

Cape Light Compact JPE Executive Committee & Governing Board Meeting

DATE: Wednesday, February 9, 2022
TIME: 2:00 – 4:30 p.m.

Note: The meeting will be held through remote participation pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020. Members of the Public can join in by audio and follow along with Meeting Materials, see the information below. All public comments should be submitted to Maggie Downey, Compact Administrator, at mdowney@capelightcompact.org by 2:00 PM on Tuesday, February 8, 2022 and should follow the public comment protocol below. Public comments received after the February 8th deadline will be distributed prior to the Compact's next Board meeting.

Telephone dial-in: +1 (646) 558-8656

Meeting ID: 825-5034-8640

[Further instructions are attached to this agenda.](#)

AGENDA

1. Public Comment – Written Only
2. Approval of January 12, 2022, Open Session Minutes
3. Chairman's Report, Martin Culik
 - A. Overview of January 27, 2022, Executive Committee Meeting
 - B. Discussion and Potential Vote to appoint KO Law, P.C. as Compact General Counsel effective as of March 18, 2022
4. Energy Efficiency: Presentation on the 2022-2024 Energy Efficiency Plan (DPU 21-126) Order
5. Administrator's Report, Maggie Downey
6. Board Member Update (Reserved for Updates on Member Activities the Chair Did Not Reasonably Anticipate Would be Discussed – No Voting)
7. **Open Session Vote on Entry into Executive Session:** (1) pursuant to M.G.L. c. 30A §21(a)(3) to review and approve executive session minutes which contain discussions regarding pending or imminent regulatory litigation related to Massachusetts Department of Public Utilities (DPU) 20-40, Cape & Vineyard Electrification Offering (CVEO) and the 2022-2024 Energy Efficiency Plan; and (2) pursuant to M.G.L. c. 30A §21(a)(3) and (10) to discuss and potential vote on pending or imminent regulatory litigation and trade secrets and confidential, competitively-sensitive or other proprietary power supply information related to Massachusetts Department of Public Utilities 20-40, Cape & Vineyard Electrification Offering (CVEO) and the 2022-2024 Energy Efficiency Plan, DPU 21-126, and the Eversource Rate Case, DPU 22-22, not to return to open session thereafter.

Participation in the Executive Session is limited to CLC Board Members, CLC Staff and Invited Guests

**Cape Light Compact JPE
Governing Board
Meeting Minutes
Wednesday, January 12, 2022**

Pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020, the Cape Light Compact JPE Board of Directors met on Wednesday, January 12, 2022 at 2 p.m. The meeting was held through a Zoom videoconference for members of the Board with audio call-in available for members of the public.

Participating Remotely Were:

1. David Anthony, Secretary/Executive Committee, Barnstable
2. Robert Schofield, Executive Committee, Bourne
3. Francis Erdman, Bourne Alternate
4. Colin Odell, Executive Committee, Brewster
5. Peter Cocolis, Chatham
6. Timothy Carroll, Executive Committee, Chilmark
7. Brad Crowell, Dennis
8. Alan Strahler, Edgartown
9. Matthew Patrick, Falmouth
10. Martin Culik, Chair/Executive Committee, Orleans
11. Nathaniel Mayo, Provincetown
12. Leanne Drake, Sandwich
13. Bob Higgins-Steele, Truro Alternate
14. Richard Elkin, Executive Committee, Wellfleet
15. Erik Peckar, West Tisbury
16. Joyce Flynn, Vice Chair/Executive Committee, Yarmouth

Absent Were:

1. Forest Filler, Aquinnah
2. Fred Fenlon, Eastham
3. Valerie Bell, Harwich
4. Wayne Taylor, Mashpee
5. Dion Alley, Executive Committee, Oak Bluffs
6. Kirk Metell, Tisbury
7. Jarrod Cabral, Truro

Legal Counsel Participating Remotely:

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

Staff Participating Remotely:

Briana Kane, Residential Manager
Maggie Downey, Administrator
Melissa Allard, Senior Administrative Coordinator

Public Participants:

None.

