towns and regions develop compliant energy plans, require the PSB to accord municipal plans substantial deference.

Urge your Senators to review the rollout of Act 174. Let them know that your municipality is working on energy planning and that you need flexibility in addressing energy needs in the eight year planning cycle.

To contact your Senators, find their email at the legislative website (<http://legislature.vermont.gov>) or call the Sergeant at Arms to leave a message (802)-828-2228.

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