

BCRC Energy Committee Meeting Minutes

September 21, 2022

Attendees: Wayn Goodman (chair), Rob Costantino, Jeannie Jenkins, Jim Hand

BCRC Staff: Jim Sullivan and Callie Fishburn

Proposed Shaftsbury Solar Project

Jim Sullivan gave an overview of a proposed 20MW solar array in Shaftsbury off Holy Smoke Road. Jim Sullivan and Callie Fishburn met with a consultant on the project who provided the attached information and map of the proposed site. The consultant is working on behalf of Freepoint Solar who will be the owner of the array and is in the process of purchasing the land. The pre-petition notice has not yet been filed; the company is providing notice to interested stakeholders including the BCRC and the Town of Shaftsbury. Freepoint is simultaneously developing another 20MW project in Fairhaven.

Freepoint solar is a Connecticut-based company, raising possible concerns that the electricity generated may not benefit Vermont and further the state's energy goals. The chair stressed that members of the energy committee should make every effort to attend any public hearings and site visits that are announced once the petition is filed.

Energy Efficiency at the Putnam Block

Jim Sullivan gave an overview of the energy efficiency measures that incorporated into Phase 1 of the Putnam Block, as well as planned measures for Phase 2 (see attached email for more information).

Jim Hand mentioned current PUC proceedings regarding renewable natural gas (see attached notes from the hearing).



Freepoint Solar – Shaftsbury, Vermont
Project Overview – DRAFT
August 2022
Prepared by VHB

Basic Information

- Proposed 20MW AC solar project located within portions of two contiguous land parcels situated west of U.S. Route 7 and south of Holy Smoke Road
- Proposed as a merchant (non-utility) renewable generation project to increase supply of renewable energy in New England
- Began investigating project site in 2017/18 and have been continuing to move forward, with site investigation and design. Higher energy pricing creates opportunity in current markets
- Potential tax revenues to Town (municipal portion): Approximately \$100,000+/- per year (to be determined based on project valuation, tax rate, etc.). \$80,000 to State for education property taxes
- Freepoint also anticipates working with the town, state and other stakeholders on other benefits and mitigation that the Project could provide, given its scope and scale.

Project Team

- Project is being developed by Freepoint Solar, who would be its ultimate owner. Freepoint is a physical commodity merchant headquartered in Stamford CT, and has access to the capital needed to support the successful development of the Project
- Section 248 legal work being performed by Dunkiel Saunders, a Burlington-based firm
- Environmental studies/permitting, aesthetics, site civil design, survey and outreach being performed by VHB, through Vermont-based staff

Site Considerations

- Single landowner (Kennedy), lands to be purchased by Freepoint Solar in 2022
- Ground mounted fixed tilt racking system
- Project array area anticipated to be 80 – 100 acres in total
- Annual electric generation is anticipated to be approximately 35,000 MWh
- Site located on ag fields and wooded strips between fields (refer to map)

- Portions of the site will involve tree clearing/grubbing
- Adjacent to existing GMP 46kV line (and point of interconnection) and limited access US Route 7
- GMP line runs through site and will not require upgrades

Studies and Assessments - Completed or Underway

- Waters & wetlands
- Natural Communities
- Bats
- Grassland birds/NWH
- RTE plants
- Archaeology/above-ground historic
- Preliminary aesthetics

ANR Permits Anticipated (subject to updating as site assessments are completed)