Martin Culik called the meeting to order at 2:03 PM.

PUBLIC COMMENT:

There were no members of the public present, and no public comments were submitted to the Board in writing under the public comment guidelines.

APPROVAL OF MINUTES:

The Board considered the December 8, 2021 Open Session Meeting Minutes.

Robert Schofield moved the Board to accept the minutes as amended and to release them as amended, seconded by Tim Carroll.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Tim	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Matt	Patrick	Falmouth	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Erik	Peckar	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Absent

Motion carried in the affirmative (11-0-0)

Alan Strahler, Bob Higgins-Steele and Richard Elkin joined the meeting at 2:08PM.

CHAIRMAN'S REPORT:

1. Recognition of new Board Member, Erik Peckar, from West Tisbury

Martin Culik stated at the December Board meeting Sue Hruby had mentioned that she was stepping down and Erik Peckar would be taking her place. He stated that Erik Peckar was officially appointed by the West Tisbury Board of Selectmen last week, and he welcomed Erik as a voting member.

2. Elections for 2022 Officers

Maggie Downey noted that nominations for the Compact's Officers were still open and at the December Board meeting Martin Culik was nominated for the position of Chair, Joyce Flynn for Vice-Chair, David Anthony for Secretary, Tammy Glivinski for Treasurer, and Megan Terrio for Business Officer. She asked whether there were any other nominations for these positions. No other nominations were made for the 2022 Compact Officer

positions. Maggie closed the nominations and asked for a motion to elect the Compact's Officers for 2022 as presented.

Robert Schofield moved the entire slate of Martin Culik, Joyce Flynn, David Anthony, Tammy Glivinski, and Megan Terrio for Compact Officers. Seconded by Colin Odell.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Tim	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Erik	Peckar	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

3. Elections for 2022 Executive Committee Members

Maggie Downey noted that the nominations for the Executive Committee were still open. She stated that the holder of Chair, Vice-Chair, Secretary, Tim Carroll, Richard Elkin, Colin Odell, and Robert Schofield were nominated for Executive Committee Members at the December Board Meeting. She then asked whether there were any other nominations for the Executive Committee.

Alan Strahler nominated Erik Peckar. Maggie Downey stated that would give the Board eight Executive Committee Members if all were elected. Tim Carroll withdrew his name to make it seven nominees. Maggie closed the nominations and asked for a motion to elect the Compact's Executive Committee for 2022 as presented.

Martin Culik moved the entire slate of Martin Culik, Joyce Flynn, David Anthony, Richard Elkin, Colin Odell, Robert Schofield, and Erik Peckar as the 2022 Executive Committee. Seconded by Richard Elkin.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Tim	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Alan	Strahler	Edgartown	Yes

Matt	Patrick	Falmouth	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Erik	Peckar	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

ENERGY EFFICIENCY: UPDATE ON 2022-2024 ENERGY EFFICIENCY PLAN (DPU 21-126) AND THE 2022 ENERGY EFFICIENCY SURCHARGE (DPU 21-119), MAGGIE DOWNEY

Maggie Downey stated that the 2022-2024 Energy Efficiency Plan (Plan) has been filed and the Compact is waiting for an Order from the Department of Public Utilities (DPU). By statute the DPU has until January 31st to issue its Order on the Plan

Maggie Downey reviewed the Residential and Commercial bill impact PowerPoint slides. She stated that she updated them to reflect the 2022 energy efficiency surcharge (EES) that was approved by the DPU in late December 2021. In the EES Order the Compact was required to remove CVEO, as well as to utilize the shared cost allocation from the current three-year plan, which was developed by the Board in 2018. She stated that as a result there are changes in the bill impacts. For the residential bill impacts the energy efficiency charge increases from 9.6% to 13.9% of the total bill. As for the commercial bill impacts, the energy efficiency charge increases from 5.2% to 7.6% of the total bill.

Brad Crowell asked if Maggie Downey had comparable figures for other Massachusetts Program Administrators (PA). Maggie Downey stated that she does not have the bill impacts for the other PAs available; however, she noted that they increased from the previous three-year plan primarily due to strategic electrification initiatives. She stated that she can gather that information and provide it to the Board before the next meeting.

