

**Cape Light Compact Governing Board**  
**Wednesday, October 8, 2014**  
**Executive Session Meeting Minutes**

The Governing Board of the Cape Light Compact met in Executive Session on Wednesday, October 8, 2014 in Room 11/12, Superior Court House, 3195 Main Street, Barnstable, MA 02630.

**PRESENT WERE:**

1. Dr. Joyce Flynn, Chairwoman, Yarmouth
2. Robert Schofield, Vice-Chair, Bourne until 4:50 pm
3. Peter Cocolis, Treasurer, Chatham
4. Peter Cabana, Member at Large, Dukes County
5. Barry Worth, Secretary, Harwich
6. William Doherty, Barnstable County - by phone
7. David Anthony, Barnstable
8. Deane Keuch, Brewster
9. Timothy Carroll, Chilmark –by phone
10. Brad Crowell, Dennis
11. Frederick Fenlon, Eastham
12. Ronald Zweig, Falmouth
13. Thomas Mayo, Mashpee
14. Richard Toole, Oak Bluffs
15. Thomas Donegan, Provincetown
16. Everett Horn, Sandwich
17. Peter Fontecchio, Truro
18. Marcus Springer, Wellfleet Alternate – by phone
19. Susan Hruby, W. Tisbury
20. Ray Castillo, Orleans

**ABSENT WERE:**

21. Michael Hebert, Aquinnah
22. Paul Pimentel, Edgartown
23. Tisbury, Vacant

**STAFF PRESENT:**

Maggie Downey, Administrator  
Meredith Miller, C&I Program Manager  
Margaret Song, Residential Program Manager  
Stephan Wollenburg, Sr. Power Supply Manager  
Philip Moffitt, EM&V Manager  
Karen Loura, Administrative Assistant

**LEGAL COUNSEL:**

Jeffrey Bernstein, Esq., BCK Law, PC

**OPEN SESSION VOTE ON ENTRY INTO EXECUTIVE SESSION**

At 3:53 p.m., Chr. Flynn requested the Board enter into Executive Session as follows:

- 1) Power Supply Procurement Strategy Discussion (confidential and competitively sensitive information;
- 2) M.G.L. c 30A, Section 21 (a) (3 and (10) for the purpose of approving past Compact Executive Session Minutes.

She declared that an open session may have a detrimental effect on the bargaining or litigating and negotiating positions of the Cape Light Compact. She announced that the Board would not reconvene at the conclusion of the Executive Session in Open Session this day. *P. Cabana moved the Board vote pursuant to M.G.L. c. 30A, Section 21 (a) (10) and 21(a)(3)(10) to enter into Executive Session, seconded by B. Worth and voted by roll call as follows:*

- |                                       |     |                                  |     |
|---------------------------------------|-----|----------------------------------|-----|
| 1. William Doherty, Barnstable County | Yes | 11. Barry Worth, Harwich         | Yes |
| 2. David Anthony, Barnstable          | Yes | 12. Thomas Mayo, Mashpee         | Yes |
| 3. Robert Schofield, Bourne           | Yes | 13. Richard Toole, Oak Bluffs    | Yes |
| 4. Deane Keuch, Brewster              | Yes | 14. Ray Castillo, Orleans        | Yes |
| 5. Peter Cocolis, Chatham             | Yes | 15. Thomas Donegan, Provincetown | Yes |
| 6. Timothy Carroll, Chilmark          | Yes | 16. Everett Horn, Sandwich       | Yes |
| 7. Brad Crowell, Dennis               | Yes | 17. Peter Fontecchio, Truro      | Yes |
| 8. Peter Cabana, Dukes County         | Yes | 18. Marcus Springer, Wellfleet   | Yes |
| 9. Frederick Fenlon, Eastham          | Yes | 19. Susan Hruby, W. Tisbury      | Yes |
| 10. Ronald Zweig, Falmouth            | Yes | 20. Dr. Joyce Flynn, Yarmouth    | Yes |

**POWER SUPPLY PROCUREMENT STRATEGY DISCUSSION**

Power Supply Request for Proposals resulted in 4 responses. M. Downey, S. Wollenburg, Tom Donegan, D. Anthony, P. Cabana and R. Schofield met with 3 of the bidders over 5 full days.

CMEC proposed wholesale power and recently won Lowell’s power purchase award and proposed similar products to Cape Light Compact.

S. Wollenburg described the current arrangement and said suppliers are no longer willing to commit to those terms due to volatility of the market. There is concern the volatility will trigger regulatory changes which would prohibit them from guaranteeing pricing. He talked about the pros & cons of alternative approaches.