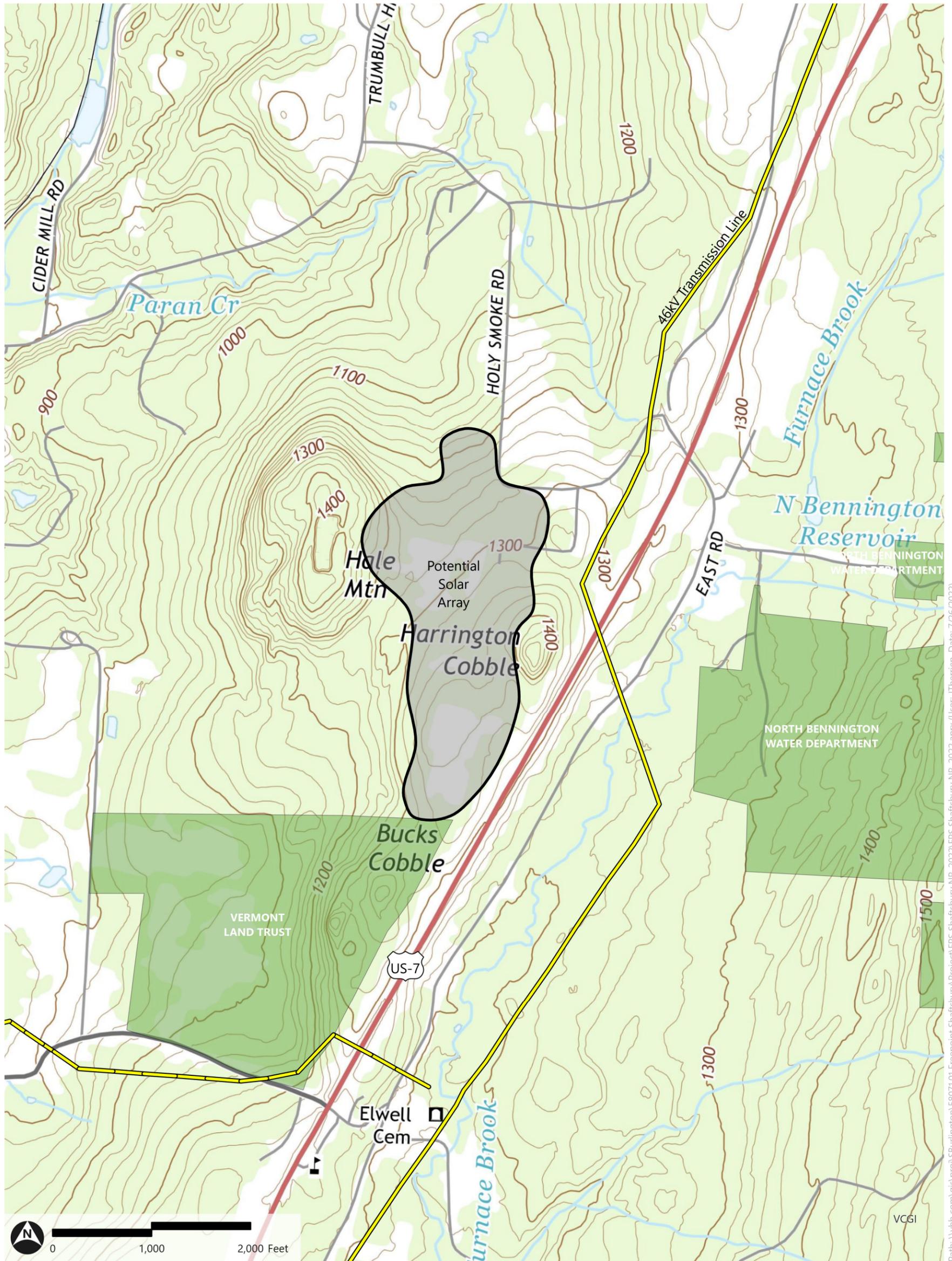
- Construction Stormwater Permit
- Operational Phase Stormwater Permit
- State significant natural communities 248 review

Overall Schedule (currently proposed)

- 45-day pre-Petition Notice to Town and BCRC: October 2022
- Section 248 Petition to PUC: November 2022
- Collateral permit applications: by February 2023

Outreach Contact

- Jeff Nelson, Principal at VHB
- Based in Addison, VT
- 40 years experience working as an environmental/permitting consultant in Vermont.
- Email: jnelson@vhb.com
- Phone: 802-989-3393 (cell)



- Existing Overhead Electric Transmission Line (VCGI)
- Conserved Lands (VCGI)

Energy efficiencies at Phase I of the Putnam Block consisted of:

High efficiency heat pumps for heating/cooling

Low flow plumbing fixtures

Energy efficient replacement/new windows

Interior storm windows on historic windows

The building envelope was insulated and weather sealed to the greatest extent possible

Energy star appliances were installed where possible

The project was prepared to host solar/PV in the future

Phase I of the Putnam Block worked with an energy consultant and a commissioning agent to maximize the efficiencies of all building systems.

