

Justice, Equity and the Energy Transition: Lessons from Community Renewables

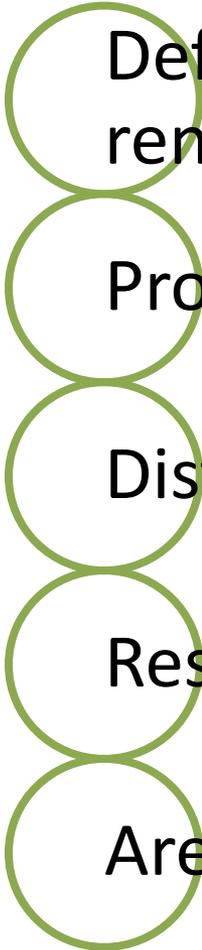
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Summary



Defining community
renewables

Procedural justice

Distributive justice

Restorative justice

Areas for further enquiry

What Are 'Community Renewables'?

Process

what matters is who a renewable energy project 'is developed and run by' and 'who is involved and has influence'

Outcome

what matters is 'how the outcomes of a project are spatially and socially distributed' and 'who benefits from it in economic or social terms.'

SOURCE: Gordon Walker and Patrick Devine-Wright, 'Community Renewable Energy: What Should It Mean?' (2008) 36 Energy Policy 497

EU Commission, Proposal for a Directive on the promotion of the use of energy from renewable sources, COM(2016) 767, Articles 21-22

The notion of self-consumers

- Means an active customer as defined in Directive [MDI Directive] **who consumes and may store and sell renewable electricity which is generated within his or its premises, including a multi-apartment block, a commercial or shared services site or a closed distribution system, provided that, for non-household renewable self-consumers, those activities do not constitute their primary commercial or professional activity;**

The notion of renewable energy communities

A **renewable energy community** shall be an **SME** or a **not-for-profit organisation**, the shareholders or members of which cooperate in the **generation, distribution, storage or supply of energy from renewable sources**, fulfilling at least four out of the following criteria:

- a) shareholders or members are **natural persons, local authorities**, including municipalities, or **SMEs** operating in the fields or renewable energy;
- b) at least **51% of the shareholders** or members with voting rights of the entity are **natural persons**;
- c) at least **51% of the shares or participation rights** of the entity are owned by **local members (...)**
- d) at least **51% of the seats in the board of directors or managing bodies** of the entity are reserved to **local members (..)**;
- e) the community has **not installed more than 18 MW of renewable capacity** for electricity, heating and cooling and transport as a yearly average in the previous 5 year.

Community Renewables in Scotland



Projects led by 'non-profit-distributing' community groups established and operating across a **geographically defined community**



