

Re: Winooski One Hydro-Electric Site

Date: 2014 June 13

From: Michael Dworkin
MHDworkin@aol.com
385 Powderhorn Glen Road
Montpelier, VT 05602

To: Dana Hall, Deputy Director
DHall@LowImpactHydro.org
LIHI
PO Box 194
Harrington Park NJ 07640

Dear Ms. Hall:

Thirty years is a long time; a long time in the life of a hydro-electric site, and a long time in the life of most human beings. But thirty years is the length of time that I've been observing the Winooski One hydro-site and its lead developers, John Warshow and Matt Rubin.

Over those decades, I've seen them in several ways:

- close-up for a few months in 2013, as I consulted with them, preparing testimony on the 'avoided costs' reasonably expected to be paid to projects like the Winooski One site
- at mid-distance, as a regulator reviewing performance of the Winooski One hydro site from 1984 to 1995,
- at a more general level, as a regulator looking at Vermont's overall energy picture from 1999 to 2005, and
- in overall context, as a law professor and interested citizen, observing energy projects in Vermont, US and New Zealand from 1995 to 2014.

Throughout those years and roles, I've seen some important and consistent things. The Winooski One folks push hard for strong revenues for their projects, which benefits both them and other renewable, low-emission, and distributed projects. But, they do not just take those revenues and run --- instead they reinvest them in high quality operations, with strong maintenance programs and consistently excellent environmental compliance.

Overall, in decades of observation, I have never, ever, seen even a hint of cutting corners on the quality of the work they do, either in terms of operational reliability, or environmentally. I know of no material permit violations. Their responses have been swift and good to crises such as Hurricane Irene and other serious storms, as well as to recurring rigours of Vermont seasons. Public acceptance has been strong and positive,

both from nearby neighbours and from the general community. In addition, the project has had something close to an ‘open door policy’, inviting clubs, community groups and schools (from elementary to graduate) on well-guided tours of the sites year after year. This is in addition to the nice aesthetic effect of the site’s serious consideration of design, appearance and public access along nearby shore structures. Unlike some developers, they didn’t just do these well in order to get a permit years ago; they have kept it up consistently in decades since, which augers well for the future.

In sum, Winooski One has consistently operated in environmentally outstanding ways, both by replacing fossil fuels on New England’s margin, and in a localized, site-specific way. The project’s past record offers a strong, solid, basis for high confidence that they will continue to do so in the future.

I would, of course, be happy to discuss these matters further if it would be helpful to you in any way. Please feel free to contact me at any of the addresses below.

Sincerely yours,

Michael Dworkin

Michael H. Dworkin
Professor of Law and Director,
Institute for Energy and the Environment at
Vermont Law School
164 Chelsea Street
South Royalton, VT 05068

802.831.1319 office
802.249.7840 cell
MDworkin@VermontLaw.edu

Cc: Winooski One Hydro (by e-mail to John Warshow)