

CAPE LIGHT COMPACT

**INDEPENDENT AUDITORS' REPORT ON
FINANCIAL STATEMENTS AND
ADDITIONAL INFORMATION**

FOR THE YEAR ENDED DECEMBER 31, 2009

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Independent Auditors' Report



Certified Public Accountants

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Independent Auditors' Report

To the Board of Representatives
Cape Light Compact
Barnstable, Massachusetts 02630

We have audited the accompanying statement of net assets of the Cape Light Compact as of December 31, 2009 and the related statement of revenues, expenses and change in net assets and statement of cash flows for the year then ended. These financial statements are the responsibility of the Cape Light Compact's management. Our responsibility is to express an opinion on these financial statements based on our audit.

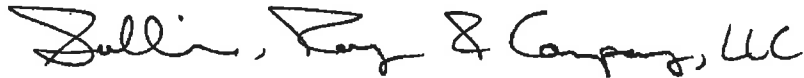
We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Cape Light Compact as of December 31, 2009 and the results of its operations and cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with Government Auditing Standards, we have also issued our report dated June 14, 2013 on our consideration of the Cape Light Compact's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis (located on pages 4 through 8) be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The additional information is presented for purposes of additional analysis and is not a required part of the financial statements. The additional information is the responsibility of management and was derived from and relate directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

A handwritten signature in black ink that reads "Sullivan, King & Company, LLC". The signature is written in a cursive, flowing style.

June 14, 2013

Management's Discussion and Analysis

As management of the Cape Light Compact (Compact), we offer readers of these financial statements this narrative overview and analysis of the Compact's financial activities for the calendar year ended December 31, 2009.

The management's discussion and analysis (MD&A) is presented in the following sections:

1. Background
2. Overview of the Financial Statements
3. Financial Statement Analysis
4. Three-Year Energy Efficiency Plan

Please refer to the audited *Financial Statements* when reading the MD&A.

Background

Since 1997, the Compact has represented a unique "partnership" between each of the Cape Cod and Martha's Vineyard towns and counties. The Compact consists of the twenty-one towns in Barnstable and Dukes Counties, as well as the two counties themselves. It is organized through a formal Intergovernmental Agreement under Massachusetts General Laws, Chapter 40, Section 4A.

The Compact serves as a regional municipal load aggregator and energy efficiency program administrator pursuant to Massachusetts General Laws, Chapter 164, Section 134 and offers a variety of programs and advocacy activities to help consumers with their electric energy needs. The purposes of the Compact, include, among other things, (1) to provide the basis for aggregation of all consumers on a non-discriminatory basis; (2) to negotiate the best terms and conditions for electricity supply and transparent pricing; (3) to provide sharing of economic savings to consumers based on current electric rates and/or cost-of-service ratemaking; (4) to provide full public accountability to consumers; and (5) to utilize and encourage demand side management and other forms of energy efficiency and to advance consumer awareness and adoption of a wide variety of energy efficiency measures through the implementation of an energy efficiency plan.

The Compact as a Municipal Aggregator:

The Compact is a regional municipal aggregator under Massachusetts General Laws, Chapter 164, Section 134 and its aggregation plan was approved by the Massachusetts Department of Telecommunications and Energy in 2000 and various power supply contracts have been reviewed and approved pursuant to the plan. The Compact presently offers a competitive electric power supply option on an opt-out basis to over 200,000 customers, across all customer classes, who are located within the Compact's service territory. The Compact's current form of universal service competitive electric supply agreement was approved by the Massachusetts Department of Telecommunications and Energy (DTE), now the Massachusetts Department of Public Utilities (DPU), in 2004.

The Compact as Energy Efficiency Program Administrator:

In addition to offering competitive electric supply, the Compact also operates and administers its own Energy Efficiency Plan. The Compact's 2009 Energy Efficiency Plan was approved by the DPU on May 29, 2009 and was designed to advance consumer awareness and provide for the adoption of a wide variety of energy efficiency measures. The Compact's programs were designed to comply with the Massachusetts state energy efficiency goals and policies, including the Green Communities Act (Chapter 169, Section 11 of the Acts of 2008).

