

# Cape Light Compact Governing Board Meeting

**DATE:** Wednesday, January 14, 2015  
**LOCATION:** Rooms 11&12, Superior Courthouse, Barnstable  
**TIME:** 2:00 – 4:30 p.m.

## AGENDA

- 2:00 – 2:20 2014 Open/Close Nominations and Vote on 2015 Executive Committee Members
- 2:20 – 2:30 Public Comment
- 2:30 – 2:35 Approval of Minutes
- 2:35 – 2:45 Treasurer’s Report
- 2:45 – 3:45 Energy Efficiency Program
1. 2015 Residential Rebates - What’s New and Different
  2. 2016-2018 Residential Program Discussion
  3. 2015 Mid Term Modification (MTM) Discussion
- 3:45 – 4:10 Administrator’s Report
1. Preview of Annual Report
  2. Board Meeting Schedule
  3. Review Proposed Response to Eric Bibler OML Complaint
- 4:10 – 4:15 CVEC Update

**Cape Light Compact Governing Board**  
**Wednesday, December 10, 2014**  
**Open Session Meeting Minutes**

The Governing Board of the Cape Light Compact met on Wednesday, December 10, 2014 at 2:00 p.m. in Room 11/12, Superior Court House, 3195 Main Street, Barnstable, MA 02630.

**PRESENT WERE:**

1. Dr. Joyce Flynn, Chairwoman, Yarmouth
2. Robert Schofield, Vice-Chair, Bourne
3. Peter Cocolis, Treasurer, Chatham
4. Peter Cabana, Member at Large, Dukes County
5. Barry Worth, Secretary, Harwich
6. David Anthony, Barnstable
7. Deane Keuch, Brewster
8. Timothy Carroll, Chilmark – remotely by phone
9. Brad Crowell, Dennis
10. Fred Fenlon, Eastham
11. Paul Pimentel, Edgartown
12. Ronald Zweig, Falmouth
13. Thomas Mayo, Mashpee
14. Richard Toole, Oak Bluffs
15. Thomas Donegan, Provincetown
16. Everett Horn, Sandwich
17. Richard Elkin, Wellfleet @ 2:55 p.m.
18. Susan Hruby, W. Tisbury

**ABSENT WERE:**

19. Michael Hebert, Aquinnah
20. William Doherty, Barnstable County
21. Orleans, Vacant
22. William Straw, Tisbury
23. Peter Fontecchio, Truro

**LEGAL COUNSEL:**

Audrey Eidelman, Esq., BCK Law, PC

**STAFF PRESENT:**

Maggie Downey, Compact Administrator  
Stephan Wollenburg, Sr. Power Supply Planner  
Briana Kane, Sr. Residential Program Coordinator  
Matthew Dudley, Residential Program Coordinator @ 3:55 p.m.  
Lindsay Henderson, Marketing & Data Analyst  
Meredith Miller, C&I Program Manager  
Philip Moffitt, EM&V Manager  
Gail Azulay, EM&V Analyst  
Debbie Fitton, Energy Education Coordinator  
Karen Loura, Administrative Assistant

**OTHERS**

Seth Pickering, Senator Wolf's Office  
Richard Andre  
Gary Robinson  
James Rogers, Sandwich Resident

**CALL TO ORDER**

Draft minutes subject to addition, correction and board approval

Chr. Flynn Called the meeting called to order at 2:04 p.m.

**PUBLIC COMMENT**

There was no public comment made. J. Rogers, Sandwich informed the Chair he is audio recording the meeting.

**CONSIDERATION OF MEETING MINUTES**

The Board considered the November 12, 2014 Open Session Meeting Minutes. D. Anthony offered two typographical error corrections. *P. Cocolis moved the Board vote to accept the November 12, 2014 Minutes as corrected, seconded by P. Pimentel and voted by roll call vote as follows:*

- |                              |     |
|------------------------------|-----|
| 1. D. Anthony, Barnstable    | Yes |
| 2. R. Schofield, Bourne      | Abs |
| 3. D. Keuch, Brewster        | Yes |
| 4. P. Cocolis, Chatham       | Yes |
| 5. T. Carroll, Chilmark      | Yes |
| 6. P. Cabana, Dukes County   | Abs |
| 7. B. Crowell, Dennis        | Yes |
| 8. F. Fenlon, Eastham        | Yes |
| 9. P. Pimentel, Edgartown    | Yes |
| 10. R. Zweig, Falmouth       | Yes |
| 11. B. Worth, Harwich        | Yes |
| 12. T. Mayo, Mashpee         | Yes |
| 13. R. Toole, Oak Bluffs     | Yes |
| 14. T. Donegan, Provincetown | Yes |
| 15. E. Horn, Sandwich        | Yes |
| 16. S. Hruby, W. Tisbury     | Yes |
| 17. J. Flynn, Yarmouth       | Yes |

*Motion carried in the affirmative (17-0-2)*

**TREASURER'S REPORT**

P. Cocolis distributed 2014 budgeted and actuals (Jan-November) noting a format change to include percentages. He said the Compact is in good shape and he reviewed expenditures noting the Mid-term Modification was submitted to DPU several weeks ago. J. Flynn commented on the value of heat loan program, seven year, 0% loans for approved Energy Efficiency improvements. Detailed line by line expenditures are on Website and are updated every 6 months. He also reviewed the operational budget through November.

