

February 18, 2015

Lane Morrison, Chair
Charlotte Selectboard
Town Hall
Charlotte, VT 05445

Dear Chair Morrison,

At our last meeting on February 11, the Charlotte Energy Committee discussed the solar siting petition forwarded to you by the Rutland Selectboard for your consideration. We respectfully offer the following points in response.

1. We wholeheartedly agree that Vermont municipalities should have more firm legal standing in the Public Service Board's "Section 248 process," as it's commonly called. The Section 248 process applies to all electricity, gas, and telecommunications infrastructure. Energy and utility developers should be required to work with municipalities to come to agreements on the parameters of projects during the process of seeking a certificate of public good from the Board.
2. Municipal legal standing needs to be a principle applied equally to all energy generation and transmission infrastructure projects, without exception. In recent years, for example, we have seen intense discord over gas transmission pipelines. Some affected towns have worked thousands of hours and spent untold sums of treasure in an attempt to protect their right to determine the best use and development of their land. The proposed resolution from Rutland, however, is limited to renewables and thus does not adequately respond to the limitations of the Section 248 process.
3. Given the context in which we find ourselves, with a constant stream of energy production proposals, it is counterproductive to single out renewable energy and solar siting in particular. Perhaps inadvertently, the proposed law would hold solar development to a higher standard than even massive fossil fuel development. In this era of climate change, that is an illogical position for our town to take. Further, new technology may come along in a few years; instead of reacting to each new circumstance it would be better to proactively protect the right for towns to participate meaningfully in the Section 248 process now and in the future.
4. Precisely because the proposed resolution omits mention of other energy infrastructure covered under the Section 248 process, the net effect of it is to enflame anti-solar sentiment, and we do not recommend that Charlotte participate in that agenda.
5. Several legislators that we are aware of, particularly those impacted by the gas pipeline expansion, have listened to their constituents and are aware of the need for reform of the Section 248 process. Legislators in Orleans and Rutland counties must surely have heard from their constituents on this matter. Rather than make what amounts

to a show against solar by signing onto another town's petition, we suggest a measured, effective, long-term response by working with the town's own legislators on thorough reform of the Section 248 process.

6. If the Selectboard feels that it must make a direct response to the Rutland request, however, it is possible to alter the proposed resolution so that it applies to all energy projects. A copy of such a revised resolution is attached, but we are uncertain of the practical utility of such an exercise.

Best regards,

Charlotte Energy Committee

CC: Dean Bloch