

Cape Light Compact JPE Executive Committee & Governing Board Meeting

DATE: Wednesday, February 28, 2024
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 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. 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, February 27, 2024, and should follow the public comment protocol below. Written public comments received after the January 23rd deadline will be distributed prior to the Compact’s next Board meeting.

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

Meeting ID: 814-3756-2411

Passcode: 871212

AGENDA

1. Public Comment
2. Approval of January 24, 2024, Open Session Minutes and Executive Session Minutes
3. Chairman’s Report, Martin Culik
 - a. Bullets for March Board Member Updates to Selectmen/Council
 - b. Dick Elkin’s Passing
 - c. Introduction of Wellfleet Board Member, Suzanne Ryan-Ishkarian
4. Update on Eversource Electric Sector Modernization Plan (ESMP), Mariel Marchand
5. 2024 Energy Efficiency Offering for Non-Profits, Lindsay Henderson
6. Presentation on 2024 Geotargeted Energy Efficiency Offering – Oak Bluffs, Stephen McCloskey
7. Update on 2025-2027 Energy Efficiency Plan Program Changes, Briana Kane
8. Discussion and Potential Vote on Consumer Advocacy Worksheet for MA Department of Public Utilities (DPU) Inquiry on Energy Affordability for Residential Ratepayers (DPU 24-15), Audrey Eidelman-Kiernan, KO Law
9. Administrator’s Report, Maggie Downey
 - A. OPEB Trust established by the Compact’s Treasurer on 2/7/2024
 - B. Update on CLC website
 - C. Proposed date for March Board Meeting: March 27
10. Board Member Update (Reserved for Updates on Member Activities the Chair Did Not Reasonably Anticipate Would be Discussed – No Voting)
 - a. Article for Falmouth Enterprise, Matt Patrick

Cape Light Compact Public Comment Protocols
for Governing Board Meeting
(June 2023)

The Cape Light Compact Governing Board has adopted the following protocols to assist the public in effective participation in its Governing Board meetings, 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 p.m. on the Tuesday before a scheduled Compact Governing Board meeting (or such other time as may be established by the Compact Administrator). 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 deadline will be distributed prior to the Compact's next Board meeting.
4. Members of the public addressing the Compact Board may not use fighting words, slander, unreasonably loud or repetitive speech, or speech so disruptive of the Compact Board meeting that the deliberative process is substantially interrupted or impaired. Speakers may not disrupt others. Speech must be peaceable and orderly.
5. All written public comments submitted in advance 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 will generally be made available to members of the public in advance of the meeting 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, January 24, 2024**

The Cape Light Compact JPE Board of Directors met on Wednesday, January 24, 2024, 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. Matthew Patrick, Falmouth
5. Valerie Bell, Harwich
6. Martin Culik, Chair/Executive Committee, Orleans
7. Bob Higgins-Steele, Truro Alternate
8. Joyce Flynn, Vice Chair/Executive Committee, Yarmouth

Participating Remotely Were:

1. David Anthony, Secretary/Executive Committee, Barnstable
2. Robert Schofield, Executive Committee, Bourne
3. Jill Goldsmith, Chatham Alternate
4. Alan Strahler, Edgartown
5. Wayne Taylor, Mashpee
6. Nathaniel Mayo, Provincetown
7. Leanne Drake, Sandwich
8. Russ Hartenstine, Tisbury
9. Richard Elkin, Executive Committee, Wellfleet
10. Nicola Blake, Executive Committee, West Tisbury

Absent Were:

1. Forrest Filler, Aquinnah
2. Brian Miner, Chatham
3. Timothy Carroll, Chilmark
4. Meghan Gombos, Dukes County
5. Peter Meleney, Oak Bluffs
6. Jarrod Cabral, Truro

Legal Counsel Participating Remotely:

Erin O'Toole, Esq., KO Law, P.C.

Staff Participation In-Person:

Maggie Downey, Administrator

Staff Participating Remotely:

Anneliese Conklin, Data Analyst
Briana Kane, Residential and Commercial & Industrial Program Manager
Dan Schell, Senior Analyst - Retail and Demand Response
David Botelho, Data Analyst
Laura Selmer, Analyst
Lindsay Henderson, Senior Analyst - Small Business
Margaret Song, Energy Efficiency Strategy and Policy Manager
Miranda Skinner, Strategy and Regulatory Analyst
Melissa Allard, Senior Administrative Coordinator
Phil Moffitt, Chief Financial Officer
Stephen McCloskey, Analyst - Home Energy Services
Tatsiana Nickinello, Energy Efficiency Analyst

Public Participants:

None.

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.

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 RETURN TO OPEN SESSION:

Martin Culik at 2:04 PM moved to enter into Executive Session pursuant to M.G.L. c. 30A §21(a)10 to review and approve the December 13, 2023 Executive Session minutes regarding trade secrets and confidential, competitively sensitive or other proprietary power supply information, to return to open session thereafter. Seconded by Colin Odell.

Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Jill	Goldsmith	Chatham	Yes
Tom	McNellis	Eastham	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes
Russ	Hartenstine	Tisbury	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (14-0-0)

RETURN TO OPEN SESSION:

Motion to return to open session made at 2:08 PM moved by Colin Odell, seconded by Matt Patrick.

Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Jill	Goldsmith	Chatham	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	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

Alan Strahler joined the meeting at 2:08 PM.

APPROVAL OF MINUTES:

The Board considered the December 13, 2023, Open Session Meeting Minutes.

Matt Patrick moved the Board to accept the minutes and to release them, seconded by Valerie Bell.

Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Jill	Goldsmith	Chatham	Abstained
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	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes

Joyce	Flynn	Yarmouth	Yes
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Motion carried in the affirmative (14-0-1)

CHAIRMAN’S REPORT:

1. Discuss and Report on Board Member Updates to Selectmen/Council

Martin Culik stated that the Compact’s new Marketing and Communications Coordinator, Jason Bertrand, sent out brief talking points to all Board Members to share with their Select Board or Town Council. He asked if anyone had been able to share it or had any comments. Several Board Members shared the talking points with their Selectmen.

ELECTIONS FOR 2024 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, Valerie Silva 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 Compact’s Officer positions. Maggie closed the nominations and asked for a motion to elect the Compact’s Officers for 2024 as presented.

Robert Schofield moved the entire slate of Martin Culik, Joyce Flynn, David Anthony, Valerie Silva, and Phil Moffitt for Compact Officers. Seconded by Russ Hartenstine.

Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Jill	Goldsmith	Chatham	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	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

Nate Mayo joined the meeting at 2:14 PM.

David Anthony joined the meeting at 2:16 PM.

ELECTIONS FOR 2024 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, Bob Higgins-Steele, Robert Schofield, Colin Odell, and Nicola Blake were nominated for Executive Committee Members at the December Board Meeting. She then asked whether there were any other nominations for the Executive Committee. Valerie Bell nominated Matt Patrick. Matt Patrick accepted.

Joyce Flynn moved the entire slate of Martin Culik, Joyce Flynn, David Anthony, Bob Higgins-Steele, Robert Schofield, Colin Odell, Nicola Blake, and Matt Patrick as the 2024 Executive Committee. Seconded by Valerie Bell.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Jill	Goldsmith	Chatham	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
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Russ	Hartenstine	Tisbury	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (17-0-0)

PRESENTATION ON PROPOSED CLASSIFICATION & COMPENSATION PLAN FOR COMPACT STAFF, MICHAEL HALE AND MARY AICARDI, EDWARD J. COLLINS, JR. CENTER FOR PUBLIC MANAGEMENT, UNIVERSITY OF MASSACHUSETTS BOSTON:

Martin Culik stated that the Compact is required to maintain its compensation plan for staff by periodically conducting an independent external wage and salary audit. A survey of the data and analysis of the current pay levels indicated a revision is in order.