**ADMINISTRATOR'S REPORT**

M. Downey reviewed the CVEC 90/10 policy and discussed the background and history of this policy. Specifically, when CVEC was formed it would be pursuing Wholesale energy and green energy. 10% of energy would be sold to the Compact. The Green Communities Act of 2008 changed the projects CVEC was pursuing from energy contracts to financial transactions, the allocation of net metering credits. The policy is still a policy. Net Metering (NM) credits are assigned to accounts. Cape Light Compact does not have a electric accounts to assign the value of net metering credits towards. Electric accounts are associated with customer. Initially CVEC projects were to be wholesale energy contracts but Green Communities changed it to net metering credit allocations. Intent of policy was to purchase 10% of energy to be blended into the overall power supply. Once converted to NM credits the policy you could not implement the intent of the policy. S.

Draft minutes subject to addition, correction and board approval

Wollenburg added that another challenge is that the legislation distinguishes between Government and private entities.

Deane Keuch asked about the Legal Notice in CC Times re: the Energy Efficiency Reconciliation Factor (EERF) Annual reconciliation. CLC files every year an Energy Efficiency surcharge to set the amounts to be collected for 2015 part of 3-year plan. A hard copy of the Filing is available for anyone to view in the County Commissioners Office and on the DPU Website.

**OPEN NOMINATIONS FOR 2015 EXECUTIVE COMMITTEE MEMBERS**

The following nominations were made:

- B. Worth nominated J. Flynn for the position of **Chairperson**, seconded by B. Schofield
- T. Mayo nominated B. Schofield for the position of **V. Chairperson**, seconded by D. Anthony
- B. Worth nominated P. Cocolis for the position of **Treasurer**, seconded by Peter Cabana
- R. Zweig nominated B. Worth, to the position of **Secretary**. B. Worth asked if anyone else interested in position.
- B. Schofield nominated Peter Cabana for the position of **Member at Large**, sec. R. Toole.

There was discussion as to the preferred system for voting. P. Cabana recommended a simple show of hands since there are no contests. Nominations to remain open until closed at the January meeting.

**OPEN SESSION VOTE ON ENTRY INTO EXECUTIVE SESSION AND REQUIRED DECLARATIONS OF THE CHAIR**

At 2:45 p.m. Chr. Flynn requested an Executive Session and read the reasons for entering Executive Session as posted on the agenda as follows:

1. M.G.L. c. 30A, Section 21 (a)(10): Power Supply Procurement Strategy Discussion (confidential and competitively sensitive information);
2. M.G.L. c. 30A, Section 21 (a)(3) and Section 21(a)(10): DPU 14-69 (discussion of litigation strategy and related power supply issues);
3. 2014M.G.L. c 30A, Section 21 (a)(3) and Section 21(a)(10) for the purpose of approving past Compact Executive Session Minutes.

She stated an open meeting may have a detrimental effect on Cape Light Compact's bargaining or litigating position. She said the Board would not reconvene in Open Session this day. *P. Cabana moved the Board vote to enter into Executive Session, seconded R. Zweig and voted by roll call as follows:*

1. *D. Anthony, Barnstable* Yes
2. *R. Schofield, Bourne* Yes
3. *D. Keuch, Brewster* Yes
4. *P. Cocolis, Chatham* Yes
5. *T. Carroll, Chilmark* Yes
6. *P. Cabana, Dukes County* Yes
7. *B. Crowell, Dennis* Yes
8. *F. Fenlon, Eastham* Yes
9. *P. Pimentel, Edgartown* Yes
10. *R. Zweig, Falmouth* Yes
11. *B. Worth, Harwich* Yes
12. *T. Mayo, Mashpee* Yes
13. *R. Toole, Oak Bluffs* Yes
14. *T. Donegan, Provincetown* Yes

**Draft minutes subject to addition, correction and board approval**

- 15. E. Horn, Sandwich Yes
- 16. S. Hruby, W. Tisbury Yes
- 17. J. Flynn, Yarmouth Yes

**Motion carried (17-0-0).**

**Staff and counsel remained.**

Respectfully submitted,

Karen E. Loura  
Administrative Assistant

**List of Documents & Exhibits:**

- Meeting Notice/Agenda
- November 12, 2014 Open Session Meeting Minutes – Draft
- Cape Light Compact Operating Fund Expenditure Totals as of 12/10/14
- 2014 Budgeted (based on 3-year plan)/Actuals (January through November)