The project was awarded energy incentive funding from both Efficiency Vermont and Green Mountain Power.

Phase II will be new construction and will incorporate high efficiency systems, including solar/PV and meet or exceed the CBES, Stretch Code and Efficiency Vermont high standards.

Please let me know if you need any other information.

Martha

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Notes on the Sept 20 PUC hearing on VGS contract

In a hearing at the Public Utility Commission Tuesday morning Vermont Gas Systems hit a potential roadblock on its supposed fast track to approval of a contract to buy renewable natural gas produced at a huge, polluting New York landfill. Expert testimony provided by a climate researcher clearly stymied the VGS lawyer's attempt to portray the contract as a cost-effective measure aligned with the emissions reduction requirements in Vermont law.

University of Notre Dame Associate Professor of Sustainable Energy Policy, Emily Grubert answered questions posed by the VGS lawyer, the PUC's hearing officer and Catherine Bock, a VGS customer and climate activist who opposes the contract and is a party to the case as a citizen intervenor. Prof. Grubert has the credentials to cause VGS to worry, since she has authored 60 peer-reviewed journal papers and previously served as the Deputy Assistant Secretary for Carbon Management at the US Department of Energy. VGS attorney, Owen McClain tried repeatedly to poke holes in her testimony only to find that Grubert's answers to his questions repeatedly undermined his client's position. At one point she responded to a question about cost effectiveness by pointing out that a measure is not cost effective if it does not meet the requirements set for it.

Approximately 45 members of the public attended the hearing, which was held by video conference. At one point Hearing Officer Daniel Burke acknowledged the extraordinary number and effectiveness of public comments received in the case, when he questioned a VGS witness about the risk that the gas supplier, Archaea Energy, might not be able to meet its obligation if the landfill shuts down, as required by local law. There were further skeptical questions about the length of the contract (14.5 years) and the benchmark for determining cost effectiveness (the "social cost of carbon").

In arguing for approval of the contract, a VGS witness cited the Clean Heat Standard, which the legislature failed to enact last session. Another VGS witness had previously acknowledged that none, or almost none, of VGS's out-of-state RNG supply would actually make it to Vermont, and that only the "environmental attributes" of the gas arrive are attached to fossil gas. The reference to the Clean Heat Standard caused the Hearing Officer to question whether VGS's analysis was speculative.

Vermont's Public Advocate in the Department of Public Service had no questions for the VGS witnesses, saying, "We got nothing." DPS presented a witness in support of the contract, who acknowledged that there are numerous variabilities and uncertainties that could, if approved, result in raising the rates for all VGS customers.

An indication of how concerned VGS was by the tone of the questioning came when VGS Attorney McClain suggested a waiver of the deadline for a decision in the case. That was ironic because the contract review is being conducted under a fast track provision in Vermont law, Section 248(i) that applies specifically to, and for the benefit of, VGS. That provision requires

the PUC to make a decision within 120 days from the start of its investigation. The Hearing Officer will review the statute to see if such a waiver is possible and will issue a decision, presumably soon.

By agreement of the parties -- VGS, the Department of Public Service and Catherine Bock -- the schedule for filing final written arguments was pushed one week later, to October 7. If the waiver on the 120-day limit is not made, then the PUC will be required to make a final decision by Nov 8. Obviously VGS is worried about the way events have unfolded so far and wants more time.

Meanwhile, with the obvious effectiveness of public comments, more are better. To see further background about VGS's virtual RNG program and how to file comments with the PUC, go to [this report](#) at 350VT.