

STATE OF CONNECTICUT  
OFFICE OF THE BUSINESS ADVOCATE

ROB SIMMONS  
Business Advocate

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DEPT OF CONSUMER PROTECTION  
OFFICE OF THE COMMISSIONER

505 Hudson Street, 2nd Floor  
Hartford, Connecticut 06106

PHONE: (860) 270-8012  
FAX: (860) 270-8177

June 11, 2008

The Honorable Jerry Farrell, Jr.  
Commissioner  
Department of Consumer Protection  
165 Capitol Avenue  
Hartford, CT 06106

Re: Comments – Proposed Amendment to Section 25-128-34 of the Regulations of State Agencies

Dear Commissioner Farrell:

A small business has brought to my attention that the Department of Consumer Protection's proposed amendments to Section 25-128-34 of the Regulations of State Agencies (the Connecticut Well Drilling Code) may undermine the ability of Connecticut businesses and consumers to utilize Direct Exchange geothermal energy systems and other emerging geothermal technologies to help control skyrocketing energy costs.

Direct Exchange (DX) geothermal is widely recognized as a reliable, cost efficient, "green" technology for heating and cooling our homes and businesses. In fact, the U.S. Environmental Protection Agency has recognized DX geothermal, which uses copper tubing to transfer the earth's thermal energy to heat and cool homes, as one of the most efficient, safe and reliable geothermal systems available.

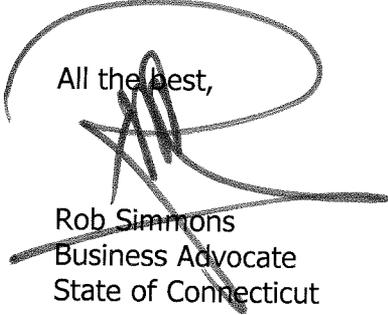
As the state's Business Advocate, we are concerned that the proposed regulations, as currently drafted, effectively shut the door on the use of DX geothermal and other emerging geothermal technologies in Connecticut by narrowly prescribing the types of materials, systems and procedures that can be used. This is unfortunate, particularly at a time when businesses and consumers are faced with unprecedented increases in fuel and energy costs.

During these difficult economic times, the state must take decisive steps to nurture the growth of energy technologies, such as DX geothermal. In addition to addressing escalating energy costs, a supportive regulatory environment that nurtures the growth of DX geothermal and other "green" technologies will stimulate innovation and job growth.

Recognizing this, the state has invested time and resources in creating incentive programs to support the development of geothermal systems, such as DX geothermal, including grant programs, tax exemptions, rebates, and tax credits. In addition to such incentive programs, we must also ensure that the state's regulatory framework encourages the development of new technologies.

We respectfully request your consideration in revising the proposed regulations to address these concerns. Please contact me if you have any questions concerning this matter and let me know if we need to meet to discuss this further.

All the best,



Rob Simmons  
Business Advocate  
State of Connecticut

I am happy to discuss this with you and for your staff!