FOR 2015 06

	ORIGINAL APPROP	TRANFRS/ADJSMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
-----							
120 CAPE LIGHT COMPACT							
-----							
8074 CAPE LIGHT COMPACT OPERTG FUND							
-----							
8074 5100		CLC OPERTG FD-SALARIES					
	0.00	235,000.00	235,000.00	101,900.86	0.00	133,099.14	43.4%
8074 5213		CLC OPERTG FD-TELEPHONES					
	0.00	3,000.00	3,000.00	0.00	0.00	3,000.00	.0%
8074 5233		CLC OPERTG FD-AUDIT/ACCTG SVCS					
	0.00	40,000.00	40,000.00	1,750.00	0.00	38,250.00	4.4%
8074 5235		CLC OPERTG FD-LEGAL SERVICES					
	0.00	430,302.00	430,302.00	213,828.68	0.00	216,473.32	49.7%
8074 5238		CLC OPERTG FD-IT COUNTY SUPPRT					
	0.00	24,000.00	24,000.00	0.00	0.00	24,000.00	.0%
8074 5239		CLC OPERTG FD-CONTRACTUAL					
	0.00	64,856.34	64,856.34	26,534.41	14,679.93	23,642.00	63.5%*
8074 5281		CLC OPERTG FD-OUTSTATE TRAVEL					
	0.00	6,000.00	6,000.00	936.51	0.00	5,063.49	15.6%
8074 5282		CLC OPERTG FD-IN STATE TRAVEL					
	0.00	17,700.00	17,700.00	6,136.53	1,700.00	9,863.47	44.3%
3074 5291		CLC OPERTG FD-ADVERTISING					
	0.00	34,500.00	34,500.00	15,206.18	3,077.63	16,216.19	53.0%*
3074 5293		CLC OPER-OUTRCH/MARKETG CONTRC					
	0.00	63,865.00	63,865.00	38,444.00	25,346.00	75.00	99.9%*
3074 5294		CLC OPERTG FD-FREIGHT/SHIPPG					
	0.00	250.00	250.00	74.17	0.00	175.83	29.7%
3074 5295		CLC OPERTG FD-PRINTG/COPYG					
	0.00	8,627.15	8,627.15	0.00	5,827.15	2,800.00	67.5%*
3074 5298		CLC OPERTG-LED ST LIGHTS-CONTR					
	0.00	135,871.45	135,871.45	29,758.14	0.00	106,113.31	21.9%
3074 5361		CLC OPERTG FD-POSTAGE					
	0.00	12,888.79	12,888.79	1,883.77	5,046.88	5,958.14	53.8%*
074 5421		CLC OPERTG FD-SPONSORSHIPS					
	0.00	16,000.00	16,000.00	12,000.00	0.00	4,000.00	75.0%*
074 5429		CLC OPERTG FD-SUBSCRIPTIONS					
	0.00	2,500.00	2,500.00	2,326.00	0.00	174.00	93.0%*
074 5433		PUBLIC OFFICIALS INSURANCE					
	0.00	7,328.55	7,328.55	6,764.94	0.00	563.61	92.3%*
074 5463		CLC OPERTG FD-EQUIP RENTAL					
	0.00	4,950.00	4,950.00	0.00	0.00	4,950.00	.0%
074 5469		CLC OPERTG FD-MISC RENTALS					
	0.00	50.00	50.00	50.00	0.00	0.00	100.0%*

01/14/2015 11:25  
mdowney

|Barnstable County  
|\*EXPENDITURE TOTALS

|P  
|glytdbuc

FOR 2015 06

	ORIGINAL APPROP	TRANFRS/ADJSMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
8074 5490		CLC OPERTG FD-CVEC MEMB CONTRB					
	0.00	403,455.00	403,455.00	403,455.00	0.00	0.00	100.0%*
8074 5559		CLC OPERTG FD-COMPUTER EQUIP					
	0.00	1,441.86	1,441.86	0.00	1,441.86	0.00	100.0%*
8074 5981		CLC OPERTG FD-RETIREMENT					
	0.00	35,000.00	35,000.00	35,000.00	0.00	0.00	100.0%*
8074 5983		CLC OPERTG FD-GRP INSUR					
	0.00	21,000.00	21,000.00	11,467.60	0.00	9,532.40	54.6%*
8074 5984		CLC OPERTG FD-MEDICARE					
	0.00	800.00	800.00	1,435.05	0.00	-635.05	179.4%*
	GRAND TOTAL						
	0.00	1,569,386.14	1,569,386.14	908,951.84	57,119.45	603,314.85	61.6%

\*\* END OF REPORT - Generated by Maggie Downey \*\*





### Cape Light Compact 2015 Energy Efficiency Program Budget

For additional information and supporting documents, please see the 2013-2015 three year plan (D.P.U. 12-107) at <http://www.capecompact.org/library/2010/08/CLC-Revised-Plan-122013.pdf> and filed Annual Reports, which can be found in the Reports section of our website under Annual Reports on Energy Efficiency Activities.

Program	Program Administrator Budget, 2015 (1)										Lost Base Revenue (2)	Performance Incentive (3)	TOTAL PA Budget
	Program Planning and Administration	Marketing and Advertising	Participant Incentives	Sales, Technical Assistance & Training	Evaluation and Market Research	Total PA Costs							
<b>Residential (total)</b>	\$ 1,325,253	\$ 561,582	\$ 13,138,943	\$ 2,139,448	\$ 542,285	\$ 17,707,510	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,707,510
1. Residential Whole House	\$ 969,829	\$ 164,360	\$ 9,870,183	\$ 733,538	\$ 443,713	\$ 12,181,622	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,181,622
2. Residential Products	\$ 260,305	\$ 150,037	\$ 3,208,760	\$ 457,410	\$ 87,182	\$ 4,163,694	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,163,694
3. Residential Hard-to-Measure	\$ 95,119	\$ 247,185	\$ 60,000	\$ 948,500	\$ 11,389	\$ 1,362,194	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,362,194
Residential Statewide Marketing	\$ -	\$ 122,185	\$ -	\$ -	\$ -	\$ 122,185	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 122,185
Residential DOER Assessment	\$ 89,134	\$ -	\$ -	\$ -	\$ 11,389	\$ 100,523	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100,523
Residential EEAC Consultants (4)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Residential Sponsorship & Subscriptions	\$ 5,985	\$ -	\$ -	\$ -	\$ -	\$ 5,985	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,985
Residential HEAT Loan	\$ -	\$ -	\$ -	\$ 800,000	\$ -	\$ 800,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 800,000
Residential Workforce Development	\$ -	\$ -	\$ -	\$ 133,500	\$ -	\$ 133,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 133,500
Residential R&D and Demonstration	\$ -	\$ -	\$ -	\$ 15,000	\$ -	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000
Residential Education	\$ -	\$ -	\$ 60,000	\$ -	\$ -	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 60,000
<b>Low-income (total)</b>	\$ 383,665	\$ 96,629	\$ 2,991,907	\$ 877,139	\$ 66,711	\$ 4,416,050	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,416,050
4. Low-income Whole House	\$ 320,760	\$ 49,477	\$ 2,991,907	\$ 877,139	\$ 63,741	\$ 4,303,023	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,303,023
5. Low-income Hard-to-Measure	\$ 62,905	\$ 47,152	\$ -	\$ -	\$ 2,970	\$ 113,027	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 113,027
Low-income Statewide Marketing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Low-income DOER Assessment	\$ 18,258	\$ -	\$ -	\$ -	\$ 2,970	\$ 20,364	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,364
Low-income Energy Affordability Network	\$ 44,647	\$ 26,788	\$ -	\$ -	\$ -	\$ 71,435	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 71,435
<b>Commercial &amp; Industrial (total)</b>	\$ 1,091,459	\$ 264,939	\$ 7,410,257	\$ 1,022,901	\$ 591,310	\$ 10,380,867	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,380,867
6. C&I New Construction	\$ 214,427	\$ 51,390	\$ 1,325,295	\$ 237,329	\$ 134,101	\$ 1,962,543	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,962,543
7. C&I Retrofit	\$ 821,454	\$ 151,099	\$ 6,084,962	\$ 785,572	\$ 447,619	\$ 8,290,706	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,290,706
8. C&I Hard-to-Measure	\$ 55,577	\$ 62,450	\$ -	\$ -	\$ 9,591	\$ 127,618	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 127,618
C&I Statewide Marketing	\$ -	\$ 62,450	\$ -	\$ -	\$ -	\$ 62,450	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 62,450
C&I DOER Assessment	\$ 50,537	\$ -	\$ -	\$ -	\$ 9,591	\$ 60,128	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 60,128
C&I EEAC Consultants (4)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
C&I Sponsorships & Subscriptions	\$ 5,040	\$ -	\$ -	\$ -	\$ -	\$ 5,040	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,040
<b>GRAND TOTAL</b>	\$ 2,800,377	\$ 923,150	\$ 23,541,107	\$ 4,039,487	\$ 1,200,306	\$ 32,504,427	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 32,504,427

