

**Cape Light Compact JPE
Governing Board
Meeting Minutes
Wednesday, July 12, 2023**

. The Cape Light Compact JPE Board of Directors met on Wednesday, July 12, 2023, at 2:00 p.m. The meeting was held as a hybrid meeting (in-person and through remote participation) through a Zoom videoconference for members of the Board with audio call-in available for members of the public, pursuant to St. 2023, c. 2, which, among other things, extends the temporary provisions pertaining to remote meetings of public bodies under the Open Meeting Law to March 31, 2025.

Participating In-Person Were:

1. Colin Odell, Executive Committee, Brewster
2. Tom McNellis, Eastham
3. Gary Senecal, Eastham Alternate
4. Martin Culik, Chair/Executive Committee, Orleans
5. Joyce Flynn, Vice Chair/Executive Committee, Yarmouth

Participating Remotely Were:

1. David Anthony, Secretary/Executive Committee, Barnstable
2. Robert Schofield, Executive Committee, Bourne
3. Bill Doherty, Bourne Alternate
4. Brian Miner, Chatham
5. Timothy Carroll, Chilmark
6. Alan Strahler, Edgartown
7. Matthew Patrick, Falmouth
8. David Jacobson, Orleans Alternate
9. Bob Higgins-Steele, Truro Alternate
10. Richard Elkin, Executive Committee, Wellfleet
11. Nicola Blake, Executive Committee, West Tisbury

Absent Were:

1. Forrest Filler, Aquinnah
2. Brad Crowell, Dennis
3. Meghan Gombos, Dukes County
4. Valerie Bell, Harwich
5. Wayne Taylor, Mashpee
6. Peter Meleney, Oak Bluffs
7. Nathaniel Mayo, Provincetown
8. Leanne Drake, Sandwich
9. Russ Hartenstine, Tisbury
10. Jarrod Cabral, Truro

Legal Counsel Participating Remotely:

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

Staff Participation In-Person:

Maggie Downey, Administrator

Staff Participating Remotely:

Briana Kane, Residential and Commercial & Industrial Program Manager
Dan Schell, Senior Analyst - Retail and Demand Response
Lindsay Henderson, Senior Analyst - Small Business
Mariel Marchand, Power Supply Planner
Meredith Miller, Senior Analyst - Income Eligible
Margaret Song, Energy Efficiency Strategy and Policy Manager
Melissa Allard, Senior Administrative Coordinator
Phil Moffitt, Chief Financial Officer
Stephen McCloskey, Analyst - Home Energy Services

Public Participants:

Martin Culik called the meeting to order at 2:04 PM.

Public Comment:

No written comments were received in advance of the meeting and no members of the public were present for public comment.

APPROVAL OF MINUTES:

The Board considered the June 14, 2023, Open Session Meeting Minutes.

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

Joyce Flynn stated that she was participating in person and not remotely.

| | | | |
|---------|----------------|--------------|-----|
| David | Anthony | Barnstable | Yes |
| Robert | Schofield | Bourne | Yes |
| Colin | Odell | Brewster | Yes |
| Brian | Miner | Chatham | Yes |
| Tim | Carroll | Chilmark | Yes |
| Tom | McNellis | Eastham | Yes |
| Alan | Strahler | Edgartown | Yes |
| Martin | Culik | Orleans | Yes |
| Bob | Higgins-Steele | Truro | Yes |
| Richard | Elkin | Wellfleet | Yes |
| Nicola | Blake | West Tisbury | Yes |
| Joyce | Flynn | Yarmouth | Yes |

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

CHAIRMAN’S REPORT:

1. Cape Cod Commission’s One Cape Summit

Martin Culik stated that the Cape Cod Commission’s One Cape Summit will be taking place on July 31st and August 1st. He asked if any Board Members would like to attend as Cape Light Compact representative to raise their hand. Joyce Flynn, Martin Culik, Brian Miner, Tom McNellis, Colin Odell, and Bill Doherty raised their hand and expressed interest in attending. Martin noted that Maggie Downey will follow-up with them after today’s Board meeting.

DISCUSSION AND POTENTIAL VOTE ON PROPOSED SUPPLEMENTAL BUDGET REQUEST FOR LEGAL, MAGGIE DOWNEY:

Maggie Downey stated that when the Board approved the Operating Budget last fall there were several advocacy topics that were talked about and were not included because the timing of these issues coming before the MA Department of Public Utilities (DPU) was unknown. She stated that our practice has always been to budget for what we know and go back in for supplemental budget if a project or docket comes up that was not included in the original budget.

Audrey Kiernan reviewed the Legal Services 2023 Appropriation PowerPoint. She stated that in November 2022 the Board approved a legal services budget of \$212,500. The budget did not include representation of the Compact in any new dockets, drafting of significant legislation projects, unknown power supply projects, and the DPU request for the Compact to revise the Aggregation Plan. She stated that as of July 1st, the remaining legal services budget is \$40,496.02.

Audrey Kiernan reviewed the 2023 activities unaccounted for in the original budget. They include the Compact’s participation in D.P.U. 23-50 (Investigation by the Department of Public Utilities on its own Motion into the Provision of Basic Service), D.P.U. 22-55 (Petition of Eversource for approval by DPU of the Company’s Cape Cod capital investment project proposal), and in legislative effort to revise the municipal aggregation statute and meeting with EEA Secretary Rebecca Tepper regarding municipal aggregation matters. Also, the revisions to the Aggregation Plan in response to DPU’s March 2, 2023 Letter Request, engagement with Vineyard Power regarding the Resiliency and Affordability Program Income Eligible Ratepayer Assistance Initiative, and Executive Session Meeting Minutes review project were unaccounted for in the original budget.

