From: Jim Sullivan

Sent: Tuesday, December 04, 2012 10:43 AM

Subject: Comments from Bennington Regional Energy Committee

Commissioners,

Comments on the siting process from the Bennington County Regional Commission's Regional Energy Committee are attached. These comments are separate from the general Regional Planning Commission comments submitted at the November 30 public meeting on behalf of VAPDA, although some of the same themes are present.

Thank you,
Jim
James Sullivan
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To: Energy Generation Siting Policy Commission

From: Jim Sullivan, BCRC Executive Director

Date: December 4, 2012

Subj: BCRC Regional Energy Committee Comments on Energy Generation Siting Policy

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The Bennington County Regional Commission's Regional Energy Committee has discussed issues associated with new generating facilities in Vermont and offers the following comments for consideration by the Siting Commission. Feel free to contact me (if you have any questions or would like additional information). Thank you for your time and for the important work you are doing.

The need to fully account for the long-term energy security benefits of in-state renewable energy generating facilities.

The "Section 248" or "Certificate of Public Good" process in Vermont was established to provide a consistent statewide approach to siting public utility facilities (and specifically, for the purposes of this policy discussion, generating facilities). It attempts to balance the need for electric generating, transmission, and natural gas facilities (the "public good") with environmental and other impacts. The value of such facilities has historically been measured in terms of the need for a reliable energy supply that also works to counter price volatility, and more recently, the "green" benefits of renewable energy generating facilities (usually described in terms of reducing greenhouse gas emissions and climate change impacts). The importance of reliability and avoidance of price volatility cannot be overstated – we might also refer to these benefits as "energy security."

Electricity from large-scale regional generators, mostly fueled by non-renewable fuels (natural gas, coal, and uranium) will become progressively less affordable as the most accessible and highest yielding fuels are depleted. Eventually, of course, those fuels will no longer be available due to cost and the inability of society to dedicate an increasing share of wealth to energy production. The availability of an extensive and distributed network of smaller generating facilities in Vermont that rely on renewable energy sources (hydroelectric, wind, solar, and certain biomass applications) will, therefore, be absolutely vital to the "public good" in the future.

In light of this coming reality, the significance of the need for greatly expanded energy security should be given additional prominence when weighing the public good against potential negative impacts of developing in-state renewable energy based generating facilities. It may be time for the paradigm balance to shift further in favor of such facilities. It is important to appreciate the need for greatly expanded in-state generation and to understand the types of facilities that will be able provide this increased capacity. The issue really is one of energy security; that is, the extent to which electricity will be available to homes and businesses in the future. This element of long-term energy security as a

major component of the public good should be given significant consideration in Section 248 proceedings.

The need to give consideration to the quality of a site in terms of energy return on investment.

The quality of sites for generating facilities can vary considerably based on a number of factors, different for each type of facility. Traditional nonrenewable energy based generating facilities that use coal, natural gas, or nuclear fuels rely on the production of heat to provide power which turns turbines and produces electricity. Principal technical siting considerations (i.e., not considering land use and social considerations) for such facilities include access to water for cooling and to transportation systems (highway, rail, or pipelines) to deliver fuel and remove waste products. Other than those factors, there is little direct relationship between the fuel and the quality of the facility's location because the fuel sources are delivered to the site and are generally consistent in quality.

The situation is far different, however, in the case of most renewable energy based generating facilities. The energy sources for these facilities are part of the environment and, therefore, proper siting in the physical landscape is essential to their efficient functioning. For any generating facility to be technically and economically viable, it must yield a large amount of electricity relative to the amount of energy it consumes for generation (Energy Return on Investment, EROI). Although the energy and monetary costs of extracting, processing, and transporting fossil and nuclear fuels is causing EROI for these sources to decline, the energy density of these "traditional" fuels is extremely high relative to renewable energy sources. To maximize EROI of a renewable energy based generating facility, therefore, it is critical to site the facility in a location where the maximum amount of energy can be extracted from the resource. If that is not done, lower EROI results in higher cost electricity derived from a larger number of marginally viable in-state facilities or continued, but unsustainable, reliance on a higher proportion of fossil and nuclear fuel based facilities.

Although many factors affect EROI for renewable energy based generating facilities, the most obvious also are the most significant. A wind turbine must be located in a place where there is strong and consistent air movement. In Vermont, those sites tend to be at relatively high elevations along the state's many north-south running ridgelines. A commercial-scale solar based generating facility that may contain hundreds or thousands of panels must have unobstructed access to sunlight for as much of the day and year as possible. Biomass based generating facilities require a high concentration of available wood close to the site to minimize transportation costs (this factor also results in a declining EROI for larger biomass facilities due to the energy cost of transporting the relatively low energy density feedstock). Because of the high monetary and energy cost of dam construction, hydroelectric EROI is generally maximized by development at existing dam sites.

Every applicant proposing a generating project in Vermont should be required to a submit a detailed assessment of EROI since a project should not be advanced if its net energy is deemed insufficient. The Public Service Department should prepare consistent guidelines for calculating EROI and should conduct technical reviews of submitted EROI estimates provided by developers. These calculations are particularly important for generating facilities that benefit from public investments (provided to offset capital costs through mechanisms such as tax credits or to reduce operating costs through an ongoing subsidy) which tend to both obfuscate and distract from a project's inherent energy

value, or lack thereof. The state's taxpayers and ratepayers should not be expected to subsidize projects that would otherwise be technologically nonviable because of low net energy yields.

At the same time, recognition in the siting process should be given to projects with demonstrated high EROI levels. Those projects will generally provide greater public benefits because they will generate more electricity with lower levels of both energy inputs and public financial support. The efficiencies associated with high EROI projects will enable more of society's wealth to be used in other productive ways that will support quality of life goals.

Many facilities that provide high EROI are likely to be located in areas with greater potential or perceived adverse environmental and social impacts, the obvious example being a wind farm spread across a visually prominent high elevation ridgeline. The adverse impacts of development in certain areas may well outweigh the public benefits, but full consideration of EROI will ensure that recognition is given to the fact that a different site with fewer impacts, but with an inferior net energy yield, may not be a viable alternative or more beneficial to the public.

The need for consistent siting criteria to guide location decisions.

Recent Section 248 filings in our region have demonstrated the need to provide better siting criteria to guide developers in initial site selection and the Public Service Board in assessing the relative benefits of those proposed installations. The issue has been highlighted by public financial incentives awarded to developers who were then required to begin or complete development within a specified timeframe. To meet these program requirements, developers generally pursued sites deemed "easier" to develop. As a result, we have seen large-scale solar developments pursued on sites with relatively poor access to sunlight and others proposed for development in fluvial erosion hazard zones; biomass projects in areas with poor highway access for fuel delivery, limited or no ability to productively use waste heat at adjacent land uses, and questionable access to water for cooling; and, proposals for wind developments on prime sites (in terms of energy yield and access) have been abandoned because the benefit of development at the site could not be given sufficient weight relative to opposition based on aesthetic impacts.

Clearly defined siting criteria would ensure that any future proposal for a new generating facility could be fairly and consistently evaluated based on technical, environmental, and socio-economic factors. Those criteria also would encourage applicants to limit their development proposals to suitable sites. While perhaps not identifying any specific area (i.e., maps identifying locations where certain types of development are appropriate), they would provide clear direction to allow evaluation of any given site.

The Vermont Agency of Natural Resource's (ANR's) permitting requirements serve as de facto environmental siting criteria presently, but it would be possible to provide environmental criteria under Section 248 that would guide developers to suitable locations and avoid lengthy permitting processes and costly mitigation measures. Such criteria could be developed in conjunction with ANR, other state agencies, and with local and regional input. It is likely that they would include air and water quality, unique natural areas and critical wildlife habitat, and similar factors.

More complex are siting criteria relating to existing land use and aesthetics. The use of criteria based on local and regional input could be beneficial in these instances. A biomass facility requiring

dozens of daily truck trips through a sensitive village center is one example of a condition that could be addressed through development of local and regional siting criteria. It also would be possible for towns and regions to identify specific viewsheds and/or the characteristics of viewsheds that render them suitable or unsuitable for certain types of development. Likewise, the quality of soils for alternative, potentially competing, land uses could be considered if properly identified through local or regional processes (e.g., conflicts between large solar photovoltaic installations and prime agricultural land). Regional planning commissions are well positioned to coordinate public input on these types of criteria because the issues and weights given to them are likely to vary around the state.

A region may have numerous sites that individually are each very well-suited for energy development. However, an overabundance of such facilities in the region could have a seriously detrimental impact on the character of that area. It would be appropriate, therefore, to include criteria that limit the saturation of a particular type of energy facility in a region, although the methodology for determining an appropriate saturation level would have to be created.

The need to consider local and regional plans and regulations.

Local control is a guiding principle in many aspects of public life in Vermont. In certain instances, however, the legislature has seen fit to limit the level of local oversight. The Vermont Planning and Development Act, for example, prohibits municipalities from regulating, through their land use bylaws, any project that is subject to review under Section 248 – essentially, any generating or transmission facility regardless of size. At the same time, municipalities and regional planning commissions are allowed to intervene in Section 248 proceedings and local and regional plans are given consideration in the decision-making process. Such "consideration," however is balanced against other standards and is not necessarily determinative.

It is likely that this prohibition of local regulation supports the development of energy development, and small renewable generators in particular, by ensuring that common and consistent standards apply statewide. Some would argue, however, that for projects whose principal impacts are local (i.e., smaller projects), local plans should be given greater status – perhaps similar to Criterion 10 of Act 250 where conformance of a project with an adopted local plan is an absolute threshold for approval. A similar argument has been made for a greater role for regional plans in the case of somewhat larger or more consequential projects that may have a "regional" impact.

The countervailing argument is that Vermont's future electrical supply is likely to rely on a large number of small sources that support the power grid through a distributed "smart grid." It is difficult, therefore, to ignore the cumulative impact of smaller generators.

One option for addressing the need to consider statewide benefits while also giving sufficient weight to local values would be to link siting criteria to adopted local and regional plans. In that way, evaluation of siting criteria that should reflect local values would require referral back to those plans. It would then be possible for developers and the Public Service Board to weigh the importance of issues such as loss of agricultural land or impacts on particular viewsheds based on policies that are unique to a town and/or region.

The need to consider impacts felt beyond the host community.

Many generating facilities have impacts that are felt outside the town in which they are located. A biomass facility may affect surface and/or ground water quality and quantity in nearby towns, a wind energy facility may be visible from multiple towns (sometimes more visible from locations in an adjacent town than from the host town itself), and road or transmission line construction to reach the development site may pass through other communities. Assuring that those impacted non-host towns have adequate say in the section 248 process and that any mitigation measures are fairly allocated to those towns as well as the host town are important concerns.