Michael Hale, Collins Center, reviewed the Cape Light Compact Classification and Compensation Study PowerPoint. He explained what a classification and compensation study is and what it is not. The study reviews current position descriptions, current compensation schedules, current “classification” grades or groupings, and the internal equity of positions. He stated there is a market survey to evaluate the Compact’s wages versus other organizations, development of accurate and legally compliant position descriptions, and a recommendation for an equitable compensation system. The benefits of the study are an accurate position description for recruitment, accurate positions descriptions for employee evaluation, pay determinations are objectively made, addresses equity in classification and compensation, an objective review ensures fairness, and complies with

laws and regulations, including the Americans with Disabilities Act, Pay Equity and various employment laws. He stated that this is not a reclassification study or a performance evaluation. The study does not look at individuals holding the positions or how many hours a position should be assigned.

Michael Hale stated that he met with Maggie Downey to see if she had any concerns. He stated that she did not want to have any sway or influence over the outcome. Then he had an orientation with staff via Zoom. During the orientation he informed staff that he would be sending a position questionnaire to each staff member to fill it out and return it to him. Once all the questionnaires were returned, he met with each staff member individually to go through the questionnaire and current job description. Draft position descriptions were written up and sent to staff, as well as their supervisor and the administrator for and questions or edits. The final position descriptions were then completed.

Michael Hale stated that the Position Rating System is based on point factors which are common in this industry. The rating system evaluates key characteristics including supervision received and exercised, education and experience, judgement and complexity, nature of personal contacts and confidentiality, and work environment and physical skills. These characteristics determined a staff member's total score and their placement on a new classification schedule.

Michael Hale reviewed the market survey, which is the survey of other organizations. He stated that they looked at The Center for EcoTechnology, the Massachusetts Municipal Wholesale Electric Company, the Cape Cod Commission, VEIC (Vermont based energy non-profit), Power Options (Boston), the Massachusetts Water Resource Authority (MWRA), and the Metropolitan Planning Commission (Boston), and the Barnstable County Retirement System. He noted that none of the organizations were an exact match with the Compact but performed similar functions. He stated that they analyzed the data and used average and median to compare to those of the salaries of the Compact. He stated that from that they created a compensation schedule. It was created by all data points to hourly ranges. The salary schedule has a range of 30% for each grade level.

Michael Hale reviewed the current versus proposed classification. He stated that the Compact currently has five grades and that they are proposing six under the study. The A grade would be the chief administrative officer, the B grade is for the senior leadership team, the C grade would be the senior analysts, the D grade would be the analysts, the E grade is the marketing and communications position as well as the data coordinator, and the F grade is the customer service and senior administrative coordinator. He stated that they proposed several title changes to reflect how we thought might better describe the position. Those title changes do not in any way impact the compensation.

Michael Hale reviewed the recommended compensation structure. He stated that they are recommending a range system with a minimum, midpoint, and maximum ranges. It aligns with the industry standard of ranges of 25% to 30%. He stated that there would be equitable treatment for all employees and all grades have the same 30% range. It would provide a better opportunity to create performance-based pay and future growth for all employees.

Michael Hale reviewed the recommendation for implementation. Under the recommendation, all employees receive a three percent cost of living adjustment (COLA) and would be placed within the salary range for a grade level based on longevity with organization. Staff's future salary adjustments within the grade would be based on a COLA and performance. He recommended the Compact review salary ranges every four years and make adjustments to reflect changes in the market. If there is significant wage inflation, the Compact may need to review every three years. Also, pursuant to the Compact's policies and procedures manual, employees who reach the top of range would be eligible for annual merit pay.

Valerie Bell stated there is a minimum and maximum range and asked how an employee moves up. Maggie Downey stated that there are two ways an employee moves up. There is their annual performance review where they can get a 0 to 4% increase depending on their performance, as well as the yearly COLA the Board approves.

Bob Higgins-Steele asked if local cost of living was considered in this study. Michael Hale stated that he does not believe that geographic location was a big factor in this study. Therefore, it was not considered. Richard Elkin stated that as he gathers, the whole point of this survey is that if all things are equal; positions are comparable; duties are comparable. He stated that the goal was to determine what equal salary would be for the Compact compared to the competition. He stated that his question is do we want to pay what everyone else is paying or do we adjust our rates higher to increase retention and increase attractiveness. David Anthony stated that the impacts of living on Cape Cod are definitely being felt by the entry level employees. He stated that those applying for entry level jobs, making around \$60,000 on Cape Cod doesn't get you anything these days and the whole idea of affordable housing and what constitutes affordable is a real challenge. He stated that when looking at the bottom numbers it doesn't surprise him as to what the F grade range is in the compensation study. He stated to put it in perspective, in anticipation of this, the grade A is equivalent to our town manager and our school Superintendent. He stated that from his perspective, he is not surprised by the numbers in the study.

Matt Patrick asked if the Compact is having trouble attracting and keeping employees. Maggie Downey answered that yes, the Compact has had trouble attracting new employees because our peers in the energy efficiency side are mostly investor-owned utilities and they pay more for the same positions. She noted that all of the recent employees the Compact has hired have been at or close to the midpoint salary range. They had other skills and were willing to learn. Matt Patrick asked if this is going to change. Maggie Downey stated that this gives staff room for growth. She stated that there is a lot of change coming in the next two and a half years. She reminded the Board that she will be retiring and so are three other staff members. Existing staff will have room to move within the organization.

Valerie Bell asked whether all the Compact's money comes from ratepayers. Maggie Downey stated that is correct. Valerie Bell stated that the Compact does not have investments or things private corporations have in order to provide larger salaries. She stated that the Compact is like a municipality, and we have to be careful, make sure that we pay our people fairly while not gouging rate payers., She stated that it is a balancing act.

Tom McNelis stated that he thinks an important part of this is to give the administrator the tools to be able to address the attraction of talent, performance of talent and retention of talent and as you say within guidelines. Therefore, doing well by our rate payers. He asked that in terms of the employees, does this give the Compact the latitude it needs within the bounds of reason to be able to administer the structure here. Maggie Downey answered that she believes it does. She stated that she thinks it's fair and gives the Compact room for growth. She stated that high the cost of living on Cape Cod was not addressed in the salary study but could be addressed by the Board under other policies.

Matt Patrick asked if when Maggie Downey retires, will this study hamstring the Compact? Maggie Downey stated that she thinks it gives you growth and opportunity for the next administrator. She stated that she is working with the Edward J. Collins, Jr. Center for Public Management on a transition plan and looking at organization structure that will be brought back to the Board. Richard Elkin stated that people raised the issue of how this affects the rate, but the energy budget is a small percentage of our budget. He stated that it's the Mass Save portion of the budget that he has concerns about. He asked what are the constraints? Maggie Downey

stated that the majority of staff time is spent on energy efficiency and the energy efficiency budget is approved by the MA Department of Public Utilities through the three-year energy efficiency plan. She stated that the existing energy efficiency plan included a projected salary increase that allows for this study to be implemented. She stated that the next three-year plan will be reviewed by the DPU, including staff salaries.

Robert Schofield stated that he read the report as part of the Board packet and the study did a good job explaining how it reached its recommendations. He stated that this is a very difficult thing to do. He stated that he has been on the Board now for 24 years and has seen a lot of things change. He stated that he has been proud of the Compact and how it has been able to stay up to date. Alan Strahler stated that the cost of living is even higher on Martha’s Vineyard than it is on Cape Cod, so he is sensitive to some of the comments that have been made about trying to keep pace with the cost of living at the same time that we’re working on the salaries. He stated that the study is giving us all the information we need to apply our own knowledge and ideas and he thinks that’s great.

