

**Cape Light Compact
Governing Board and Executive Committee
Open Session Meeting Minutes
Wednesday, June 8, 2016**

The Cape Light Compact Governing Board and Executive Committee met on Wednesday, June 8, 2016 in the Innovation Room, Open Cape Building, Barnstable County Complex, 3195 Main Street, Barnstable MA 02630 at 2:00 p.m.

PRESENT WERE:

1. Joyce Flynn, Chair, Yarmouth
2. Robert Schofield, Vice-Chair
3. Peter Cocolis, Treasurer, Chatham
4. Ronald Zweig, Secretary, Falmouth
5. Richard Toole, Member at Large, Oak Bluffs – by phone
6. David Anthony, Barnstable
7. Deane Keuch, Brewster
8. Brad Crowell, Dennis at 2:10
9. Fred Fenlon, Eastham
10. Valerie Bell, Harwich
11. Chris Galazzi, Orleans at 2:06
12. Joshua Peters, Sandwich
13. Joseph Buteau, Truro
14. Richard Elkin, Wellfleet
15. Sue Hruby, West Tisbury
16. Sheila Lyons, Barnstable County at 2:25

ABSENT WERE:

17. Paul Pimentel, Edgartown
18. John Ally, Dukes County
19. Thomas Donegan, Provincetown
20. Michael Hebert, Aquinnah
21. Tim Carroll, Chilmark
23. Mashpee - vacant

Members physically present: 15

Members present by phone: 1

LEGAL COUNSEL

Jeff Bernstein, Esq., BCK Law, PC

STAFF PRESENT:

Maggie Downey, Administrator
Austin Brandt, Power Supply Planner
Meredith Miller, Evaluation Manager
Phil Moffitt, Residential Manager
Lindsay Henderson, Analyst
Margaret Song, C&I Program Manager
Linda Stella, Administrative Assistant

PRESENTER:

Liz Argo, CVEC, Manager, Programs & Administration

Chr. Flynn called the meeting to order at 2:02 p.m. stating the Meeting Notice/Agenda had been duly posted on the Cape Light Compact website in accordance with the Open Meeting Law. The Chair acknowledged remote

participation of R. Toole who was unable to attend in person due to other obligations. She also inquired if anyone was recording the meeting, which there wasn't.

PUBLIC COMMENT

There were no members of the public present.

CONSIDERATION OF MEETING MINUTES

The Board considered the May 11, 2016 Meeting Minutes. *D. Anthony moved the Board vote to accept the minutes, seconded by R. Elkin and voted by roll call as follows:*

- | | | | |
|----------------------------|-----|---------------------------|-----|
| 1. D. Anthony – Barnstable | yes | 9. J. Peters – Sandwich | yes |
| 2. R. Schofield – Bourne | yes | 10. J. Buteau – Truro | yes |
| 3. D. Keuch – Brewster | yes | 11. R. Elkin – Wellfleet | yes |
| 4. P. Cocolis – Chatham | yes | 12. S. Hrubby – W Tisbury | abs |
| 5. F. Fenlon – Eastham | yes | 13. J. Flynn – Yarmouth | yes |
| 6. R. Zweig – Falmouth | yes | | |
| 7. V. Bell – Harwich | yes | | |
| 8. R. Toole – Oak Bluffs | yes | | |

Motion carried in the affirmative (12-0-1)

TREASURER’S REPORT

P. Cocolis mentioned the Energy Efficiency MUNIS detail was not received from Barnstable County, as they are busy at the end of the fiscal year. He stated that the operating fund budget has not changed much from last month, and that this budget ends at the end of June. P. Cocolis stated that about 75% of the budget has been spent so far. He reminded the Board that, consistent with the auditors’ direction, money left over will go back into Power Supply Reserve Fund.

C. Galazzi arrived at 2:06 pm.

P. Cocolis reviewed the Contract Summary sheet listing Contracts and Amendments he has approved, for the period of May 11 through June 6, which have been forwarded to the County Commissioners for execution and requested the Board vote to ratify his actions.

P. Cocolis moved the board vote to ratify the actions of the Compact Treasurer relative to Compact contracts from May 11, 2016 through June 6, 2016. The Compact Administrator is authorized and directed to take all actions necessary or appropriate to implement this vote and to execute and deliver all documents as may be necessary or appropriate to implement this vote, seconded by R. Schofield and voted by roll call as follows:

- | | | | |
|----------------------------|-----|---------------------------|-----|
| 1. D. Anthony – Barnstable | yes | 8. R. Toole – Oak Bluffs | yes |
| 2. R. Schofield – Bourne | yes | 9. C. Galazzi – Orleans | yes |
| 3. D. Keuch – Brewster | yes | 10. J. Peters – Sandwich | yes |
| 4. P. Cocolis – Chatham | yes | 11. J. Buteau – Truro | yes |
| 5. F. Fenlon – Eastham | yes | 12. R. Elkin – Wellfleet | yes |
| 6. R. Zweig – Falmouth | yes | 13. S. Hrubby – W Tisbury | yes |
| 7. V. Bell – Harwich | yes | 14. J. Flynn – Yarmouth | yes |

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

B. Crowell arrived at 2:10 pm.

CHAIRMAN'S REPORT

Chr. Flynn announced that today was the 2nd Annual celebrate Compact Staff Day, to recognize the hard work by all staff members. She mentioned that she will work with staff to include more helpful information for board members' folders' and for them to think what they may like to see. M. Downey stated that she will add the Board Members roles and responsibilities.