**Notes:**

- (1) The 2015 budget has been updated from the 2013-2015 Three-Year Plan, and is consistent with the Cape Light Compact's Revised Energy Efficiency Surcharge petition (D.P.U. 14-143).
- (2) Lost Base Revenues are not applicable to the Cape Light Compact.
- (3) Shareholder Performance Incentives are not applicable to the Cape Light Compact.
- (4) EEAC Consultant fees on the electric side do not get paid out of the PA's budgets, but are instead paid by the DOER out of the RGGI proceeds.

# **2015 RESIDENTIAL REBATES**

CAPE LIGHT COMPACT

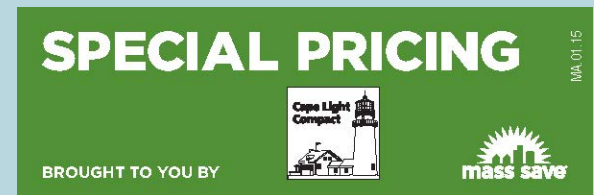
# RETAIL REBATES AND SPECIAL OFFERS

## Lighting

- Incentives for CFLs and LEDs
  - Keep an eye out for “special pricing” stickers when you are shopping

## Products (mail in and online submission)

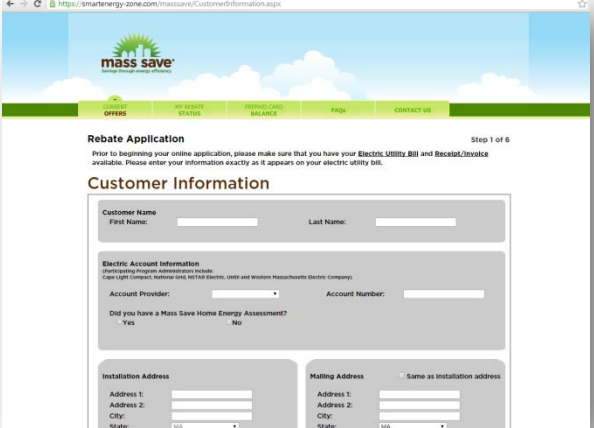
- Refrigerators
  - \$50 for and ENERGY STAR Most Efficient
    - No longer able to offer a base Energy Star Refrigerator rebate
    - No longer able to offer freezer rebates of any kind



# RETAIL REBATES AND SPECIAL OFFERS

## Products (mail in and online submission)

- ENERGY STAR Room Air Cleaner
  - \$40 for an ENERGY STAR certified
- ENERGY STAR dehumidifier
  - \$30 rebate for an ENERGY STAR certified
- ENERGY STAR Pool Pump
  - \$200 for an ENERGY STAR certified (waiting for final decision if this will be a mail in like in 2014 or be going “upstream”)
- Qualified Clothes Dryers
  - \$50 ENERGY STAR certified electric clothes dryer (rebate forms not yet available)
  - \$200 higher efficiency tier
    - Visit [www.MassSave.com/ClothesDryer](http://www.MassSave.com/ClothesDryer) for a list of products



The image shows a screenshot of the Mass Save website's rebate application form. The browser address bar shows the URL: <https://smartenergy-zone.com/masssave/CustomInformation.aspx>. The page features the Mass Save logo at the top left and a navigation menu with options: OFFERS, MY REBATE STATUS, MY REBATE BALANCE, FAQ, and CONTACT US. The main heading is "Rebate Application" with a sub-heading "Step 1 of 6". Below this, there is a note: "Prior to beginning your online application, please make sure that you have your Electric Utility Bill and Receipt/Invoice available. Please enter your information exactly as it appears on your electric utility bill." The form is titled "Customer Information" and contains several sections: "Customer Name" with fields for First Name and Last Name; "Electric Account Information" with a dropdown for Account Provider and a field for Account Number; a question "Did you have a Mass Save Home Energy Assessment?" with Yes/No radio buttons; and "Installation Address" and "Mailing Address" sections, each with fields for Address 1, Address 2, City, and State. There is a checkbox for "Same as installation address" next to the Mailing Address section.

