

**Cape Light Compact JPE
Governing Board
Meeting Minutes
Wednesday, January 11, 2023**

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 11, 2023, 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 In-Person Were:

1. Robert Schofield, Executive Committee, Bourne
2. Colin Odell, Executive Committee, Brewster
3. Brad Crowell, Dennis
4. Valerie Bell, Harwich
5. Martin Culik, Chair/Executive Committee, Orleans
6. David Jacobson, Orleans Alternate
7. Joyce Flynn, Vice Chair/Executive Committee, Yarmouth

Participating Remotely Were:

1. David Anthony, Secretary/Executive Committee, Barnstable
2. Peter Cocolis, Chatham
3. Timothy Carroll, Chilmark
4. Tom McNellis, Eastham
5. Gary Senecal, Eastham Alternate
6. Alan Strahler, Edgartown
7. Matthew Patrick, Falmouth
8. Wayne Taylor, Mashpee
9. Peter Meleney, Oak Bluffs
10. Leanne Drake, Sandwich
11. Russ Hartenstine, Tisbury
12. Bob Higgins-Steele, Truro Alternate
13. Richard Elkin, Executive Committee, Wellfleet
14. Erik Peckar, Executive Committee, West Tisbury

Absent Were:

1. Forrest Filler, Aquinnah
2. Meghan Gombos, Dukes County
3. Nathaniel Mayo, Provincetown
4. Jarrod Cabral, Truro

Legal Counsel Participating Remotely:

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

Staff Participating In-Person:

Maggie Downey, Administrator

Staff Participating Remotely:

Margaret Song, Energy Efficiency Strategy and Policy Manager
Melissa Allard, Senior Administrative Coordinator

Public Participants:

None.

Martin Culik called the meeting to order at 2:01 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 December 14, 2022, Open Session Meeting Minutes.

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

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Tim	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Gary	Senecal	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Martin	Culik	Orleans	Yes
Bob	Higgins-Steele	Truro	Abstained

Motion carried in the affirmative (11-0-1)

Peter Cocolis, Peter Meleney, Leanne Drake, Russ Hartenstine, Richard Elkin, Erik Peckar, and Joyce Flynn joined meeting at 2:07PM.

Tom McNellis joined meeting at 2:10PM.

CHAIRMAN’S REPORT:

1. Power Supply Rates

Martin Culik stated that he was thinking about Cape Light Compact mission to provide competitive electric rates for consumers. He stated that right now the Compact's rates are about four cents cheaper than Eversource's. He stated that it is a perfect time for the Compact to market these lower rates and gain consumers. He stated that he spoke with Maggie Downey recently and she shared that 78% of the electric accounts on Cape Cod and Martha's Vineyard are on the Compact's power supply. He stated that there are marketing plans in place and there is a lot of information and resources on the Compact's website. However, the best way to get the information out there is through the Board. He stated that he is asking the Board Members to get in contact with groups in their community to set up meetings where the Compact's staff can give a presentation on the Compact's power supply offerings.

2. New Board Member Introductions

Russ Hartenstine introduced himself. He stated that he has been living on Martha's Vineyard for about 20 years, but recently moved to Tisbury. He stated that his background is in construction and construction management. He stated that his other background is that he has been an emergency manager for the Town of West Tisbury for the past 10 years.

Peter Meleney introduced himself. He stated that he is on the Oak Bluffs Climate and Energy Committee and has a background in engineering.

ELECTIONS FOR 2023 OFFICERS, MAGGIE DOWNEY:

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 Phil Moffitt for Business Officer. She asked whether there were any other nominations for these positions. No other nominations were made for the 2023 Compact Officer positions. Maggie closed the nominations and asked for a motion to elect the Compact's Officers for 2023 as presented.

Robert Schofield moved the entire slate of Martin Culik, Joyce Flynn, David Anthony, Tammy Glivinski, and Phil Moffitt 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
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Peter	Meleney	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes
Russ	Hartenstine	Tisbury	Yes
Bob	Higgins-Steele	Truro	Yes

Richard	Elkin	Wellfleet	Yes
Erik	Peckar	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (19-0-0)

ELECTIONS FOR 2023 EXECUTIVE COMMITTEE MEMBERS, MAGGIE DOWNEY

Maggie Downey noted that the nominations for the Executive Committee were still open. She stated that the holder of Chair, Vice-Chair, Secretary, Valerie Bell, Colin Odell, Robert Schofield, and Erik Peckar were nominated for Executive Committee Members at the December Board Meeting. She then asked whether there were any other nominations for the Executive Committee. No other nominations were made for the Executive Committee.

