

Cape Light Compact JPE Executive Committee & Governing Board Meeting

DATE: Wednesday, January 11, 2023
LOCATION: Cape Light Compact Offices – Martha’s Vineyard Conference Room
261 Whites Path, Unit 4, South Yarmouth
TIME: 2:00 – 4:30 p.m.

Note: The meeting will be held as a hybrid meeting (in-person and 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. Written public comments should be submitted to Maggie Downey, Compact Administrator, at mdowney@capelightcompact.org by 2:00 PM on Tuesday, January 10, 2023, and should follow the public comment protocol below. Written public comments received after the January 10th deadline will be distributed prior to the Compact’s next Board meeting.

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

Meeting ID: 872-8464-0887

Passcode: 831945

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

AGENDA

1. Public Comment
2. Approval of December 14, 2022, Open Session Minutes
3. Chairman’s Report, Martin Culik
4. Elections for 2023 Officers, Maggie Downey
5. Elections for 2023 Executive Committee Members, Maggie Downey
6. Town of Barnstable Light Project, Potential Vote to Approve, Margaret Song
7. Presentation on DPU 22-22, Eversource Rate Case and DPU 21-80, Eversource 2022-2025 Grid Modernization Plan, Rebecca Zachas and Kevin Galligan
8. Administrator’s Report, Maggie Downey
 - A. Overview of Key Findings from MA Clean Heat Commission Study and MA Clean Energy and Climate Plan for 2050
 - B. 2021 Cape Light Compact Annual Report
 - C. Review Documents Sent to CLC Board
 1. Summary of Conflict-of-Interest Law for Municipal Employees (Board Member SIGNATURE REQUIRED)
 2. Office of the Attorney General: Open Meeting Law Guide and Educational Materials (Board Member SIGNATURE REQUIRED)
 3. Office of the Attorney General: 940 CMR: Open Meetings
 4. Office of the Inspector General: How to be an Effective Board Member of a Public Board or Commission
 5. First Amended and Restated Joint Powers Agreement of the CLCJPE
 6. Cape Light Compact Aggregation Plan, dated December 30, 2022
 7. Cape Light Compact Code of Conduct for Board Members
9. Board Member Update (Reserved for Updates on Member Activities the Chair Did Not Reasonably Anticipate Would be Discussed – No Voting)

10. **Open Session Vote on Entry into Executive Session:** pursuant to M.G.L. c. 30A §§21(a)(3) and (a)(10) to review and approve the December 14, 2022 Executive Session Minutes regarding strategy on pending or imminent regulatory litigation, Massachusetts Department of Public Utilities D.P.U. 14-69 B (Order on Appeal of Hearing Officer Ruling on Customer Enrollment), not to return to open session thereafter.

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

**Chairman's Public Comment Protocols
for the January 11, 2023, Compact Governing Board Meeting**

The Chair, pursuant to his authority under G.L. c. 30A, § 20, and consistent with Chapter 20 of the Acts of 2021, § 20, announces the following protocols to assist the public in effective participation in the January 11, 2023 Compact Board meeting, where some Board Members, staff and members of the Public may be participating remotely:

1. Members of the public are welcome to address the Compact Board during the public comment section of the meeting or in writing.
2. Members of the public addressing the Compact Board at the meeting must state their name, and if appropriate the name of the organization the person is representing. Oral comments must be limited to three minutes.
3. Members of the public may also submit written comments. Written comments shall be submitted in writing to the Compact Administrator, Maggie Downey, at mdowney@capelightcompact.org by 2:00 PM on Tuesday, January 10, 2022. Written comments must include a person's name and, if appropriate, the name of the organization the person is representing. Public comments received after the January 10th deadline will be distributed prior to the Compact's next Board meeting.
4. Public comment, both verbal and written, must be respectful, courteous, and presented in a dignified manner. All remarks must also be free of personal attacks.
5. All public comments consistent with these protocols shall be included in the Compact's Board meeting packet.
6. Board members and staff cannot respond to public comments for topics not on the current agenda during the Board meeting. The Cape Light Compact Board may respond to comments either by putting them on the agenda of a subsequent meeting or by requesting the administrator or staff to respond to the comment.
7. Copies of the Board meeting packet shall be made available to members of the public on Wednesday, January 11, 2023, at the Cape Light Compact JPE's web site at www.capelightcompact.org. Documents exempt from disclosure pursuant to the Public Records Law or protected by the attorney-client privilege shall not be included.