# OTHER REBATES AND SERVICES

## Products (mark down)

### ■ Televisions

- Incentive applied at the store level
- ENERGY STAR Most Efficient
  - For CLC, only currently being offered through Best Buy



### ■ Second Refrigerator and Freezer recycling

- \$50
- For a limited time, **January 01, 2014 through February 15, 2015**, there will be a special \$100 incentive to residential electric customers for recycling outdated, second refrigerators or freezers through the Mass Save® appliance recycling program.

# HVAC EQUIPMENT

## Equipment

- Central AC, ASHP & Mini Split Heat Pumps
  - Rebates Up to \$500
- Heat Pump Water Heaters
  - \$750 Rebate (*Electric Replacement/ New Installs only*)



# OIL AND PROPANE HEATING REBATES

**NEW!**

Oil Furnace with ECM Blower – 83 AFUE – lowered to \$250 (from \$400 in 2014)

Propane Indirect Water Heater – increased to \$400 (from \$300 in 2014)

Propane Condensing Boiler with On-Demand Hot Water – new at \$1,200

Propane On-Demand Hot Water – increased to 94 EF (instead of 82 in 2014)- \$800

Please see rebate form on our website at [www.capelightcompact.org/resrebates](http://www.capelightcompact.org/resrebates)

HEATING, HOT WATER AND CONTROL SYSTEM INFORMATION				
Installation Date _____		Age of Old Equipment _____ years		
Check one: New Installation _____		Retrofit of Existing Equipment _____		
<b>HEATING SYSTEM</b>		AFUE _____%		
Manufacturer _____		Model Number _____		
Type	Fuel Type	Minimum AFUE	Rebate Amount	Check Applicable
Furnace with ECM Motor	Oil	85%	\$250	
Furnace with ECM Motor	Propane	95%	\$500	
Steam Boiler	Oil	84%	\$400	
Hot Water Boiler	Oil	86%	\$500	
Hot Water Boiler	Propane	90%	\$1,000	
Condensing Boile with On-Demand Water Heater	Propane	90%	\$1,200	
<b>WATER HEATER</b>				
Manufacturer _____		Model Number _____		
Type	Minimum Energy Factor	Rebate Amount	Check Applicable	
Indirect Water Heater - Oil	N/A	\$300		
Indirect Water Heater - Propane	N/A	\$400		
On-Demand Water Heater - Propane	0.94	\$800		

# EVENTS AND THE CATALOG

## Don't forget

- to “like” us on Facebook for program updates and promotions
  - <https://www.facebook.com/MassSavers>
  - <https://www.facebook.com/capelightenergy>
- about the catalog
  - Visit [www.estarlights.com](http://www.estarlights.com) for the latest and greatest
  - CFLs, LEDs, APS, and Showerheads and Showerhead adapters