But he said the only way to get the lowest price requires the Compact to assume more risk to consumers. Currently ConEdison Solution and Nextera are most competitive. ConEdison Solutions has the lower price.

There was discussion about competitive suppliers. Cape Light Compact compares its rates with NSTAR’s rates. Other competitors will always have 3-month offers and they can do unscrupulous marketing. A flood of new suppliers is expected in the spring due to lower pricing typically seen at that time of year.

The members participating in meetings each described their approach and position on strategy.

M. Downey asked if Board’s preference is to be at or about NSTAR or is it to get the lowest prices.

S. Wollenburg said the Cape Light Compact will need to do something very different in the future than it has done in the past. He anticipates the Cape Light Compact will lose more customers in next two years than they have to date estimating approximately 10% of customers in next 2 years due to the enormous influx of competitive suppliers offering teaser rates to consumers. Many times the offer rate expires and consumers are charged a much higher rate losing any hoped-for savings. Customers are with us during winter and drawn away from us in the spring. S. Wollenburg is unsure where customers of bankrupt supplier’s customers go. Cape Light Compact has no protection against customers opting away. There are no back charges or financial penalties. Cape Light Compact cannot offer teaser rates. T. Mayo said Cape Light Compact is protecting consumers in our contracts from predatory suppliers and it comes down to value added. The value of Cape Light Compact is consumer confidence knowing that the Cape Light Compact is not going to cheat its customers.

*R. Schofield left the meeting at 4:50 pm*

There was discussion about having two suppliers.

The consensus of the Board is to prefer taking less risk to buy time and start to develop a risk management strategy plan.

M. Downey proposed changing heading and un-redacting 10/27/14 Executive Committee Executive Session Meeting Minutes. There has been a press release and a Public Records Request. She said there is no need to leave redactions. D. Anthony moved to un-redact the 10/27/14 minutes and release, seconded by R. Toole and voted unanimously in favor by roll call vote as follows:

- |                                       |     |                                  |     |
|---------------------------------------|-----|----------------------------------|-----|
| 1. William Doherty, Barnstable County | Yes | 10. Barry Worth, Harwich         | Yes |
| 2. David Anthony, Barnstable          | Yes | 11. Thomas Mayo, Mashpee         | Yes |
| 3. Deane Keuch, Brewster              | Yes | 12. Richard Toole, Oak Bluffs    | Yes |
| 4. Peter Cocolis, Chatham             | Yes | 13. Ray Castillo, Orleans        | Yes |
|                                       |     | 14. Thomas Donegan, Provincetown | Yes |

5. Timothy Carroll, Chilmark	Yes	15. Everett Horn, Sandwich	Yes
6. Brad Crowell, Dennis	Yes	16. Peter Fontecchio, Truro	Yes
7. Peter Cabana, Dukes County	Yes	17. Marcus Springer, Wellfleet	Yes
8. Frederick Fenlon, Eastham	Yes	18. Susan Hrubby, W. Tisbury	Yes
9. Ronald Zweig, Falmouth	Yes	19. Dr. Joyce Flynn, Yarmouth	Yes

At 5:09 p.m., D. Anthony moved the Board vote to adjourn, seconded by T. Mayo and voted by roll call vote as follows:

1. William Doherty, Barnstable County	Yes	10. Barry Worth, Harwich	Yes
2. David Anthony, Barnstable	Yes	11. Thomas Mayo, Mashpee	Yes
3. Deane Keuch, Brewster	Yes	12. Richard Toole, Oak Bluffs	Yes
4. Peter Cocolis, Chatham	Yes	13. Ray Castillo, Orleans	Yes
5. Timothy Carroll, Chilmark	Yes	14. Thomas Donegan, Provincetown	Yes
6. Brad Crowell, Dennis	Yes	15. Everett Horn, Sandwich	Yes
7. Peter Cabana, Dukes County	Yes	16. Peter Fontecchio, Truro	Yes
8. Frederick Fenlon, Eastham	Yes	17. Marcus Springer, Wellfleet	Yes
9. Ronald Zweig, Falmouth	Yes	18. Susan Hrubby, W. Tisbury	Yes
		19. Dr. Joyce Flynn, Yarmouth	Yes

Respectfully submitted,

Karen E. Loura  
Administrative Assistant

**LIST OF DOCUMENTS & EXHIBITS:**

- Meeting Notice/Agenda