Some states assign an arbitrary buffer around a project's limits and provide any adjacent town within that buffer rights in the siting process similar to those of the host town. In Vermont, impacted communities can seek special intervener status, provide comments as a non-intervening party, or rely on representation through their regional planning commission. It is important to ensure that valid inter-town and regional interests are represented and given sufficient weight in the hearing process. It may be appropriate to more explicitly describe the types of impacts that warrant a more formal role by nearby towns or to clearly specify the role of the regional planning commission in representing those interests. Incorporating input from municipalities and counties outside of Vermont, in the case of development in towns along the state's borders, also needs to be considered.

The need for financial support for towns and regions participating in the Section 248 process.

Section 248 is a complex and legalistic process well beyond the experience of most Vermont towns and far more burdensome in terms of time and the need for legal and technical expertise than is the case with other state regulatory proceedings such as Act 250. It also is difficult for towns to budget for such expenses since there is little advance knowledge of when a Section 248 application process may be initiated. Similarly, regional planning commission funds are constrained by contract requirements and while some funds usually are budgeted for legal services and technical consulting, the dollars to properly participate in a Section 248 proceeding (or multiple proceedings) do not exist.

In the past, Section 248 applications were relatively rare, so this lack of financial resources was less critical. Recently, however, there has been a large increase in the number of such filings and the ability to effectively participate in any one of the proceedings is becoming increasingly difficult. With the state energy plan's strong advocacy for rapid penetration of new in-state renewable energy based generating facilities, and with federal and state incentives for development of such facilities, it is likely that this trend will only increase.

Some states require developers to provide funding to host towns to support their participation in the siting process. Vermont could consider a similar mechanism or could create a fund administered through the Department of Public Service that would be available to towns and regional planning commissions needing financial resources to effectively participate in Section 248 proceedings. A formula based approach, perhaps based on the generating capacity of the project, could be instituted to determine the level of funding provided for local and regional reviews of the projects. Requirements for early consultation by developers with affected towns and regions could limit the scope, complexity, and cost of participation in the formal Section 248 process.

VERMONT ENERGY GENERATION SITING POLICY COMMISSION

COMMENTS ON BEHALF OF WASHINGTON ELECTRIC COOPERATIVE
Avram Patt, General Manager

Due to travel and vacation plans, I am unable to attend either the November 30 or December 5 meeting of the Commission, and appreciate the opportunity to submit written comments for consideration. I would be happy to answer questions in writing or to discuss further in person if there is interest or opportunity. As noted below, Washington Electric Co-op (WEC) has had direct experience with the Title 30 Section 248 process and related regulatory requirements relating to our own generating facility as well as a wind project that we were affiliated with.

ABOUT WASHINGTON ELECTRIC COOPERATIVE

- Consumer-owned electric utility founded in 1939, serving the most rural territory in the state.
- Governed by an elected board.
- 10,500+ member households and businesses in 41 towns in Orange, Washington and Caledonia Counties.
- Long-standing commitment to energy-efficiency, clean energy sources, and member education about energy issues and energy use.
- Owns and operated a small hydro generating facility at the Wrightsville Reservoir since the mid-1980s.
- Projects receiving a Certificate of Public Good under Section 248 also require membership approval after PSB approval, except for 248(j) minor projects. (A new generation project of any kind would not likely be considered minor.)

WEC's EXPERIENCE WITH GENERATING SITING AND THE SECTION 248 PROCESS

COVENTRY LANDFILL GAS FACILITY.

WEC is the owner of a landfill gas (LFG) generating facility in Coventry, VT that provides approximately 60% of the electricity used by our members. The facility has received three separate CPGs:

- 2005: initial approval 4.8 MW facility, construction of building and site work at the landfill, construction of new 7.4 mile 46kv subtransmission line through Coventry, including open areas with no previous line construction, through Coventry village and connecting to VELCO's Irasburg substation)
- 2007: expansion of generating capacity to 6.4 MW. No exterior building or site changes.
- 2009: expansion of generating capacity to 8.0 MW, involving an addition to the building and additional site work.
- 2012: WEC is cooperating with the developer of a proposed "standard offer" solar project adjacent to the landfill that would interconnect via our 46kv line.

SHEFFIELD WIND PROJECT

- WEC was not an applicant or a party in the PSB docket which reviewed this project. WEC is a purchaser of a portion of the output, and provided testimony in support of the project.
- WEC was an early supporter of the project, and committed to participating in public discussion in support of the project after conducting independent due diligence on First Wind (then UPC) and the location.
- I participated, along with some members of WEC's board, in a number of formal and informal community meetings in Sheffield and in neighboring communities (Sutton and Barton). These included informational meetings, meetings of municipal boards, the PSB public site visit and tour, and the Special Town Meeting vote in Sheffield. WEC also was active in the public discussion via newspaper and media columns and news reports.
- The project was actively discussed in WEC's newsletter, at several May annual meetings and a number October community meetings held in two locations every October. Although some Co-op members and a few non-members expressed vocal opposition, we believe the great majority of WEC members support or do not object to the project.

OTHER SECTION 248 CERTIFICATES OF PUBLIC GOOD

WEC has received a number of other CPGs that do not involve siting of generation in Vermont. These include 4 distribution substation rebuilds in the last 15 years (some of which required member vote) and approval of two long-term purchased power agreements with Hydro Quebec which did also require member approval.

COMMENTS

Comments are provided in response to the questions asked in the numbered slides in the Commission's template:

SITING APPROVAL PRACTICES #1

- The Public Service Board is clearly the appropriate body to make ultimate decisions regarding siting. It is the only body with that can evaluate the benefits and the economics of a proposed generation project and the financial and system impact on utilities and ratepayers. A project (the facility itself as well as associated transmission) may have impact and benefit beyond host and immediately neighboring communities, further necessitating review by this appropriate entity. As required by statute, ANR is a statutory party, and a project will be required to get a number of separate environmental permits from ANR or other agencies. WEC would not support any significant change in statutory authority.
- Staffing at the PSB, DPS and ANR can at times be an issue, depending on what other significant but unrelated matters may be in the regulatory process at the same time. Regulators may seek outside expertise and assistance at the developer's expense.
- WEC has not experienced undue delays in our projects. We are aware from our involvement as a supply purchaser and supporter of the Sheffield project that the appeals process can add both significant time, unpredictability and risk to the approval timeframe.

SITING APPROVAL PRACTICES #2

- WEC has found the siting review process to be very thorough and rigorous, even for the relatively non-controversial aspects of our LFG facility. All criteria receive review even when particular criteria may on the face of it not seem relevant to the project. While it can be a burden, WEC believes the criteria are generally appropriate.
- The process strongly encourages developers to make voluntary adjustments and accommodations, both in designing the project initially, as well as once regulatory review is underway. This good faith effort is generally acknowledged by regulators. When a developer makes good faith accommodations during the formal process to address concerns of state agencies or interveners, this should not result in delaying protests and filings from opponents simply because a change was made to the project.
- The appeals process needs fixing. The CPG itself can be appealed directly to the Vermont Supreme Court. Every environmental permit can be appealed separately through its own appeals process, the Environmental Court and ultimately again to the Supreme Court. There is no way to know when the process may end, and it creates a maze of appeals whether the issues are substantive or frivolous.

PUBLIC PARTICIPATION/REPRESENTATION MECHANISM

- The process for public input is open and transparent. It is not a mystery, but members of the public (as opposed to directly affected interveners) do have some responsibility to make themselves aware of the process and its timeframe. It is WEC's observation the developers of projects have generally been early and open in their communications with communities.
- Town and regional commissions have a statutory and appropriate role. Their own deliberations should be open, transparent and allow for fair discussion with developers and supporters of a project in addition to opponents.
- It is WEC's observation that the PSB itself has been accommodating to the public in the hearing process, and to parties in a docket who may not be experienced with the formal requirements and expectations in such proceedings.
- An alternative resolutions process may help resolve issues in some cases. However, there must be a clear determination up front that the parties are willing to compromise and accommodate. If a party intends to oppose a ridgeline wind project under any circumstance (which appears to be the case for some parties) then there is no point to attempting mediation or other dispute resolution process.

ADEQUATE PROTECTION OF LANDS, ENVIRONMENTAL & CULTURAL RESOURCES

- See also responses to "Siting Approval Practices #1 and #2" above.
- In participating in several siting approval reviews, WEC has noted the inability of regulators, and especially environmental regulatory and permitting officials, to consider one fundamental criterion of a generation project, particularly from a renewable source: the environmental *benefit* of the project. We have observed that the environmental permitting process remains "silo-ed" despite real progress in coordinating the approval of various permits. The problem is basically statutory, having to do with the responsibilities that officials in their various areas of expertise are charged with: *preventing or limiting* the negative local and regional (narrowly defined) impacts of a proposed project (whether a generating plant or an office park or mall)

on emissions, water quality, wildlife, etc. There is no statutory charge for them to look at the bigger environmental picture and quantify and weigh the environmental *benefit*, especially since that benefit may not all occur in Vermont and may in fact be global. *The benefits of reduced climate impact, as well as the more "traditional" benefits of renewable resources (reduced air emissions, reduced depletion of finite resources, reduced impact of resource extraction) are not really put on the scale by the environmental regulators themselves, and it remains up to the PSB, in interpreting policy and statute set by the Legislature, to weigh the larger environmental benefit of renewable projects.* While WEC does not fault the PSB in their efforts to date, we do note that something is missing in the equation.

MONITORING COMPLIANCE

- WEC has limited direct experience with this issue but has not experienced problems with the process.

SUMMARY OF STRENGTHS & WEAKNESSES: RECOMMENDATIONS

- The process generally works.
- There are sufficient and multiple channels for public and community input. Further education about the process would help the public know what those channels are and to make use of them. At the same time, members of the public should take responsibility for participating appropriately, and should not denigrate and mischaracterize the process simply because they do not agree with the outcome.
- The appeals process does not work. It needs serious streamlining and clear timeline expectations.
- Environmental regulators should be charged with considering the environmental benefits of a project even if such benefit is outside their current statutory purview.
- The Public Service Board should remain the authority for approving generation projects sited in Vermont.