The Compact as Consumer Advocate:

Through technical and legal support the Compact represents the interests of Cape Cod and Martha's Vineyard electric ratepayers in selected state proceedings and with NSTAR Electric the incumbent distribution company. The Compact's participation in DPU proceedings has yielded many millions of dollars in savings and avoided costs for ratepayers.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the *financial statements*, which consists of the following two components:

1. Financial statements
2. Notes to the financial statements

This report also contains additional information that supplements the financial statements.

Financial Statements

The Compact's financial statements are prepared in accordance with U.S. generally accepted accounting principles (GAAP), as set forth by the Governmental Accounting Standards Board (GASB). The financial statements are presented on the accrual basis of accounting and include the following three basic financial statements: (1) the Statement of Net Assets, (2) the Statement of Revenues, Expenses and Change in Net Assets and (3) the Statement of Cash Flows.

The financial statements can be found on pages 10-12 of this report.

Notes to the Basic Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the financial statements. The notes to the financial statements can be found on pages 13-19 of this report.

Additional Information

In addition to the financial statements and accompanying notes, this report also presents additional information. Presented in this information are combining statements of net assets and revenues, expenses and change in net assets, as well as a reconciliation of audited energy efficiency GAAP expenses to the amounts reported to the DPU. The additional information can be found on pages 22-24.

Financial Statement Analysis

The following tables present current year data on the financial statements.

Net Assets

The Compact's assets exceeded liabilities by \$2,403,722 at the close of the calendar year and are summarized as follows:

Assets	
Current assets.....	\$ <u>5,315,747</u>
Liabilities	
Current liabilities.....	2,767,574
Noncurrent liabilities.....	<u>144,451</u>
Total liabilities.....	<u>2,912,025</u>
Net Assets	
Unrestricted.....	\$ <u><u>2,403,722</u></u>

The Compact's assets consist entirely of cash and cash equivalents and various accounts receivable. Liabilities primarily consist of accounts payable and accrued expenses.

Changes in Net Assets

The Compact's net assets increased by \$501,174 for the year ended December 31, 2009 and are summarized as follows:

Operating revenues.....	\$ 10,441,140
Operating expenses.....	<u>10,136,380</u>
Operating income.....	304,760
Nonoperating revenues (expenses), net.....	<u>196,414</u>
Change in net assets.....	501,174
Net assets - beginning of year.....	<u>1,902,548</u>
Net assets - end of year.....	\$ <u><u>2,403,722</u></u>

Operating revenues primarily consist of mandatory energy efficiency charges (\$4,906,932) and amounts received from the Commonwealth of Massachusetts related to the Regional Greenhouse Gas Initiative (RGGI) auctions (\$4,008,173) for energy efficiency.

Approximately 87% (or \$8,786,122) of the Compact's operating expenses relate directly to energy efficiency programs.

Three-Year Energy Efficiency Plan

Pursuant to the Green Communities Act, the Compact submitted its first three-year plan to the DPU for the period of January 1, 2010 through December 31, 2012 on October 30, 2009. The Green Communities Act requires that Program Administrators (such as the Compact) acquire all cost effective energy efficiency and demand reduction resources in the Commonwealth. The three-year plan was developed through a comprehensive effort involving the state's energy industry stakeholders and the Department of Energy Resources. On a state-wide basis, including natural gas efficiency programs, the three-year plans are expected to provide net benefits of \$3.9 billion, resulting in almost three dollars in benefits for every dollar spent, over the lifetime of the efficiency measures installed.

Requests for Information

This financial report is designed to provide a general overview of the Compact's finances for all those with an interest in its finances. Questions concerning any of the information provided in this report should be addressed to the Compact Administrator, Barnstable County, P.O. Box 427, Superior Court House, Barnstable, Massachusetts 02630.