**Cape Light Compact JPE
Governing Board
Meeting Minutes
Wednesday, December 14, 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, December 14, 2022, at 2:00 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. Peter Doyle, Barnstable Alternate
3. Robert Schofield, Executive Committee, Bourne
4. Colin Odell, Executive Committee, Brewster
5. Brad Crowell, Dennis
6. Tom McnNellis, Eastham
7. Gary Senecal, Eastham Alternate
8. Alan Strahler, Edgartown
9. Matthew Patrick, Falmouth
10. Valerie Bell, Harwich
11. Martin Culik, Chair/Executive Committee, Orleans
12. David Jacobson, Orleans Alternate
13. Nathaniel Mayo, Provincetown
14. Leanne Drake, Sandwich
15. Richard Elkin, Executive Committee, Wellfleet
16. Joyce Flynn, Vice Chair/Executive Committee, Yarmouth

Absent Were:

1. Forrest Filler, Aquinnah
2. Peter Cocolis, Chatham
3. Timothy Carroll, Chilmark
4. Meghan Gombos, Dukes County
5. Wayne Taylor, Mashpee
6. Peter Meleney, Oak Bluffs
7. Kirk Metell, Tisbury
8. Jarrod Cabral, Truro
9. Erik Peckar, Executive Committee, West Tisbury

Legal Counsel Participating Remotely:

Audrey Eidelman Kiernan, Esq., KO Law, P.C.

Staff Participating Remotely:

Maggie Downey, Administrator
Mariel Marchand, Power Supply Planner
Melissa Allard, Senior Administrative Coordinator

Public Participants:

Sean Hogan, Environmental Sustainability Manager of Barnstable

Martin Culik called the meeting to order at 3:04 PM.

PUBLIC COMMENT:

No public comments were submitted to the Board in writing under the public comment guidelines and no members of the public attended the meeting in-person.

APPROVAL OF MINUTES:

The Board considered the November 9, 2022, Open Session Meeting Minutes.

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

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Brad	Crowell	Dennis	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Valerie	Bell	Harwich	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Joyce	Flynn	Yarmouth	Yes

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

Matt Patrick joined meeting at 3:06PM.

CHAIRMAN'S REPORT:

Martin Culik asked David Anthony to introduce Sean Hogan. David Anthony stated that the town of Barnstable hired Sean Hogan as the Environmental Sustainability Manager. He stated that Sean will be reporting directly to him and that they will be working on addressing some of the environmental issues within the town. Martin Culik asked Sean to tell the Board about his background. Sean Hogan stated that his background is in environmental economics. He stated that he has a Bachelor's in earth science and economics and a Master's in environmental planning from Tufts.

Martin Culik stated that there are two new members for the town of Eastham, Tom McNellis and Gary Senecal. He asked them to introduce themselves. Tom McNellis stated that he is a member of the Climate Action Committee in Eastham. He stated he is an engineer and is looking forward to assisting any way he can. Gary Senecal stated he is a member of the Recycling Committee of the town of Eastham. He is also the liaison for the

Recycling Committee with the Climate Action Committee. He stated that his career was business management, and he is also happy to help in any way he can.

Martin Culik stated that the new Orleans alternate is David Jacobson. He asked him to introduce himself. David Jacobson stated that his job is to evaluate energy efficiency programs from more of an engineering perspective. He stated that he is on the Orleans Renewable Energy and Climate Change Committee and looking to help here where he can.

POWER SUPPLY UPDATE, MARIEL MARCHAND:

Mariel Marchand reviewed the Cape Light Compact Power Supply Update PowerPoint.

Mariel Marchand reviewed the rates for the December 2022 – June 2023 power supply rates. The residential rate is 21.699 cents/kWh, which is below Eversource’s basic service and National Grid basic service.

Mariel Marchand stated that the Compact staff believes that customers will be hearing from competitive electric suppliers or trying to find lower rates from competitive electric suppliers. Some tips for customers are to never provide your Eversource electric account number before you have decided to sign a contract, always ask for written information, and never commit to a contract over the phone. She then reviewed tips for how to review electric supply contract terms and conditions. Some key things to look at are the term of the contract and if at the end it automatically renews the customer at a different rate. Also, whether the rate is fixed or variable, and if variable, how will it change. Lastly, are there any fees such as monthly service fee, termination/cancellation fee, or a return fee.

Joyce Flynn asked if the PowerPoint presentation would be helpful to distribute to Town Select Boards. Mariel Marchand stated yes that it would be a good resource for customers to have and be aware of. Maggie Downey stated that the Compact has met with several towns to discuss rates and will continue to do so if other towns want staff to present. She stated that sometimes they just prefer the information and therefore, we will put together a packet for the Board to provide to their towns. Tom McNellis stated that looking at the general power supply page on the Compact website, it would be good to add some cross links, for instance to the consumer advocacy page so that that information has a better chance of getting to customers. Mariel Marchand stated that it was a good idea, and that staff will work on that.

DISCUSSION AND POTENTIAL VOTE ON PROPOSED 2023 OPERATING BUDGET, MAGGIE DOWNEY:

Maggie Downey stated that the proposed 2023 Operating Budget was discussed at the November Board Meeting and there were no edits to that version as presented. She asked if there were any questions, and if not for the Board to move the vote.