Submitted on Monday, December 3, 2012 - 09:26 Submitted by anonymous user: [72.73.80.205]

Name: James A. Harrison
Town: Georgia
Organization: Harrison Concrete Const. & Georgia Mtn Wind
Title: Owner

Energy Sources and/or Facilities:
- Biomass
- Solar
- Wind

Comment:
As a local owner and developer of both a business and a wind project I feel I have endured about all one could expect or feel regarding the permitting, construction of, etc. and have the following to add:

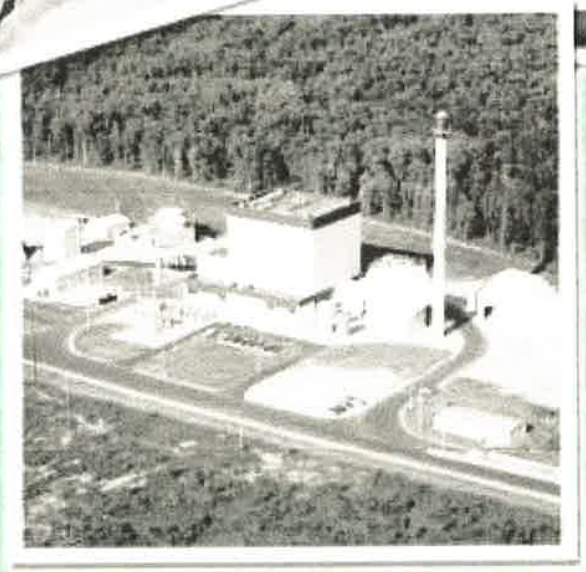
1) Local town involvement - I have seen where the towns are taken back due to the fact as the law is now the town is superceded by the states "for the public good" declaration. Should the towns beable to zone out wind farms, solar farms, bio, etc? I think not.

2) Certainly we, wind farm developers, farmers (methane digesters), solar farm developers, etc. should have and be able to expect as in the act 250 permit trail certainly. If the project fits the criteria then a permit needs to be attained. Also, this project should also have performance standards applied as in the time lines to be expected from the PSB (as an aside to the above I feel the PSB is over worked without a doubt and changes need to be made on just how, when, etc. the whole process evolves, start to finish).

3) The local citizen interveners, etc. claim that they are not listened to, out gunned, etc. is fallacy. The PSB in our permitted project went to great lengths to allow neighbors, etc. to be very involved at the public hearings in Montpelier. From what i've seen both at our small Vermont scale project and also I took in the GMP Lowell project. The PSB goes above and beyond to ensure all involvement.

The results of this submission may be viewed at:
http://sitingcommission.vermont.gov/node/7/submission/716

Lessons Learned
from Existing Biomass Power Plants



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- The Multitrade plant's minor problems included fuel feeding problems in the early days of operation (quickly corrected); erosion and corrosion in the fuel splitter boxes and conveyor belt shrouds (corrected by relining with plastic); and occasional heating and odor problems in the fuel pile until they learned not to let any part of the pile age more than 1 year.
- The Greenidge Station found that the technology for preparing biomass fuel for cofiring in a PC boiler needs further economic evaluation, research, and development. Grinders do not normally produce a product that has good flow characteristics. The wood fibers are sticky, stringy, and elongated when produced from a grinding operation. The fuel product needs to processed by equipment that produces a chip.

Design for Fuel Flexibility

Many biomass plants change fuels significantly over the years, as opportunities arise or old fuel sources dry up. These changes are often not predictable. The best strategy to deal with this problem is to have a plant design and permits that allow as much fuel flexibility as possible. For example:

- Bay Front was a coal-fired stoker plant that converted to wood firing and cofiring capability in 1979. Experience showed that ash fouling and slagging problems were much more severe when cofiring wood and coal than when firing either fuel alone. NSP now operates in either 100% coal or 100% wood firing mode.
- In 1989, the ability to burn natural gas was added to McNeil Station. Summer pricing for Canadian gas was more attractive than wood prices at that time. Six fossil fuel burners were installed, allowing full load capability (50 MW) on gas and 15 MW capability on No. 2 oil. Gas prices rose during the mid-1990s, and McNeil burned almost no natural gas from 1997 to 1998.
- At the Shasta plant, a large hammermill was added to the fuel processing system to allow the use of a broader range of fuels. This reduced fuel costs by allowing the plant to process opportunity fuels such as railroad ties, brush, and prunings.
- The Tacoma plant was constrained by a limited fuel supply and permit, and worked hard to develop more options to use opportunity fuels (tipping fee fuels, some of which are not biomass)—waste oil, asphalt shingles, petroleum coke, etc.
- Colmac found that modifying its permit to allow the use of petroleum coke was worthwhile. At times, waste fossil fuels can be more economical than biomass.
- The Ridge fuel yard can handle essentially any type or size of wood waste; its only restriction is that it will not accept palm trees. The simple and reliable traveling grate stoker boiler can burn these mixed wood wastes, including yard wastes, and can burn crude tire-derived fuel (TDF) and landfill gas. The emission control system with a lime spray dryer and baghouse can remove almost any significant pollutant encountered in these wastes.

Location

As realtors say, "Location, location, location!" Biomass residues and wastes are local fuels, with very low energy densities compared to fossil fuels. Transport costs become very significant after about 20 mil, and usually prohibitive beyond 100 or 200 mil. The ability to have the waste generators deliver the fuel to the plant site at their own expense requires a location very close to the sources of waste. There are also other considerations, such as the proximity to residential neighborhoods. For example:

- The primary lesson learned from the McNeil plant experience in Burlington, Vermont, is careful attention to the siting of a biomass-fueled plant. Siting the plant in a residential neighborhood of a small city has caused a number of problems and extra expenses over the years: a permit requirement to use trains for fuel supply, high taxes, high labor rates, local political involvement, and neighborhood complaints about odors and noise.
- The Colmac plant shows that urban wood waste can be a comparatively expensive fuel (~$1.50/MBtu) if the plant is located far outside the urban area. The transportation cost is significant. An urban biomass plant can derive income from its fuel with a location and tipping fees that attract wood waste generators with loads to dump.

Reliability and Dependability

Several plant managers with the best long-term operating records stressed the necessity for placing a high value on reliability and dependability. This is true during plant design and equipment selection, and during operation. For example:

- Outside of planned outages, the Kettle Falls plant has an availability factor of about 98% over a continuous 16-year period. The superintendent has high praise for the people on the staff. The plant is always exceptionally clean and neat.
- The Shasta general manager advises: "Always place a high value on reliability and dependability, for these will allow you to be considered a 'player' and thus a participant in the development of special programs with the utility."
- At Williams Lake, which has an outstanding performance record, the chief engineer stressed that staying on top of maintenance programs at all times is essential.

Partnerships

The most successful projects have developed formal or informal partnerships with their key customers and suppliers. The relationship with the utility company that buys the power is usually the most important. This may change as generators simply bid their power into a power pool. Cogeneration plants by definition must have close relationships with their steam users. Sometimes there are a few large fuel suppliers (such as sawmills) with whom special relationships are crucial. Examples in this report that illustrate the importance of strong partnerships include:

- In the words of the Shasta general manager: "But these new approaches must go forward on a very different basis than our past biomass developments. They must go forward in partnership with utilities. While the utility may want to participate in such systems, they will not and cannot do so unless the cost to ratepayers is very close to that of other generating options."
- Like several other biomass power plants, the Grayling Station is operated as a cycling plant. It has run at about a 70%-80% CF during peak demand periods, and at about a 40%-50% CF during off-peak periods. The McNeil, Multitrade, and Ridge plants are other examples of cycling plants.
- The arrangement between the Camas Mill and its electric utility (PacifiCorp) is mutually beneficial. The utility-financed turbine/generator provides the mill with an additional source of cash flow, without significantly changing the mill's steam generation and delivery system. The utility has added about 50 MW of reliable generating capacity to its system for a relatively small investment, and has strengthened its relationship with a major customer.

and a nine field-weighted wire ESP with an overall efficiency of 99.5%. The design gas velocity in the precipitator was limited to 3 ft/s, resulting in more than 7 acres of collection plates.

In actual operation, the stack particulate emissions are about 0.0007 gr/dscf. This is 10% of the state requirements and about 1% of the 0.1 lb/MBtu particulate standards that were typical of solid fuel stations built when McNeil was built.

The chimney at McNeil is a precast concrete design with a 10-ft diameter corten liner. It extends 257 ft above grade with a platform midway for monitoring opacity, CO_2, O_2, SO_2, flue gas flow, moisture, and NO_x. In addition, CO is monitored at the boiler gas outlet.

The plant's location is less than ideal. It is adjacent to a residential neighborhood of a metropolitan area. The topography is such that the top of the boiler is at about the same elevation as some residences on a nearby hill. Truck traffic, noise, odors, and emissions were problems during project planning and initial operations.

Ash produced from McNeil Station is temporarily stockpiled on site in a landfill area. A private contractor reclaims the ash, mixes it with agricultural-grade limestone, and markets it as a soil conditioner for farmlands.

Water removed from the McNeil Station is monitored for pH, temperature, flow, and metals. It is treated to maintain a balanced pH, allowed to cool to a temperature that will not adversely affect aquatic life, then pumped to the Winooski River, located about 1000 ft east of the plant. The wastewater quality is required to be equal to or better than that of drinking water before being discharged to the river.

Economic Information

The plant cost approximately $67 million to build, or $1340/kW, in 1984 dollars. Adjusted using the GDP deflator, this is about $2080/kW in December 1998 dollars. The interest rate on the municipal bonds that financed BED's 50% share of the plant in the early 1980s was about 12%. The bonds have been refinanced three times, a costly process. O&M costs total about $4 million/yr, including $1 million/yr in local property taxes. Spread over the annual plant output of about 155 million kWh/yr, O&M costs are about 2.6¢/kWh.

Fuel costs depend on market prices and the amount of fuel used to meet NEPOOL dispatch requirements. In late 1998, the price of natural gas was $2.80-$3.00/Mbtu, so gas was not used. Wood fuel cost varied between about $1.30 and $1.70/MBtu, which at a net plant heat rate of 14,125 Btu/kWh was equivalent to 1.8-2.4¢/kWh.

Lessons Learned

John Irving, the station superintendent, believes that the primary lesson learned from the McNeil plant experience is careful attention to the siting of a biomass-fueled plant. The plant's site has caused a number of problems and extra expenses over the years: a permit requirement to use trains for fuel supply, high taxes, high labor rates, local political involvement, and neighborhood complaints about odors and noise. There are advantages of an urban setting, such as the ability to obtain urban wood wastes. Although Burlington's urban wood waste supply is a small fraction of the plant's fuel requirement, it effectively lowers the average cost of fuel and avoids costly and environmentally poorer choices for

LAST LOWELL TURBINE COMMISSIONED

By LAURA CARPENTER
Express Staff Writer

LOWELL - The 21st and final wind turbine in Green Mountain Power's (GMP) wind project on Lowell Mountain was commissioned November 20, effectively securing $44-million in Federal Production Tax Credits. The tax credits will go to GMP over a ten-year period and every penny is a cost savings to the consumers, GMP spokesperson Dotty Schnure said.