Jill Goldsmith left the meeting at 3:25 PM.

Joyce Flynn moved the CLCJPE Board of Directors to the Board vote to adopt the Classification & Compensation Study (Study) as prepared by the Collins Center for Public Management. The Board of Directors adopts an implementation schedule described in the CLC Classification & Compensation Study, January 2024, that includes a four to six and a half percent (4% -6.5%) increase for Compact staff, excluding the Administrator position, the percentage increase to be based on years of service at the Compact. The implementation date is January 1, 2024.

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 Robert Schofield.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	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
Nate	Mayo	Provincetown	Absent
Leanne	Drake	Sandwich	Yes
Russ	Hartenstine	Tisbury	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

Martin Culik moved on to the proposed salary for the Compact’s Administrator. Bob Higgins-Steel asked how we know what percentage the right number is. Michael Hale stated that using the methodology and years of service in her position he believes that it merits at least 90% of the overall range. He stated that he did not assess her performance, so that is where Board input is needed. Bob Higgins-Steele asked if that was something the Board normally does. Martin Culik stated that the annual review is done by him, Joyce Flynn, and David Anthony. He stated that she is a strong performer. Michael Hale stated that if that were the case he would strongly recommend the 90%. Bob Higgins-Steele stated that he does not understand why the 90% instead of 95% or some other number. Maggie Downey stated that she was uncomfortable and therefore went with the lowest number. She stated that it is a big salary increase and she was uncomfortable going any higher because this is a very public-faced position. David Anthony stated that he thinks the fact that Maggie Downey feels uncomfortable talking about the amount of money that we positioned this Administrator position is a credit to her and her dedication in the organization. He stated that it makes it easier to support the recommendation.

Matt Patrick moved the CLCJPE Board of Directors the Board vote to set the calendar year 2024 annual salary for the Compact Administrator at the 90th percentile of the salary range as recommended in the Classification & Compensation Study (Study) prepared by the Collins Center for Public Management. The range is \$80/hr. - \$104/hr. and the 90th percentile is \$101.60/hr. The implementation date is January 1, 2024.

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 Robert Schofield.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	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
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Russ	Hartenstine	Tisbury	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

UPDATE ON 2024 ENERGY EFFICIENCY PROGRAM CHANGES, BRIANA KANE & COMPACT IMPLEMENTATION STAFF:

Dan Schell started the presentation for the 2024 Energy Efficiency Program Updates and Preliminary 2025-2027 Energy Efficiency Plan Overview PowerPoint.

Dan Schell stated that we wanted to give a few updates on changes that started at the beginning of the year. One of the largest changes is for the whole home rebate for heat pump systems. Whole home heat pump rebates will now customers with existing fossil fuel systems to remove or disable the fossil fuel system. There are four different methods that customers can use to disable their fossil fuel systems: (1) fully remove the current system; (2) disconnect the system from the panel; (3) disconnect the systems from the thermostat(s); or (4) disconnect the fuel line and cap it. The Compact will also be requiring heat pump efficiency requirements to align with the Energy Star 6.1 Cold Climate specification.

Dan Schell reminded the Board that per state law the Compact will not be able to offer fossil fuel rebates in the next three-year plan. Therefore, we are phasing out the fossil fuel rebates in 2024. He stated residential 2024 fossil fuel rebates received about a 30% reduction from their 2023 amounts. He reviewed the residential rebate phase out timeline. April 30, 2024, is the deadline for the HEAT Loan authorization letter, August 31, 2024 is the deadline for fossil fuel measure installation, and September 30, 2024 is the deadline for rebate application submissions. He stated that there will be no exceptions made to these deadlines. The Compact is working to inform consumers, contractors, and distributors of the deadlines. He stated that commercial installations and rebate submissions must be done by September 30, 2024. He stated that the Compact has traditionally allowed customers to mail in rebate forms or apply online. However, because of these deadlines and to prevent any spending on fossil fuels going into next year, fossil fuel rebates must be submitted online. He stated that if a customer absolutely cannot use the online application, they can request a paper application, but they will not publicly be made available.

Dan Schell reviewed the changes to the residential window program. Customers are no longer required to replace their single pane windows with triple-pane, but instead replacement windows must be on the ENERGY STAR Most Efficient list and certified for the northern region. He stated that it was difficult both for the rebate processor and for customers to verify that they had triple pane windows. The customers are still required to have an energy assessment to verify that the existing windows are single pane. They are also required to complete any weatherization recommendations made during the assessment.

Dan Schell reviewed the 2023 rebate submission deadlines. For HVAC, the deadline is February 29, 2024, and for products it is January 31, 2024. He stated that just as a reminder, that 2024 installs must meet 2024 requirements and will be paid 2024 amounts.

Dan Schell stated that there are a few new commercial rebates. Customers can replace propane fired forklifts with battery powered systems and to go along with those, the high frequency battery chargers. He stated that it is a \$6,000 rebate for the forklifts and a \$550 rebate for the battery chargers. He stated that there is a \$20 per square foot rebate for industrial air curtains. Air curtains help seal any heating or cooling in the building. He stated that there is also a new prescriptive weatherization offer for commercial customers. There is a \$0.17 per R-value added per square foot for basement installation and for weatherstripping a \$111 per linear foot of door.

Dan Schell stated that he wanted to remind everyone about the Compact's demand response offering, ConnectedSolutions. Residential customers can enroll their thermostats into the program. They will receive a \$50 gift card for enrolling and a \$20 gift card seasonal incentive. Residential customers can also enroll their batteries and receive \$275 per kilowatt over the summer. He stated that for commercial customers there is a \$200 per kilowatt for batteries and \$35 for other curtailment technologies.

Lindsay Henderson continued the presentation. She reviewed the small business non-profit offer. The requirements are that the non-profit must own the building or have an eligible long-term lease, must be a 501

(c)3 and have been in operation for at least 5 years, and must use less than 1.5 million annual kWh. She stated that the nonprofit must provide services exclusively to low-income population with a total annual revenue less than \$15 million, or provide economic development, social services, or cultural services with a total revenue that can be no more than \$2 million. She stated that the Compact is looking to help as many non-profits as possible. Therefore, it is lifting the revenue requirements for 2024 and potentially the next three-year plan. She stated that the Compact is looking to expand the offer to select 501 organizations as well.

Briana Kane continued the presentation. She stated that we are in the last year of this three-year plan. She stated that the Compact has been continuing to push to reach and serve nonparticipant towns, environmental justice communities, moderate-income customers, and renters and landlords. There have been some conversations about a few additional offers to try to increase participation in the residential coordinated delivery program for moderate income customers, and renters and landlords. She stated that there are a number of community-based offers that will be rolling out in 2024.

Briana Kane reviewed the 2024 community-based offering specifically for Oak Bluffs. Currently if a customer is moderate income, we only use SMI. Effective in 2024 customers in Oak Bluffs may self-attest, based on Area or State median income, to being a moderate-income customer. Moderate income customers can get 100% cost coverage for weatherization and pre-weatherization barriers. She stated that this is a way to encourage people again to come to the program with little lift, but making sure that they fall within the income guidelines during the energy assessment. She stated that for pre-electrification barrier and heat pumps, customers will be eligible for 100% cost coverage with income verification. She stated that the customer would be required to income qualify by providing income documentation.