Financial Statements

STATEMENT OF NET ASSETS

DECEMBER 31, 2009

ASSETS

Current assets:

Cash and cash equivalents.....	\$ 3,573,605
Receivables, net of allowance for uncollectible amounts:	
Energy efficiency.....	216,349
Mil-adder.....	84,789
Green program.....	91,290
Intergovernmental (RGGI).....	1,303,801
Other.....	45,913
	<u>5,315,747</u>
Total assets.....	<u>5,315,747</u>

LIABILITIES

Current liabilities:

Accounts payable and accrued expenses.....	2,742,305
Accrued payroll.....	20,538
Compensated absences.....	4,731
	<u>2,767,574</u>
Total current liabilities.....	<u>2,767,574</u>

Noncurrent liabilities:

Compensated absences.....	42,574
Net OPEB obligation.....	101,877
	<u>144,451</u>
Total noncurrent liabilities.....	<u>144,451</u>

Total liabilities.....	<u>2,912,025</u>
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NET ASSETS

Unrestricted.....	\$ <u>2,403,722</u>
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See notes to financial statements.

STATEMENT OF REVENUES, EXPENSES AND CHANGE IN NET ASSETS

FOR THE YEAR ENDED DECEMBER 31, 2009

OPERATING REVENUES	
Energy efficiency.....	\$ 4,906,932
Mil-adder.....	1,181,953
Green program.....	154,323
Intergovernmental (RGGI).....	4,008,173
Member contributions.....	189,115
Other.....	<u>644</u>
 TOTAL OPERATING REVENUES.....	 <u>10,441,140</u>
 OPERATING EXPENSES	
Salaries and benefits.....	856,701
Energy efficiency programs:	
Residential programs.....	3,156,712
Low income programs.....	686,573
Commercial and industrial programs.....	2,998,640
Monitoring and evaluation programs.....	174,698
Other programs.....	593,350
Grants to Cape & Vineyard Electric Cooperative.....	720,000
Legal.....	623,344
Other professional services.....	52,679
Marketing.....	93,360
Other operating.....	177,991
Depreciation.....	<u>2,332</u>
 TOTAL OPERATING EXPENSES.....	 <u>10,136,380</u>
 OPERATING INCOME.....	 <u>304,760</u>
 NONOPERATING REVENUES (EXPENSES)	
Forward capacity market.....	328,664
Renewable energy certificates.....	(133,265)
Investment income.....	<u>1,015</u>
 TOTAL NONOPERATING REVENUES (EXPENSES), NET.....	 <u>196,414</u>
 CHANGE IN NET ASSETS.....	 501,174
 NET ASSETS AT BEGINNING OF YEAR.....	 <u>1,902,548</u>
 NET ASSETS AT END OF YEAR.....	 <u>\$ 2,403,722</u>

See notes to financial statements.

STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED DECEMBER 31, 2009

CASH FLOWS FROM OPERATING ACTIVITIES

Receipts from customers and users.....	\$	9,254,968
Payments to vendors and customers.....		(7,757,180)
Payments for employee services.....		(736,031)
		<u>761,757</u>

CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES

Proceeds from sales of renewable energy certificates.....		2,601,214
Purchase of renewable energy certificates.....		(2,734,479)
Proceeds from forward capacity market.....		307,099
		<u>173,834</u>

CASH FLOWS FROM INVESTING ACTIVITIES

Investment income.....		1,015
		<u>1,015</u>

NET CHANGE IN CASH AND CASH EQUIVALENTS..... 936,606

CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR..... 2,636,999

CASH AND CASH EQUIVALENTS AT END OF YEAR..... \$ 3,573,605

RECONCILIATION OF OPERATING INCOME TO NET CASH FROM OPERATING ACTIVITIES

Operating income.....	\$	304,760
Adjustments to reconcile operating income to net cash from operating activities:		
Changes in assets and liabilities not requiring current cash flows:		
Net OPEB obligation.....		101,877
Depreciation.....		2,332
Changes in assets and liabilities requiring current cash flows:		
Accounts receivable.....		(997,057)
Warrants payable and accrued expenses.....		1,331,052
Accrued payroll.....		3,959
Compensated absences.....		14,834
		<u>456,997</u>

NET CASH FROM OPERATING ACTIVITIES..... \$ 761,757

NONCASH INVESTING, CAPITAL AND NONCAPITAL FINANCING ACTIVITIES

Member contributions.....	\$	189,115
		<u>189,115</u>

See notes to financial statements.