## Stay tuned

- For updates on pop-up and potential turn-in events

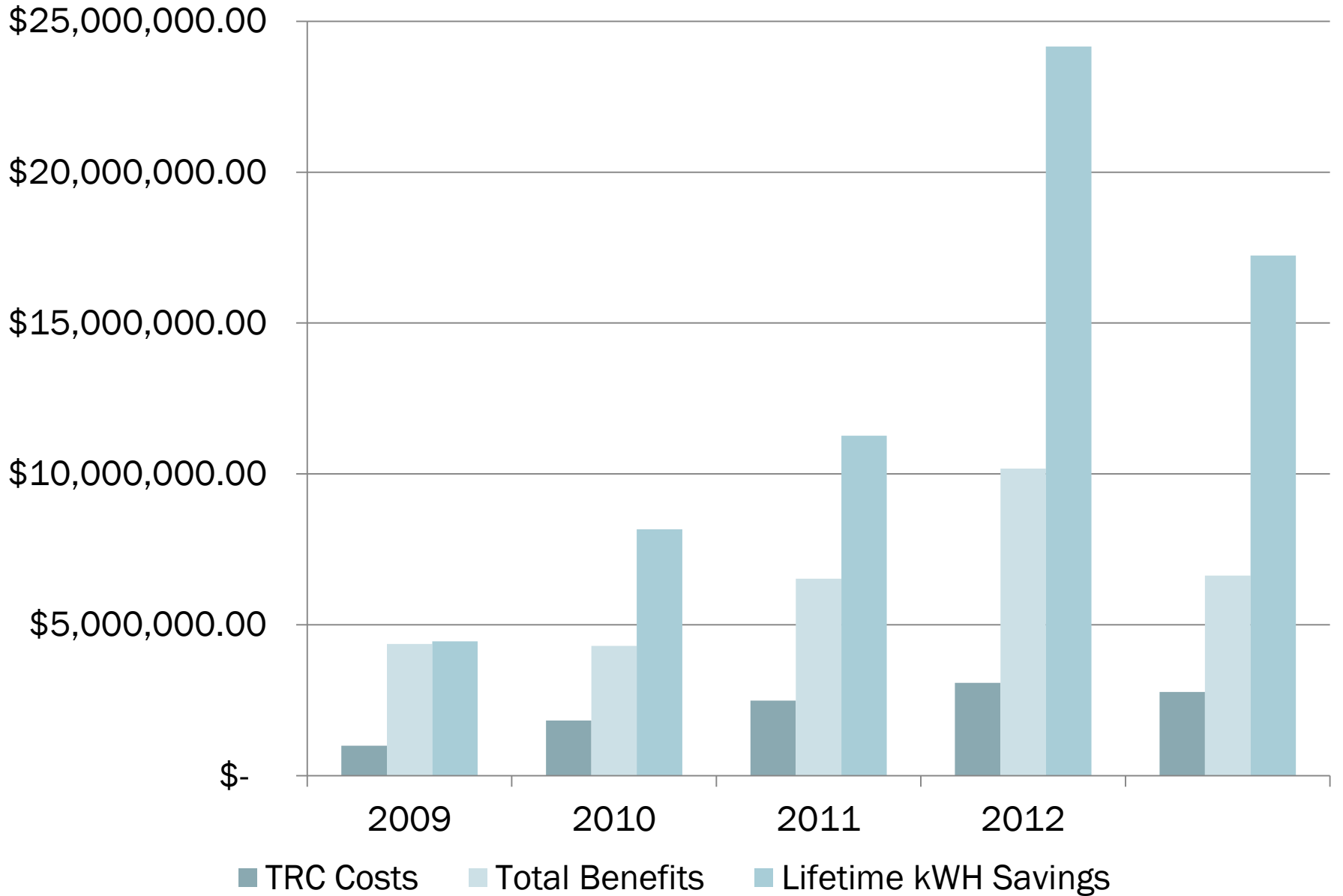




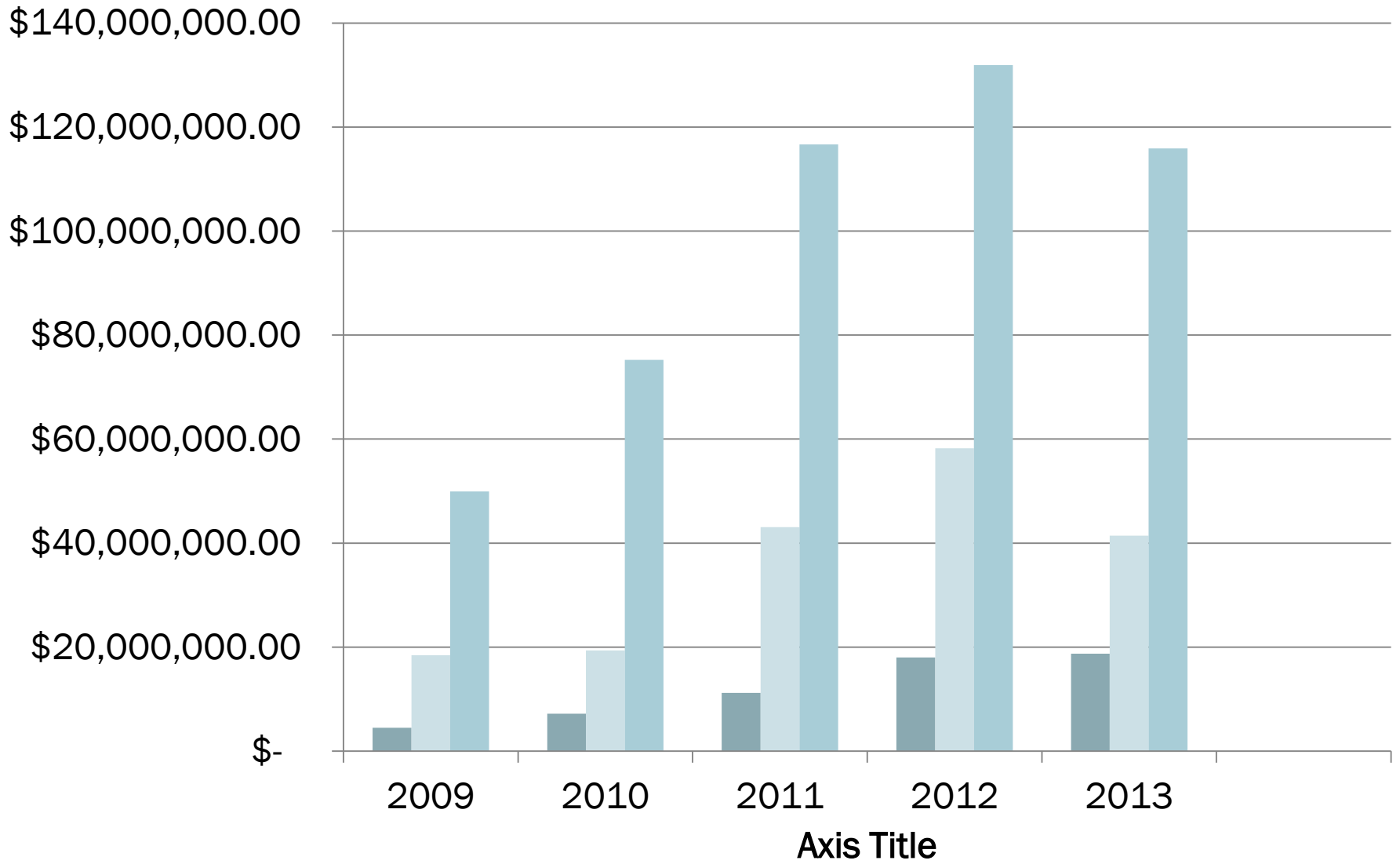


**2016-2018 PLANNING**  
RESIDENTIAL AND LOW-INCOME

# Residential Costs and Savings, 2009 - 2013



# Low-Income Costs and Savings, 2009 - 2013



■ TRC Costs    ■ Total Benefits    ■ Lifetime kWh Savings

# CONTINUE ENHANCED OFFERINGS

## Continue to offer enhanced incentives for target audiences

- Continue 75% of weatherization up to \$4,000 cap for weatherization services (instead of the statewide \$2,000) to avoid multiple contracts
- Continue 100% up to \$4,000 for:
  - Year-round renters that pay for their own utilities
  - Clients between 61-80% of state median income (up to 60% are already served in the income-eligible programs)
  - Municipal/government-owned and operated homes

## Continue serving natural gas customers

- Because we have enhanced incentives (as noted above), natural gas customers would be allowed to benefits (along with all other customers)

## Reward condo associations for participation

- Offer enhanced incentives where participation is high for the association.

