

**STATE OF VERMONT
PUBLIC SERVICE DEPARTMENT**

24 V.S.A. § 4352 Determination No. 8

**DETERMINATION OF ENERGY PLANNING COMPLIANCE PURSUANT TO
24 V.S.A. § 4352 FOR NORTHEASTERN VERMONT DEVELOPMENT
ASSOCIATION'S REGIONAL 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 Regional Plan for the Northeast Kingdom (“RPNK”) complies with the requirements of 24 V.S.A. § 4352 for enhanced energy planning.¹ This determination is made solely as to whether the RPNK complies 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 May 2, 2018, the Northeastern Vermont Development Association (“NVDA”) submitted the RPNK for a determination of compliance with the enhanced energy planning standards set forth in 24 V.S.A. § 4352.

¹ The RPNK was amended and duly adopted on April 26, 2018.

On May 7, 2018, notice of a public hearing scheduled for June 12, 2018 was posted on the Department's website.

On May 7, 2018, notice of a public hearing scheduled for June 12, 2018 was mailed directly to the NVDA.

On May 23, 2018, notice of a public hearing scheduled for June 12, 2018 was published in the Hardwick Gazette, Barton Chronicle, Caledonian Record, and the Newport Daily Express.

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 30th and 31st, the Department received responses from the Agencies of Transportation ("AOT") and Natural Resources ("ANR"), respectively.

On June 12, 2018, the Department convened a public hearing in the NVDA's Conference Room in St. Johnsbury, Vermont.

III. AGENCY COMMENTS

Agency of Transportation

AOT suggests that NVDA take a more forward-looking approach to vehicle electrification and commends NVDA for certain transportation related goals and strategies such as bus electrification. AOT does not oppose certification of the RPNK.

Agency of Natural Resources

ANR noted that preferred sites are only generally described in the plan and that ANR's Natural Resource Atlas has some GIS data that may help to map those sites as is encouraged, but not required, by Standard 11.E. ANR also commended NVDA for its commitment to responsible stewardship through its policies related to woody biomass. ANR does not oppose certification of the RPNK.

IV. 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 12th public hearing. What follows is a summary description of the comments the Department received:

All of the comments received by the Department were supportive of the NVDA receiving an affirmative determination of energy compliance for the RPNK. Several members of the public believe the RPNK is the result of significant local inputs and that the NVDA should have a stronger voice in the permitting process for the siting of generation facilities. Additionally, one member of the public stated that the RPNK meets all requirements of Act 174 and presents a sensible balance between energy development and the protection of natural resources that provide defenses against the impacts of climate change.

It has been both my duty and privilege to consider these public comments. This determination decision I am statutorily charged with making affects the lives of the citizens of the NVDA's service area and I have not undertaken it lightly.

Dated at Montpelier, Vermont this 22nd day of June 2018.

VERMONT PUBLIC SERVICE DEPARTMENT



June E. Tierney
Commissioner
Vermont Public Service Department