NOTE 1 - REPORTING ENTITY

The Cape Light Compact (Compact) was established in 1997 pursuant to an Inter-Municipal Agreement authorized by Chapter 40, Section 4A of the Massachusetts General Laws for the purpose of providing competitive electric supply, green power options, energy efficiency programs and consumer advocacy for the residents and businesses of Cape Cod and Martha's Vineyard.

The Compact's membership consists of 21 towns and 2 counties on Cape Cod and Martha's Vineyard and is governed by a 23 member Board of Representatives appointed by each of the member towns and counties.

These financial statements do not include state and federal grants awarded to Barnstable County that are administered by the Compact. Such grants are included as governmental funds in the County's annual financial statement audit.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The basic financial statements have been prepared in accordance with accounting principles generally accepted in the United States of America (GAAP). The Governmental Accounting Standards Board (GASB) is the standard-setting body for establishing governmental accounting and financial reporting principles. The significant accounting policies are described herein.

A. Measurement Focus, Basis of Accounting and Basis of Presentation

Pursuant to GASB Statement No. 20, *Accounting and Financial Reporting for Proprietary Funds and Other Governmental Entities That Use Proprietary Fund Accounting*, the Compact applies all applicable Financial Accounting Standards Board (FASB) pronouncements issued on or prior to November 30, 1989, unless those pronouncements conflict with or contradict GASB pronouncements.

The Compact's financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Under this method, revenues are recorded when earned and expenses are recorded when the liabilities are incurred, regardless of the timing of related cash flows.

The Compact distinguishes operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with the principal ongoing operations. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

B. Deposits and Investments

Cash and cash equivalents are considered to be cash on hand, demand deposits and short-term investments with an original maturity of three months or less from the date of acquisition. Investments are carried at fair value.

C. Accounts Receivable

Accounts receivable are recorded at the time of the underlying event. The allowance for uncollectible amounts is estimated based on historical trends and specific account analysis. At December 31, 2009, all amounts are considered 100% collectible.

D. Capital Assets

Capital assets are recorded at historical cost. All purchases and construction costs in excess of \$5,000 are capitalized at the date of acquisition or construction, respectively, with expected useful lives of greater than one year.

Depreciable capital assets are depreciated on a straight-line basis. The estimated useful lives of capital assets are as follows:

<u>Asset Type</u>	<u>Estimated Useful Life (in years)</u>
Vehicles.....	5

The cost of normal maintenance and repairs that do not add to the value of the assets or materially extend asset lives are not capitalized and are treated as expenses when incurred. Improvements are capitalized.

E. Compensated Absences

Employees are granted vacation and sick leave in varying amounts based on state laws and executive policies. Vested or accumulated vacation and sick leave are reported as liabilities and expensed as incurred.

F. Post Retirement Benefits

In addition to providing pension benefits, and as more fully described in Note 6, the Compact (through the County) provides health, dental and life insurance coverage for current and future retirees and their spouses.

G. Revenue Recognition

Energy efficiency revenues are derived from the Massachusetts Department of Public Utilities (DPU) mandatory charge of 2.5 mills per kilowatt hour to fund energy efficiency programs. These charges are initially collected by the electric distribution company and subsequently provided to the Compact. The Compact recognizes the energy efficiency charge as operating revenue on the accrual basis of accounting.

Mil-adder revenues are derived from the 1 mil (\$0.001) per kilowatt hour surcharge used to establish reserves as provided in the Compact’s competitive electric supply agreement (CESA) approved by the Massachusetts Department of Telecommunications and Energy. These charges are collected by the electric supply company on behalf of the Compact and subsequently are remitted to the Compact. The Compact’s Governing Board appropriates these funds through the annual budget process; in addition, funds are disbursed by the Compact’s Administrator based on contractual and regulatory obligations. Mil-adder charges are recognized as operating revenue on the accrual basis of accounting.

Green program revenues are derived from the Compact’s voluntary opt-in green program for which participants pay a premium for matching their electric generation purchases with renewable energy. This additional charge (“adder”) is initially collected by the electric supply company and subsequently provided to the Compact. The Compact recognizes the green program adder as operating revenue on the accrual basis of accounting.