DISCUSS PRELIMINARY 2025-2027 ENERGY EFFICIENCY PLAN PROGRAM CHANGES, BRIANA KANE:

Briana Kane continued to review the 2024 Energy Efficiency Program Updates and Preliminary 2025-2027 Energy Efficiency Plan Overview PowerPoint. She stated that the Secretary of Executive Office of Environmental Affairs will be issuing the Green House Gas (GHG) reduction goal for the 2025-207 Energy Efficiency Plan on March 1, 2024. She stated that the Compact will be continuing to provide energy assessment, but the focus will be a decarbonization assessment. She stated that there will be turnkey offerings for select measures for pre-weatherization, weatherization, and heat pumps, for a fully facilitated customer experience. This would be provided for a moderate income and small business customers. She stated there will be targeted community-based offers with a focus on equitable program delivery for renters, moderate income customers, and limited English-speaking customers. She stated that there will be an all-electric pre-requisite for residential and commercial and industrial new construction.

Valerie Bell asked if there was a way for customers to know if they are getting a fair estimate for heat pump installations. Briana Kane stated that our main message is to always encourage customers to get several quotes. Dan Schell stated that we are working with Abode, a CLC vendor, to provide customers with a quote comparison tool.

Bob Higgins-Steele asked if someone could review the timeline for the next three-year plan. Maggie Downey stated that the draft of the next three-year plan is due on March 31, 2024. It will be presented to the Board at the March Board Meeting. She stated that the DPU Order for the next plan states that that no substantive changes can be made after mid-August. Therefore, we may have a vote ready by the July Board meeting. She stated that the final filing is on November 1, 2024, and the DPU has until March 3, 2025, to approve the plan. She stated that she'll make sure to have the timeline sent to the Board Members.

Alan Strahler left the meeting at 4:16 PM.

ADMINISTRATOR'S REPORT:

1. Update on Review and Release of Executive Session Minutes

Maggie Downey stated that she, Counsel, and David Anthony have reviewed all sets of unreleased or partially released executive session minutes and have determined that the following sets of executive session minutes can be released in their entirety as continued non-disclosure is no longer warranted under the Open Meeting Law:

February 14, 2018

The following sets of executive sessions minutes will continue to be withheld with partial redactions as continued nondisclosure of the redacted material is warranted under the Open Meeting Law:

March 10, 2021

June 9, 2021

September 29, 2021

January 9, 2019

October 8, 2014

August 14, 2023

The December 11, 2023 executive session minutes will be withheld in their entirety as continued nondisclosure is warranted under the Open Meeting Law.

2. Proposed date for February & March Board Meeting Dates

Maggie Downey stated that there are meeting conflicts for the next two months and proposed February 28th and March 27th as the next two Board Meeting dates. There were few conflicts with Board members. Maggie Downey said she would send out the calendar invites.

3. Review Documents Sent to CLC Board

Maggie Downey stated that she sent the Board the following documents: 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, Second Amended and Restated Joint Powers Agreement of the CLCJPE, Cape Light Compact Aggregation Plan, dated June 23, 2023, and Cape Light Compact Code of Conduct for Board Members. She stated that the Board is required to sign and return to her the Summary of Conflict-of-Interest Law for Municipal Employees and Office of the Attorney General: Open Meeting Law Guide and Educational Materials.

Wayne Taylor left the meeting at 4:30 PM.

ADJOURNMENT:

Motion to adjourn made at 4:40 PM moved by Matt Patrick, seconded by Colin Odell.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Tom	McNellis	Eastham	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Russ	Hartenstine	Tisbury	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (14-0-0)

Respectfully submitted,

Melissa Allard

LIST OF DOCUMENTS AND EXHIBITS:

- Meeting Notice/Agenda
- December 13, 2023, Draft Open Session Meeting Minutes
- Cape Light Compact Classification and Compensation Study
- 2024 Energy Efficiency Program Updates and Preliminary 2025-2027 Energy Efficiency Plan Overview PowerPoint

Draft Executive Session Minutes
Pursuant to G.L. c. 30A, §§ 21(a)(10)
Exempt from Public Records Disclosure
Pursuant to G.L. c. 4, s. 7, cl. 26(d)

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

Cape Light Compact JPE
Governing Board
Executive Session Meeting Minutes
Wednesday, January 24, 2024

The Cape Light Compact JPE Board of Directors met on Wednesday, January 24, 2024, 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. Matthew Patrick, Falmouth
5. Valerie Bell, Harwich
6. Martin Culik, Chair/Executive Committee, Orleans
7. Bob Higgins-Steele, Truro Alternate
8. Joyce Flynn, Vice Chair/Executive Committee, Yarmouth

Participating Remotely Were:

1. Robert Schofield, Executive Committee, Bourne
2. Jill Goldsmith, Chatham Alternate
3. Alan Strahler, Edgartown
4. Wayne Taylor, Mashpee
5. Leanne Drake, Sandwich
6. Russ Hartenstine, Tisbury
7. Richard Elkin, Executive Committee, Wellfleet
8. Nicola Blake, Executive Committee, West Tisbury

Absent Were:

1. David Anthony, Secretary/Executive Committee Barnstable
2. Forrest Filler, Aquinnah
3. Brian Miner, Chatham
4. Timothy Carroll, Chilmark
5. Meghan Gombos, Dukes County
6. Peter Meleney, Oak Bluffs
7. Nathaniel Mayo, Provincetown
8. Jarrod Cabral, Truro

Draft Executive Session Minutes
Pursuant to G.L. c. 30A, §§ 21(a)(10)
Exempt from Public Records Disclosure
Pursuant to G.L. c. 4, s. 7, cl. 26(d)

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

Legal Counsel Participating Remotely:

Erin O’Toole, Esq., KO Law, P.C.

Staff Participation In-Person:

Maggie Downey, Administrator

Staff Participating Remotely:

Anneliese Conklin, Data Analyst

Briana Kane, Residential and Commercial & Industrial Program Manager

Dan Schell, Senior Analyst - Retail and Demand Response

David Botelho, Data Analyst

Laura Selmer, Analyst

Lindsay Henderson, Senior Analyst - Small Business

Margaret Song, Energy Efficiency Strategy and Policy Manager

Miranda Skinner, Strategy and Regulatory Analyst

Melissa Allard, Senior Administrative Coordinator

Phil Moffitt, Chief Financial Officer

Stephen McCloskey, Analyst - Home Energy Services

Tatsiana Nickinello, Energy Efficiency Analyst

Before making the required Executive Session declaration Martin Culik asked those members who are participating remotely to confirm that no other person is present or able to hear the executive session discussion at their remote location. He did this by asking everyone as a group to say yes, affirming that no one could hear the discussion. After receiving affirmation from the Board members participating remotely, Martin made the required declaration to enter into executive session.

OPEN SESSION VOTE ON ENTRY INTO EXECUTIVE SESSION PURSUANT TO M.G.L. c. 30A §§21(A)(10) TO DISCUSS MATTERS BELOW, TO RETURN TO OPEN SESSION:

Martin Culik at 2:04 PM moved to enter into Executive Session pursuant to M.G.L. c. 30A §21(a)10 to review and approve the December 13, 2023 Executive Session minutes regarding trade secrets and confidential, competitively sensitive or other proprietary power supply information, to return to open session thereafter. Seconded by Colin Odell.

Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Jill	Goldsmith	Chatham	Yes
Tom	McNellis	Eastham	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes

Draft Executive Session Minutes
Pursuant to G.L. c. 30A, §§ 21(a)(10)
Exempt from Public Records Disclosure
Pursuant to G.L. c. 4, s. 7, cl. 26(d)

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

Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes
Russ	Hartenstine	Tisbury	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (14-0-0)

Alan Strahler joined the meeting at 2:08 PM.