Robert Schofield moved the CLCJPE Board of Directors vote to appropriate the Cape Light Compact Joint Powers Entity Operating Budget in the amount of \$733,669.00.

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 Valerie Bell.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes

Colin	Odell	Brewster	Yes
Brad	Crowell	Dennis	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (13-0-0)

DISCUSSION AND POTENTIAL VOTE ON A 3% COST OF LIVING ADJUSTMENT (COLA) FOR COMPACT EMPLOYEES FOR CALENDAR YEAR 2023:

Maggie Downey stated that the COLA is embedded in the budget, but the Board has always done a separate vote to keep the records straight and clear. She asked the Board to move the vote as presented.

Brad Crowell asked where 3% came from. Maggie Downey stated that it is about the average for Massachusetts municipalities. Richard Elkin stated that compared to the consumer price index, this is fairly low. He stated that the Board should revisit this again in 6 months to see if there is need for further adjustment. David Anthony stated that Barnstable has consistently been at 2% and that's in good and bad times. Therefore, 2.5% to 3% is fairly accurate from his perspective as well.

Robert Schofield moved the CLCJPE Board of Directors vote to approve a 2023 employee cost of living adjustment (COLA) in the amount of 3.0%. The effective date is January 1, 2023.

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 Joyce Flynn.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Brad	Crowell	Dennis	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (13-0-0)

ADMINISTRATOR’S REPORT:

1. Open Nominations for 2022 Cape Light Compact Executive Committee

Maggie Downey asked if there were any nominations for Chair. Robert Schofield nominated Martin Culik.

Maggie Downey asked if there were any nominations for Vice Chair. Robert Schofield nominated Joyce Flynn.

Maggie Downey asked if there were any nominations for Secretary. Martin Culik nominated David Anthony.

Maggie Downey asked if there were any nominations for the position of Treasurer. Martin Culik nominated Tammy Glivinski, Glivinski and Associates, Inc.

Maggie Downey asked if there were any nominations for the position of Business Officer. Robert Schofield nominated Phil Moffitt.

Maggie Downey asked that if there were any nominations for the other our Executive Committee member seats.

Joyce Flynn nominated Valerie Bell to serve on the Executive Committee. Martin Culik nominated Colin Odell to serve on the Executive Committee. Brad Crowell nominated Robert Schofield to serve on the Executive Committee. Alan Strahler nominated Erik Peckar to serve on the Executive Committee.

2. Update on Compact IT Policies

Maggie Downey stated that in the Compact’s 2022 audit it was recommended that IT policies were developed for staff. She stated that Dave Botelho has completed that and it will be given out to staff in January.

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

Martin Culik at 3:45 PM moved to enter into Executive Session pursuant to M.G.L. c. 30A §§21(a)(3) and (a)(10) to consider strategy and potential vote on pending or imminent regulatory litigation, Massachusetts Department of Public Utilities D.P.U. 14-69 B (Order on Appeal of Hearing Officer Ruling on Customer Enrollment), not to return to open session thereafter. Seconded by Colin Odell.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Brad	Crowell	Dennis	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Martin	Culik	Orleans	Yes

Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (13-0-0)

Respectfully submitted,

Melissa Allard

LIST OF DOCUMENTS AND EXHIBITS:

- Meeting Notice/Agenda
- November 9, 2022, Draft Open Session Meeting Minutes
- Cape Light Compact Power Supply Update PowerPoint
- Proposed 2023 Operating Budget

Draft Minutes subject to correction, addition and Committee/Board Approval

November 30, 2022

REF#22-233C

Hossam Mahmoud
Rise Engineering
765 Attucks Lane
Hyannis, MA 02601Re: Proposal
Barnstable Schools**Scope of Work**

- Scope per email dated 11-18-2021.
- Removal of existing lighting fixtures.
- Installation of new LED fixtures provided by others.
- Fixtures shall be delivered to the site by others.
- Existing fixtures shall be picked by others.
- Work is scheduled for summer of 2023.
- Prevailing wages included.
- Work to be completed during normal business hours.