Colin Odell moved the entire slate of Martin Culik, Joyce Flynn, David Anthony, Valerie Bell, Colin Odell, Robert Schofield, and Erik Peckar as the 2023 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	Absent
Brad	Crowell	Dennis	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Peter	Meleney	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes
Russ	Hartenstine	Tisbury	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Erik	Peckar	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (18-0-0)

TOWN OF BARNSTABLE LIGHT PROJECT, POTENTIAL VOTE TO APPROVE, MARGARET SONG:

Martin Culik stated that as background all municipal energy efficiency projects where the incentive offered is greater than \$150,000 are brought to the Board for a discussion and vote.

Margaret Song stated that the Barnstable Public Schools has been undergoing an investigation for their lighting for quite some time. She stated that the Compact was able to update some of the lighting at the High School's auditorium, but for the wider school projects we have not been able to do a comprehensive lighting upgrade.

They have been eager to do it but finding the funds has been a challenge. She stated that they are now looking to move forward. The lighting inventory is complete, and they have found the staff to complete the labor. Margaret Song stated these projects have incredible payback. The longest payback is seven years. She stated that these are mostly fixture replacements, so they are really looking at a comprehensive upgrade. She stated that as a reminder on municipal projects there is a cap of a dollar per kWh. She stated that most of the projects are less than \$150,000 but the projects for the Barnstable Middle School, United Elementary School, and Barnstable High School are pretty significant. She stated that we have ample budget to proceed with this. She stated that some of these projects will be completed after hours. That is why overtime is noted. A few will be completed during the summer. She stated that these projects are not taking away inventory from other lighting projects for other towns.

David Anthony stated that there is a lot of history to get these projects to this point. He stated that they thought it was best to bring all these projects forward at once to show that Barnstable has created a comprehensive plan in asking for approval. He stated that this is an opportunity to help the Compact meets its budget goals which helps with the planning as we move forward.

Brad Crowell asked how many more of these large projects are out there. Margaret Song answered that there are very few. Brad Crowell asked how the incentives were set. Margaret Song stated it was a Board decision a long time ago to do a dollar per kWh. Brad Crowell asked if for future projects if we can increase the incentive. Maggie Downey stated that it is something that we can look into for future consideration.

Tom McNellis asked why there is such a difference across the board on the payback periods. Margaret Song stated that we go by room and hours of use. She stated in some cases there are more expensive fixtures like gym or auditorium lighting. Tom McNellis asked if the Compact has metrics on helping the customers to get a better payback. Margaret Song stated that we recommend to customers to move forward as long as the payback is less than the lifetime of the proposed measure. She stated that for lighting it is very robust.

David Jacobson asked if lighting controls were looked at along with fixtures. Margaret stated some of this does include lighting controls. None of these are advanced lighting controls. She stated that the reason they didn't go after advanced lighting is that they were trying to align all their controls together.

Peter Cocolis asked is this funding solid from the town. David Anthony stated that the town has been going through its extensive annual capital improvement program. He stated that the final plan including all of the town projects is being brought to the Town Council within the next month. He stated that he thinks it was critical to get the vote from the Compact to be able to support the plan.

David Anthony moved the Board to approve the Barnstable Public Schools projects. 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
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes

Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Peter	Meleney	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes
Russ	Hartenstine	Tisbury	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Erik	Peckar	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (19-0-0)

PRESENTATION ON DPU 22-22, EVERSOURCE RATE CASE AND DPU 21-80, EVERSOURCE 2022-2025 GRID MODERNIZATION PLAN, REBECCA ZACHAS AND KEVIN GALLIGAN:

Rebecca Zachas reviewed the D.P.U. 22-22 - Eversource Rate Case and D.P.U. 21-80 - Eversource Grid Modernization Plan PowerPoint.

Rebecca Zachas reviewed the D.P.U. 22-22 Rate Case Order. She stated that approved was \$64.2 million revenue deficiency and 9.8% Return on Equity. The bill impacts are \$5.11 a month rate increase for average R-1 residential customers, representing a 2.9% rate increase. As for commercial, rate G-1 Small General Service impacts range from a \$24 a month decrease to \$62 a month increase on average, representing between a 5.9% rate decrease to a 2.4% rate increase. Kevin Galligan stated that customers are already seeing changes in their bills this month. However, they won't see the true impacts of the bills until February when they get their bill for January's usage.

Rebecca Zachas stated that some of the positive outcomes were that the amalgamation was removed from the Allocated Cost of Service (ACOS) Study and that a full review of primary and secondary assignments is now required in the ACOS Study before the next rate case. Kevin Galligan stated that the primary electric lines are typically at the top of the pole and the secondary are the service drops to homes and businesses. He stated that what they found was that Eversource had no clear records of how they assigned the costs between the two. Rebecca Zachas stated that one of the issues was that the customer charge will be increasing from \$7 to \$10. She stated that the Compact recommended that they do it gradually over three years and it was rejected.