## Continue Cape Light Compact-specific income verification for up to 60% of state median income

- Alternative path to fuel assistance, which can be limited by time.

## Continue creative marketing

- Continue offering green boxes, deal tips through Facebook, etc.

# NEW OFFERINGS

## Treat oil and propane facilities (regardless of type of meter)

- Example: multi-family buildings are not served for oil and propane measures.

## Consider incentives for demand response

- Contingent upon time-varying rates or efforts with ISO

## Customer engagement/Digital Platforms

- Statewide effort to increase more web-based or app-based solutions

# REVAMPING PAST EFFORTS

Explore Efficient Neighborhoods +® effort again?

- Look at geographic targeting

Consider giveaways at town meeting again – perhaps LEDs?

Continue to explore outreach to seasonal customers/look for new ways to capture the audience.

BY FIRST CLASS AND ELECTRONIC MAIL ([ebibler@gmail.com](mailto:ebibler@gmail.com))

Eric Bibler  
31 Old Hyde Road  
Weston, CT 06883

Re: ***Cape Light Compact/Open Meeting Law Complaint***

Dear Mr. Bibler:

This letter serves as a response to your Open Meeting Law (“OML”) complaint dated December 13, 2014 against the Cape Light Compact (the “Compact” or the “CLC”). A copy of your complaint is appended to this letter as Attachment A.

#### Summary of Complaint

The complaint alleges OML violations for a Compact meeting that occurred on November 12, 2014. The meeting notice in its entirety can be found here:

<http://www.capelightcompact.org/governing-board-meeting-111214-2/>. The portions of the notice that are at issue in your complaint deal with topics of discussion for executive session. There were three topics of discussion listed on the notice:

- 1) M.G.L. c. 30A, Section 21 (a)(10): Power Supply Procurement Strategy Discussion (confidential and competitively sensitive information);
- 2) M.G.L. c. 30A, Section 21 (a)(3) and Section 21(a)(10): DPU 14-69 (discussion of litigation strategy and related power supply issues); and
- 3) M.G.L. c 30A, Section 21 (a)(3 and (10) for the purpose of approving past Compact Executive Session Minutes and Compact Executive Committee Executive Session Minutes.

Your complaint states that the Compact “failed to state two topics of discussion during the executive session meeting on November 12, 2014 – the potential change to the Operational Adder and the new electricity rates for CLC members – and then CLC proceeded to deliberate both of these topics illegally because neither topic legitimately qualified for any exemption from disclosure under the Open Meeting Law.”

Each of these allegations is addressed below.

#### Allegation that Compact failed to state two topics of discussion

The operational adder and electricity rates issues were part of the discussion of power supply procurement strategy (topic 1 as listed in the notice). The operational adder is part of the

Compact's electric rate. The rate to be charged by potential power suppliers is a major component of the power supply procurement strategy, as well as the various costs and charges included in the rate. The pricing component is commonly understood to be necessary part of any procurement by a public entity; it does not need to be listed as a separate topic. It is a subtopic of discussion. Your allegations here are similar to the ones you raised in OML 2014-138. In that determination the Office of Attorney General ("OAG") ruled against you and found the "allegedly unlisted discussion topics were actually subtopics of the 'Round I and Round II PV Procurement Strategy Discussion.'"

Additionally, any discussion of the operational adder is also a proper matter of discussion under topic 2 in the notice as the operational adder is an issue being litigated in the DPU proceeding referenced in the meeting notice, DPU 14-69, a fact that you are well aware as evidenced by your numerous writings on the subject.

Allegation that topics did not qualify for any exemption under the OML

The Open Meeting Law provides that the Compact may meet in executive sessions:

To discuss ***trade secrets or confidential, competitively-sensitive or other proprietary information*** provided in the course of activities conducted by a governmental body as an energy supplier under a license granted by the department of public utilities pursuant to section 1F of chapter 164, in the course of activities conducted as a municipal aggregator under section 134 of said chapter 164 or in the course of activities conducted by a cooperative consisting of governmental entities organized pursuant to section 136 of said chapter 164, when such governmental body, municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy.

G.L. c. 30A, §21(a)(10).

The Compact's discussion of power supply procurement strategy is a proper topic under Purpose 10 of the OML. Please review OML 2014-138; in that determination, the OAG found that the use of the topic heading "Phase II-PV procurement strategy" was a proper topic of discussion under Purpose 10. In addition, the OAG has found that the Compact is a type of public body given "wide latitude to determine what information may be discussed outside of the public's view." See OML 2014-138 and 2012-81. The Compact has determined that the rate/pricing component of its power supply procurement strategy is the type of information that should be discussed in executive session under Purpose 10.