Erik Peckar asked when will the Compact transition to the 2022-2024 energy efficiency programs. Maggie Downey stated that the Compact cannot offer any of the incentives from the 2022-2024 Energy Efficiency Plan until it has been approved by the DPU in the Plan Order due by January 31, 2022. Erik Peckar asked if customers who are having their audits done this month are still being offered lighting installations. Briana Kane stated that lighting is not being offered at the start of this Plan year because it was not included as a measure in the filings made by the Compact's or other PAs.

Nate Mayo asked if this percentage increase is going to be devoted to energy efficiency programs that would then be returned to them through participation in the Compact's energy efficiency programs. Maggie Downey stated that that was correct.

Martin Culik asked what percentage of the Cape Cod and Martha's Vineyard population utilizes the energy efficiency programs during the calendar year. Maggie Downey stated that the Compact files that statistic annually but has not yet closed the books on 2021. Martin Culik asked if she knew what it was in the previous year. She stated that she does not have that on hand but can send it later by email. Briana Kane stated that on

average she plans for there to be around 5,000 home energy assessments annually. Also, a town-by-town quarterly report is sent to each Board Member which lists the number of participants for that quarter as well as a cumulative total for the year. Maggie Downey stated that she also shows the number of participants over the past several years in her presentations to the selectboards. Martin Culik stated that it is always important for the Compact to keep pushing the energy efficiency programs because the EES funds program that are there for people to use.

ADMINISTRATOR’S REPORT:

1. Review Documents Sent to CLC Board

Maggie Downey stated that there are several documents in the Board Packet. Each Board Member is required to review and sign the Summary of Conflict-of-Interest Law for Municipal Employees and Office of the Attorney General: Open Meeting Law Guide and Educational Materials paperwork and send it back to her. She stated that she’ll send reminders to those who do not send them in before the next Board meeting.

OPEN SESSION VOTE ON ENTRY INTO EXECUTIVE SESSION PURSUANT TO M.G.L. c. 30A §§21(A)(3) AND (10) TO DISCUSS MATTERS BELOW, TO NOT RETURN TO OPEN SESSION:

Martin Culik at 3:01 PM moved to enter into Executive Session pursuant to M.G.L. c. 30A §21(a)(3) and (10) to (1) review and approve executive session minutes which contain discussions regarding pending or imminent regulatory litigation and trade secrets and confidential, competitively-sensitive or other proprietary power supply information related to a proposed Low-Income Community Solar project (when the release of the discussion would have a detrimental effect on the Compact’s negotiating position); (2) to discuss and potential vote on pending or imminent regulatory litigation related to Massachusetts Department of Public Utilities 20-40, Cape & Vineyard Electrification Offering (CVEO) and the 2022-2024 Energy Efficiency Plan, DPU 21-126, and the 2022 Energy Efficiency Surcharge, DPU 21-119, not to return to open session thereafter. Seconded by Robert Schofield.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Tim	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Erik	Peckar	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
- December 8, 2021 Draft Meeting Minutes
- Residential and Commercial Bill Impacts PowerPoint Slides
- Summary of Conflict-of-Interest Law for Municipal Employees
- Office of the Attorney General: Open Meeting Law Guide and Educational Materials
- Office of the Attorney General: 940 CMR: Open Meetings
- Office of the Inspector General: How to be an Effective Board Member of a Public Board or Commission
- First Amended and Restated Joint Powers Agreement of the CLCJPE
- Cape Light Compact Aggregation Plan, dated April 4, 2018
- Cape Light Compact Code of Conduct for Board Members

**Agenda Action Request
Cape Light Compact
Meeting Date: 2/9/22**



- Aquinnah*
- Barnstable*
- Bourne*
- Brewster*
- Chatham*
- Chilmark*
- Dennis*
- Dukes County*
- Eastham*
- Edgartown*
- Falmouth*
- Harwich*
- Mashpee*
- Oak Bluffs*
- Orleans*
- Provincetown*
- Sandwich*
- Tisbury*
- Truro*
- Wellfleet*
- West Tisbury*
- Yarmouth*

Appointment of General Counsel
REQUESTED BY: *Maggie Downey*

I move the CLCJPE Board of Directors vote to approve KO Law, P.C. as General Counsel for the Cape Light Compact JPE effective March 18, 2022 (close of business).