The power produced will cost about 9 to 10 cents per kilowatt hour (kWh) with the tax credits. But GMP will also likely sell renewable energy credits (RECS) for additional income, which will allow them to drop the price further.

Right now RECS are selling for about five cents per kWh, which would lower the cost to around four to five cents per kWh.

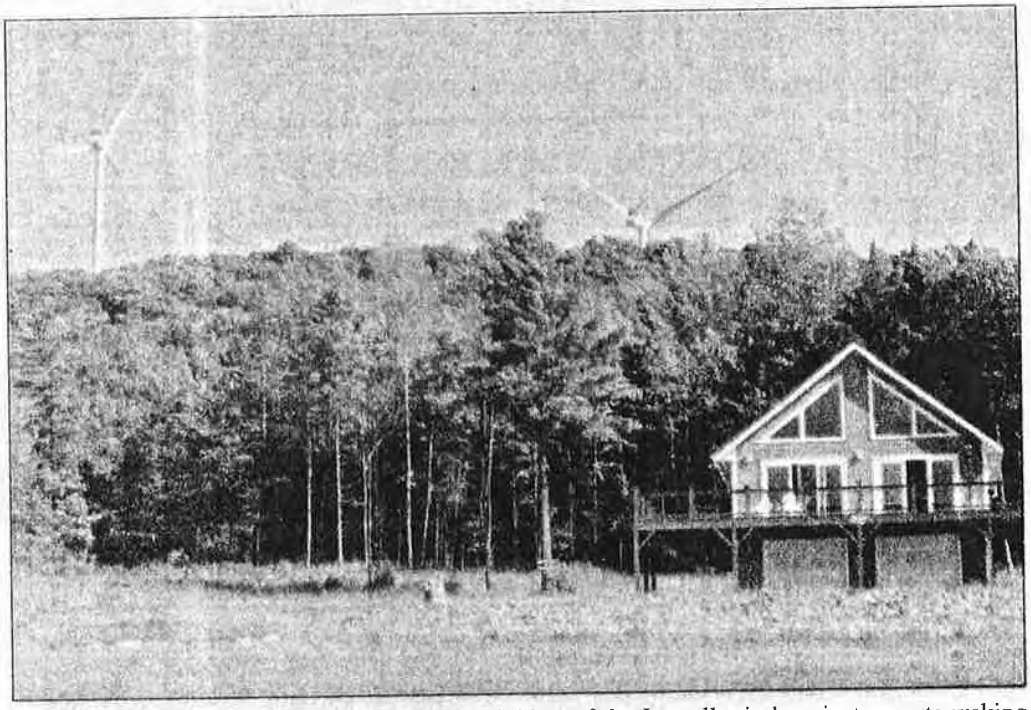
RECS are based on the concept that a renewable power generator produces two outputs: electricity and an environmental benefit. The environmental benefit, which is represented by a certificate, has an assigned value. That credit can then be sold, either directly or indirectly, to other power producers who do not have enough credits to create energy using more traditional methods.

The final Lowell turbine was constructed in October but, following construction, GMP had to perform electrical work to prepare the turbine for its job as part of the commissioning process.

All 21 wind turbines are capable of generating power, but there is more work to do. The process from construction to a fully operational plant is not over, but it will be soon. More testing and work is underway, and at times some turbines are shut down for necessary work and "fine tuning."

The project is in Vermont Electric Cooperatives' (VEC) territory, and VEC will buy a portion of power generated at cost from GMP.

Continued on page 3.



A home on Farm Road in Lowell where a neighbor of the Lowell wind project reports waking up at 3 a.m. to thumping noises for two hours. ***Courtesy photo***

Newport Daily Express Nov 28/2012

Last Turbine

From page one.

The project was supported by the majority of Lowell voters, but the plans created controversy mainly from those in nearby towns. Protests took place and activists were arrested. The legal battles continue. Today, Chris Braithwaite, publisher of the Barton Chronicle, is in court preparing for trial. He was arrested for trespassing on Lowell Mountain while covering a protest.

Now there are noise complaints. Recently a group of about 30 residents sent a letter to the Department of Public Service complaining of disruptive noise from the turbines over a weekend in early November. Schnure said that during that time wet snow built up on the turbines blades.

The temperature was around 32 degrees with low cloud cover. This scenario is thought to have caused the noise. Conditions will be monitored and GMP can control operations in order to prevent the same problem in the future, Schnure said, adding that temperatures are expected to be much colder in the coming months.

GMP has strict guidelines for sound and a protocol to follow when responding to noise complaints, Schnure stated. GMP wants those with complaints to contact them as soon as possible to discuss the situation.

Kevin McGrath lives on Farm Road in Lowell and his property abuts the wind farm. He works out of the area and returned to his home November 24. At about 3 a.m. he said he and four of his house guests were all awakened by a continuous thumping noise, similar to the sound of a heavy object rolling around in clothes dryer. The sound lasted for two hours, and he said it came from the wind turbines.

The next morning at about 10 a.m. he said he heard what sounded like large amounts of water pouring outside his home. Again he blames the turbines.

Schnure said Tuesday that neither she nor the person who handles noise complaints with GMP had heard of the complaint.

McGrath said he believes he was the only home owner around at that time; the others are seasonal residents.

Newport Daily Express
Nov 28/2012

Mark Whitworth

December 3, 2012

Vermont Energy Generation Siting Policy Commission
Montpelier, Vermont

Process Predictability and Timeframes

Dear Commissioners:

At your November 30 hearing, we heard a lot from utilities and developers about the extended timeframes and unpredictability of the energy permit process in Vermont. My take on this is quite different. I think the process is entirely predictable: the utilities and developers always win.

As you know, the Town of Newark is fighting to prevent Seneca Mountain Wind LLC (SMW) from constructing a MET tower in Newark. The town's citizens voted 169 to 59 in favor of a town plan that would prohibit MET towers and industrial wind turbines. Right now, we are in a phase of the project governed by Section 246. We hope never to experience Section 248, but things aren't looking good.

Section 246 governs the construction of MET towers. It is administered by the Public Service Board and the Board is required, by statute, to rule on an application within five months of its submission. There's your timeframe.

SMW filed its application for a CPG to construct MET towers on April 12, 2012. On April 18th, they re-filed, noting that they had failed to notify a property owner whose land adjoined SMW's leased properties.

On June 12th the Newark Planning Commission wrote to the Board, informing them that there were additional adjoiners that SMW had failed to notify. The Planning Commission requested that the Board require SMW to engage a third party to assure that all adjoiners received the notifications to which they are entitled by Vermont law. The Board did not respond to this request.

SMW had contrived a theory of law under which the leased lands were made up of "legal parcels." MET towers would be built on some parcels and these parcels would be insulated from outside adjoiners by other parcels in the leasehold. In Newark, this is known as the "I'm My Own Grandpa" theory. [1]

[1] Please see http://en.wikipedia.org/wiki/I'm_My_Own_Grandpa.

On August 15th, the Board rejected "I'm My Own Grandpa" and ordered the applicant to identify all adjoiners and provide proper notification. On August 23rd, SMW sent notifications to 27 new adjoiners. Twenty-seven!

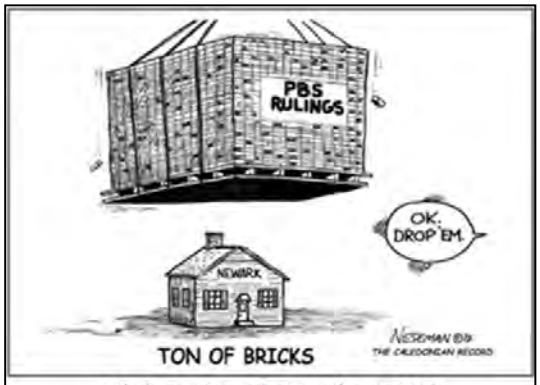
We finally realized that the Board was not going to check SMW's work, so a Newark citizen checked the new adjoiners list. He found that there were additional adjoiners that SMW failed to notify. He also found that SMW had leased some additional land, which created a whole new set of adjoiners.

On October 22nd the Town of Newark requested that the Board dismiss SMW's application: they had failed to notify adjoiners to the original leasehold, they had failed to disclose additional leased property, and the newly-leased property was adjoined by yet more un-notified property owners.

On November 2nd, the DPS wrote to the Board in support of Newark's motion.

On November 15th, the Board's hearing officer ruled that she would not require SMW to resubmit its application:

- Even though SMW had failed to notify adjoiners to the original leasehold, SMW had "substantially complied" with Vermont law, and that was good enough. The newly-identified adjoiners could be notified now; they would have to live with the schedule of proceedings that the Board had already developed. Do you think that the rights of these adjoiners are "substantially intact?"
- "I'm My Own Grandpa" was, in fact, good law; adjoiners to the newly-leased properties would not be entitled to notification of SMW's proposed project.



Caledonian Record, December 1, 2012

Now, you may or may not approve of a permit process that requires citizens to check the work of an applicant. And you may or may not approve of the PSB's ruling against the Town of Newark. But, you've got to admit, a developer has to have a keen sense of irony to screw up his own application and then complain about how long it takes to process it.

On October 30th, I asked you to propose that the Governor suspend the processing of applications relating to industrial wind turbines until the legislature has had an opportunity to act on your recommendations. I reiterate that request now.

Respectfully,
Mark Whitworth

P.S. This letter reflects my opinion and is not necessarily the opinion of any commission, board, or committee on which I serve.

From: Scott McLane
Date: November 27, 2012 8:09:40 PM EST
Subject: Siting Commission Presentation input

I apologize for having not gotten anything to you regarding the Siting Commission Presentation before now. I guess I still have a bad taste in my mouth regarding this whole corrupt ordeal and wonder really how sincere they are in their desire for input. I will not be able to attend or participate in the presentation, but I will give you some of my thoughts on the process.

· A lot of our legislators and the general public just don't get it. The developers (and Governor) tout Vermonter's overwhelming desire to move forward with these "renewable" projects. Any opposition to them is seen as "protesters" (Shumlin's "CAVE" comment), or NIMBY's that don't want their view affected. They claim sacrifices need to be made. What they don't understand (or don't want to accept) is that these are not benign pieces of machinery that are being erected on our ridgelines. Apparently the sacrifices that "they" are willing to make include the neighbors of these projects. There is plenty of evidence that documents the affects these wind turbines have on the neighbors. Noise issues, declining property values, shadow flicker and rendering neighboring property undevelopable for example. I bet if they were faced with these affects/loses they would be "protesters" too.

· The PSB takes at face value everything the developer submits, regardless of the anecdotal evidence to the contrary. The DPS's review of the developer's submitted evidence is cursory at best.