Intergovernmental revenues are received from the Commonwealth via the Commonwealth’s participation in the Regional Greenhouse Gas Initiative (RGGI) quarterly CO2 auctions. The 2008 Massachusetts Green Communities Act assigned at least 80% of RGGI fund proceeds for energy efficiency programs administered by the state’s electric utilities and energy efficiency service providers. The Compact recognizes the Intergovernmental (RGGI) proceeds as operating revenue on the accrual basis of accounting.

H. Forward Capacity Market

The Compact participates in ISO New England's forward capacity market. The Compact recognizes proceeds from the forward capacity market as nonoperating revenue on the accrual basis. These funds are used for energy efficiency.

I. Member Contributions

Member contributions represent amounts budgeted and paid for by the County (a Compact member) through the County's general fund.

J. Use of Estimates

The preparation of basic financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure for contingent assets and liabilities at the date of the basic financial statements and the reported amounts of the revenues and expenditures/expenses during the fiscal year. Actual results could vary from estimates that were used.

NOTE 3 - DEPOSITS AND INVESTMENTS

The County Treasurer, through an Administrative Services Agreement more fully described in Note 8, maintains the Compact's deposits and investments. The County Treasurer maintains its cash and investments in accordance with the municipal finance laws of the Commonwealth, which authorize the County Treasurer to invest temporarily idle cash in bank term deposits and certificates of deposits, and treasury and agency obligations of the United States government with maturities of one year or less; U.S. treasury or agency repurchase agreements with maturities of not more than 90 days; money market accounts; and the state treasurer's investment pool - the Massachusetts Municipal Depository Trust (MMDT).

The MMDT meets the criteria of an external investment pool and operates in accordance with applicable state laws and regulations. The Treasurer of the Commonwealth serves as Trustee. The reported value of the pool is the same as the fair value of the pool shares.

The County Treasurer maintains a separate bank account and investment (repurchase agreement) for the Compact's energy efficiency funds. All other Compact funds are included in the County's pooled cash. The components of the Compact's cash and cash equivalents maintained by the County Treasurer are as follows:

	<u>Amount</u>
Checking account.....	\$ 100,513
Repurchase agreement.....	1,130,064
Pooled cash.....	<u>2,343,028</u>
Total.....	<u>\$ 3,573,605</u>

NOTE 4 - CAPITAL ASSETS

Capital asset activity for the year ended December 31, 2009, was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
<u>Capital assets being depreciated:</u>				
Vehicles.....	\$ 23,319	\$ -	\$ -	\$ 23,319
<u>Less accumulated depreciation for:</u>				
Vehicles.....	(20,987)	(2,332)	-	(23,319)
Total capital assets being depreciated, net.....	\$ 2,332	\$ (2,332)	\$ -	\$ -

NOTE 5 - LONG-TERM OBLIGATIONS

The following represents a summary of changes that occurred in long-term obligations during the year ended December 31, 2009:

	Balance January 1, 2009	Increases	Decreases	Balance December 31, 2009	Current Portion
Net OPEB obligation.....	\$ -	\$ 101,877	\$ -	\$ 101,877	\$ -
Compensated absences.....	32,471	14,834	-	47,305	4,731
Total.....	\$ 32,471	\$ 116,711	\$ -	\$ 149,182	\$ 4,731

NOTE 6 - OTHER POST EMPLOYMENT BENEFITS

Plan Description - The Compact (through the County) provides health, dental and life insurance coverage for its retirees and their survivors (hereinafter referred to as the "Plan") as a single-employer defined benefit Other Post Employment Benefit (OPEB) plan. Chapter 32B of the MGL assigns authority to establish and amend benefit provisions. Changes to plan design and contribution rates must be accomplished through the collective bargaining process. The Plan does not issue a standalone financial report since there are no assets legally segregated for the sole purpose of paying benefits under the Plan.

Funding Policy - The contribution requirements of Plan members and the County are established and may be amended by the County. The required health and dental insurance (including Medicare Part B) contribution rates of Plan members and the County are 25% and 75%, respectively. The Plan members and the County contribute 25% and 75%, respectively, towards a \$10,000 term life insurance premium. The County currently contributes enough money to the Plan to satisfy current obligations on a pay-as-you-go basis. The costs of administering the Plan are paid by the County. The 75% County portion referred to above that relates to the Compact are paid by Compact funds.