APPROVAL OF MINUTES:

The Board considered the December 13, 2023, Executive Session Meeting Minutes.

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

Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Jill	Goldsmith	Chatham	Abstained
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	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (14-0-1)

RETURN TO OPEN SESSION:

Motion to return to open session made at 2:08 PM moved by Colin Odell, seconded by Matt Patrick.

Draft Executive Session Minutes
Pursuant to G.L. c. 30A, §§ 21(a)(10)
Exempt from Public Records Disclosure
Pursuant to G.L. c. 4, s. 7, cl. 26(d)

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

Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Jill	Goldsmith	Chatham	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	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

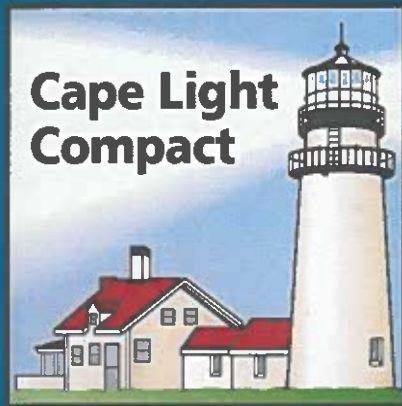
Motion carried in the affirmative (15-0-0)

Respectfully submitted,

Melissa Allard

LIST OF DOCUMENTS AND EXHIBITS:

- Meeting Notice/Agenda
- December 13, 2023, Executive Session Meeting Minutes



Your Trusted, Local Energy Resource

Update on Eversource Electric Sector Modernization Plan (DPU 24-10)

Cape Light Compact Governing Board
February 28, 2024

Electric Sector Modernization Plan (ESMP): What is it and Why Does it Matter ?

The Grid Modernization Advisory Committee (GMAC) and ESMP system was set in place by “[An Act Driving Clean Energy and Offshore Wind](#)” (Climate Law) in 2022. The Climate Law requires that the state’s Electric Distribution Companies (EDCs) prepare the ESMPs to proactively upgrade the distribution system and meet multiple objectives, including:

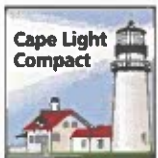
- Improve grid reliability, communications, and resiliency;
- Enable increased, timely adoption of renewable energy and Distributed Energy Resources (DERs);
- Promote energy storage and electrification technologies for decarbonization;
- Prepare for climate-driven impacts on T&D systems;
- Accommodate transportation and building electrification, and other new loads; and
- Minimize or mitigate impacts on ratepayers.



ESMP Overview

- Discussed with Board in November 2023
- Eversource filed its ESMP with the DPU on January 29, 2024 (after review/comments by GMAC)
- Includes changes/additions from draft submitted to GMAC
- Three planning horizons:
 - 5 year (2025-2030)
 - 10 year (2025-2035)
 - 2035-2050

Main takeaway: ESMP is limited in terms of innovative solutions



Timeline

- January 29: ESMP filed with DPU
- January 30: Petitions to intervene due & discovery begins
- March 5: Intervenor testimony due
- March 7 & March 12: Virtual public hearings
- March 25: Deadline to issue discovery
- April 1: Final discovery responses due
- April 8-April 26: Evidentiary hearings
- TBD: Briefing
- August 29, 2024: DPU Order (must approve, approve with modification or reject the ESMP filings)



CLC Concerns

New Concerns

- Eversource request for approval to defer inclusion of important topics (Time-Varying Rates (TVR), rate redesign)
- Community Engagement Stakeholder Advisory Group (CESAG)

Existing Concerns

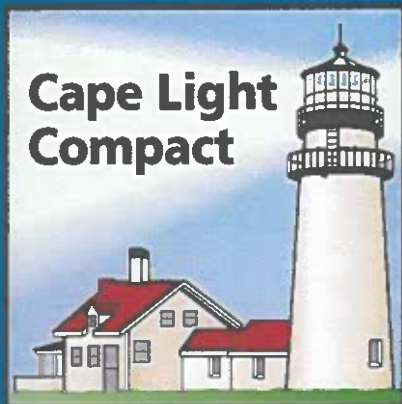
- ESMP relies heavily on investments already approved or pending before the DPU
- Investment in new infrastructure as opposed to using non-wire alternatives, market partnerships, and demand response
- Load forecasting methodology for PV & storage
- Lack of alternatives to Capital Investment Projects (CIPs) that are still pending before DPU (to enable interconnection of DG)
- Double poles/undergrounding



Next Steps

- The Compact has filed two rounds of discovery
- Will have additional discovery as responses come in
- Did not identify a need to file testimony
- Will participate in hearings and file briefs
- Goal of CLC participation:
 - Expeditious and equitable implementation of TVR
 - Approval of the CIP for Cape Cod or alternative DG interconnection plan
 - Address double poles in a timely fashion
 - Ensure CESAG is collaborative/includes input from GMAC and key stakeholders like CLC





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2024 Non-Profit Offer

Lindsay Henderson



Small Business Non-Profit Offer

- Must have energy assessment
- Requirements:
 - Non-profit must own building or have eligible long-term lease
 - Must be a 501 (c)3 or a house of worship and been in operation for at least 5 yrs
 - Must use less than 1.5 million annual kWh and electric account is in the non-profit's name (must be a commercial electric account)
- Application and required documentation must be submitted to CLC for review and approval
 - Info found at CapeLightCompact.org/existingbuilding

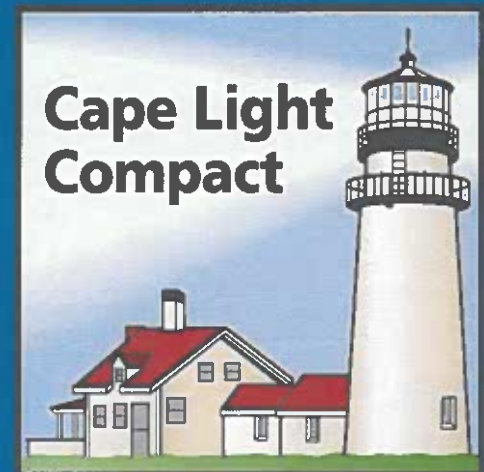


Small Business Non-Profit Offer

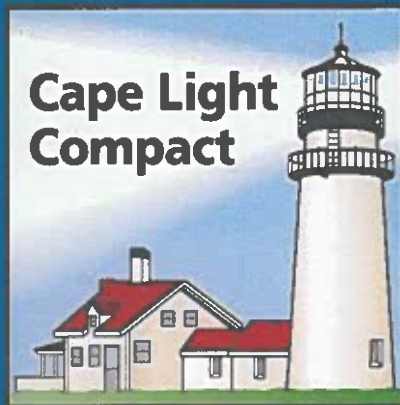
- Enhanced incentives up to 100% available for electric, oil or propane measures only
 - These enhanced incentives include if they install heat pumps with weatherization as a result of an assessment
 - Enhanced incentives for heat pumps do not apply if customer has natural gas and is switching to a heat pump, as it is a National Grid project
- To sign up for an assessment, call 1-800-797-6699 or sign up online at CapeLightCompact.org/existingbuilding



Questions?