· There are a lot of the same people representing the developers on all the different projects. (Same experts, same attorneys, etc.) I think they are a little too cozy. On each new project they rehash the same things. Does anyone really think things (decisions) will be different from one project to the next?

· The process is badly slanted in favor of the developers. Whether you're an affected home/landowner or host community, you're pretty much on your own for funding any opposition. Not many homeowners or towns have the resources to muster any sort of opposition. (Experts, lawyers, etc.) The developers have very deep pockets. VCE has provided the only real support we have gotten, both financially and as a sounding board and adviser as we've struggled through this process.

· My experience is the DPS does little to advocate for the "affected" public, and when they actually do, the PSB doesn't have to take their recommendation. The setback hearings come to mind. I presented evidence that indicated an appropriate minimum setback for the turbines was a multiple of the turbine height. (Based on data from around the country) The DPS even recommended a multiple of the turbine height. There was even evidence from the turbine manufacturer that came out where they

recommended a multiple of the turbine height. The PSB made their decision based on "risk", completely disregarding the overwhelming evidence that an appropriate setback was a multiple of the turbine height. Had they sided with us or the DPS, it would have put the project in jeopardy because of the limited space available to place the turbines on the ridgeline.

· ANR seems to start off with a huge list of reasons/concerns why the projects should not be approved, but by the end of the process seems to have backed off on most of their demands. Lowell was going to cause "unprecedented environmental damage". By the time everything settled out, all they ended up having to do is "best practices."

· It isn't a coincidence that the heads of DPS and ANR are Shumlin's appointees. They are nothing more than his pawns.

· The public forums that are held during the approval process are jokes. The PSB doesn't care what the public thinks and doesn't take it into account when they make their decisions. People stand up and pour their hearts out, thinking that it will make a difference, but it doesn't.

· The PSB cannot or will not police the projects that they approve. This burden falls upon the neighbors that are directly affected by these projects. Complaints by neighbors of CPG violations are then not investigated promptly and statements made by the developer that are clearly (and proven) to be lies go unpunished.

· The developers will do anything they have to in order to meet their deadlines. This includes getting TRO's and threats of law suits against neighboring landowners. Even when proven in the wrong and fined by the PSB, it serves as no deterrent to this sort of behavior, as the fines are a drop the bucket compared to the financial rewards for finishing the project on time. Pay a $10K fine in order to secure millions in rebates…it's a no-brainer.

· The PSB makes up the rules as they go along during these projects. During a site visit to investigate the commencement of construction before all the CPG conditions were met, I asked the PSB representative what constitutes starting a project. He said that was a good question and they were trying to decide that. Needless to say all the site work that was done at that point was deemed not starting the project.

· The bottom line is that these projects, because of the political climate currently in Montpelier, are destined to get approved. It doesn't matter what the host towns want or how unfair it is to neighbors, Vermont will "go green", no matter the cost. The fact that they don't want to sit back and access the impact of the current projects before constructing more shows how fanatical and out of control they are.

I could go on and on but this covers a lot of the issues. We'll see shortly how responsive GMCW will be to issues that arise when the project starts producing power. My expectations are not real high.

Regards,

Scott

From: Annette Smith
Sent: Saturday, December 01, 2012 1:17 PM
Subject: Vermont Wind Proposals

Please provide this to the energy generation siting commission members:

Attached is the most current (as of 9/2012) map of wind proposals that have seen activity before the PSB in Vermont, with met towers and/or wind turbines. There have been some other projects floated and the most detailed listing (but not mapped) is here: http://www.aweo.org/windprojects.php

There have been recent biomass electric generating proposals in Pownal (withdrawn), Fair Haven (active, needs both Act 250 and Section 248 permits for pellet plant and electric generating facility) and North Springfield. The North Springfield project is the furthest along and is in the PSB process. I attended the North Springfield PSB site visit https://vimeo.com/37714092 and public hearing https://vimeo.com/37659799 and it is an obviously poor site, located in the bottom of a bowl surrounded by mountains. It is sad to see resources poured into such an obviously poor site. The Fair Haven site is better but the developer (who also proposed the Pownal site) does not inspire confidence.

For an example of a contentious solar project and frustrations by neighbors and towns involved in the PSB process, see this story about the Charlotte solar farm http://7d.blogs.com/offmessage/2012/09/charlotte-solar-farm-poised-for-possible-approval.html. Previously, the town entered into an MOU with the developer rather than participate in the PSB process, which the town determined was too costly. We attempted to include them in the citizen participant presentation but it didn't happen.

This article contains more discussion about the solar siting conflicts http://www.burlingtonfreepress.com/article/20120820/NEWS02/308200005/1007/RSS02 and in my opinion illuminates the need for siting standards that encourage solar projects on the built landscape and discourages using agricultural fields.

I understand Gabrielle Stebbins of REV made the comment that this wind map is not accurate. I am not aware that REV (or anyone else) has produced a similar map. I would welcome seeing other versions. This is accurate to the best of my knowledge, though after Encore's presentation yesterday I am not clear on whether they are moving forward with a Derby proposal. The Waitsfield project may be over, as the land is being advertised for sale and the town plan contains clear language prohibiting development above 1700 feet. The Ira project is over, the met tower is down and the leases have expired. But in all the areas where there were past proposals, people who live in the area feel they are still targets unless there is a landowner who is committed to not

allowing development. Volkswind came to Londonderry a couple years ago and was working with the New Jersey landowner, even though the Glebe Mountain project was fiercely opposed and dropped by Catamount Energy. (Perhaps the commission should hear from Bob Charlebois who was the point person from Catamount Energy/CVPS at the time of that proposal. He is now with Duke Energy and serves on the board of Green Mountain College.)

One interesting thing I've learned about these wind projects for the commission to consider: for the most part, the people who own the land and/or are developing the project do not live anywhere near the proposal. In every case, the nearest neighbors (many of whom own very large tracts, are in the farming business, and are multi-generation landowners) are vehemently opposed and feeling oppressed by the process and the pre-determined outcome where their interests have been ignored. I have interspersed some relevant videos below to further illuminate what is happening in our communities as a result of these new types of electricity generation proposals and the challenges they are presenting to citizens, towns and regions:

1. Sheffield, majority of land owned by Meadowsend Timber and the French family of New Hampshire. The Brouhas to the east (seen in this video http://vermontenergyoptions.org/) and the Therriens to the west are being sacrificed. Luann Therrien: https://vimeo.com/40723372 Steve Therrien: https://vimeo.com/42668710

2. Lowell, majority of land owned by Trip Wileman who lives in Oklahoma (a recent filing with the PSB confirmed it was signed by him and his wife and notarized in Oklahoma). Nelsons to the east are being sacrificed. http://www.youtube.com/watch?v=qhGiG2QJkZM (from that youtube channel you can access interviews with other neighbors of the Lowell project whose interests have been ignored and worse. Bonnie and Milo Day are interviewed -- a few months after their videos, they called GMP and asked to be bought out, they could not take the stress anymore, so their property was purchased by GMP, which was referenced in the citizen participants' presentation). GMP Lowell Public Meeting 11/09 http://www.youtube.com/watch?v=OVQKiOqbYKc Part 1 of 7, you can get to the rest at that youtube channel. The audio of the Sept. 2010 PSB public hearing on the Lowell project is here: www.vce.org/GMP_PSB_LowellPublicHearing_9_23_10.mp3

3. Georgia/Milton: owned by Jim Harrison who does not live in the area, developed by David Blittersdorf who does not live in the area. FitzGeralds to the west, Wimbles to the east are being sacrificed. Short recent video with interviews: https://vimeo.com/50574987. Part 1 of 7 of Milton PSB public hearing Nov. 2009 http://www.youtube.com/watch?v=SX1L-Dxh3j8&feature=plcp (the other parts are accessible from that youtube page). There were two public hearings for the Georgia Mountain project. The first was in Georgia in Sept. 2009, and here is one speaker's comments about the town plan and zoning board's

role http://www.youtube.com/watch?v=wwrkcOIiYlk. The acoustics were horrible, but she is worth listening to. She happens to work for the Vermont Dept. of Health as an epidemiologist. The speakers were about 50/50 for and against. It was perhaps the saddest public hearing I have had to sit through, with the people who don't live around the mountain saying "we have to sacrifice" and the people who live around the mountain saying "please do not sacrifice us."

4. Newark/Brighton/Ferdinand: owned by Dan Ouimette of New Hampshire and Steve Watson of Hong Kong. First part of Newark Planning Commission meeting 4/12 with Eolian Wind https://vimeo.com/40301684 You can get to other parts of that meeting from VCE's vimeo page, also videos of meetings in Brighton and the UTGs that were held this year are posted on that site. Video of PSB July 2012 public hearing https://vimeo.com/46055717 in which only the first person spoke in favor, more than 50 others spoke against. Video of public forum Oct. 3, 2012 in Brighton https://vimeo.com/50902578 where 6 pro-wind speakers and 6 anti-wind speakers were on the same panel. This was a first for Vermont.

5. West Rutland/Castleton/Hubbardton/Pittsford: Multiple landowners. Two live in the Burlington area, one lives in Middlebury, one lives in New Hampshire. Two of the remaining ones are in the contracting business locally and hope to get contracts to do site preparation and maintenance. One of them does have substantial holdings next to the mountain, including his primary residence. The other one does not live in the area. Four public meetings were held with the developers in the four surrounding towns. Not one person spoke in favor of the wind project. All four towns are amending their town plans to prohibit ridgeline wind:

West Rutland https://vimeo.com/42382763,
Castleton https://vimeo.com/42652235.
Pittsford https://vimeo.com/42883035.
Hubbardton https://vimeo.com/43278317.

6. Ira/Poultney/West Rutland/Clarendon: largest parcel owned by Yale Endowment of Connecticut, managed by Wagner Woodlands of New Hampshire. West Rutland parcel owned by Lathrop Lumber of Bristol, Vermont. This video is perhaps the single best articulation of what these wind project developers are doing to our communities, by a doctor who lives in Ira in 2009 at a public meeting: http://www.youtube.com/watch?v=eaRRED3JoKM. There are many other videos of the Ira wind developer's community outreach on that irawind youtube channel if you want to watch more.