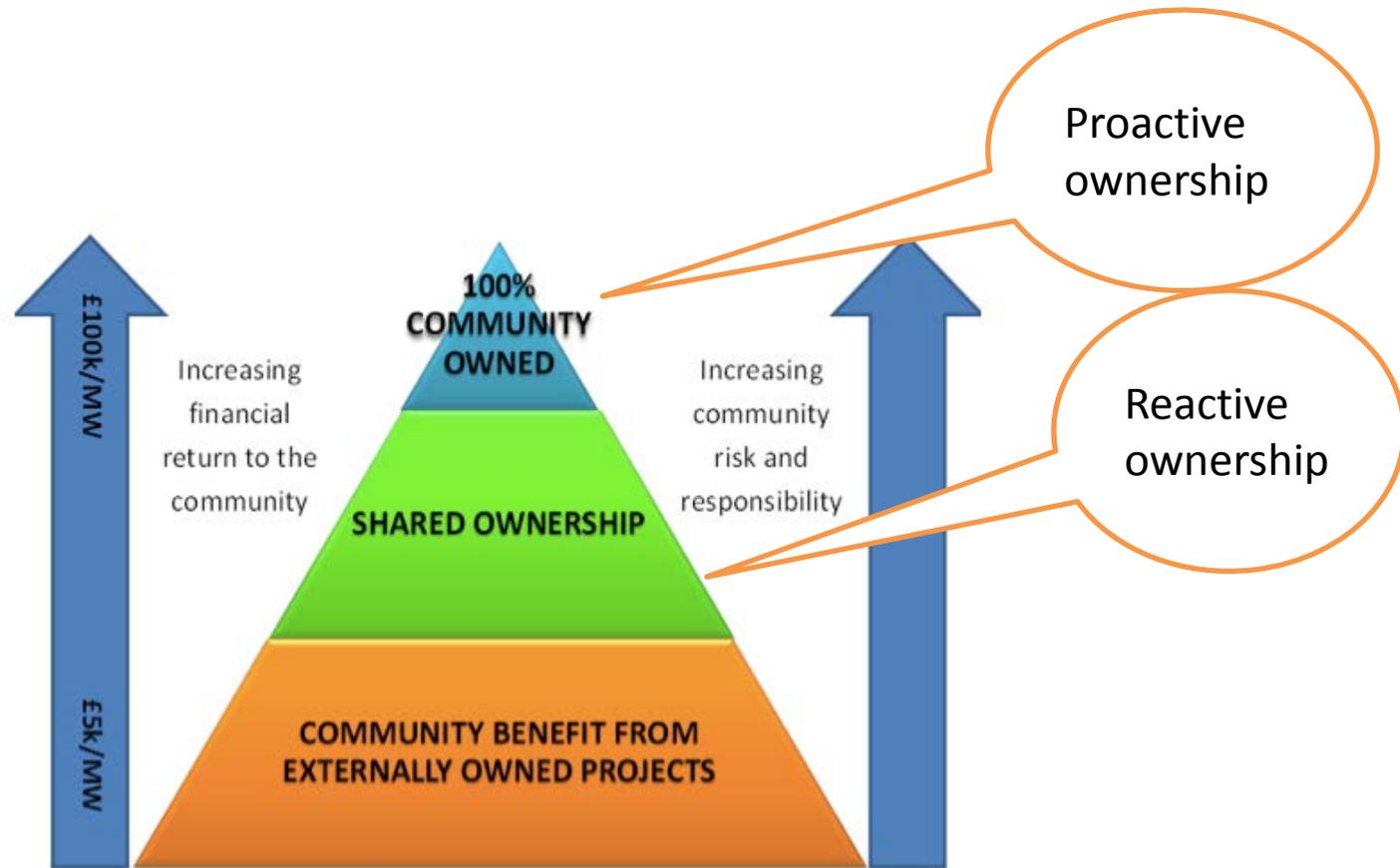
Locally-owned projects led by **regional organisations** which are not profit-distributing and have charitable aims such as housing associations, educational institutions, local authorities



Locally-owned energy led by **commercial businesses**, including farmers, land managers, rural small and medium-sized enterprises and profit-distributing co-operatives.

Scottish Government,
Community Energy Policy Statement, 2015, at 2.

Levels of community engagement



Scottish Government Community Energy Policy Statement, September 2015

Rationale for Community Renewables

Increasing public acceptance

- Counter so-called 'NIMBYism'