Audrey Kiernan stated that the total additional budget request for the remainder of the year is \$120,000. The break down is \$110,000 for general power supply matters and \$10,000 for other miscellaneous matters such as monitor and review of state legislation, Other Post Employment Benefits (OPEB) matters, monitoring DPU net metering dockets, US Department of Agriculture Rural Utilities Service (USD RUS) Rural Energy Savings Program (RESP), special legal research and direct expenses. She stated that this budget does not account for any new proceedings that commence before year end, or appeal of any existing proceedings. Those would be subject to further review and appropriation by the Board.

David Anthony asked if this was \$120,000 additional funding or includes the current remainder of the budget. Maggie Downey answered that it is an additional \$120,000 to the approved 2023 legal budget.

Colin Odell moved the CLCJPE Board of Directors approve the proposed supplemental budget request of \$120,00.00 for legal services in the Operating Budget.

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 |
| Brian | Miner | Chatham | Yes |
| Tim | Carroll | Chilmark | Yes |
| Tom | McNellis | Eastham | Yes |
| Alan | Strahler | Edgartown | Yes |
| Martin | Culik | Orleans | Yes |
| Bob | Higgins-Steele | Truro | Yes |
| Richard | Elkin | Wellfleet | Yes |
| Nicola | Blake | West Tisbury | Yes |
| Joyce | Flynn | Yarmouth | Yes |

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

UPDATE ON EVERSOURCE EV CHARGING PROGRAM, DAN SCHELL:

Dan Schell reviewed the Eversource EV Charger Offer PowerPoint. He stated that there are six different rates that customers can be eligible for, and this varies depending on whether they reside in a single family or multifamily dwelling, whether the customer is on the market or discount rate for power supply, and whether they reside in an Environmental Justice Community (EJC). He stated that there are some specifications on what EV chargers are eligible. They must be level 2, Wi-Fi enabled, 240V and less than 80 amps, and need to comply with the state appliance standards. He stated that the rebate can go towards the equipment and the installation costs. He stated that Compact customers are eligible for this program. He also stated we were made aware of an issue where Cape and Vineyard customers were not able to apply. Eversource is correcting the issue but has not provided a timeline. He stated that he believes it will be a requirement to enroll in managed charging which will have additional incentives for charging off peak hours. He stated that there are business offers available as well.

Nicola Blake asked where the funding was coming from. Dan Schell answered that the funding was coming from ratepayers. Martin Culik asked what the average cost for an EV charger is. Dan Schell answered that he has seen prices for \$400-\$600 but that is only for the system itself, not the installation costs.

ADMINISTRATOR’S REPORT:

1. Update on Other Post Employment Benefits (OPEB) Trust

Maggie Downey stated that she has been working with the Compact’s Chief Financial Officer, Consultant, and legal counsel interviewing three firms related to managing our OPEB funds. She stated that they will be bringing back a recommendation to the Board in September. She stated that the Compact’s OPEB liability is almost fully funded.

2. Vineyard Power

Maggie Downey stated that the Compact has been working with Vineyard Power on their Resiliency and Affordability Program for Income Eligible Ratepayers Assistance initiative. She stated that the program would provide financial assistance to R2 and R4 customers on Martha’s Vineyard. She stated that the customers will be receiving checks twice a year based on their previous usage consumption. She stated that they are hoping to have it implemented later this summer.

3. Review and Release of Executive Session Minutes

Maggie Downey stated that she, counsel, and the Board’s Secretary, David Anthony, have reviewed unreleased and partially released certain Executive Session Minutes. She stated that the following sets of minutes can be released in their entirety as continued non-disclosure is no longer warranted: January 12, 2022, February 9, 2022, March 9, 2022, April 13, 2022, June 8, 2022, September 14, 2022, December 14, 2022, April 21, 2021, July 21, 2021, November 10, 2021, December 8, 2021, September 9, 2020, February 13, 2019, July 17, 2019, September 11, 2019, January 10, 2018, December 5, 2018, May 11, 2016, and November 18, 2015. She stated that the following minutes will be released partially redacted: March 10, 2021, June 9, 2021, September 29, 2021, January 9, 2019, February 14, 2018, and October 8, 2014. She stated that August 14, 2013 minutes will remain redacted. She stated that the majority of the minutes that are being released are related to DPU dockets that are closed or power supply items that have passed that are no longer subject to necessary confidentiality.

ADJOURNMENT:

Motion to adjourn made at 2:52 PM moved by Colin Odell, seconded by Joyce Flynn.

| | | | |
|---------|----------------|--------------|-----|
| David | Anthony | Barnstable | Yes |
| Robert | Schofield | Bourne | Yes |
| Colin | Odell | Brewster | Yes |
| Brian | Miner | Chatham | Yes |
| Tim | Carroll | Chilmark | Yes |
| Tom | McNellis | Eastham | Yes |
| Alan | Strahler | Edgartown | Yes |
| Matt | Patrick | Falmouth | Yes |
| Martin | Culik | Orleans | Yes |
| Bob | Higgins-Steele | Truro | Yes |
| Richard | Elkin | Wellfleet | Yes |
| Nicola | Blake | West Tisbury | 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
- June 14, 2023, Draft Open Session Meeting Minutes
- Eversource EV Charger Offer PowerPoint
- Legal Services 2023 Appropriation PowerPoint