C&I UPDATE

M. Song updated the board members as to her visiting towns and meeting with DPW and Energy Committee members, regarding the energy efficiency programs. She extended an invitation for others to contact her if they would like to meet. She asked that the board members could contact her directly, if they had any questions. M. Song drew attention to an item that will be on the next board meeting for discussion. She stated that historically the commercial programs have been cost-effective and that they have tried to stay under \$1 per kWh. She has been working on municipal projects to ensure that they are cost-effective; however, the cost per kWh is higher, meaning that there is a potential to spend the budget at faster rate. M. Song stated that the Compact has done a lot of work with the municipalities since 2001, so the projects that are coming forth are larger, more expensive projects. P. Cocolis asked where the dollar figure came from, and M. Song stated that it was a staff decision to stay under \$1 per kWh. She said that the projects that the towns bringing to the Compact, the Compact needs to be aware of cost effectiveness. R. Zweig asked that BCR be explained and how is it defined. B. Crowell asked how the Compact calculates the cost of supply. M. Song stated that she will address these questions at the next board meeting. She also mentioned that a Compact vendor, The Weidt Group, will be at the next meeting to discuss the new construction program.

CVEC REPORT

Liz Argo gave an overview of CVEC and a report on where CVEC is. She presented the savings and earnings from their projects from 3/1/15-2/29/16. L. Argo stated that, although not running the whole year, there are costs and benefits with no cash investment by the towns. The net savings are almost \$2 million. L. Argo noted the CVEC Awards and accomplishments for last year.

Sheila Lyons entered at 2:25 p.m.

L. Argo stated CVEC is helping towns figure out net metering credits. D. Anthony said Barnstable has been recognized out of 27 communities for its use of solar. L. Argo stated that it's a good thing for Barnstable but that the Compact and CVEC should get the recognition.

L. Argo went back to 13 to 15 towns asking for adder to continue to maintain its services for all participants at the current level. They said yes, though not in time for FY 17; and that they will be reconsidered for FY 18. R. Zweig asked what the return on investment was for these projects. M. Downey stated that it is believed that the ratepayers initial investment of approx. \$3 million has been surpassed in savings to the Towns, who in turn pass those savings along to all rate payers. She stated that she doesn't have the construction numbers as those are the private companies' information.

POWER SUPPLY DISCUSSION

M. Downey stated that many other aggregators have decided to go greener with their supply (above the requirement of Renewable Portfolio Standards (RPS), and that the Board will be considering and discussing this option over the next several months. It was noted that the aggregators that have elected this option, at times, have higher electric rates than utility basic service.

A. Brandt made a presentation to the Board explaining what a renewable energy certificate (REC) is and how it relates to the renewable portfolio standard (RPS). R. Elkin asked what the risk was to existing contracts due to a legislation change. J. Bernstein stated that typically changes would not affect contracts that have already been done. C. Galazzi asked about the mix of electricity that comes to the Cape and the reporting of it. A. Brandt

stated that ConEdison Solutions and NextEra have disclosure labels that are published monthly that has the mix information for the region but not specifically what comes to the Cape. A. Brandt stated that at next board meeting he would talk about voluntary green programs and different types of RECs.

ADMINISTRATOR’S REPORT

- **FY17 Operating Budget**

M Downey stated that the only change to the operating budget from last month was to the subscription line item. D. Anthony asked if the legal budget had capacity for any change in case of overage. M. Downey stated that yes there is enough capacity, but if a major rate case occurred then no. D. Anthony that because that line item is over 25% of budget, it would be a good idea to know what is happening. M Downey will give a quarterly report.

R. Toole dropped off call at 3:30 pm

P. Cocolis moved that the Board vote to appropriate the Cape Light Compact FY17 Operating Budget in the amount of \$892,347.23, seconded by R. Schofield and voted by roll call as follows:.