Annual OPEB Cost and Net OPEB Obligation - The County's annual OPEB cost (expense) is calculated based on the annual required contribution (ARC) of the employer, an actuarially determined amount that is calculated in accordance with the parameters set forth in GASB Statement #45. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and amortize any unfunded actuarial liabilities (or funding excess) over a period not to exceed thirty years.

The County's annual OPEB cost for its fiscal year ended June 30, 2010 totaled approximately \$2,729,052. The Compact's share of that cost totaled \$101,877 and is reported as salaries and benefits.

NOTE 7 - PENSION PLAN

Plan Description - The Compact (through the County) contributes to the Barnstable County Retirement Association (the Association), a cost-sharing multiple-employer defined benefit pension plan administered by the Barnstable County Retirement Board. Substantially all employees of the County are members of the Association.

Chapter 32 of the MGL assigns authority to establish and amend benefit provisions of the plan. The Association provides retirement, disability and death benefits to plan members and beneficiaries. Cost-of-living adjustments granted between 1981 and 1997 and any increases in other benefits imposed by the Commonwealth's state law during those years are borne by the Commonwealth and are deposited into the pension fund. Cost-of-living adjustments granted after 1997 must be authorized by the Barnstable County Retirement Board and are borne by the Association. The Association issues a publicly available report in accordance with guidelines established by the Commonwealth's Public Employee Retirement Administration Commission. That report may be obtained by contacting the Association located at 750 Attucks Lane, Hyannis, Massachusetts, 02601.

Funding Policy - Chapter 32 of MGL governs the contributions of plan members and the County. Plan members are required to contribute to the Association at rates ranging from 5% to 11% of annual covered compensation. The County is required to pay into the Association its share of the association-wide actuarial determined contribution that is apportioned among the employers based on annual covered payroll. The County's contributions to the Association for the fiscal years ended June 30, 2010, 2009, and 2008 were \$4,789,706, \$4,565,114 and \$4,411,987, respectively, which equaled its required contribution for each fiscal year.

The Compact's share (based on a percentage of payroll) of the County's contribution for the year ended December 31, 2009 was paid by the Compact and totaled \$53,111. This amount is reported as salaries and benefits.

NOTE 8 - RELATED PARTY TRANSACTIONS

Administrative Services

The Compact has entered into an Administrative Services Agreement (Agreement) with the County, a member of the Compact, to provide, among other things, the following:

- Fiscal administration services, such as banking, accounting, reporting, etc.
- Procurement administration services

Cape & Vineyard Electric Cooperative

The Compact is a Member of the Cape & Vineyard Electric Cooperative (CVEC), whose purpose is to develop and/or own renewable electric generation facilities and procuring and/or selling long-term electric supply or other energy-related goods or services at competitive prices to its Members and consumers within its Member communities.

During the year ended December 31, 2009, the Compact's Board of Representatives authorized the following grants to CVEC:

- \$220,000 to cover initial operating and transactional costs
- \$500,000 for two proposed wind projects

These grants did not provide the Compact an individual or separate interest in the assets of CVEC.

Barnstable County

During the year ended December 31, 2009, the County budgeted and paid for \$189,115 of the Compact's expenses related to salaries, legal services and other operating costs.

Subsequent Events

Subsequent to year-end, the Compact (through the County) guaranteed a letter of credit obtained by CVEC. The value of the initial letter of credit totals \$100,000 and expired July 23, 2011. The letter of credit has since been extended twice and expires November 30, 2013. No amounts have been drawn on the letter of credit as of the date of this report.

Subsequent to year-end, the Compact entered into two agreements to purchase renewable energy certificates (RECs) from CVEC for fixed prices of \$40 and \$45 per REC.

NOTE 9 - OPERATING LEASES

The Compact is committed under an operating lease for a vehicle used by the Compact. Future minimum payments under this operating lease are as follows:

<u>Fiscal Year</u>	<u>Payment</u>
2010.....	\$ 4,536
2011.....	4,536
2012.....	756

Lease expenses for the year ended December 31, 2009 totaled \$4,783 and are reported as other operating expense.