7. Waitsfield: land owned by Virginia Houston of Boston, Massachusetts

8. Windham/Grafton: land owned by Meadowsend Timber and the French family of New Hampshire (see #1). Windham Select Board meeting about

wind https://vimeo.com/45718071 and Chair Mary Boyer speaking at the end of the meeting https://vimeo.com/45760214, in which she references their town plan and also the burden Iberdrola's proposal places on their town. A meeting was held last week in Grafton, I do not know if anyone made a video, but I understand it was intense. Yet another community going down the war path. Here is an article about it: http://energizevermont.org/2012/11/the-commons-online-grafton-residents-weigh-in-on-proposed-wind-farm/

9. Deerfield Wind: land owned by us, the US Forest Service

10. Londonderry: Glebe Mountain is owned by a New Jersey resident.

11. Manchester/Sunderland: This may be the one of the few exceptions. The land is owned by the monks, who live there.

12. Derby: the one turbine site is owned by a local farmer but there are rumors that he and his wife plan to move and are looking into building a house several miles away. Video of the March 2012 Derby PSB public hearing: https://vimeo.com/39410491. About half were in favor, half were against. A good example of how divisive these wind developments are, with no middle ground.

13. Searsburg: the existing project was owned by a man who lives in Bennington. I do not know who owns it now. For the people who live around them, those turbines are noisy. Last time I was down there most of the homes in the neighborhood were for sale.

14. I do not know who owns the land in Eden or Bolton.

Three of the projects use "community" in their name, but there is no "community" involved. When people call me asking where it is safe to move to in Vermont, I tell them the Upper Valley area.

The map the commission should request is the one that the wind developers, Martha Staskus firm (formerly VERA, now Northeast Wind) and REV have. I have no doubt that every mountain in Vermont has been evaluated for its access to transmission and wind resource.

From: Annette Smith
Sent: Wednesday, November 28, 2012 3:29 PM
To: Commons, Geoff
Cc: Miller, Elizabeth
Subject: Luann Therrien's letter to the President

I told the person I did the interview with on Vermont Edition on Monday morning that most days now I just want to go home and cry. Except I work at home, and crying doesn't help anyone. Luann sent this to the White House today. Yesterday she sent me a photo of her new Prozac prescription. She typed this out on a cell phone, which is her only method of communicating, said it took everything out of her to tap it out letter by letter.

Begin forwarded message:

From: Luann Therrien
Date: November 28, 2012 11:56:35 AM EST
To: "Smith ;Annette"

Dear Mr. President & To whom it may concern:

Know there are more pressing matters in the world, but this is what is pressing on our world. There really needs to be regulation put in place for when an Industrial Wind Project is built. For starters, not letting the fox guard the hen house.

Currently the wind companies are allowed to hire their own sound monitoring company and oversee the whole process. This should be overseen by an unbiassed, independent group that has nothing to gain or lose from the results. With the funding comming from the wind companies. More regulation; should be automatic that any homes within X distance from a project, the wind company should have to make things right with the homeowner.

Nothing like this exists now, everything is in favor of the wind companies. Some pro wind experts say 1/2 to 3/4 of a mile is too close, other studies say 1.5 miles is too close. The human factor of living with the constant annoyance of these machines does not matter to the wind companies The current way this is done is unfair to the home owner. Your option is to place a complaint with the wind company to only be told they are in compliance, and to keep a daily noise log. To what end? Good question. Or complain to the State where it is the Governor helping push as many projects through as fast as possible? No help there.

So what are the real options? Sell? Move? Suffer for someone elses gain and

agenda? Why should people have to sell or abandon their homes? This is where we have loved, lived and planned to spend the rest of our lives.

We have lived in our home in Sheffield, Vermont for 16 years, the land has been in my husbands family since the late 70's. Our new neighbors are 16 turbines that line the ridge behind our home. The farthest is not 2 miles away, and the nearest is under 3/4 of a mile away. For some studies almost all 16 are too close.

We can see the full blades of 12 turbines from our door. Before the turbines were built, we felt we did not know enough about Industrial Wind to have an informed opinion. We did not oppose them being built. We did not oppose the many inconveniences during construction that comes with a project this size. We did not oppose the project, not until it was up and running and creating noise. Creating noise that unlike what the wind developers will try and make you believe- IS distinguishable above natural sounds. This has now been going on for a year.

They have no care of the human factor of being exposed 24/7 to the sounds we can hear being emitted from the turbines, and the infrasound you cannot hear but is there all the same. All of which contribute to Wind Turbine Syndrome. We are our own case study, we now understand and have syptoms. I can tell you living this close to wind turbines is not natural or normal. We live too close. I am not feeling myself at all. I'm constantly agitated, annoyed, depressed, sleep deprived and angry. And it does not go away. When the towers are loud my husband is sick to his stomach and can feel the rise in his blood pressure.

We see a noticeable change in our 3 year old son, and if we do not feel well, we know they are making our kids not feel well. I went through hell to have my children. Certainly was not my choice to have our first child at 40. We went through loss (one at five months along), tests, and operations. On our fifth try we had a healthy boy, and we now have a baby girl who will be one in January. And instead of the joy of raising our babies, there is a feeling of being helpless and hopeless. Helpless to protect our children from the Industrial Wind Project that has been built behind our home. Unable to protect them from the constant noise, annoyance and sleepless nights with all the side effects that go along with it.

The noise for us is at it's worst when the wind is coming from the S/SE. When we are not getting the worst of it, other families are. The prospect of more storm systems blowing up the coast is about as frustrating as the noise itself. Know it's comming and not a thing we can do about it. After the last round my husband is feeling desperate because there is nothing he can do to protect his family.

I've been feeling more agitated and working on unreasonable. Not a good combination with two little ones. They deserve better. We deserve better. Now, most people would

advise us to move as our Dr. has done. We would gladly move, if we had the money. But as most people in this area, we aren't even close to even being considered middle class. Know very few who are. We have contacted First Wind. Their only worry is that they are in compliance, and cannot set precedent by giving a homeowner money. We told them we would need $100,000 to $150,000 to move a doublewide home (low end) onto a lot in Derby. Without any final figures we had made it up to $105,000. They have Zero concern of the Human factor. We have contacted the State. No help will come from there when it's our Governor helping the wind companies build as many wind projects as quickly as possible. And he has said "all power comes with sacrifice and problems". And like a child on the playground has lowered himself to name calling all because people have the nerve to oppose his agenda.

He has called people " C.A.V.E. - committee against virtually everything. Folks against solar panels, against natural gas, folks against small hydro because it's going to kill some fish, folks against wind because some bats or bears may be displaced.".

He is uninformed, and he does not understand or care to understand the impacts of turbines on the people who live near them. Find it interesting he lives no where near a project or proposed project.

I am interested to know, would you live near a wind project with your family?
http://www.themallwindpark.com/

Please, I ask an behalf of every family that lives near or will live near a project to give this matter some much needed attention.

I thank you very much for your time.
Thank you,
Luann Therrien

I can only speak for myself as a wife, mother and homeowner. For more informaton on the impacts Industrial Wind Projects are having on Vemonters, please contact;

Annette Smith
Executive Director

Vermonters for a Clean Environment, Inc.
789 Baker Brook Rd.
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vce@vce.org

From: Annette Smith [
Sent: Wednesday, December 05, 2012 4:00 PM
Subject: comments on developers/utilities/citizens presentations

A few follow-up comments to the presentations give on 11/30.

Citizens presentation: It was most unfortunate that the citizens did not get the opportunity to get through their presentation and were cut off early. This group of people is the only group presenting before the commission so far who is not paid for their time and are not making money from these proposals. Some of the points that were intended to be made but were not:

-- Don Nelson spoke about being sued and kept off his land. The rest of his story that he did not complete is that in court, he was asked by GMP to police his land and keep people off his property. Shirley Nelson then was trying to make the point that they are now supposed to be GMP's ears and police the noise. They were trying to make the point that they have been put in the position of having to work for GMP, without any compensation, and have been sued and seriously damaged in the process of being neighbors of the wind project. Their land has always been open to the public, and it is not their job to be GMP's police force.

-- Steve Wright was prepared to follow Rob Pforzheimer's point about the Town of Sutton's experts being ignored by the PSB, and talk about all the experts that the Towns of Albany and Craftsbury hired in the Lowell case whose opinions were not considered by the PSB.

Developers/Utilities: The discussion about appeals and what a problem they are missed some important facts:

-- First Wind's stormwater permits were appealed to Environmental Court. As VCE discussed in our comments http://vermontersforacleanenvironment.files.wordpress.com/2012/11/vce_comments_energysitingcommission_111312.pdf

ANR's process is not transparent and there is no opportunity for meaningful public input into the development of the permits ANR issues, nor is there any opportunity to question the staff who write the permits. The appeal to Environmental Court was the first opportunity to raise important questions about the permits ANR was issuing to First Wind in Sheffield. Those issues are discussed in this post http://vermontersforacleanenvironment.wordpress.com/2011/02/23/why-isnt-vermont-protecting-sheffields-high-elevation-streams/. To give an example of the problems with ANR's permitting process, at the Environmental Court trial, an expert for the appellants pointed out that the plans for the stormwater basins were not fleshed out, and contained a triangle that said "typical". As a result of that critique, the developer's expert provided actual plans during the court case, and they showed that there was insufficient room for some of the stormwater basins once they were shown

accurately, and at least one stormwater basin would be in a stream. Nevertheless, the Environmental Court followed the PSB's pattern of ignoring all input other than the developer's and denied the appeal. Appellants then appealed to the Vermont Supreme Court, because the issues are fundamental to protecting Vermont's water resources and had not been properly addressed by the Environmental Court. However, First Wind did not wait for the final resolution, and began construction as soon as the Environmental Court decision was issued. First Wind was in no way harmed by the appeal, and in fact it had completed construction by the time the Vermont Supreme Court scheduled oral arguments in the appeal, so the appellants withdrew the appeal since it was moot.

-- GMP's stormwater permits were of even more serious concern to proponents of water quality, because they allowed for experimental technologies called "level spreaders" that are absolutely not recommended for steep slopes, and used curve numbers that underestimated the permeability of the turbine pads and roads. Those issues are discussed in the 2nd public hearing held by ANR in Lowell, which can be reviewed in video, audio, and/or power point presentation at this post.

http://vermontersforacleanenvironment.wordpress.com/2011/07/18/how-does-gmp-propose-to-maintain-and-protect-water-quality-on-the-lowell-mountains/

ANR ignored all comments offered on the permits and as soon as they were issued, GMP began construction, not even waiting for the appeal. Between Lowell and Sheffield, the legislature changed the appeal process, so the appeal of the Lowell stormwater permit went to the PSB. The technical hearings were in July 2012, after construction was well underway. The PSB has not yet issued a decision, even though the project is completed. Again, the appeal of the Lowell stormwater permits were the first opportunity the public had to engage on the issues, since ANR's process is not transparent.

There is no evidence that the developers are being harmed in any way by the appeal process. Rather, the case can be made that the developers are showing extreme disdain for the legal process and the public interest by beginning construction prior to the resolution of appeals.

