

Comment/E-mail Kris Pastoriza

Date: Wed, 18 Jan 2017 09:04:13 -0500

Subject Re: NPT application incomplete

“Mr. Roth declines my request, based on the SEC's Order Accepting Application (12/18/15) and Order on Motion to Compel (9/22/16.)

If the SEC engaged in rational assessments from a position of openness and humanity, a decision to concede to Mr. Honigberg's decisions would make sense. It's clear to me, however, that Mr. Honigberg and the majority of the SEC members are firmly in the grip of regulatory capture:

"Regulatory capture is a form of government failure that occurs when a regulatory agency, created to act in the public interest, instead advances the commercial or political concerns of special interest groups that dominate the industry or sector it is charged with regulating." (wiki)

This has been made painfully clear by:

1. Their rulings on projects (only one denial, Antrim Wind, followed by acceptance of Antrim 2, with one turbine less and more donations toward public interest.)
2. The revolving door of SEC members moving on to work for the industries they were 'regulating' (Getz, Bisbee, Geiger, Patch, Varney.)
3. The recent SEC Rulemaking, where half the participants were industry representatives, including former SEC members Getz and Geiger.

We can work within the system, persistently challenge the system, and go outside the system. Intervenors are pursuing all these avenues for justice. If we don't challenge the SEC whenever that is appropriate, even knowing Mr. Honigberg will dismiss that challenge, then we are accepting the system of regulatory capture.

As Sabbow also said "the emperor has no clothes." Maybe that is why the majority of SEC members appear afraid to speak.”

"At this stage of history, one of two things is possible: Either the general population will take control of its own destiny and will concern itself with community interests guided by values of solidarity and sympathy and concern for others, or alternatively there will be no destiny to control.

"As long as some specialized class is in position of authority, it is going to set policy in the special interests that it serves. But the conditions of survival, let alone justice, require rational social planning in the interests of the community as a whole, and by now that means the global community." Noam Chomsky