Rebecca Zachas reviewed the positive outcomes of Eversource's Performance Based Rate (PBR). A five-year PBR term was directed instead of a 10 year but included a possible extension. She stated for the PBR performance metrics the positive outcomes were that the Climate Adaptation Plan metric may not include LED lighting benefits that are industry standard and that there be additional stakeholder process on metrics to take a closer look.

Rebecca Zachas stated that the low-income discount will be increasing from 36% to 42% starting on January 1, 2023. The Compact had recommended it be implemented in 2025 but that was not approved. She stated that the revised Eversource energy efficiency surcharge (EES) tariff will be implemented on July 1, 2023. The Compact awaits data from Eversource and will file a revised 2023 Compact EES on May 1st in advance of the July 1st effective date for Eversource's EERF.

Rebecca Zachas reviewed the next steps of D.P.U. 22-22. She stated that the Eversource compliance filing was approved by the Department of Public Utilities (DPU) on December 23, 2022. Distribution rate changes became effective on January 1, 2023. She stated that there were two motions for reconsideration filed by the University of Massachusetts and the Attorney General. Both involved issues that were not of concern to the Compact and they both were rejected. She stated as for the PBR metrics we will be keeping an eye on how that evolves.

Rebecca Zachas reviewed the D.P.U. 21-80 Grid Modernization Order. DPU approved deployment of advanced metering infrastructure with a seven-year budget of \$534.8 million. She stated it approved grid-facing investments. She stated that the one the Compact was most interested in is the deployment of an advanced metering proposal. She stated that some of the positive outcomes are the approved advanced metering, noting importance of data access and billing and the DPU directed a stakeholder process commencing in February 2023 to address data access, billing, and customer education. She stated that one not so positive aspect was that the DPU stated that municipal aggregators will be required to seek approval of a revised municipal aggregation plan to offer TVR.

Rebecca Zachas reviewed next steps for D.P.U. 21-80. She stated that participation in the data access and billing stakeholder process, participation in grid modernization metrics proceeding, and a separate Eversource TVR proceeding are what is to come next. As well as Eversource to file an electric-sector modernization plan with the new Grid Modernization Advisory Council in September 2023 and it will be reviewed and modified by the DPU.

David Anthony stated that he talks to people about the Compact and its programs quite often. He stated that they either seem to forget or not know that Compact does a lot of advocacy on the customers' behalf. He stated he wonders if there is a way to break it down to some bullet points about how this is going to positively impact customers to get the message out there. Rebecca Zachas stated that there were very few involved interveners and the Compact's participation was important in terms of bringing a voice for municipal aggregation and energy efficiency. Maggie Downey stated not all these impacts from the rate case can be attributed all to the Compact. Therefore, claiming credit for some of those things would be disingenuous. She stated that the Compact was involved and supportive of certain outcomes. Colin Odell asked who else was involved. Maggie Downey answered the Attorney General. Colin Odell stated that maybe the point that we could take is a little bit of coordination among the groups that were the consumer advocates and do it as a group.

ADMINISTRATOR'S REPORT:

1. Overview of Key Findings from MA Clean Heat Commission Study and MA Clean Energy and Climate Plan for 2050

Maggie Downey stated that the MA Clean Heat Commission Study and MA Clean Energy and Climate Plan for 2050 were released at the end of last year. They are posted on the Compact website. She stated that the biggest issues that she wanted to bring to the Board's attention are the proposed recommendation for a centralized clearing house, recommendations for changes to the processing of electrification, and recommendations for changes to the Mass Save programs. She stated that the Compact is monitoring how this is implemented and she noted the importance of preserving local control over energy efficiency incentives.

2. 2021 Cape Light Compact Annual Report

Maggie Downey stated that the 2021 annual reports are being printed. She stated that as part of the joint powers agreement the Compact is required to send the annual report to each member town.

3. Review Documents Sent to CLC Board

Maggie Downey stated that every January she distributes a series of required documents to Board Members. They are the 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 December 30, 2022, and Cape Light Compact Code of Conduct for Board Members. She stated that there are two that need to be signed and sent back to her.

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 3:44 PM moved to enter 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. Seconded by Robert Schofield.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Tim	Carroll	Chilmark	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes
Russ	Hartenstine	Tisbury	Absent
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Erik	Peckar	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

Respectfully submitted,

Melissa Allard

LIST OF DOCUMENTS AND EXHIBITS:

- Meeting Notice/Agenda
- December 14, 2022, Draft Open Session Meeting Minutes

- D.P.U. 22-22 - Eversource Rate Case and D.P.U. 21-80 - Eversource Grid Modernization Plan PowerPoint