Annette

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From: Rob Pforzheimer
Sent: Sunday, December 02, 2012 1:49 PM
Subject: Wind turbines take steep toll on birds And bats

Siting Commission members,

Please watch this video:

Wind turbines take steep toll on birds And bats

http://www.youtube.com/watch?v=3tSW-DDIdnY&feature=player_embedded

First Wind's Sheffield project has killed over 90 bats (by their count) this year. Those are the ones that were found. Many more were taken by scavengers or not found at all.

Rather than curtailing production at night in summer, when bats are present and demand for electricity is low, First Wind, claiming curtailment would be a financial hardship, applied for, and was granted a take permit by ANR that will permit the killing of endangered bats already decimated by white nose syndrome.

ANR will probably grant similar permits for Lowell, Georgia Mtn and any future wind projects.

Please consider if you should be siting these inefficient, divisive, environmentally destructive wind factories on forested ridge lines and exterminating this important species for the sake of generation we don't even need and First Wind's profits?

Rob Pforzheimer

Sutton, VT

Siting Commission commentary at 19:50; Sen. Hartwell interview at 38:20.

From: Rob Pforzheimer
Sent: Wednesday, December 05, 2012 1:33 PM
Subject: Wind Wise Radio on line, Viewpoints from Vermont with Sen. Bob Hartwell and MORE

Listen to the discussion with VT State Senator, Bob Hartwell. http://www.blogtalkradio.com/windwise/2012/12/03/viewpoints-from-vermont-with-sen-bob-hartwell-and-more

Viewpoints from Vermont with Sen. Bob Hartwell and MORE
by Wind Wise Radio
in Environment
on Sun, December 2, 2012
Windswept News with David, Lisa and Harley

From: Rob Pforzheimer
Sent: Monday, December 03, 2012 9:52 PM
Subject: Crony Capitalism At First Wind

Please consider posting a comment and or a thank you to Barbara Durkin for investigating UPC/First Wind.

http://dailybail.com/home/deval-patrick-paul-gaynor-crony-capitalism-at-first-wind.html

DEVAL PATRICK & PAUL GAYNOR: CRONY CAPITALISM AT FIRST WIND
Taxpayer dollars gone with the wind.
Paul Gaynor CEO of First Wind (left) and Interior Secretary Ken Salazar
Boston's First Wind Suffers Major Setbacks at Kahuku Project in Hawaii
By Green-Energy Analyst Barbara Durkin

The third fire at First Wind's Kahuku Wind project since operations began in March of 2011 spewed lead and lasted for three days. The publicly-funded multimillion dollar Xtreme Battery storage facility filled with toxic smoke, and 12,000 batteries were completely destroyed. Hawaii News Now reports **some fear** this environmental threat **will be repeated** at First Wind's other projects.

Hawaii Free Press provides a grim prognosis for Kahuku Wind:
"Recent developments reduce the chances that First Wind will ever be able to repair the defective turbines which were supposed to power the burned batteries at Kahuku."
Boston-based First Wind CEO Paul Gaynor is Massachusetts Governor Deval Patrick's**appointed** green policy advisor under the Global Warming Solutions Act. Gaynor is also**appointed** co-chair of the Mass Department of Environmental Protection Advisory Committee "Low Carbone Energy Supply Subcommittee." First Wind has benefitted by a $117 million loan guarantee for (12) Clipper Liberty wind turbines at Kahuku despite a**trade secret** between Clipper Wind and First Wind

executed to obscure from the public information about structural and mechanical problems ongoing with Clipper wind turbines.

Cash-strapped-Clipper, founded by Enron's James Dehlsen, was recently dumped by the parent company United Technology Corporation UTC to Platinum Equity of CA that expressed no interest in providing remedy to Clipper's $300 million costs in unscheduled maintenance. First Wind has deployed Clipper Liberty wind turbines in projects across the US according to court documents, with 12 newly installed but idle at Kahuku Wind, by loan of $117 million backed by the public.

First Wind **recently sought** a writ of attachment from the courts against Clipper Wind for$59.5 million dollars in Cedar Rapids, with arbitration proceeding in Chicago. A similar case has been filed against Clipper under sealed documents in Santa Barbara, CA. The (Iowa) Gazette reported on November 3, 2012: "***Clipper has not only ceased production of these turbines, but has wrongfully refused to return the advance payments, even though it has no plans to meet its contractual obligations to produce and deliver the turbines to first wind,"*** *the lawsuit said."*

Massachusetts' Deval Patrick Administration in May of 2009 identified the long beleaguered Clipper Wind as the **Wind Turbine Technology Testing Facility's first customer**.

While the Pacific Coast Business Times reported on November 16, 2012, "*Clipper Windpower appears ready to implement a plan to eliminate all of its South Coast positions and shutter its Carpinteria headquarters by early next year."*
The Charlestown Wind Turbine Technology Testing Center has received ARRA stimulus of $24.7 million, and $13.2 million in grants and loans from Massachusetts Clean Energy Center (MACEC), with Founding Chairman former MA Executive Secretary of Energy Ian Bowles. MACEC, formed under the Patrick Administration's Jobs Act, collects ratepayer dollars to invest in green business ventures of questionable public merit. This publicly-funded $40 million dollar Wind Turbine Technology Testing Center, operated by MACEC, has provided 0.00 jobs for the past 1.5 years according to the federal government's recovery tracker.

NECN Boston refers to First Wind as 'New England's largest wind developer.' And, waving a bright red flag Hawaii Free Press refers to First Wind CEO Paul Gaynor as the 'Hawaii Wind Developer tied to Largest-ever asset seizure by anti-Mafia police.' UPC First Wind got its start when Worcester Polytechnic Institute (WPI) alum Paul Gaynor was tapped by UPC Group to bring the success of wind projects in Italy, Italian Vento Power Corporation**(IVPC),** to the United States according to WPI Summer News 2005. While multiple news outlets, including the Financial Times, report that the President of Italian Wind Energy Association and Director of the **IVPC** was arrested on **"*charges related to fraud involved in obtaining public subsidies to construct wind farms*"** in

November of 2009 during **Operation "Gone with the Wind."** Oreste Vigorito of IVPC was convicted in July of 2012.

According to House Budget Committee's 'Empty Promise of Green Jobs' study, "The Costly Consequences of Crony Capitalism" 11/21/11:

First Wind Holdings received a $117 million loan guarantee in March of 2010. First Wind withdrew its initial public offering in October of 2010, due to a lack of investor demand. According to the Boston Globe, investors shied away from the company because "First Wind owes more than $500 million, loses money on a steady basis, and reports a negative cash flow."

The House Oversight Committee Report of March 20, 2012 titled, 'The Department of Energy's Disastrous Management of Loan Guarantee Program' provides blistering criticism of green company executives lining their pockets before filing for bankruptcy in MA. First Wind, developer of "Kahuku" is identified as (S&P "Junk" rated) in this **report**. The Interior Department photo above was actually used for promotional purposes by DOI for First Wind's Kawailoa project in Oahu. It's troubling that Secretary Salazar has ignored the catastrophic and publicly-funded failures of First Wind and Xtreme Battery at Kahuku Wind in Oahu. Awarding public subsidies to "Junk" rated wind companies whose technology has ongoing mechanical and structural problems under "**trade secret**" is an outrage.

Neither the Obama nor the MA Patrick Administration have picked a winner in First Wind so much as they have sealed the fate of tax and ratepayers funding First Wind, affiliates' and subsidiaries', vendors' and dependents' failures. If the objectives are low-cost green jobs, reliable and affordable energy sources that are reasonably safe, we've not met these with public funding, grants and loan guarantees to the US pioneers of UPC First Wind.

Barbara Durkin is the green-energy reporter for the Daily Bail. She has spent the past decade interfacing with regulators and stakeholders in the Ad Hoc review of the "world's largest" Cape Wind offshore wind project. Her independent investigation of wind energy cost vs. benefits has expanded beyond the shores of Nantucket Sound to include land-based renewable energy.

Dec 1, 2012 at 7:22 PM | 11 Comments | Facebook & Twitter | Email Article

Fantastic piece Barbara! Now for the link between Larry Summers and First Wind. Larry is part owner of First Wind and shown in in First Wind's failed IPO bid. Also First Wind's IPO filing expressly stated that they did NOT have to produce anything to make money. We also know how Gaynor got the expedited stimulus money from Obama /Geithner and was admitted by Gaynor in a certain interview back in 2009. Nor does the readership here know of the ties between GE and First

Wind. http://bjdurk.newsvine.com/_news/2011/02/21/6099211-enron-gave-birth-to-the-us-wind-energy-industry

Or the ties between Patriot Renewables/GE and Former Governor and Senator elect, Angus King (I, Maine), who is a wind speculator and whose son is a Vice President at First Wind and also sat on the board of directors of a Bermuda based financial concern. Folks there is a lot more here (I can guarantee it) and Barb will indeed knock this way out of the park.
Dec 1, 2012 at 8:44 PM | john

Looks like a shining example of that new form of "stimulus" I referred to on another post, thank you for the exposure of such things. The taxpayers pockets are not nearly deep enough to fund those supping at the public trough propping up their Ponzi/ pyramid schemes.
Dec 2, 2012 at 3:40 AM | S. Gompers

http://bangordailynews.com/2012/11/29/news/piscataquis/first-wind-seeks-monsons-input-on-pending-energy-project/?ref=latest
Dec 2, 2012 at 11:43 AM | john

Below is an article in the Sunday, Nov 15, 2009 Boston Herald addressing the connection between the Italian arrests and investigation of IVPC. It's clear from UPC's own prefiled testimony, to the VT PSB, in this docket that UPC/First Wind was operating as IVPC at the time of the allegations under investigation. Prefiled Direct Testimony February 21, 2006http://www.sheffieldwind.com/UserFiles/File/regulatory_sheffield/Cowan-Rowland-Vavrik%20-%20Direct%20Testimony.pdf p.8/70 Quoting UPC's own testimony:

"UPC Group is a group of related companies that have developed large scale wind farms in Europe. To date, UPC Group has developed, financed, constructed, owned and operated over 635 MW of large-scale wind turbine generators in southern Italy and the islands of Sicily and Sardinia through a company called Italian Vento Power Company ("IVPC") (www.ivpc.com). Certain principals of the UPC Group recently sold their ownership interests in holding companies that own the IVPC companies. In conjunction with this sale, a new European subsidiary of UPC Group has been established and is pursuing several hundred megawatts of wind energy projects in Europe and North Africa, including additional projects in Italy". "The IVPC subsidiaries of the UPC Group achieved an exceptional operating record, with its wind turbines available 98.5% of the time on a fleet-wide basis. An extensive operations and maintenance organization was established for the Italian projects, consisting of over 120 personnel dedicated exclusively to the day-to-day management, operation and maintenance of the IVPC projects." The allegations of collecting subsidies for defective turbines and for power

not getting on the grid sounds very similar to UPC projects here; i.e. Steelwinds project in Lackawanna,NY, Cohocton, NY, and Steson, ME.. http://www.bostonherald.com/business/general/view.bg?articleid=1212055&format=comments&sort=newest&cnum=2 Ex-partner of Boston wind exec charged Italians nab soccer club president in energy fraud By Christine McConville | Sunday, November 15, 2009 |http://www.bostonherald.com | Business & Markets