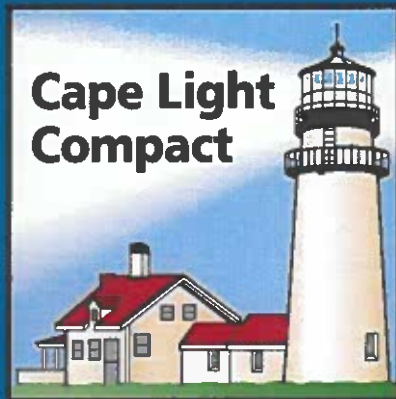
The Compact Administrator is authorized and directed to take all actions necessary or appropriate to implement this vote, and to execute and deliver all documents as may be necessary or appropriate to implement this vote.

Proposed Motion(s)

The Executive Committee met and discussed this matter on January 27, 2022; however, the appointment of General Counsel requires a vote of the Compact Governing Board. (Joint Powers Agreement: Article IX.J). While the Compact is a public entity subject to the Commonwealth’s procurement laws there is an express provision exempting legal services from competitive procurements. G.L. c. 30B, §1(15).


***Additional Information
Record of Board Action***

Motion by:	Second by:	# Aye	# Nay	# Abstain	Disposition



**Cape Light
Compact**

*Your Trusted, Local
Energy Resource*



Summary of the D.P.U. 21-126 Order on the 2022-2024 Energy Efficiency Plan

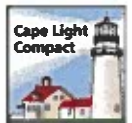
DPU 21-126 ORDER SUMMARY

DPU Findings Regarding PA Goals:

- Individual gas and electric savings goals are consistent with achievement of all available cost-effective EE, *subject to required modifications for heating systems and lighting* (addressed in later slide 7)
- PAs fall short of GHG emissions reductions goals set by the Secretary of EEA (because PAs proposed to have an electric goal shortfall covered by gas)
- However, the Plans are constructed to prioritize measures that provide long-term GHG emissions reductions that exceed the cumulative gas and electric goal set by the Secretary

Related DPU Directive Regarding PA Goals:

- Annual and term reports must describe how Plan implementation aligns with Secretary's overall and sector-specific GHG emissions reduction goals



DPU 21-126 ORDER SUMMARY

DPU Directives on Serving Hard-to-Reach Customers:

- PAs have to finalize plan details earlier and eligibility criteria, deadlines and other participation requirements must be communicated to potential participants in advance of plan filing
- PAs must adopt different eligibility criteria for serving communities with “targeted hard-to-reach customers.” Eligible municipalities must: (1) be served by an electric and/or gas PA; (2) contain at least one environmental justice population as defined by EEA Environmental Justice Policy, and (3) have historically low participation rates.
- PAs must use EEA Environmental Justice Policy definition of environmental justice populations
- PAs must submit April 1, 2022 compliance filing to identify their targeted hard-to-reach communities that meet the new DPU criteria
- PAs must track participation in all service territories by municipality and conduct an updated residential non-participant customer profile study
- PAs must file testimony in the next plan to describe how they sought to increase participation and whether actual increases occurred
- PAs must file final renter strategic plan by September 30, 2022



DPU 21-126 ORDER SUMMARY

DPU Directives on Strategic Electrification:

- PAs must ensure weatherization is completed prior to electrification to the extent possible in order to minimize bill impacts, particularly for low- and moderate income customers
- PAs must encourage all residential market rate customers to weatherize their homes prior to installing heat pumps through robust education and by offering an incentive structure similar to that of moderate income customers (*i.e.*, higher incentive for prior weatherization)
- By May 2, 2022 PAs must: (1) file detailed protocols and programmatic changes to address these directives (including protocols to ensure electrification marketing materials reach all residential customers); and (2) provide evidence and description of online operational heating comparison calculator
- PAs must disclose potential fuel savings and bill impacts to customers seeking to adopt electrification measures so customers understand net impact on their overall energy costs from fuel reduction and increased electric use



