

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 telephone
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 Rolbein, Mass. Senator Dan Wolf's Office
Richard Andre, Vineyard Power
Gary Robinson
James Rogers, Sandwich Resident

CALL TO ORDER

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 (15-0-2)

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 Department of Public Utilities (DPU) several weeks ago. Chr. Flynn commented on the value of heat loan program, seven year, 0% interest 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 Cape & Vineyard Electric Cooperative, Inc. (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 Cape Light Compact. The Green Communities Act of 2008 changed the projects CVEC was pursuing from energy contracts to financial transactions, the allocation of Net Metering (NM) credits. The policy is still a policy. NM credits are assigned to accounts. Cape Light Compact does not have an electric account to assign the value of NM credits towards. Electric accounts are associated with customer. Initially CVEC projects were to be wholesale energy contracts but Green Communities changed it to NM 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. Wollenburg added that another challenge is that the legislation distinguishes between Government and private entities.

D. Keuch asked about the Legal Notice in *Cape Cod Times* Newspaper re: the Energy Efficiency Reconciliation Factor (EERF) Annual reconciliation. Cape Light Compact files every year an Energy Efficiency surcharge to set the amounts to be collected for the 2015 part of the 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
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)