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BOOK REVIEW

SOLAR LAW

BY SANDY F. KRAEMER. SHEPARD'S, INC. OF COLORADO
SPRINGS, COLORADO. MCGRAW-HILL BOOK COMPANY. 1978

Solar Law provides some excellent analysis in a difficult area. The topic of solar law is difficult because the field is new and rapidly developing. Sandy F. Kraemer has compiled a thorough and useful treatment of some aspects.

An abundance of technical and legal terminology presents a hurdle to the reader's comprehension which the author helps to overcome by providing a complete glossary and well-written introductory chapters. A suggested improvement in the introductory material would be to explain the reasoning supporting some conclusions. For example, it is not obvious why low grade heat is better provided by solar systems.

The book is organized and easy to understand. The introduction familiarizes the reader with solar energy technology. The remaining chapters deal with alternative methods of regulating access to sunlight. Each alternative is discussed in a separate chapter and background is provided for the reader who is not familiar with the field. There is enough detail for an in-depth analysis of each topic included in the book. A conclusion at the end of each chapter and model legislation for each alternative presented are helpful in clarifying the issues. The alternatives generally are arranged in order of decreasing feasibility.

Exhaustive research is evidenced by compilations of building codes and state tax incentives. An understandable case of tunnel vision favors solar legislation. Particularly in the discussion of feasible alternatives, the obstacles to legislation are not always given the significance they deserve.

Other shortcomings of the book are, for the most part, an unavoidable result of the newness of the area and lack of development of the law, which will be forced to change quickly to keep abreast of problems that will arise. In the time required to publish the book, whole new technologies may develop. For example, most discussions in the book concern only flat plate collectors, which had been the state of the art. A quite different technique, solar concentrators, now is being developed. It appears solar concentrators already have or soon will have economic and efficiency advantages over flat plate collectors. The worsening world energy

situation adds to a need for rapid technological development and is an indication that any legal framework must be flexible and forward-looking. Therefore, a book covering all aspects of solar law is not practical.

However, one criticism of the book is that a work titled *Solar Law* should provide more of an overview. Most of the book is about methods of assuring and regulating access to the sun. There are other important topics. For example, the role of public utilities, which is treated briefly in an appendix, raises issues such as rates to be charged, utilities' roles in the manufacture and distribution of solar devices, and the level of competition between the utilities and solar energy industries. Other concerns include the kinds of restraints and incentives that can and should be offered for the development of large multi-megawatt solar collection systems for community use, and encouragement of technological advances. The government's potential to mandate use of and restrictions on development of solar devices also should be explored because of the possible need for drastic measures due to the worsening world energy situation.

The time has come for solar energy development. Unfortunately, it will not be a natural, gradual development but is being forced upon us. This development emphasizes the need for books such as this, which eagerly probe uncertain and undeveloped areas. Mr. Kraemer has provided a good start for the analysis of some of the legal problems.

Robert A. Holmes