1. S. Lyons – Barnstable County	yes	11. C. Galazzi – Orleans	yes
2. D. Anthony – Barnstable	yes	12. J. Peters – Sandwich	yes
3. R. Schofield – Bourne	yes	13. J. Buteau – Truro	yes
4. D. Keuch – Brewster	yes	14. R. Elkin – Wellfleet	yes
5. P. Cocolis – Chatham	yes	15. S. Hrubby – W Tisbury	yes
6. B. Crowell – Dennis	yes	16. J. Flynn – Yarmouth	yes
7. F. Fenlon – Eastham	yes		
8. R. Zweig – Falmouth	yes		
9. V. Bell – Harwich	yes		
10. R. Toole – Oak Bluffs	dropped off		

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

- M. Downey stated that she attended the C3E Symposium – Women in Energy in California the week before and that the focus of the event was negotiating strategies, and that it was a great event.

R. Toole dialed back in to the meeting at 3:32 pm.

- M Downey stated that the Compact is working with the Cape Cod Tech Council to co- sponsor an event on June 29th at the Cape Media Center on grid modernization. She mentioned that the main speaker will be Karl Rábago from PACE. He will also be doing the radio show on the topic. She stated that he will be available to meet with Board on 28th to get more information about the Board’s concerns. M. Downey stated that she will send out the information.
- M. Downey stated that Mashpee has elected Selectman Andrew Gottlieb to serve on the Board and that he will be at the July meeting. She said that the only seat not filled is Tisbury. M. Downey stated that there is a meeting on Monday with Rep. Hunt (at the Board’s request) to discuss his proposed MA Legislation and the Energy Bill. She said that he has requested to see Executive Minutes. The Board may want to review the opinion of the Attorney General about Purpose 10 and how it is construed. This meeting will be posted as both an Executive Committee and Governing Board meeting in case there is not a quorum of the whole Board. Chr. Flynn stated that the Board has never been found in violation of the Open Meeting Law.
- **Update on Administrative Services Agreement**

M. Downey stated that the agreement is red-lined and that she sent it to the County Administrator. The firm of Kopelman and Paige is currently reviewing the document.

- Legislative Update

J. Bernstein stated that the Energy Bill will hopefully be sent to the conference committee and that there was a late amendment filed by Cape Wind. J. Bernstein stated that the region could see the 2 new long-term contracts for renewable energy before the session ends, and that the Compact filed amendments.

BOARD MEMBER UPDATE

No updates from the Board Members.

EXECUTIVE SESSION

At 3:40 p.m. Chr. Flynn moved that the Board enter into Executive Session pursuant to MGL Chapter 30A §21(a) 3 to discuss strategy with respect to pending regulatory litigation relative to the Electric Distribution Companies and Interstate Natural Gas Pipeline Capacity Contracts, DPU 15-181, DPU 16-05 and DPU 16-07, Grid Modernization Plans filed by MA Distribution Companies, DPU 15-120 and 15-122 and the Cape Light Compact's Three-Year Energy Efficiency Plan (DPU 15-166) and in accordance with M.G.L. 30A, §21(a)(3) and §21(a)(10), to review and approve prior executive session meeting minutes for release to the public. I declare that an open session may have a detrimental effect on the Cape Light Compact's litigating position and that disclosure of confidential and competitively-sensitive information will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy. The Governing Board would not return to Open Session at the conclusion of Executive Session.

Seconded by R. Schofield and voted by roll call as follows:

- | | | | |
|---------------------------------|-----|--------------------------|-----|
| 1. S. Lyons – Barnstable County | yes | 11. C. Galazzi – Orleans | yes |
| 2. D. Anthony – Barnstable | yes | 12. J. Peters – Sandwich | yes |
| 3. R. Schofield – Bourne | yes | 13. J. Buteau – Truro | yes |
| 4. D. Keuch – Brewster | yes | 14. R. Elkin – Wellfleet | yes |
| 5. P. Cocolis – Chatham | yes | 15. S. Hruby – W Tisbury | yes |
| 6. B. Crowell – Dennis | yes | 16. J. Flynn – Yarmouth | yes |
| 7. F. Fenlon – Eastham | yes | | |
| 8. R. Zweig – Falmouth | yes | | |
| 9. V. Bell – Harwich | yes | | |
| 10. R. Toole – Oak Bluffs | yes | | |

Motion carried in the affirmative (16-0-0)

Meeting adjourned at 5:08pm.

Respectfully submitted,
Linda Stella

LIST OF DOCUMENTS & EXHIBITS

- Meeting Notice/Agenda
- May 11, 2016 Meeting Minutes – Draft
- Summary of Contracts – 5/12/16-6/6/16
- FY 16 Operating Budget Report dated 6/8/2016

- FY 17 Operating Budget
- Pace Energy and Climate Center Article on Karl R. Rábago
- CVEC PV Projects: March 2015 to February 2016
- CVEC Review of Savings and Earnings from CVEC Portfolio:3/1/15 – 2/29/16
- CVEC PowerPoint Presentation 6/7/2016
- The Wonderful World of RECs 6/8/2016
- HB 4377 June 8, 2016 Version