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2024 Community Based Energy Efficiency Offer for Oak Bluffs

**Presented to the Town of Oak Bluffs
on February 27, 2024**

Stephen McCloskey, Residential Analyst



2024 Massachusetts Community Based Offer

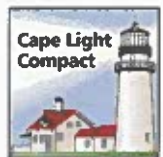
- Energy Efficiency Advisory Council Equity Working Group Goal
 - Develop Community/Geographic Based Energy Efficiency Offers for Rental and Moderate-Income Customers
- Criteria for Selecting Communities
 - MA Environmental Justice Community
 - Percentage of Renters
 - Percentage of Low-and-Moderate Income Households
 - Percentage of Homes Heated with Oil/Propane/Electric Resistance
 - Community First Partnership with Cape Light Compact (Program Administrator)
 - Historic low participation rates in energy efficiency programs



Why Oak Bluffs?

- Designated MA Environmental Justice community
- 28% Occupied units are renters
- 40% residents are low-moderate-income
- All homes heated with oil, propane, or electric resistance
- Community First Partnership with Cape Light Compact (Program Administrator)
- Historic low participation rates in energy efficiency programs

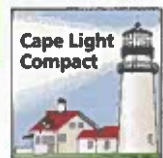
JBO



Income-Based Offerings

- The Cape Light Compact offers two program tiers for income-verified customers
 - The Moderate-Income program serves customers making between 60% and 80% of State Median Income or Area Median Income (SMI/AMI).
 - The Income Eligible program serves customers making less than 60% of SMI/AMI.

Household Size	Income Eligible Programs	Moderate Income Programs
1	< \$45,392	\$45,393 - \$70,150
2	< \$59,359	\$59,360 - \$80,150
3	< \$73,326	\$73,327 - \$97,768
4	< \$87,294	\$87,295 - \$116,392
5	< \$101,261	\$101,262 - \$135,015
6	< \$115,228	\$115,229 - \$153,638
7	< \$117,846	\$117,847 - \$157,128
8	< \$120,465	\$120,466 - \$160,620



Oak Bluffs Community Based Offer: Single Family (1-4 Unit Properties Only)

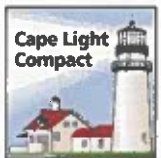
- If a customer's income falls within the moderate-income range, which is defined by SMI/AMI, and/or if they are a renter, they can confirm this information themselves via **self-attestation**. This means that they can simply state their income and renter status without any additional documentation and still be eligible to receive:
 - No cost Home Energy Assessment
 - 100% coverage for all recommended weatherization measures
 - 100% coverage for all weatherization barriers

Household Size	Dukes County Annual Household Income 2023-2024 Heating Season
1	\$45,393 – \$70,150
2	\$59,360 – \$80,150
3	\$73,327 – \$97,768
4	\$87,295 – \$116,392
5	\$101,262 – \$135,015
6	\$115,229 – \$153,638
7	\$117,847 – \$157,128
8	\$120,466 – \$160,620



Oak Bluffs Electrification/Decarbonization Pathway for Moderate Income Customers

- Requires **Income Verification** with Cape Light Compact
- Turn-key delivery model
 - 100% coverage for electrification barriers (e.g. electric panel upgrades)
 - 100% coverage for installation of a whole home heat pump to replace existing fossil fuel heating system or electric resistance heating system



Oak Bluffs Electrification/Decarbonization Pathway for Renters

- Requires approval of Landlord
 - 100% coverage for all recommended weatherization measures
 - 100% coverage for all weatherization barriers
- Requires approval of Landlord **and** Income Verification with Cape Light Compact
 - 100% coverage for electrification barriers (e.g. electric panel upgrades)
 - 100% coverage for installation of a whole home heat pump to replace existing fossil fuel or electric resistance heating system



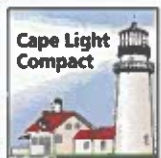
Income Eligible (IE) Energy Efficiency Retrofit Program

- Individual Eligibility*
 - For customers with income 60% or less of state median income (SMI)
 - Customers are qualified in 1 of 3 ways
 - Must be on the electric discount rate with Eversource or
 - Fuel Assistance (FA) or
 - Income verified directly by CLC (*n/a for natural gas customers*)
- Begins with an energy assessment
- All measures are direct install and covered 100%
 - Weatherization, appliance upgrades, heat pumps, heat pump water heaters
 - Weatherization barrier remediation* – knob & tube removal; roof repair; vermiculite or asbestos removal; mold/moisture remediation
- Lead Vendor is Housing Assistance Corp (HAC), in LEAN network
- For more information and to enroll, contact CLC at 1-800-797-6699

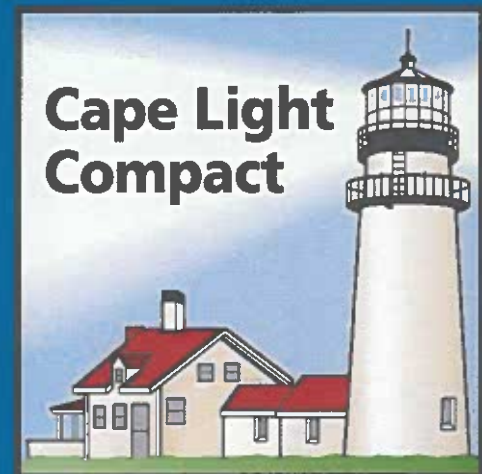
*Multi-family sites qualify for EE service as IE when 50% or more of units are restricted to households making 60% or less of either area median income/state median income (AMI/SMI)

2024 Season Income Limits
Beginning October 1, 2023

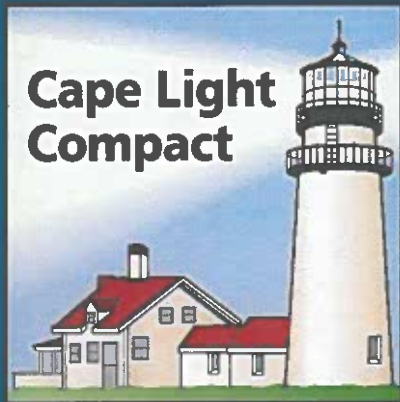
Household Size	60% of State Median Income
1	\$45,392.00
2	\$59,359.00
3	\$73,326.00
4	\$87,294.00
5	\$101,261.00
6	\$115,228.00
7	\$117,846.00
8	\$120,465.00



Questions?



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2025-2027 Energy Efficiency Plan Overview

Briana Kane, Implementation Manager



Preliminary 2025-2027 EEP Overview from January's meeting

- Focus: decarbonization, equity and customer experience
 - Secretary of Executive Office of Environmental Affairs sets GHG goals on March 01, 2024
 - Offering a decarbonization assessment
 - Turnkey offerings for select measures (Pre-Weatherization, Weatherization, and Heat Pumps) for a fully facilitated customer experience
 - Moderate Income (LMI), Small Business



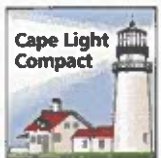
Preliminary 2025-2027 EEP Overview from January's meeting continued

- Targeted community-based offers with a focus on equitable program delivery for renters, LMI, limited English influence
- Enhanced call center services, CLC to continue to maintain its internal call center
- All-electric pre-requisite for Residential and C&I New Construction (limited exemptions e.g. labs)



Additional Updates / PA Proposals 2025-2027 EEP Overview

- PAs will use both AMI and SMI to determine a customer's eligibility
- For Market Rate customers would be able to self-attest that they are within the 61-80% AMI/SMI bracket and receive no-cost recommended Weatherization



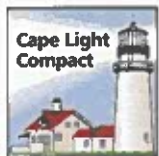
Additional Updates / PA Proposals 2025-2027 EEP Overview continued

MI qualified customers who choose the Turnkey Pathway would be eligible for:

- no-cost weatherization
- no-cost pre-weatherization barrier remediation
- no-cost pre-electrification barrier remediation
- no-cost heat pump installations

MI customers who don't wish to participate in the Turnkey Pathway would be eligible for:

- no-cost weatherization through self-attestation
- enhanced Heat Pump offers after completing the income qualification process



Additional Updates / PA Proposals 2025-2027 EEP Overview continued

- Residential Retail Heat Pump Projects will require pre-approval and pre-verification
- PAs will offer a 100% incentive for weatherization completed as part of a heat pump installation



Additional Updates / PA Proposals 2025-2027 EEP Overview continued

- Residential New Construction Passive House offering for single-family
- Proposal to include an embodied carbon reduction incentive
 - adder that aligns with the current New Buildings and Major Renovations Pathway options, offering customers support for avoiding whole-life carbon emissions



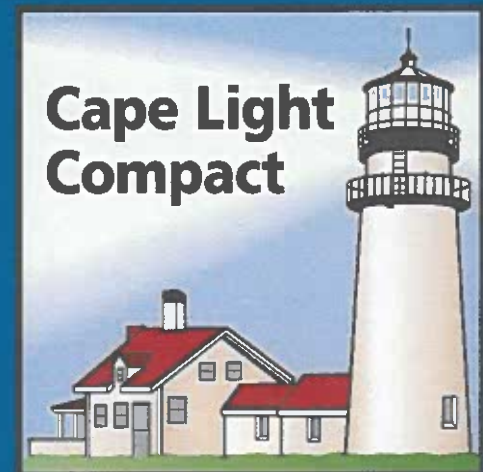
Additional Updates / PA Proposals 2025-2027 EEP Overview continued

- Website improvements
- Enhance language access for non-English speakers and those with limited English proficiency
- Implement strategies to strengthen and diversify the workforce
 - Contractor trainings, supplier diversity summits, grants
- Looking to leverage funds from IRA and other possible funding sources



- Currently working on budgets, these will be shared during the March CLC Board meeting
- Draft filed on April 01, 2024

Questions?



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**Agenda Action Request
Cape Light Compact
Meeting Date: 2/28/24**



- Aquinnah
- Barnstable
- Bourne
- Brewster
- Chatham
- Chilmark
- Dennis
- Dukes County
- Eastham
- Edgartown
- Falmouth
- Harwich
- Mashpee
- Oak Bluffs
- Orleans
- Provincetown
- Sandwich
- Tisbury
- Truro
- Wellfleet
- West Tisbury
- Yarmouth

Participation in MA DPU Inquiry on Energy Affordability for Residential Ratepayers (DPU 24-15)

REQUESTED BY: *Maggie Downey*

Proposed Motion(s)

I move the Board vote to authorize the Compact's participation in D.P.U. 24-15, adopt the Consumer Advocacy Worksheet for D.P.U. 24-15 and allocate costs between the Compact's energy efficiency and operating budgets as set forth in the Consumer Advocacy Worksheet.

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.

Additional Information

The Department will investigate the energy burden with a focus on energy affordability for residential ratepayers. The Department will consider "improvements to the programs currently offered to address energy affordability, to ensure maximum participation in each of these programs, and to determine whether additional programs may further benefit residential ratepayers of the Commonwealth's electric and gas distribution companies."

See attached Consumer Advocacy Worksheet.

Record of Board Action

Motion by:	Second by:	# Aye	# Nay	# Abstain	Disposition

D.P.U. 24-15 Board Approved _____, 2024

Consumer Advocacy Allocation Worksheet

Parties involved:

On January 4, 2024, the Department of Public Utilities (the “Department” or “DPU”) issued a Vote and Order Opening Inquiry in D.P.U. 24-15 on energy affordability. The Department requested comment on a series of related questions regarding energy affordability programs. It is currently too early to know which parties will respond with comments. On the electronic distribution list are the Attorney General’s Office, HEET, and Mass Coalition for Sustainable Energy. It would seem that the electric and gas distribution companies are expected to participate because the DPU posed some questions directly to them.

Description of the Matter or Proceeding: The Department will investigate the energy burden with a focus on energy affordability for residential ratepayers. The Department will consider “improvements to the programs currently offered to address energy affordability, to ensure maximum participation in each of these programs, and to determine whether additional programs may further benefit residential ratepayers of the Commonwealth’s electric and gas distribution companies.”

Docket Number (if any):

D.P.U. 24-15

1. Does this proceeding raise issues that may impact the Compact’s administration of its three-year energy efficiency plan? If yes, please explain.

Yes. As discussed below, this proceeding will discuss how to make energy more affordable which may include active demand response and other energy efficiency measures, as well as educational efforts.

2. Does this proceeding raise issues regarding the general administration of energy efficiency in Massachusetts? Are other Program Administrators (“PAs”) parties or otherwise intervening? Other stakeholders? If yes, please explain.

Yes. The Department recognized that the proceeding raises energy efficiency issues because energy affordability programs can remove a customer’s incentive to save energy. The Department specifically asked for commenters to respond to this question:

Discuss the role of energy efficiency programs, consumption reduction, investment in residential loan programs for photovoltaic and battery installations, and targeted educational programs in addressing energy affordability.

In addition, the Compact is arguing that enrollment in energy affordability programs should be tied to education about and participation in energy efficiency opportunities. Income eligibility verification in energy efficiency should be standardized across PAs. The proceeding also raises the issue of whether providing customers with heat pumps may cause energy affordability issues. The Compact is asking the DPU to consider electric rate design for customers who participate in heat pump programs to make heat pump use affordable. Potential impacts of the Clean Heat Standard on electric and fossil fuel heating customers should be considered.

The utility PAs are expected to participate, given that the DPU posed some questions directly to them, but it is too early in the proceeding to know who will file comments.

3. Does this proceeding raise issues regarding the Compact's administration of active demand response programs/initiatives/measures? If yes, please explain.

Yes, the proceeding raises active demand response ("ADR") issues for the Compact. The question identified in #2 above references some ADR initiatives that the Compact has (and may again) offer. The Compact is interested in whether there may be opportunities to build on CVEO for energy affordability customers. With heat pump programs, the Compact is advocating for a heat pump discount rate and education surrounding electrification measures.

4. Does this proceeding raise issues regarding the general administration of active demand response in Massachusetts? Are other PAs parties or otherwise intervening? Other stakeholders? If yes, please explain.

Yes. As discussed above in #2 and #3, the Department requested comments on the question about what role energy efficiency programs, consumption reduction, investment in residential loan programs for photovoltaic and battery installations, and targeted educational programs may have in addressing energy affordability. How ADR may be used to benefit energy affordability in Massachusetts will be considered. The utility PAs are expected to participate, given that the DPU posed some questions directly to them, but it is too early in the proceeding to know who will file comments.

5. Does this proceeding concern the efficient utilization of energy in Massachusetts? Are other Program Administrators parties or otherwise intervening? Other stakeholders? If yes, please explain.

Yes, as discussed above in #2 and #3, the Department requested comments on the question about what role energy efficiency programs, consumption reduction, investment in residential loan programs for photovoltaic and battery installations, and targeted educational programs may have in addressing energy affordability. The utility PAs are expected to participate, given that the DPU posed some questions directly to them, but it

is too early in the proceeding to know who will file comments. The Attorney General's Office, HEET, and the Mass Coalition of Sustainable Energy, are currently listed on the electronic distribution list.

6. Describe the direct energy efficiency benefit resulting from the Compact's participation in this proceeding.

How this proceeding ultimately incorporates energy efficiency and demand response will likely have a direct impact on the Compact's energy efficiency and demand response programs. The Compact is advocating that energy affordability programs be tied to energy efficiency participation which could lead to increased utilization of the Compact's energy efficiency programs.

7. Is the described benefit quantifiable? If yes, please explain and provide any supporting documentation.

Not at present, given that the proceeding is a Department investigation.

