

State of Rhode Island and Providence Plantations

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Senate Chamber

Chairman
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June 30, 2016

Ms. Luly Massaro
Clerk
Rhode Island Public Utilities Commission
89 Jefferson Blvd.
Warwick, RI 02888

Dear Ms. Massaro:

It is my understanding that under **Chapter 42-98-9.1**, the PUC is conducting this 6/30/2016 investigative hearing from which the Rhode Island Divisions of Statewide Planning, Energy, and DPUC will ultimately issue advisory opinions as to the need for this plant, its socioeconomic impact on the community and lastly its consistency with both state and local comprehensive plans.

I wish to raise my specific concerns regarding the apparent lack of suitable economic alternative analysis and what I believe is the blatant disregard regarding consumer cost savings and consistency with the State and Burrillville's Comprehensive Community Plans.

This project has been proposed by an out of state profit driven company whose only ties to Rhode Island are its high paid lobbyists. The company chose to take either the "lazy mans" way out or deviously avoided the traditional Environmental Impact Statement "EIS" process that would have required much more rigorous analysis of all aspects of the project. Instead they choose to "Dump" this project on our community.

In 1988, the Ocean State Power EIS process started with over 80 sites and ultimately 12 sites were thoroughly analyzed for suitable alternative locations that were less environmentally harmful, economically robust and suitable for the affected communities. This project has not done any meaningful alternative analysis.

My specific concern is not only that insufficient analysis has been done with regard to the proposed plant's location. This project is predicated upon the fact that the ISO will lose Brayton

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Point's 1,500 megawatts in the SEMA/RI Zone. Supposedly per the developer's proposal, consumers will save a total of \$280 million or \$70 million a year resulting in lower power prices from 2019-2022.

However, this plant does not have the load center proximity to SEMA/RI as Brayton Point does. I have not seen nor heard of an analysis that factors in line loss, transmission upgrades and additional cost to SEMA/RI from higher cost peaking units near Brayton Point running longer and more often especially in August and January. Will the additional infrastructure costs needed to move power from Burrillville southeast as proposed be socialized by ISO New England as were other regional transmission system congestion costs or will Rhode Island rate payers have to bear this huge financial burden?

Locating the plant in a community like East Providence on Dexter Road adjacent to the Capital Oil Terminal should be examined as an alternative. The power plant could have a dedicated storage tank piped to it eliminating the need for hundreds of tractor trailers clogging our roads and spewing pollution when fracked natural gas is not available during cold winter months. Additionally, oil spills would be virtually eliminated using a tank farm to power plant dedicated pipeline transfer system.

Chapter 42-98-9.1(e) requires that the statewide planning program within the department of administration shall conduct an investigation and render an advisory opinion as to the socio-economic impact of the proposed facility and its construction and consistency with the state guide plan. I believe that locating this plant adjacent to over 7,000 acres of state-preserved land is inconsistent to both Rhode Island and Burrillville's long-term conservation plans. DEM Director Coit has previously stated that this area is considered among one of the highest priority conservation areas in the state, and that the high concentration of protected land in the area allows for increased habitat protection with minimal disturbance.

DEM's research yields the fact that these lands feature a myriad of uncommon species and habitats of both plants and animals. Plant species include locally-common conifers such as White Pine and Eastern Hemlock and tree species such as American Larch and Black Spruce, which are typically associated with northern forest habitats. Many rare plants have been identified on the property including Common Oak Fern, Round-leaved Orchid, One-flowered Pyrola. Identifying and protecting these species helps ensure that diverse habitats such as that of the Burrillville property are sustained.

DEM has further stated that ***"These preservation efforts strongly align with the state's Comprehensive Wildlife Conservation Strategy, which aims to identify and conserve those species in greatest need for conservation while retaining a holistic view of all wildlife within the state. Croff Farm Brook fosters an array of aquatic habitats that are not typically found in Rhode Island. The Croff Farm Brook area contains springs which are considered uncommon, isolated habitats, as well as several rare species identified by the conservation strategy as Species of Greatest Conservation Need"***.

DEM Director Coit has also stated: *"the lands located nearby the proposed location are one of the largest undisturbed areas in all of Rhode Island that are particularly valuable for wildlife. And that the amount of rare and uncommon species on this property is amazing!"*

For the record, this is not a case of NIMBYism. Far from it. Burrillville already hosts a large gas fired power plant and a high pressure gas transmission facility. We've done more than done our part for the energy needs of RI. It's time for other parts of the state, besides Northwest RI, to step up and pitch in.

After carefully evaluating all the facts and listening to our constituents both Representative Keable and I came to the clear conclusion that Invenergy's Burrillville proposal doesn't make sense for environmental, safety, economic and quality of life reasons.

This decision is not just a matter of cold facts about megawatts of power generated and megawatts of power used in RI. This has to do with the health, quality of life and character of a small community which would be significantly changed and not for the better.

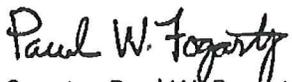
In closing, I am deeply concerned about the process itself as analysis of viable alternatives elsewhere have been blatantly ignored by the developer in an effort to maximize profits at the expense of the community.

The facts clearly argue against this project. There are too many questions, too many potential risks and the residents, those most affected, are clearly opposed.

Growing up my parents had a saying in our house they would say to me, my brother and sisters: "If everybody does a little no one has to do a lot".

When weighing the facts for your advisory opinions, please review the comments entered judiciously with the due consideration they merit and advise turning this proposal down and assist the EFSB in finding a more suitable location in Rhode Island.

Sincerely,


Senator Paul W. Fogarty

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