Decentralization of energy system

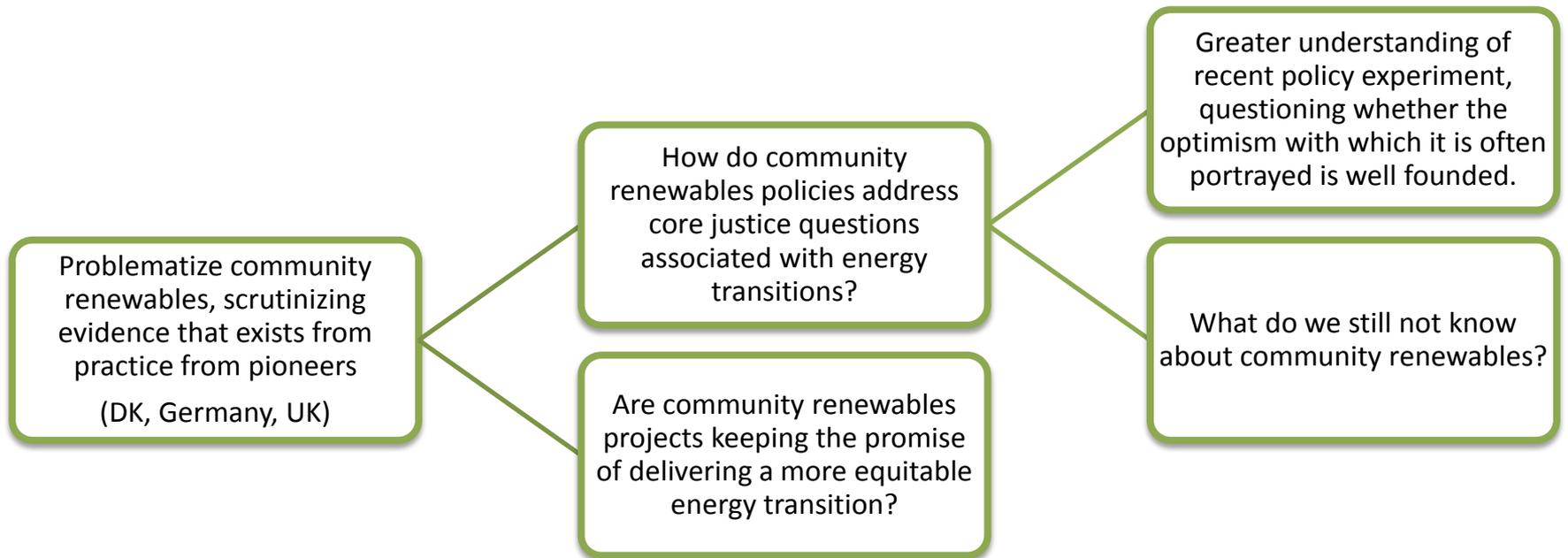
- Polycentric energy governance

Energy democracy

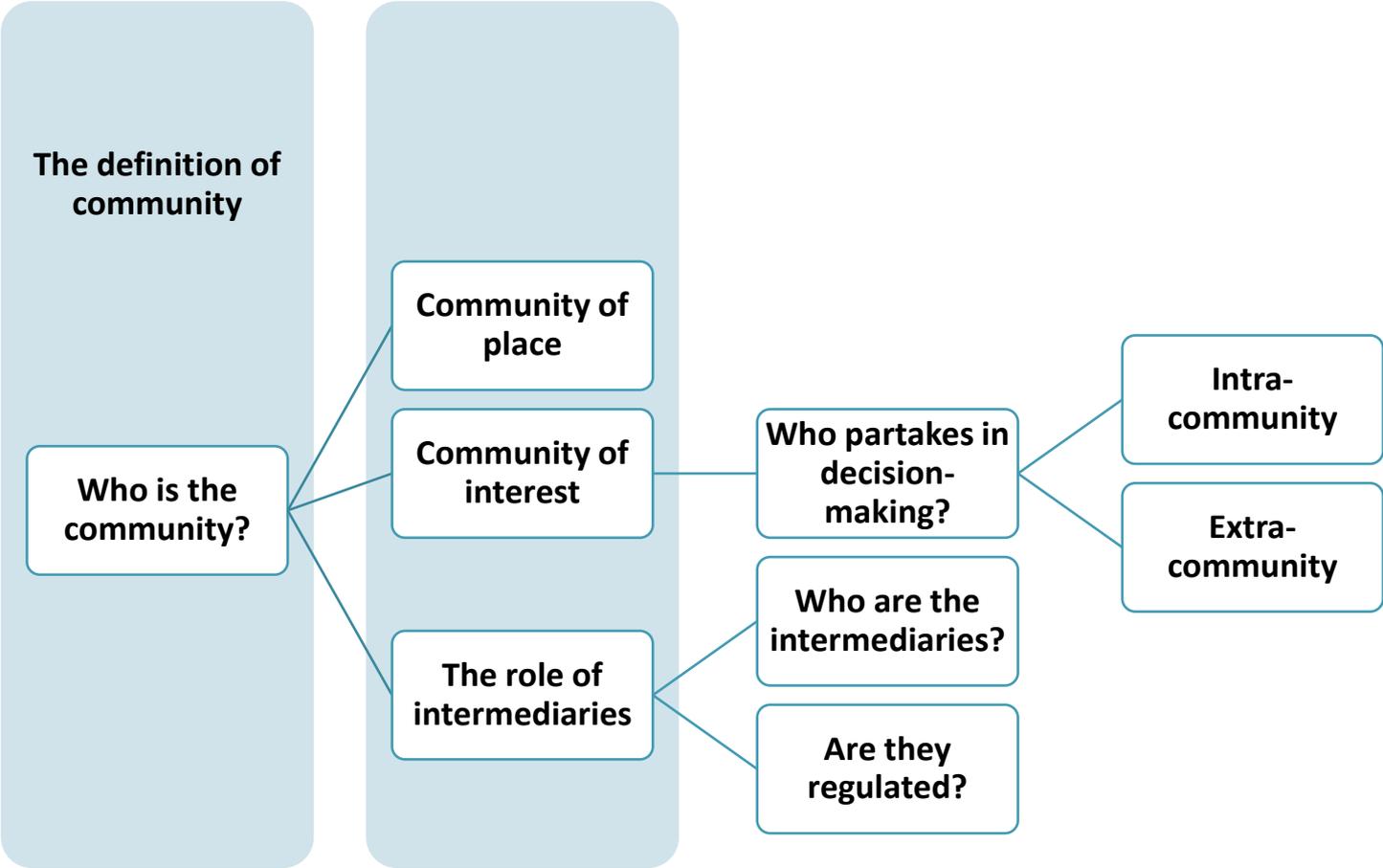
- Narratives of localism, justice, independence (!)