NOTE 10 - COMMITMENTS

At December 31, 2009, the Compact is committed under several agreements to purchase RECs at fixed prices through the first quarter of calendar year 2012. The Compact's maximum base commitments under these agreements are as follows:

<u>December 31</u>	<u>Amount</u>
2010.....	\$ 3,041,889
2011.....	3,081,567
2012.....	<u>1,605,385</u>
Total.....	<u>\$ 7,728,841</u>

A substantial portion of all RECs purchased by the Compact are subsequently sold to the Compact's supplier at cost.

The Compact participates in ISO New England's forward capacity market and has made commitments to deliver specified units of energy efficiency at a fixed price per unit. If the Compact fails to deliver its capacity supply obligation (beginning June 1, 2010 and ending May 31, 2013) it is subject to penalties determined by the rules of the forward capacity market. Prior to June 1, 2010, the Compact was paid a fixed price based on the actual energy efficiency reported to ISO New England.

Subsequent Events

On January 1, 2010, the Compact entered into a five-year agreement to purchase all RECs generated by a third party facility at a fixed price of \$30.60/REC.

During calendar year 2012, the Compact entered into several agreements to sell RECs it had acquired (or had committed to acquire) from a third party. Expected future cash inflows total \$656,813.

NOTE 11 - FUTURE IMPLEMENTATION OF GASB PRONOUNCEMENTS

The GASB has issued the following statements:

- Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*, which is required to be implemented during 2012. The implementation of this Statement will require a change to the title of the Statement of Net Assets to the Statement of Net Position.
- Statement No. 65, *Items Previously Reported as Assets and Liabilities*, which is required to be implemented during 2013. Management does not believe the implementation of this Statement will significantly impact the basic financial statements.
- Statement No. 68, *Accounting and Financial Reporting for Pensions – an Amendment of GASB Statement No. 27*, which is required to be implemented during 2015. The implementation of this Statement will represent a significant change in the accounting and reporting of pension expense and the related liability. For the first time, the Compact will be required to recognize its long-term obligation for pension benefits as a liability and to more comprehensively measure the annual costs of pension benefits.

These pronouncements will be implemented by their respective implementation dates.

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Additional Information

COMBINING STATEMENT OF NET ASSETS

DECEMBER 31, 2009

ASSETS	Energy Efficiency Fund	Power Supply Reserve	Operating	Green Program	Total
Current assets:					
Cash and cash equivalents.....	\$ 1,223,263	\$ 2,084,468	\$ 237,009	\$ 28,865	\$ 3,573,605
Receivables, net of allowance for uncollectible amounts:					
Energy efficiency.....	216,349	-	-	-	216,349
Mil-adder.....	-	84,789	-	-	84,789
Green program.....	-	-	-	91,290	91,290
Intergovernmental (RGGI).....	1,303,801	-	-	-	1,303,801
Other.....	-	45,913	-	-	45,913
Total assets.....	<u>2,743,413</u>	<u>2,215,170</u>	<u>237,009</u>	<u>120,155</u>	<u>5,315,747</u>
LIABILITIES					
Current liabilities:					
Accounts payable and accrued expenses.....	2,742,305	-	-	-	2,742,305
Accrued payroll.....	16,889	-	3,649	-	20,538
Compensated absences.....	4,022	-	709	-	4,731
Total current liabilities.....	<u>2,763,216</u>	<u>-</u>	<u>4,358</u>	<u>-</u>	<u>2,767,574</u>
Noncurrent liabilities:					
Compensated absences.....	36,195	-	6,379	-	42,574
Net OPEB obligation.....	85,110	-	16,767	-	101,877
Total noncurrent liabilities.....	<u>121,305</u>	<u>-</u>	<u>23,146</u>	<u>-</u>	<u>144,451</u>
Total liabilities.....	<u>2,884,521</u>	<u>-</u>	<u>27,504</u>	<u>-</u>	<u>2,912,025</u>
NET ASSETS					
Unrestricted.....	\$ <u>(141,108)</u>	\$ <u>2,215,170</u>	\$ <u>209,505</u>	\$ <u>120,155</u>	\$ <u>2,403,722</u>

See accompanying independent auditors' report.

