

ROBERT FROMER

EJD, M.S.E.E., P.C., P.E., R.E.P.

P.O. Box 71, Windsor, Connecticut 06095 ~ USA

E-mail: saintrobert@comcast.net

March 14, 2009

Co-Chairmen and Members
Energy and Technology Committee
Connecticut Legislature
Room 3900, Legislative Office Building
Hartford, CT 06106

Re: Committee Bill No. 1, An Act Concerning Connecticut's Energy Future

Dear Co-Chairmen and Committee Members:

I have carefully read the proposed bill. I strongly support creation of a Department of Energy but strongly oppose merging of a Department of Energy with the Department of Environmental Protection as contrary to the state's prudent energy, environmental and fiscal policies.

I encourage creation of an independent Department of Energy to oversee and consolidate the alphabet soup of energy policies, plans, and programs provided by the Connecticut Energy Advisory Board ("CEAB"), Energy Efficiency Board ("EEB"), Office of Policy and Management's ("OPM's") Energy Management and Policy Development Unit, Department of Economic and Community Development ("DECD"), Connecticut Innovations ("CI"), Low-Income Energy Advisory Board ("LIEAB"), Connecticut Fuel Oil Conservation Board ("CFOCB"), and Renewable Energy Investment Board ("REIB") into a more effective and efficient organizational structure. For administrative efficiency, the Department of Public Utility Control ("DPUC") and the Connecticut Siting Council ("CSC") would each keep its regulatory function as separate divisions held administratively under a Department. The activities performed by the cited state agencies should be abolished in favor of employed professionals instead of appointed volunteers with special political, economic, energy and environmental interest. Such agencies have not well served the public's interest.

The Connecticut Environmental Policy Act, Connecticut General Statutes, section 22a-1 states that it is in the public interest "to conserve, improve and protect its natural resources and environment and to control air, land and water pollution in order to enhance the health, safety and welfare of the people of the state . . . and to manage the basic resources of air, land and water to the end that the state may fulfill its responsibility as trustee of the environment for the present and future generations."

Section 34 (a) of the bill proposes establishment of a Department of Energy and Environmental Protection under the direction of a commissioner which shall have jurisdiction over all matters relating to the preservation and protection of the air, water and other natural resources of the state, the equitable distribution and conservation of energy, the regulation of public utilities and the development and administration of a state-wide energy policy. Section 35 provides that the commissioner shall carry out the energy and environmental policies of the state

The permitted activities under the jurisdiction of a Department of Energy causes the unreasonable pollution, impairment or destruction in the air, water and other natural resources held in trust by the state. The environmental protection laws exist solely because of energy consumption. To marry the two agencies into a super agency is analogous to the proverbial "fox asked to guard the hen house." The Governor, spurred by the business community and mindless economic growth, is driving a "Business uber alles" philosophy in proposing the mergers at the expense of the environment.

The Governor has asserted that merging the state's eighty-one (81) agencies into fifty-seven (57) will save an estimated \$10 million dollars, but the governor has not established the statistical error in his estimate. Hence, the savings from the proposed DEEP agency could be miniscule, if any.

The Committee should add the following requirement found in Public Act 07-242, section 54 (g) for power plants producing greater than five (5) megawatt:

When evaluating submissions pursuant to subsection (f) of this section for a facility described in subdivision (3) of subsection (a) of section 16-50i that are in excess of sixty-five [five] megawatts, the [Connecticut Siting Council] shall perform a net energy analysis for each proposal. [The Connecticut Energy Advisory Board shall establish the model for performing the net energy analysis]. Such analysis shall include calculations of all embodied energy requirements used in the materials for initial construction of the facility over its projected useful lifetime. The analysis shall be expressed in a dimensionless unit as an energy profit ratio of energy generated by the facility to the calculated net energy expended in plant construction, maintenance and total fuel cycle energy requirements over the projected useful lifetime of the facility. The boundary for both the net energy calculations of the fuel cycle and materials for the facility construction and maintenance shall both be at the point of primary material extraction and include the energy consumed through the entire supply chain to final, but not be limited to, such subsequent steps as transportation, refinement and energy for delivery to the end consumer. The results of said net energy analysis shall be included in the results forwarded to the Connecticut Siting Council pursuant to subsection (f) of this section [used by the Connecticut Siting Council in evaluating proposals.] For purposes of this subsection, "facility net energy" means the heat energy delivered by the facility contained in a fuel minus the

life cycle energy used to produce the facility. "Fuel net energy" means the heat energy contained in a fuel minus the energy used to extract the fuel from the environment, refine it to a socially useful state and deliver it to consumers, and "embodied energy" means the total energy used to build and maintain a process, expressed in calorie equivalents of one type of energy.

The Energy and Technology Committee should vote against the bill as anathema to the stated public interest set forth in the Connecticut Environmental Policy Act and support amendment of the bill to create an independent and co-equal Department of Energy requiring energy analysis.

Very truly yours,

A handwritten signature in cursive script that reads "Robert Fromer".

Robert Fromer
Environmental Consultant