The promise of a more equitable energy transition?

Research questions



Key procedural/recognition justice questions



Key distributive justice questions:

Capabilities

Access to know-how

Various initiatives supporting community know-how and engagement

Access to finance

Financial support for community start-ups

FITs, certificates (etc)

Access to infrastructure

Regulation of grid access

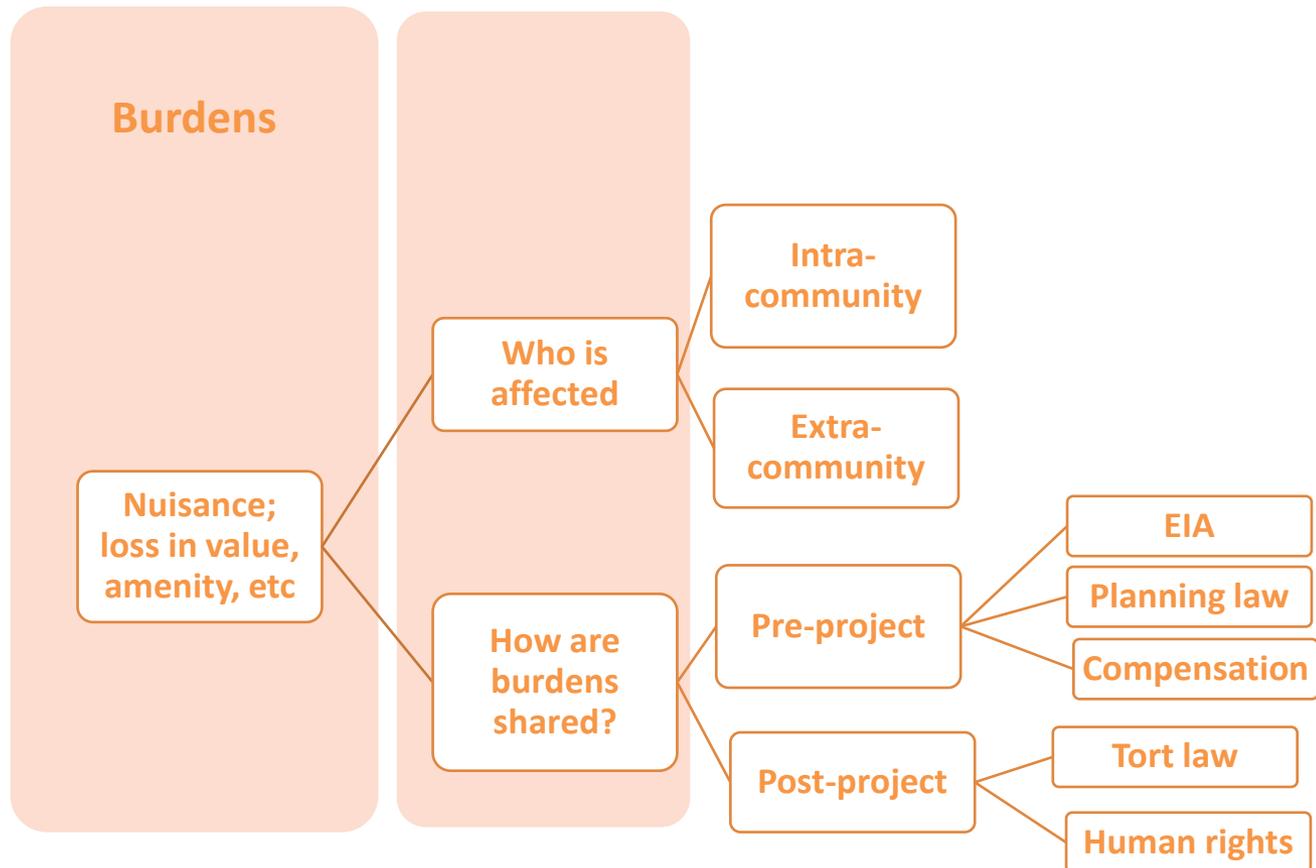
Finance supporting grid access

Access to natural resources

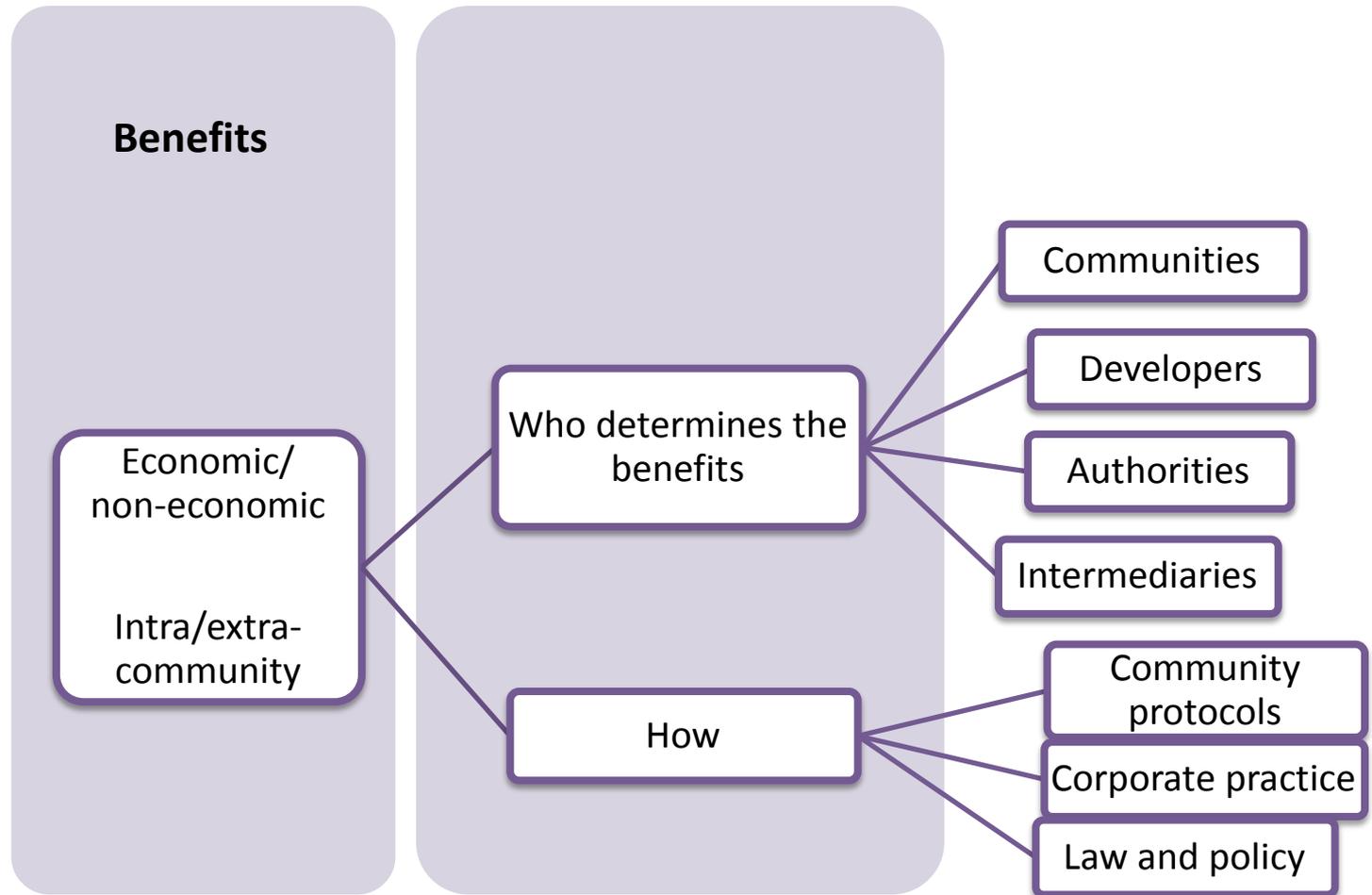
Access to land

Access to water

Key distributive/restorative justice questions: Burdens



Key distributive/recognition justice questions: Benefits



Research agenda

Defining community

- How to define communities? The role of law vis-à-vis community self-definition

Procedural justice

- When and where are community projects encountering opposition? Why?

The role of intermediaries

- Genuine community agency? How do they compare with local authorities

Protecting community agency

- Safeguards against changes in regulatory frameworks, subsidies, etc

Burden/benefit-sharing

- Do community renewables deliver more equitable outcomes?

Full community ownership

- Can obstacles to full community ownership be surmounted? Is it worth it?



Thank you!

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Justice and the Energy Transition: Early Lessons from Community Renewables.

Available at SSRN: <http://ssrn.com/abstract=3027695>