

**Cape Light Compact
Governing Board
Executive Session Meeting Minutes
Wednesday, May 11, 2016**

The Cape Light Compact Governing Board met in Executive Session on Wednesday, May 11, 2016 in the Innovation Room, Open Cape Building, Barnstable County Complex, 3195 Main Street, Barnstable MA 02630 at 3:15 p.m.

PRESENT WERE:

1. Joyce Flynn, Chair, Yarmouth
2. Robert Schofield, Vice-Chair, Bourne
3. Peter Cocolis, Treasurer, Chatham
4. Ronald Zweig, Secretary, Falmouth
5. Sheila Lyons, Barnstable County @ 2:40
6. Richard Toole, Member at Large, Oak Bluffs – by phone
7. David Anthony, Barnstable
8. Deane Keuch, Brewster
9. Fred Fenlon, Eastham
10. Valerie Bell, Harwich
11. Joseph Buteau, Truro
12. Thomas Donegan, Provincetown
13. Joshua Peters, Sandwich
14. Richard Elkin, Wellfleet
15. Paul Pimentel, Edgartown – by phone

ABSENT WERE:

16. Michael Hebert, Aquinnah
17. Tim Carroll, Chilmark
18. John Ally, Dukes County
19. Tisbury – vacant
20. Mashpee - vacant
21. Chris Galazzi - Orleans
22. Brad Crowell, Dennis
23. Sue Hruby, W. Tisbury

Members physically present: 13
Members participating by phone: 2

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

EXECUTIVE SESSION

At 3:15 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 and Grid Modernization Plans filed by MA Distribution Companies, DPU 15-120 and 15-122. Chr. Flynn declared that an open session may have a detrimental effect on the Cape Light Compact's litigating position and noted that 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:

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|----------------------------|-----|-------------------------------|-----|
| 1. D. Anthony – Barnstable | Yes | 9. R. Toole – Oak Bluffs | Yes |
| 2. R. Schofield - Bourne | Yes | 10. T. Donegan - Provincetown | Yes |
| 3. D. Keuch – Brewster | Yes | 11. J. Peters - Sandwich | Yes |
| 4. P. Cocolis – Chatham | Yes | 12. J. Buteau – Truro | Yes |

5. F. Fenlon – Eastham	Yes	13. R. Elkin - Wellfleet	Yes
6. P. Pimentel – Edgartown	Yes	14. J. Flynn – Yarmouth	Yes
7. R. Zweig – Falmouth	Yes	15. S. Lyons – Barnstable County	Yes
8. V. Bell – Harwich	Yes		

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

1. J. Bernstein stated that Eversource’s petition is docket 15-181, National Grid’s petition is docket 16-05, and docket 16-07 was in regards to the natural gas pipeline that is no longer happening. He stated that the Supreme Judicial Court has active motions that are challenging the Department of Public Utilities’ (DPU) authority, which are delaying these dockets. Kevin Galligan and Austin Brandt are working with the Attorney General’s office on these dockets to coordinate suggested discovery (information requests), which the Board had directed staff to do. There will be a lot of testimony that will be filed challenging these dockets. J. Bernstein reminded the Board that the Compact is a full party in 15-181 and a limited party in 16-05. It has not been decided at this time if the Compact will have Counsel at all of these hearings, based on the budget.
2. M. Downey presented an update to the Board on the Grid Modernization Plans. She stated that the Compact is looking for policy direction and positions from the Board on key pieces of the plan, in order to move forward with stakeholder engagements and other activities.
 - a. A. Brandt directed the Board through key decisions of the Plan that need to be made.
 - i. AMF – A. Brandt stated that Eversource proposes an opt-in approach to AMF deployment (which is universally available but not deployed to all customers). This would require customers to pay high costs in order to participate. It is unclear if this opt-in approach meets the DPU’s directive and that it seems as if it is being presented to deter customers from participating. V. Bell stated that if it was opt-out then they would most likely save on the cost of equipment, as it would be bulk purchased. She stated that the cost of electricity may decrease which would have offset the cost of the equipment. T. Donegan stated that there should actually be incentives for people to participate, not costs. He said that the more participation, the better overall and there would be less cost with new generation. The position of the Board is that it should be an opt-out program. P. Pimentel stated that the region cannot have the future that we need without this technology. He said that there is a need to encourage people to participate in order to get the full benefits of this. P. Pimentel is in favor of an opt-out option. R. Elkin stated that there is a benefit to all ratepayers in reducing demand. M. Downey stated that Eversource claims that small business and residential customers are not interested in this, as they wouldn’t see the benefits. A. Brandt stated that this technology will allow for time varying rates (TVR), storage and economic benefits. *The Board’s direction to Compact staff is that it should be opt-out.*
 - ii. TVR – *The Board supported the Compact staff’s recommendation.*
 - iii. Distributed Generation – M. Downey asked the Board to take a position on whether anyone who has generation or storage on their property should have to pay for it, but that it should not be part of the Grid Modernization Plan. P. Pimentel stated that the costs should be put where they belong, and that someone still has to own and operate the wires, so this would be more appropriate in a rate case, not in their grid modernization plan. *The Board supported the Compact staff’s recommendation.*
 - iv. Operation & Maintenance Cost Recovery – A. Brandt stated that what Eversource has proposed are core utility functions and should not be in this plan. *The Board supported the Compact staff’s recommendation.*
 - b. The Board has asked that all filings related to this be put on the Compact’s website for easy public access.

- c. M. Downey stated that the Compact will be organizing meetings with stakeholder groups to discuss this and will notify the Board when these occur. She asked that the Board let her know if they would like the Compact to speak with any groups regarding this plan. D. Anthony asked that the Compact provide the Board with specific talking points (even more simplified than the Ridley's summary). M. Downey encouraged the Board Members to make sure that their Selectmen and Town Councilors are aware of this. S. Lyons stated that she mentioned the Grid Modernization Plan at the Commissioners meeting and said that M. Downey should attend a meeting and present this to them.

At 4:29 p.m., B. Crowell made a motion to leave Executive Session and adjourn the meeting, seconded by R. Toole, unanimously approved.

Respectfully Submitted,
Lindsay Henderson

LIST OF DOCUMENTS & EXHIBITS

- Meeting Notice/Agenda
- Grid Modernization Overview Power Point Slides