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December 20, 2015

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS ENERGY FACILITY SITING BOARD

IN RE: INVENERGY THERMAL DEVELOPMENT LLC'S APPLICATION TO CONSTRUCT THE CLEAR RIVER ENERGY CENTER IN BURRILLVILLE, RHODE ISLAND—DOCKET NO. SB-2015-06

I. MOTION FOR INTERVENTION OF FOSSIL FREE RHODE ISLAND

On November 17, 2015, the Energy Facility Siting Board (EFSB) opened Docket SB 2015-06, regarding the proposal of Invenergy to site a 900 MW gas-fired power plant in Burrillville, Rhode Island. The proposed power plant, fired by fossil fuels, would directly emit carbon-dioxide into the atmosphere. If one takes into account the full life cycle of the fossil fuels, one finds that the total carbon-dioxide equivalent of the emissions would produce greenhouse gases with a ruinous impact on Rhode Island and the global climate.

This motion adheres to form and content of EFSB Rule 1.10(c), and participation of aforementioned person, as defined in EFSB Rule 1.2.(r) in this proceeding, will be in the public interest within the meaning of EFSB Rule 1.10(b)(3).

II. COMMUNICATION AND CORRESPONDENCE

Service in this proceeding should be made upon, and communications should be directed to the following person:

Peter Nightingale, member
Fossil Free Rhode Island
52 Nichols Rd
Kingston, RI 02881
401.789.7649
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III. INTERVENOR

Fossil Free Rhode Island (FFRI) spurs action to stop runaway anthropogenic climate disruption, which poses an imminent threat to the biosphere of which the human species is a part. Additionally, motivated by intergenerational justice, FFRI seeks to redress inequitable distribution of environmental burdens locally and globally by opposing extreme energy projects such as tar sands, hydrofracking, mountaintop

removal mining and expansion of the fossil fuel infrastructure in general.¹ FFRI advocates for divestment from fossil fuels by all institutions that serve the public good. The group consists of about 30 members.

IV. GROUNDS FOR INTERVENTION

Grounds for intervention comprise but are not limited to the following. Intervenor opposes all construction of new fossil-fuel infrastructure in Rhode Island as well as Invenergy's hydrofracked-gas-fired power plant in Burrillville in particular. The construction of this facility and the energy policy of which it is a manifestation would adversely impact the transition to an energy sector based on renewable energy.^{2,3}

Residents of Rhode Island are concerned about the fugitive methane⁴ emissions associated with the full life cycle of the fossil fuels required to operate the power plant, which will make it impossible for Rhode Island to contribute its fair share to the reduction of greenhouse gas emissions required to have a realistic chance to restore and preserve a habitable climate for present and future generations.^{5,6,7,8}

V. CONCLUSION

Intervenor has considerable interest and is invested in protecting the environment and public health in Rhode Island. Pursuant to EFSB Rule 1.10(b)(3), intervenor's intervention is in the public interest. No other party in this proceeding is likely to adequately protect the full range of these interests. Accordingly, Intervenor has a direct and substantial interest in the outcome of this application process. Pursuant to EFSB Rule 1.4(a), aforementioned intervenor will exercise the right to appear in any proceeding in person or by an attorney.

Respectfully submitted,



Peter Nightingale,
Fossil Free Rhode Island

¹B. H. Weston, *Climate change and intergenerational justice: foundational reflections*, <http://vjel.vermontlaw.edu/publications/climate-change-and-intergenerational-justice-foundational-reflections/>

²Robert Howarth, *Methane emissions and climatic warming risk from hydraulic fracturing and shale gas development: implications for policy*, http://www.eeb.cornell.edu/howarth/publications/f_EECT-61539-perspectives-on-air-emissions-of-methane-and-climatic-warmin_100815_27470.pdf

³Concerned Health Professionals of NY, *Compendium of scientific, medical, and media findings demonstrating risks and harms of fracking unconventional gas and oil extraction*, page 109, <http://concernedhealthny.org/wp-content/uploads/2012/11/PSR-CHPNY-Compendium-3.0.pdf>

⁴Ibid. pages 108-118

⁵Art. I, Sec. 17, *Constitution of the State of Rhode Island and Providence Plantationas*

⁶*Brief of Amicus Curiae James Hansen*, <http://ourchildrenstrust.org/sites/default/files/Hansen%20Amicus%20.pdf>

⁷*Motion by Dr. James E. Hansen to appear as amicus curiae in support of appellants, for leave to enlarge the time for filing amicus brief, and for leave to file supporting material*, <http://www.divestproject.org/wp-content/uploads/2015/10/Hansen-Amicus.pdf>

⁸Judge Hollis R. Hill, *Order affirming Department of Ecology's denial of petition for rule making*, http://ourchildrenstrust.org/sites/default/files/15.11.19.Order_FosterV.Ecology.pdf