

**Cape Light Compact JPE
Governing Board
Executive Session Meeting Minutes
Wednesday, June 13, 2018**

The Cape Light Compact JPE Board of Directors met on Wednesday, June 13, 2018 in the Martha's Vineyard Conference Room at the Cape Light Compact JPE Offices at 261 Whites Path, Yarmouth MA 02664 at 2:00PM.

Present Were:

1. David Anthony, Secretary, Barnstable
2. Peter Doyle, Barnstable Alternative
3. Robert Schofield, Executive Committee, Bourne
4. Peter Cocolis, Executive Committee, Chatham
5. Brad Crowell, Dennis
6. Robert Hannemann, Duke's County
7. Fred Fenlon, Eastham
8. Paul Pimentel, Edgartown – By phone
9. Ronald Zweig, Vice-Chair, Falmouth
10. Valerie Bell, Harwich
11. Wayne Taylor, Mashpee – By phone
12. Richard Toole, Executive Committee, Oak Bluffs – By phone
13. Martin Culik, Orleans
14. Thomas Donegan, Executive Committee, Provincetown
15. Leanne Drake, Sandwich
16. Richard Elkin, Wellfleet
17. ChristiAne Mason, Wellfleet Alternative
18. Sue Hruby, West Tisbury
19. Joyce Flynn, Chair, Yarmouth

Absent Were:

1. Michael Hebert, Aquinnah
2. Colin Odell, Brewster
3. Timothy Carroll, Chilmark
4. Jay Grande, Tisbury
5. Jarrod Cabral, Truro

Members/Alternates

Physically present: 15

Present by phone: 3

Legal Counsel:

Jeffrey Bernstein, Esq., BCK Law, P.C.

Staff Present:

Austin Brandt, Senior Power Supply Planner

Briana Kane, Planning and Evaluation Manager

Maggie Downey, Administrator

Open Session Vote on entry into Executive Session pursuant to M.G.L. c. 30A §§21(a)(3) to discuss matters below, to return to open session:

1. Trade secrets, confidential and competitively sensitive or other proprietary power supply information with a potential vote related to the Cape Light Compact 2019 and beyond power supply program portfolio (renewable energy generation and Renewable Energy Certificate (“REC”))
2. Review and approve Executive Session Minutes

Joyce Flynn at 2:10 PM moved to enter into Executive Session pursuant to MGL Chapter 30A §21(a) 10 to discuss trade secrets, confidential and competitively sensitive or other proprietary power supply information with a potential vote related to the Cape Light Compact 2019 and beyond power supply program portfolio (renewable energy generation and Renewable Energy Certificate (“REC”)); and to review and approve Executive Session Minutes.

Joyce Flynn declared that an open session may have adversely affect the Cape Light Compact’s ability to conduct business in relation to other entities making, selling or distributing electric power and energy. The governing Board will return to Open Session at the conclusion of Executive Session. Seconded by Martin Culik.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (14 – 0 – 0)

- 1. Trade secrets, confidential and competitively sensitive or other proprietary power supply information with a potential vote related to the Cape Light Compact 2019 and beyond power supply program portfolio (renewable energy generation and Renewable Energy Certificate (“REC”))**

Maggie Downey stated that through analysis the Compact has determined if there were to be an adverse effect to signing a contract that it would only be a negligible, fourth place decimal. Martin Culik asked what it is that the Compact is asking for today. Maggie Downey stated that the Compact wants to know if the Board is in support of us continuing the process of putting a contract together.

Maggie Downey stated that the Farmington Maine Solar Farm is a new, class one eligible facility. This project will be an opportunity for the Compact to hedge a small percentage of the Compact’s load, both energy and Renewable Energy Certificates (RECs). Thomas Donegan stated that it will put the Compact in a better pricing and competitive marketing spot. Maggie Downey also stated that this project will help the Compact build a credit rating.

Ron Zweig asked if during the analysis, the Compact factored in health effects. Maggie Downey stated that the Compact did not investigate any societal impacts. Richard Elkin asked what happens if Renewable Portfolio Standard (RPS) changes. Austin Brandt answered that the RPS raises 1% every year. If the RPS raises 3% per year that would make it a better deal by increasing the value of RECs. Maggie Downey stated that the contract would have a fixed price.

Joyce Flynn asked by how much this would be the longest contract the Compact has been in. Maggie Downey answered the longest was about 5 years. David Anthony asked what the risks for NextEra are if the Compact is were to not exist within the 20 years of the contract. Maggie Downey stated that, that will be part of the terms and conditions.

Maggie Downey stated that this is a policy decision. If the Compact decides not to do this, it would just continue to buy RECs year to year. David Anthony asked how much of our power supply load the Compact would ever consider committing to this type of hedging strategy. Austin Brandt replied that it depends on the Board’s direction about how close they would like to stay to Eversource’s basic service rates. Fred Fenlon asked that if the Compact decides to sign a contract, when would the project start. Maggie Downey answered that it would start before the end of next year. Brad Crowell asked how much it would cost to terminate the contract if the Compact needed to. Jeffrey Bernstein stated that the terms of the termination would be negotiated.

Robert Schofield moved the CLCJPE Board of Directors to authorize the Compact’s Administrator to negotiate the terms and conditions for the Farmington, Maine RECs project. Seconded by Peter Cocolis.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Brad	Crowell	Dennis	No
Fred	Fenlon	Eastham	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (12 –1 – 1)

Sue Hruby joined the meeting at 2:35 PM.

2. Review and approve Executive Session Minutes

The Board considered the January 3, 2018 Executive Committee Meeting Minutes. *Peter Cocolis moved the Board to accept the amended minutes, seconded by Robert Schofield and voted by roll call as follows:*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (4 – 0 – 0)

The Board considered the January 10, 2018 Executive Session Minutes. *Ronald Zweig moved the Board to accept the amended minutes, seconded by Robert Schofield and voted by roll call as follows:*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Abstained
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Leanne	Drake	Sandwich	Abstained
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (13 – 0 – 2)

The Board considered the February 14, 2018 Executive Session Minutes. *Martin Culik moved the Board to accept the amended minutes, seconded by Robert Schofield and voted by roll call as follows:*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes

Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (15 – 0 – 0)

The Board considered the March 28, 2018 Executive Session Minutes. *Martin Culik moved the Board to accept the amended minutes, seconded by Robert Schofield and voted by roll call as follows:*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Ronald	Zweig	Falmouth	Abstained
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (14 – 0 – 1)

The Board considered the April 11, 2018 Executive Session Minutes. *Robert Schofield moved the Board to accept the amended minutes, seconded by Ronald Zweig and voted by roll call as follows:*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Brad	Crowell	Dennis	Abstained
Fred	Fenlon	Eastham	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (14 – 0 – 1)

Robert Schofield moved the Board to authorize David Anthony, Secretary to the Board, to work with the Compact Administrator to review and redact approved minutes for public release. Seconded by Martin Culik.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (15 – 0 – 0)

Return to Open Session

At 3:16 PM, Joyce Flynn asked for a motion to end executive session, moved by Martin Culik, seconded by Robert Schofield.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (15 – 0 – 0)

Respectfully submitted,

Melissa Allard

LIST OF DOCUMENTS AND EXHIBITS:

- Meeting Notice / Agenda
- April 11, 2018 Executive Session Minutes
- March 28, 2018 Executive Session Minutes
- February 14, 2018 Executive Session Minutes
- January 10, 2018 Executive Session Minutes
- January 3, 2018 Executive Committee Meeting Minutes