In addition, the Compact's treatment of its power supply procurement strategy and pricing matters as confidential is consistent with the materials that it submitted to the OAG in connection with OML 2012-81 along with its sister organization, the Cape & Vineyard Electric Cooperative, Inc. ("CVEC"). Further, as stated in that submission, it is the Compact's position that the conclusion of a particular procurement process does not automatically make all aspects of the



procurement process public. The Compact has a continuing, long-term interest in protecting its procurement strategy. Here are two relevant excerpts from that submission:

- *Currently, it is the practice of the Compact and CVEC to treat the following types of information, among others, as confidential: power supply pricing; the identity of power suppliers; the methods used to evaluate power supply price offers; the evaluation of bidder's and other third-party developer's prices and terms and conditions; energy forecasting models; internal financing methods and pro formas; and forecasts of prices for energy, capacity, renewable energy certificate ("RECs") and ancillary products. If such information is prematurely disclosed, it will adversely affect each entity's ability to conduct its business in relation to other entities making, selling or distributing electric power and energy.*
- *The Compact and CVEC are quite different from other public bodies subject to the Open Meeting Law. For most public bodies, when a particular matter or project is complete or they have decided to terminate their participation with respect to a particular matter or project, it is appropriate for executive session minutes regarding those matters or projects to be released. This is not the case with the Compact and CVEC. Because these entities are continuously participating in power purchase transactions, development of renewable energy projects and other energy-related matters and transactions, disclosure of most older executive session minutes would adversely affect their ability to conduct business in relation to other entities making, selling or distributing electric power and energy. By way of example, in executive session the Compact may discuss a particular power supplier's proposal to provide the Compact with competitive electric supply and may decide to terminate negotiations with that supplier. While contract negotiations may have terminated, it would adversely affect the Compact's ability to negotiate future contracts if suppliers were able to learn the Compact's strategic plan, its issues of concern and the considerations it uses in evaluating proposals by reviewing the Compact's older executive session minutes. The Compact and CVEC have a continuing interest in protecting the practice of the Compact and CVEC to treat the following types of information, among others, as confidential: power supply pricing; the identity of power suppliers; the methods used to evaluate power supply price offers; the evaluation of bidder's and other third-party developer's prices and terms and conditions; energy forecasting models; internal financing methods and pro formas; and forecasts of prices for energy, capacity, RECs and ancillary products. Disclosure of older minutes which includes discussion of these issues would defeat the lawful purposes of the executive sessions. If the Compact's and CVEC's confidential information is disclosed through the release of executive session minutes, it would adversely affect the Compact's and CVEC's ability to conduct their business in relation to other entities making, selling or distributing electric power and energy.*

The Compact emphasizes that its power supply procurement strategy is a dynamic, continuing process, and that the terms and conditions that were accepted and negotiated for a particular procurement may be directly tied to the terms and conditions that the Compact anticipates negotiating for future procurements. For instance, pricing may not be fixed in many Compact power supply contracts, pricing terms change every six months (or, in some cases, even more

often), according to a formula which requires consultation between the supplier and the Compact. Were such formulas to be publicly disclosed, or were the discussions and/or implementation of pricing changes to be publicly disclosed in advance or during the term, there could be tremendous competitive harm to the Compact and its supplier. Therefore, simply because the Compact has executed a power supply contract with a particular supplier does not mean that its power supply procurement strategy has come to an end. Disclosure of executive session minutes which include discussion of power supply procurement strategy may defeat the lawful purpose of executive sessions convened under Purpose 10.

In your complaint, you state that the Compact should take the actions set forth below in underlined text. The Compact's responses are set forth immediately following each suggested action in italicized text.

1. Acknowledge that CLC violated the Open Meeting Law by deliberating on these two topics of discussion – the “Operational Adder” and the new electricity rate structure for CLC members – without including either topic on the meeting notice or agenda.

*The Compact declines to take such action as it did not violate the OML for the reasons set forth above.*

2. Acknowledge that CLC violated the Open Meeting Law by deliberating these topics during the executive session without stating these topics for discussion accurately, or with a proper degree of specificity.

*The Compact declines to take such action as it did not violate the OML for the reasons set forth above.*

3. Acknowledge that CLC violated the Open Meeting Law by claiming an illegitimate exemption from public disclosure for its discussions of the “Operational Adder” and the new electricity rate structure for CLC members when no such exemption was justified.

*The Compact declines to take such action as it did not violate the OML for the reasons set forth above.*

4. Acknowledge that it was improper for CLC to redact portions of the executive session meeting minutes for November 12, 2014 relating to its discussions of the Operational Adder and/or new electricity rate structure for CLC members, since CLC's deliberations on these topics are not exempt from disclosure, and acknowledge that any continued efforts by CLC to withhold this information from the public are also improper.

*The Compact declines to take such action as it did not violate the OML for the reasons set forth above.*

5. Review the executive session minutes for the meeting of November 12, 2014 and release all portions of these minutes for which no exemption from disclosure is applicable or justified.

*The Compact's review and redaction of its executive session meeting minutes was proper for the reasons set forth above.*

6. Agree to stop violating the Open Meeting Law by failing to provide proper notice of the topics to be discussed during public meetings, by failing to provide the appropriate degree of specificity regarding topics to be discussed during executive session meetings and by claiming broad exemptions from public disclosure relating to topics of discussion for which no such exemption is applicable, or can be clearly justified.

*The Compact rejects your assertions that any OML violations occurred at the November 12, 2014 meeting. The content of the Compact's meeting notice and the topics discussed under Purpose 10 of the OML are consistent with the OAG guidance, specifically OML 2014-138 and 2012-81 which the OAG issued in response to similar prior complaints by you.*

The Compact hopes that the information provided in this response has been informative and satisfies your concerns. Thank you.

Sincerely,

Margaret T. Downey  
Cape Light Compact Administrator

cc: Office of the Attorney General  
Jeffrey M. Bernstein, Esq.