DPU 21-126 ORDER SUMMARY

DPU Directives on Strategic Electrification (Continued):

- PAs must file data tables that provide information on electrification offerings by sector on April 1, 2022 and in all future annual and term reports
- PAs may offer non-cost-effective strategic electrification measures that: (1) reduce customer energy use, (2) lower GHG emissions, (3) lower customer energy costs, and (4) within cost-effective strategic electrification offerings
- PAs may not recover costs in excess of approved program budgets for strategic electrification unless DPU approves the increase and PAs can show that the budget increase will result in an increase in kWh or therm savings



DPU 21-126 ORDER SUMMARY

DPU Directives on Active Demand Reduction (ADR):

- PAs must study the five-year incentive rate lock for battery storage to assess its efficacy and whether this incentive continues to be warranted if there is increased deployment of the technology on the grid; findings to be presented in next plan filing
- PAs must employ opt-in customer enrollment for all residential and income-eligible ADR programs, (no auto-enrollment upon smart thermostat purchase or installation)
- National Grid and the Compact must file any proposed EV load management offering for DPU approval prior to implementation
- The Compact may not administer any ADR offerings until demonstrates it has entered into an MOA with Eversource for the 2022-2024 Plan Term
- National Grid improperly implemented a solar PV inverter control offering and should have sought DPU approval; National Grid failed to demonstrate how this was an ADR or energy efficiency measure



DPU 21-126 ORDER SUMMARY

DPU Directives on Lighting and Cost Effective Heating Equipment:

- PAs must continue to pursue lighting measures that have historically been offered and have remaining energy savings opportunities that can be cost-effectively achieved at the program level (unless doing so is an imprudent use of ratepayer funds)
- PAs must conduct a study to assess remaining lighting savings opportunities and strategies for renters and moderate income, minority and limited English-proficiency customers. The study must be filed by September 30, 2022
- PAs must continue to offer direct install lighting measures through home energy audits within their Existing Buildings program under existing budgets
- PAs must continue to offer incentives for cost-effective heating systems to participants so long as savings opportunities remain (choosing not to do so calls into question whether PAs are fulfilling their statutory obligation to pursue all cost-effective energy efficiency resources)
**(this directive is contrary to the Board's preference for market rate customers)*
- PAs must use their knowledge, experience and evaluation study results to identify an appropriate incentive level for these heating systems



DPU 21-126 ORDER SUMMARY

DPU Directives on Calculating the Social Value of GHG Emissions Reductions:

- There is not sufficient record evidence to support the PAs' proposed revised social value of GHG emissions reductions and the embedded discount rate (PAs relied on non-peer reviewed literature review and didn't present quantitative analysis)
- Incorporating a \$128 per short ton social value of GHG emissions reductions [thereby replacing the \$393 per short ton value proposed by the PAs] does not require any changes to program designs because the benefit cost ratio (BCR) for all core initiatives, programs and sectors for each PA's plan remain cost effective
- Each PA must include in the April 1, 2022 Compliance Filing a revised BCR and data tables to incorporate \$128 per short ton



DPU 21-126 ORDER SUMMARY

DPU Directives on Bill Impacts:

- A PA may not exceed its planned program level budget for 2022-2024 without approval by the DPU
- To qualify for a program level budget modification, the PA must demonstrate that an increase in budget results in an increase in kWh or therm savings
- If a PA projects it will exceed a program-level budget, the PA must submit the proposed budget change to DPU and the Council simultaneously
- PAs must develop a participant bill impact that shows the range of potential electric bill impacts from strategic electrification



DPU 21-126 ORDER SUMMARY

DPU's Directives on Revenue Decoupling:

- *Background:* prior to revenue decoupling the electric distribution companies were able to retain increased revenue collection from the sale of electricity. Revenue decoupling removed the disincentive to reduce load (full revenue decoupling separates a distribution company's revenues from all changes in consumption)
- Changing energy policies and the adoption of strategic electrification measures marks a shift in the delivery of energy efficiency in the Commonwealth (the Climate Act effectively requires PAs to design plans to ensure a net increase in kWh consumption)
- Each electric distribution company in its next base rate must include a proposal to discontinue full revenue decoupling
- Those electric distribution companies with an approved rate plan with a stay-out provision that is the result of a settlement or performance-based ratemaking term may not seek to terminate their effective rate plan in order to discontinue revenue decoupling



DPU 21-126 ORDER SUMMARY

Miscellaneous DPU Directives:

- Combined Heat and Power (CHP): CHP projects that use renewable natural gas and meet the following requirements will satisfy the definition of energy efficiency measure: (1) reduce net energy use; (2) reduce GHG emissions; (3) screen cost-effective; and (4) comply with all applicable emissions and RPS eligibility requirements of the GCA – PAs must offer these and DOER cannot dictate what defines all cost-effective energy efficiency through the negotiated Term Sheet
- Potential Studies and GHG Emissions Reductions: PAs must implement GHG emissions reductions analyses in future potential studies and consider service-territory specific top-down GHG emissions reduction potential in setting goals for the next plan
- Residential Conservation Service (RCS) Scorecards: the PAs must file a formal energy scorecard proposal with the DPU in order to use ratepayer funds to implement home energy scorecards. In the April 1, 2022 Compliance Filing, PAs must remove all costs associated with scorecards from the RCS budgets. PAs must amend their RCS operating budgets and present a filing that includes pre-filed testimony and exhibits describing the proposal and an itemized budget with information specific to scorecards necessary to carry out the proposal
- Codes and Standards: PAs must complete a codes and standards attribution study and submit it with their 2022 Annual Reports to support the attribution rate they propose to use for savings associated with their appliance standards lobbying activities



DPU 21-126 ORDER SUMMARY

DPU Directives Regarding Future Plan Review and Approval Process:

- Future plans must include descriptions of each program (structure, eligibility requirements, measures, incentive levels, etc.) in a more clear manner
- PAs must submit a response to the Council's July comments on the April draft plan within 45 days (and must include a description of whether and how PAs will address comments in final draft and describe any program design changes between the April draft and final draft). Once this response is submitted to the Council, no additional substantive changes to the plan are allowed
- PAs may not participate in Council meetings from the date the plan is filed with DPU through the filing of briefs in the plan dockets (*i.e.*, November – December)
- PAs must include all program offerings, using full name marketed to customers, in their plans (presented separately in all data tables with separate cost-effectiveness screening)
- PAs must share their proposed plan enhancements in advance of plan filing



DPU 21-126 ORDER SUMMARY

DPU Directives Regarding Minimizing Administrative Costs:

- Going forward, PAs must include specific proposed Key Performance Indicators (KPIs) in the plans [KPIs are data/reporting the PAs provide to the Council on a quarterly basis]
- In the April 1, 2022 Compliance Filing, the PAs must provide a complete list of KPIs for the 2022-2024 Plan Term
- DPU did not have sufficient time to consider the Data Request Process Proposal agreed to between the PAs and the Council in January 2022
- PAs may not recover any administrative costs related to Council data requests (other than for the 6 KPIs currently reported in the 2019-2021 Plan Term and the equity KPIs presented in the 2022-2024 Plan Testimony) until DPU approves the Data Request Process Proposal



DPU 21-126 ORDER SUMMARY

DPU Findings/Directives on Compact Specific Elements of the Plan:

- DPU *denied* CVEO for the reasons in the DPU 20-40A Order as well as:
 - More clarity on why it believes solar PV not an EE/Demand reduction resource within scope of GCA (and if approved the proposal would authorize PAs to use EE funds to incentivize wind generation, biomass, nuclear power, etc.)
 - CVEO is inconsistent with GCA because limited number of customers (offering must be available to all similarly situated customers of the PA)
- DPU *approved* the Residential and C&I enhancements:
 - However, DPU is unable to determine whether reasonable, however, without any evaluation study on record.
 - In future plans the Compact must include a list of each measure in the BCR that is receiving an incentive higher than the Statewide Plan
 - The Compact must complete another evaluation through statewide protocols of the enhancements approved for the 2022-2024 Plan and submit with the next plan