Innovation School.....	\$78,000.00
United Elementary School.....	\$331,000.00
Centerville Elementary School.....	\$159,000.00
Hyannis West Elementary School.....	\$168,000.00
Barnstable Middle School.....	\$482,000.00
West Village Elementary School.....	\$178,000.00
West Barnstable Elementary School.....	\$117,000.00

ExclusionsPhased work.
Disposal of fixtures.
Disposal of trash.
MA Sales tax.If you have any questions or concerns, please feel free to contact me. We look forward to working with you,
Thank you, Paul Santangelo



**D.P.U. 22-22 - EVERSOURCE RATE CASE
and
D.P.U. 21-80 - EVERSOURCE GRID
MODERNIZATION PLAN**

**Summaries of the
Department of Public Utilities' 11/30/22 Orders**

D.P.U. 22-22 RATE CASE ORDER OVERVIEW

- ▶ Approved \$64.2 million revenue deficiency, reduced by \$26.9 million from Eversource's initial rate case filing.
- ▶ Approved 9.8% Return on Equity (decreased from proposed 10.5%).
- ▶ Bill Impacts (not accounting for Supply pricing changes)
 - \$5.11/month rate increase for average R-1 residential customer (530 kWh/month), representing a 2.9% rate increase.
 - Commercial customer impacts vary: Rate G-1 Small General Service range from a \$24/month decrease to \$62/month increase on average, representing between a 5.9% rate decrease to a 2.4% rate increase.

D.P.U. 22-22 RATE CASE

COMPACT ISSUES and POSITIVE OUTCOMES

- ▶ Allocated Cost of Service (“ACOS”) Study: distribution rate design; voltage allocations; amalgamation.

Positive Outcomes

- Removal of amalgamation from ACOS Study.
 - Full review of primary/secondary assignments in ACOS Study before next rate case.
- ▶ Customer Charge Increase: three-year phase-in rejected.
 - Residential Monthly Charge is \$10/month (increased from \$7/month).

D.P.U. 22-22 RATE CASE COMPACT ISSUES and POSITIVE OUTCOMES

▶ PBR Term

Positive Outcome

- Directed a five-year rather than ten-year PBR term (but included possible extension).

▶ PBR Performance Metrics

Positive Outcomes

- Climate Adaptation Plan metric may not include LED lighting benefits that are industry standard.
- Additional Stakeholder Process (Peak Demand Reduction metric to be reconsidered).

D.P.U. 22-22 RATE CASE COMPACT ISSUES and POSITIVE OUTCOMES

▶ Low-Income Discount Increase

Positive Outcome

- Discount increased from 36% to 42% (effective 1/1/23).
- ## ▶ Energy Efficiency Surcharge Tariff will be implemented effective 7/1/23, rather than delaying until 7/1/25.
- Compact awaits data from Eversource and will file a revised 2023 Compact EES on May 1 in advance of the July 1 effective date for Eversource's EERF.

D.P.U. 22-22 RATE CASE NEXT STEPS

- ▶ Eversource Compliance Filing
 - DPU Stamp-Approved December 23, 2022.
 - Distribution Rate changes effective January 1, 2023.

- ▶ Motions for Reconsideration

- ▶ PBR Metrics Stakeholder Process

D.P.U. 21-80 GRID MODERNIZATION

Order Overview

- ▶ Approved deployment of advanced metering infrastructure (seven-year budget of \$534.8 million).
- ▶ Approved grid-facing investments (e.g., communications system modernization, interconnection automation).
- ▶ Metrics and data access to be considered in separate proceedings.

D.P.U. 21-80 GRID MODERNIZATION COMPACT ISSUES AND OUTCOMES

▶ Advanced Metering Proposal

- General support for advanced metering deployment.
- Eversource proposal failed to provide for data access and billing for municipal aggregation time-varying rates.
- Requested stakeholder process on data access and billing.

Positive Outcomes

- Approved advanced metering, noting importance of data access and billing.
- Directed stakeholder process commencing Feb. 2023 to address data access, billing, and customer education.

D.P.U. 21-80 Grid Modernization COMPACT ISSUES AND OUTCOMES

▶ Grid Modernization Metrics

- Data access and billing for third-parties as a necessary benefit of advanced metering deployment.

Positive Outcome

- Department will consider metrics in a separate proceeding with stakeholders.

D.P.U. 21-80 GRID MODERNIZATION

Time-Varying Rates for Municipal Aggregators

- ▶ The Department stated that municipal aggregators will be required to seek approval of a revised municipal aggregation plan to offer TVR.

D.P.U. 21-80 GRID MODERNIZATION

NEXT STEPS

- ▶ Participation in data access and billing stakeholder process.
- ▶ Participation in grid modernization metrics proceeding.
- ▶ Separate Eversource TVR proceeding.
- ▶ Eversource to file electric-sector modernization plan with new Grid Modernization Advisory Council in September 2023.



SUPPLEMENTAL INFORMATION

D.P.U. 22-22 RATE CASE SUPPLEMENTAL INFORMATION

- ▶ Per CLC Board Approval - focused on costs and bill impacts specific to Cape & Vineyard ratepayers.
- ▶ Discovery.
 - Eight (8) sets of CLC Information Requests (36 questions).
- ▶ Testimony.
- ▶ Hearings (7 Record Requests).
- ▶ Briefs.
- ▶ Timeline (Initial Filing 1/14/22 to DPU Order 12/23/22).