The Massachusetts native who helped found controversial wind-energy developers Cape Wind and First Wind expressed surprise late last week at news that his one-time partner in a separate wind-energy company in Italy has been arrested and charged with fraud. "I read about it in the papers, and I was very surprised," Brian Caffyn said from Hong Kong, where he is now building wind-energy farms in China and the Philipines. "I know of no fraud with (former partners) Oreste (Vigorito) and IVPC," said Caffyn, a Cape Cod native and Babson College graduate. IVPC is Italian Vento Power Corp., a company that Caffyn, 50, once owned with Vigorito, a well-known Italian soccer club president. The pair worked together for seven years in Italy and even lived next door to each other for a time. Last week, the Italian finance police arrested Vigorito, his Sicilian business associate Vito Nicastri and two others, according to the Financial Times. Eleven others were charged in a probe dubbed "Gone with the Wind" that began in 2007, the Financial Times said. The group is accused of committing fraud by obtaining millions in public subsidies to build wind farms that either never worked properly or did not supply the promised amounts of energy, the Financial Times reported. Vigorito has no connection to Cape Wind or First Wind. Caffyn, who has amassed a fortune starting wind-energy companies, sold his interest in Cape Wind in 2002. He sold his interest in IVPC in 2005, according to First Wind spokesman John Lamontagne. Caffyn remains a shareholder and director with First Wind, Lamontagne wrote in an e-mail statement. Last February, as part of a parallel probe, Italy's anti-Mafia police arrested eight others, including an alleged Mafia boss, and accused them of corruption in a wind farm project, the Financial Times reported. According to corporate filings, Caffyn was a founding partner in Cape Wind, the wind-energy turbine project slated for Nantucket Sound. He went on to establish UPC Wind Management LLC, now known as First Wind. In the United States, where the Department of Energy has recently set aside $100 billion in cash grants for the clean-energy sector, both Cape Wind and First Wind have been accused by critics of taking advantage of pro-alternative energy programs for financial gain. In 2006, the Beacon Hill Institute at Suffolk University undertook the most comprehensive review yet of Cape Wind's public subsidies. "What we found was quite remarkable," David Tuerck, the institute's executive director, said at the time. "Cape Wind stands to receive subsidies worth $731 million, or 77 percent of the cost of installing the project and 48 percent of the revenues it would generate. The policy question that this amount of subsidy raises is whether the project's benefit is worth the huge public subsidies that the developer gets." Cape Wind spokesman Mark Rogers said the wind farm would only receive government monies after it is up and working, and meeting certain production criteria. "It's all performance-based," he said.

In September, after First Wind affiliates received $115 million in federal stimulus money, U.S. Rep. Eric J. Massa (D-N.Y.) wrote to President Barack Obama, calling the grants "very alarming" and saying the company "abused the public trust. "No electricity has been produced for sale out of the projects," but the company "has already collected production rewards for non-existent energy," Massa told Obama. First Wind CEO Paul Gaynor responded in a letter to Obama, saying that First Wind's New York wind farms have produced 133,370 megawatt hours of clean, renewable energy. "We are proud of our work in New York and appreciate the grants we received," he wrote. Caffyn, whose 2007 divorce records show he amassed an $82 million fortune building wind farms around the world, said late last week that all the completed projects he has been involved with were properly constructed and met the promised performance standards. Article
URL: http://www.bostonherald.com/business/general/view.bg?articleid=1212055
Dec 2, 2012 at 12:10 PM | Rob Pforzheimer

BOOYA.http://thehill.com/video/senate/267821-sen-elect-king-i-have-decided-to-affiliate-myself-with-the-democratic-caucus
Dec 2, 2012 at 3:21 PM | SKINFLINT

Yawn.http://www.weeklystandard.com/blogs/valerie-jarrett-climate-activist-speech-grassroots-organizers_664311.html
Dec 2, 2012 at 3:35 PM | SKINFLINT

Skin, Angus King is a snake in the grass. I know him better than anyone dealing with his administration as Governor during electric de-regulation and how he used his office to eliminate competition and enrich himself.
Dec 2, 2012 at 4:16 PM | john

John, Yea I totally get it. I've certainly read enough of your posts to get that scene up there. Before reading your posts I thought that Maryland was the most corrupt gubment behind New Orleans. Now I'm not so sure.
Dec 2, 2012 at 4:21 PM | SKINFLINT

Rob, I saw another divorce case regarding Michael Alvarez, CFO at First Wind/UPC. His wife discovered that he had other significant hidden assets and went back to court, after the divorce was finalized, in an attempt to get what was owed. However, the Judge tossed the case. It would be interesting to find out what those assets were and where they were held.
Dec 3, 2012 at 7:03 AM | john

Hypocrites Brian Caffyn is the owner of First Wind/UPC Brian Caffyn's ex-wife is defending her view of Nantucket Sound Fri Mar 18, 2011 10:18 am (PDT)

Mashpee Selectmen Approve Shellfish Grant Off Popponesset Island By: Brian Kehrl Published: 03/18/11 The Mashpee Board of Selectmen on Monday night approved a one-acre shellfish grant just off the northeastern tip of Popponesset Island despite strong opposition from about a dozen property owners nearby.

The approval for Richard J. Cook Jr. to grow oysters in 3,000, four-foot-by-four-foot wire mesh cages for 10 years sets up a likely court battle over the grant. Mr. Cook, though, still has several additional steps in the permitting process before he obtains final approval to begin growing oysters 30 feet offshore from the sandbar that curves around off the end of the island.

In response to concerns from residents, selectmen downplayed the magnitude of the operation and on several occasions pointed out that the town has heard no complaints from abutters to a separate, much larger shellfish grant that Mr. Cook has operated for nearly two decades in Ockway Bay.

"I personally have not heard anything that, to me, causes us to do anything but approve this," Selectman Wayne E. Taylor said. "I just don't see this as an industrial thing." With the selectmen's approval, Mr. Cook must next go through standard permitting procedures with the state Division of Marine Fisheries and the US Army Corps of Engineers. He also must go through another public hearing process with the Mashpee Conservation Commission. Opposition to the grant was led at the public hearing this week by Brian J. Wall, an attorney for Leslie A. Caffyn, who purchased the 1.2-acre property at the end of the island last fall for $4.15 million.

Mr. Wall said Ms. Caffyn was against the aquaculture grant because it would spoil her views of the water; the noise and activity related to the operation would amount to a nuisance in an otherwise secluded area; and it would make her property less valuable. "She bought this property specifically because of the beautiful views it has of Popponesset Bay and Nantucket Sound," Mr. Wall said.. "She paid a premium for this property, and she pays taxes based on that."

Ms. Caffyn did not speak at the public hearing, but when asked what her next move will be
after the selectmen's decision, she said simply, "We take them to court."

In a subsequent interview, Mr. Caffyn said she thought the decision was "very unfair," but declined to elaborate or comment further, referring questions to Mr. Wall. Ms. Caffyn's ex-husband, Brian Caffyn, is a son of former Mashpee select man and state

representative Nancy J. Caffyn. Mr. Caffyn was involved with James Gordon early in the formation of Cape Wind, the company permitted to install 130 wind turbines in Nantucket Sound.

Leslie Caffyn, a Wellesley resident, said in a previous interview that her family has been coming to the Popponesset area during summers for several decades. She said the little cottage at the end of Popponesset Island was her "dream house," in large part due to its privacy.

Ms. Caffyn solicited letters from two local real estates agents testifying that the grant will diminish her property value.

"The proposed grant is against the public interest because it will result in a flood of tax abatements by all affected property owners," Read more: http://www.capenews.net/communities/mashpee/news/942
Dec 3, 2012 at 9:44 AM | Rob Pforzheimer

Thank you, all, for sharing your excellent research and comments. When I learned about wind project failures in upstate NY, I considered there may be a connection with wind projects in Italy featured in a Fox News Report: 'Mafia Invests in Sicilian Wind Farms'

Tuesday, May 05, 2009 'The Mafia may be going green'. Sicilian prosecutors are cracking down on Cosa Nostra involvement in the numerous small firms that build wind farms on the Mediterranean island, the Financial Times reports. What's the attraction for organized crime? The best of intentions, of course. The European Union and the Italian government heavily subsidize the construction of alternative-energy facilities, and the operators are guaranteed high rates to maximize their profits. A few wind farms that broke down because of lousy construction still received subsidies, prosecutor Roberto Scarpinato told the Financial Times.

"This is the amazing thing -- that developers got public money to build wind farms that did not produce electricity," he said.

Furthermore, locally-built wind farms are often bought up by multinational energy firms from other parts of Europe, none of which know the true identities of the original owners. "A handful of people control the wind sector," said Scarpinato. "Many companies exist, but it is the same people behind them." Eight arrests have already been made." http://www.foxnews.com/story/0,2933,519000,00.html

I followed the shell corporations to see if there were LLC connections between NY state wind developers and developers in Italy also said to be buiding wind projects. I warned the Patrick Administration about UPC First Wind IVPC connections confirmed by their testimony. I citied a complaint to Executive Office of Energy and Environmental Affairs

by 94 US citizens against UPC First Wind under the Sherman Antitrust Act. I also provided evidence to the Patrick Administraton that the spokesman for AG Andrew Cuomo said complaints from all over the state, from Franklin to Erie, were coming in on First Wind. "DAs from eight counties, public officials and citizens", bombarding Albany with complaints about First Wind.

My MA Gov online comments of June 25, 2009 about First Wind remain online-- http://www.mass.gov/eea/docs/doer/renewables/wind/public-comments-listening-session-2-barbara-durkin.pdf

It is confirmed that anti-Mob prosecutor Roberto Scarpinato (Fox News Report) was chasing down Italian Vento Power Corporation IVPC Oreste Vigorito who was arrested in Italy that November of 2009, as a subsidiary and affiliate of UPC First Wind, (UPC testimony above shows this relationship).

It doesn't seem to phase Governor Patrick that his appointed Advisor 'n affiliates 'n subsidiaries build failing wind projects where developers continue to collect public subsidies and are accused of having Mob ties. Thank You, Barbara
Dec 3, 2012 at 3:57 PM | Barbara Durkin