DPU 21-126 ORDER SUMMARY

DPU Findings/Directives on the Compact's Proposed Allocation of Shared Costs:

- DPU role is to ensure that the Compact spends its ratepayer provided EE funds in a reasonable and prudent manner
- The Compact's EE surcharge (EES) is similar to an Investor Owned Utility ratemaking
- PAs are subject to DPU regulatory oversight applying established ratemaking principles and precedent
- The Compact Governing Board's discretion is not an acceptable, reviewable or supportable allocation method
- *For all shared costs but legal, the Compact must determine allocation factors for the 2022-2024 Plan Term based on the past 6 years of employee time divided between EE and municipal aggregation; the Compact must present these factors with sufficient supporting documentation in its April 1, 2022 Compliance Filing*
- *Legal shared costs allocations are approved as proposed but DPU reminds the Compact that any EE funds spent on consumer advocacy must have a direct EE benefit*
- In its next plan filing the Compact must present a detailed study of cost drivers for each category of shared costs



DPU 21-126 ORDER SUMMARY

DPU Findings/Directives on Compact Service to Mutual Customers of the Compact and National Grid:

- The Compact is not coordinating with other PAs in the manner the DPU expects
- There are common issues of law and fact between what National Grid addressed in DPU 21-126 and what remains pending in DPU 16-169 – those issues will be addressed in DPU 16-169
- *In the interim, the Compact must adhere to the Statewide Protocol for shared costs and savings* – meaning, if the Compact serves a Mutual Customer, National Grid pays for and receives the gas savings and secondary electric and other fuel savings go to the Compact
- National Grid does not get Performance Incentives on savings shared from Compact service of a Mutual Customer
- National Grid and the Compact must develop common education materials regarding weatherization and a script for the shared Lead Vendor – in the April 1, 2022 Compliance Filing, they must submit a timeline to DPU for developing these materials

DPU 21-126 ORDER SUMMARY

DPU Findings on Equity and Participation Rates for the Compact:

- The 2013-2017 Residential Non-Participant Customer Profile Study data shows too many municipalities in the Compact service territory have low participation rates.
- The Compact is not meeting statutory requirement for spending 10% of its budget on low-income customers
- With no performance incentives, the Compact is not incented to perform the way other PAs are
- If the Compact's performance does not improve, DPU will consider decertifying the Compact's plan