COMBINING STATEMENT OF REVENUES, EXPENSES AND CHANGE IN NET ASSETS

FOR THE YEAR ENDED DECEMBER 31, 2009

	Energy Efficiency	Power Supply Reserve	Operating	Green Program	Total
OPERATING REVENUES					
Energy efficiency.....	\$ 4,906,932	\$ -	\$ -	\$ -	\$ 4,906,932
Mil-adder.....	-	1,181,953	-	-	1,181,953
Green program.....	-	-	-	154,323	154,323
Intergovernmental (RGGI).....	4,008,173	-	-	-	4,008,173
Member contributions.....	-	-	189,115	-	189,115
Other.....	506	138	-	-	644
TOTAL OPERATING REVENUES.....	8,915,611	1,182,091	189,115	154,323	10,441,140
OPERATING EXPENSES					
Salaries and benefits.....	691,753	-	164,948	-	856,701
Energy efficiency programs:					
Residential programs.....	3,156,712	-	-	-	3,156,712
Low income programs.....	686,573	-	-	-	686,573
Commercial and industrial programs.....	2,998,640	-	-	-	2,998,640
Monitoring and evaluation programs.....	174,698	-	-	-	174,698
Other programs.....	514,785	78,565	-	-	593,350
Grants to Cape & Vineyard Electric Cooperative.....	-	720,000	-	-	720,000
Legal.....	342,805	137,784	142,755	-	623,344
Other professional services.....	-	38,194	7,843	6,642	52,679
Marketing.....	93,360	-	-	-	93,360
Other operating.....	126,796	33,116	18,079	-	177,991
Depreciation.....	-	-	2,332	-	2,332
TOTAL OPERATING EXPENSES.....	8,786,122	1,007,659	335,957	6,642	10,136,380
OPERATING INCOME (LOSS).....	129,489	174,432	(146,842)	147,681	304,760
NONOPERATING REVENUES (EXPENSES)					
Forward capacity market.....	-	328,664	-	-	328,664
Renewable energy certificates.....	-	38,797	-	(172,062)	(133,265)
Investment income.....	1,015	-	-	-	1,015
TOTAL NONOPERATING REVENUES (EXPENSES), NET.....	1,015	367,461	-	(172,062)	196,414
INCOME (LOSS) BEFORE TRANSFERS.....	130,504	541,893	(146,842)	(24,381)	501,174
TRANSFERS					
Transfers in.....	-	-	354,948	-	354,948
Transfers out.....	-	(354,948)	-	-	(354,948)
TOTAL TRANSFERS.....	-	(354,948)	354,948	-	-
CHANGE IN NET ASSETS.....	130,504	186,945	208,106	(24,381)	501,174
NET ASSETS AT BEGINNING OF YEAR.....	(271,612)	2,028,225	1,399	144,536	1,902,548
NET ASSETS AT END OF YEAR.....	\$ (141,108)	\$ 2,215,170	\$ 209,505	\$ 120,155	\$ 2,403,722

See accompanying independent auditors' report.

**RECONCILIATION OF AUDITED ENERGY EFFICIENCY GAAP EXPENSES
TO DEPARTMENT OF PUBLIC UTILITIES (DPU) REPORT**

FOR THE YEAR ENDED DECEMBER 31, 2009

Energy efficiency fund expenses reported on 2009 combining statement of revenues, expenses and changes in net assets (page 23).....	\$	<u>8,786,122</u>
<u>Reconciling items:</u>		
To record net change in accrued expenses.....		207,418
To record net change in accrued payroll.....		1,355
To record net change in net OPEB obligation.....		(85,110)
To record net change in compensated absences.....		<u>(8,679)</u>
Total reconciling items.....		<u>114,984</u>
Energy efficiency expenses reported on 2009 annual DPU report.....	\$	<u><u>8,901,106</u></u> (A)

(A) This amount is reported on the modified accrual basis of accounting and reviewed annually by the DPU

See accompanying independent auditors' report.