2022 Operating Budget Expense Report 2/4/22

ORG	OBJECT	ACCOUNT DESCRIPTION	ORIGINAL APPROP	YTD EXPENDED	AVAILABLE BUDGET	% USED
01001	5110	OP-SALARIES	\$ 113,000.00	\$ 3,132.21	\$ 109,867.79	2.80
01001	5119	OP-SALARY RESERVE	\$ 5,000.00	\$ -	\$ 5,000.00	0.00
01001	5171	OP-RETIREMENT	\$ 45,500.00	\$ -	\$ 45,500.00	0.00
01001	5173	OP-GROUP INSURANCE	\$ 25,000.00	\$ -	\$ 25,000.00	0.00
01001	5174	OP-MEDICARE/OTHER TAXES	\$ 2,000.00	\$ 42.42	\$ 1,957.58	2.10
01001	5175	STATE UNEMPLOYMENT INSURANCE	\$ 621.00	\$ 13.78	\$ 607.22	2.20
01001	5179	OP-MISC FRINGES	\$ 567.00	\$ -	\$ 567.00	0.00
01001	5180	OP-RETIREMENT LIABILITY	\$ 41,487.00	\$ -	\$ 41,487.00	0.00
01001	5181	OP-OPEB LIABILITY	\$ 28,133.00	\$ -	\$ 28,133.00	0.00
01001	5210	OP-UTILITIES	\$ 500.00	\$ 4.56	\$ 495.44	0.90
01001	5270	OP-MISC RENTALS	\$ 1,200.00	\$ 59.25	\$ 1,140.75	4.90
01001	5272	OP-RENT	\$ 25,875.00	\$ 2,156.25	\$ 23,718.75	8.30
01001	5290	OP-CUSTODIAL SERVICES	\$ 3,900.00	\$ -	\$ 3,900.00	0.00
01001	5301	OP-ADVERTISING	\$ 40,000.00	\$ 3,522.64	\$ 36,477.36	8.80
01001	5302	OP-PUBLIC MARKETING SUPPORT	\$ 57,343.00	\$ -	\$ 57,343.00	0.00
01001	5309	OP-IT SERVICES	\$ 1,200.00	\$ -	\$ 1,200.00	0.00
01001	5313	OP-STAFF PROFESSIONAL DEVELOP	\$ 5,000.00	\$ -	\$ 5,000.00	0.00
01001	5314	OP-PAYROLL SERVICES	\$ 640.00	\$ 2.98	\$ 637.02	0.50
01001	5315	OP-LEGAL SERVICES	\$ 245,100.00	\$ -	\$ 245,100.00	0.00
01001	5316	OP-AUDIT FEES	\$ 5,000.00	\$ -	\$ 5,000.00	0.00
01001	5318	OP-TREASURY SERVICES	\$ 2,620.00	\$ 360.35	\$ 2,259.65	13.80
01001	5319	OP-CONTRACTUAL	\$ 25,000.00	\$ 234.89	\$ 24,765.11	0.90
01001	5320	OP-OUTREACH/MARKETING CONTRACT	\$ 75,000.00	\$ -	\$ 75,000.00	0.00
01001	5341	OP-POSTAGE	\$ 10,000.00	\$ 699.79	\$ 9,300.21	7.00
01001	5343	OP-TELEPHONES	\$ 1,200.00	\$ 58.19	\$ 1,141.81	4.80
01001	5344	OP-INTERNET	\$ 4,000.00	\$ -	\$ 4,000.00	0.00
01001	5345	OP-PRINTING	\$ 5,000.00	\$ 1,083.60	\$ 3,916.40	21.70
01001	5400	OP-SUPPLIES	\$ 1,500.00	\$ -	\$ 1,500.00	0.00
01001	5490	OP-FOOD SUPPLIES	\$ 1,500.00	\$ -	\$ 1,500.00	0.00
01001	5710	OP-TRAVEL IN STATE	\$ 10,000.00	\$ -	\$ 10,000.00	0.00
01001	5720	OP-TRAVEL OUT STATE	\$ 5,000.00	\$ -	\$ 5,000.00	0.00
01001	5730	OP-SPONSORSHIPS	\$ 51,000.00	\$ 5,850.00	\$ 45,150.00	11.50
01001	5731	OP-SUBSCRIPTIONS	\$ 25,000.00	\$ 16,000.00	\$ 9,000.00	64.00
01001	5732	OP-SOFTWARE LICENSES	\$ 1,916.00	\$ 90.20	\$ 1,825.80	4.70
01001	5741	OP-INSURANCE	\$ 16,000.00	\$ -	\$ 16,000.00	0.00
01001	5789	OP-UNPAID BILLS	\$ 500.00	\$ -	\$ 500.00	0.00
01001	5850	OP-MISC EQUIPMENT	\$ 500.00	\$ -	\$ 500.00	0.00
01001	5854	OP-FINANCIAL SOFTWARE SYSTEM	\$ 5,000.00	\$ -	\$ 5,000.00	0.00
01001	5855	OP-COMPUTER EQUIPMENT	\$ 1,500.00	\$ -	\$ 1,500.00	0.00
01001	5900	CONTINGENCY	\$ 65,000.00	\$ -	\$ 65,000.00	0.00
		Expense Total	\$ 954,302.00	\$ 33,311.11	\$ 920,990.89	3.50

Mil Adder Revenue for January Not Received