8. Will the Compact's participation assist its planning for future energy efficiency plans and/or programs?

Yes. The Compact's participation here will provide information on how it may help customers with energy affordability through its energy efficiency and demand response programs.

9. Is the Compact's participation in this proceeding a reasonable use of energy efficiency ratepayer funds? Please explain.

Yes, the Compact's participation is a reasonable use of energy efficiency ratepayer funds given how the Compact's advocacy may improve energy efficiency programs and how this proceeding may result in improvements to energy affordability for the Compact's customers. The Compact is hoping that the income verification processes across PAs will be standardized to make it easier for customers to sign up for programs. The Compact also seeks to bring the Cape Cod and Martha's Vineyard demographics into this proceeding to have them considered in the context of the energy affordability programs.

10. Does this proceeding involve other non-energy efficiency issues? If yes, please explain.

Yes, the proceeding also implicates power supply concerns, including how customers are enrolled into, verified for, and educated about electric rate discount programs. The Compact is raising relevant demographics of Cape Cod and Martha's Vineyard customers. In addition, other issues such as time-varying rates, rate design, and peak shaving, may be discussed. The Department has also identified this proceeding in reference to D.P.U. 24-10 – Eversource's electric sector modernization plan – where rate

design considerations have been deferred while issues affecting rate design are discussed in other dockets, including this one.

11. What is the initial estimate of the percentage allocation between energy efficiency and non-energy efficiency issues, as set forth in this worksheet?

The costs for this proceeding will be allocated based on the actual subject matter, meaning that any work related to energy efficiency will be allocated as such and any work related to non-energy efficiency will be allocated as such.

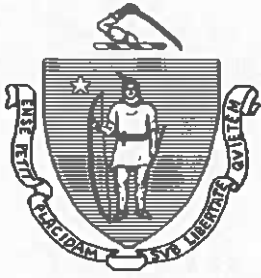
12. Discuss any other factors as may be appropriate.

It is important for the Compact to be involved in this proceeding as it is likely a first step in considering how the electric utilities' major system and grid upgrades necessary for electrification and to meet the Commonwealth's climate goals will affect low- and moderate-rate customers and Environmental Justice communities.

13. **To be completed at the conclusion of the proceeding/matter or every 12 months, which ever comes first,** a summary of the actual total costs associated with the Compact's participation and costs recovered through energy efficiency ratepayer funds and operating funds. A brief narrative should accompany any readjustment to the percentage allocation explaining the basis for the reallocation.

Please attach:

1. Initial Petition (not applicable, as this is a public comment proceeding)
2. Notice of Proceeding (attached)
3. Compact's Petition to Intervene (not applicable, as this is a public comment proceeding)
4. Agreements with Expert Consultants, if any



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF INQUIRY AND REQUEST FOR COMMENTS

D.P.U. 24-15

January 4, 2024

Notice of Inquiry by the Department of Public Utilities on its own Motion into Energy Burden with a Focus on Energy Affordability for Residential Ratepayers.

On January 4, 2024, the Department of Public Utilities issued an Order opening an inquiry to examine energy burden with a focus on energy affordability for residential ratepayers. The Department has determined that this proceeding will enable the Department to consider improvements to the programs currently offered to address energy affordability, to ensure maximum participation in each of these programs, and to determine whether additional programs may further benefit residential ratepayers of the Commonwealth's electric and gas distribution companies. The Department seeks input from stakeholders, including members of the public, advocates, and Department-regulated entities on these issues. The Department docketed this inquiry as D.P.U. 24-15.

The Department invites all interested persons to submit written comments on this matter -- including comments on the questions contained in the Order -- not later than the close of business (5:00 p.m.) on **Friday, March 1, 2024**. The Department encourages interested persons to present consensus positions and submit comments jointly, when possible. The Department will determine the appropriate next steps for this proceeding after reviewing the initial comments.

All comments should be submitted to the Department in **.pdf format** by email attachment to dpu.efiling@mass.gov and laurie.e.weisman@mass.gov. The text of the email must specify: (1) the docket number of the proceeding (D.P.U. 24-15); (2) the name of the person or entity submitting the filing; and (3) indicate that the document is a written comment. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing.

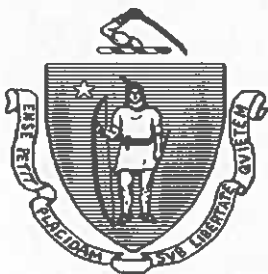
All documents submitted in electronic format will be posted on the Department's website through our online File Room as soon as practicable (enter "24-15") at: <https://eeaonline.eea.state.ma.us/DPU/Room/dockets/bynumber>. Please note that in the interest of transparency, any comments will be posted to our website as received and without redacting personal information, such as addresses, telephone numbers, or email addresses. As such, consider the extent of information you wish to share when submitting comments. The Department strongly encourages public comments to be submitted by email. If, however, a

member of the public is unable to send written comments by email, a paper copy may be sent to Mark D. Marini, Secretary, Department of Public Utilities, One South Station, Boston, Massachusetts, 02110.

The Order and all subsequent related documents submitted to the Department or issued by the Department will be available on the Department’s website as referenced above as soon as is practicable. To the extent a person or entity wishes to submit comments in accordance with this Notice, electronic submission, as detailed above, is sufficient. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact the Department’s ADA coordinator at Gabriella.Knight@mass.gov.

For further information regarding this Notice, please contact Laurie Ellen Weisman, Hearing Officer, Department of Public Utilities, at laurie.e.weisman@mass.gov.

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<p>Este documento contiene información importante. Por favor, consiga una traducción inmediatamente.</p>	<p>此文件含有重要信息。請立即找人翻譯。</p>	<p>សូមបកប្រែជាបន្ទាន់ ។</p>
<p>تحتوي هذه الوثيقة على معلومات هامة. يرجى ترجمتها فوراً.</p>	<p>본 문서에는 중요한 정보가 포함되어 있습니다. 본 문서를 즉시 번역하도록 하십시오.</p>	<p>Ce document contient des informations importantes. Veuillez le faire traduire au plus tôt.</p>
<p>Docikman sa gen enfòmasyon enpòtan. Tanpri fè yon moun tradwi l touswit.</p>	<p>Tài liệu này có chứa thông tin quan trọng. Vui lòng dịch tài liệu này ngay.</p>	



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

D.P.U. 24-15

January 4, 2024

Notice of Inquiry by the Department of Public Utilities on its own Motion into Energy Burden with a Focus on Energy Affordability for Residential Ratepayers.

VOTE AND ORDER OPENING INQUIRY

I. INTRODUCTION

The Department of Public Utilities (“Department”) opens this inquiry to examine energy burden with a focus on energy affordability for residential ratepayers. The Department has determined that this proceeding will enable the Department to consider improvements to the programs currently offered to address energy affordability, to ensure maximum participation in each of these programs, and to determine whether additional programs may further benefit residential ratepayers of the Commonwealth’s electric and gas distribution companies (“EDCs” and “LDCs,” respectively).¹ The Department will solicit input from stakeholders, including members of the public, advocates, and Department-regulated entities on these issues. The Department has docketed this matter as D.P.U. 24-15.

II. BACKGROUND

In 2021, the Legislature passed and former Governor Baker signed into law An Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy (“2021 Climate Act”), which amended the Department’s responsibilities to add affordability, equity, and reductions of greenhouse gas emissions to the list of priorities, including safety, security, and reliability of service. St. 2021, c. 8, § 15; G.L. c. 25, § 1A. The 2021 Climate Act further directed the Executive Office of Energy and Environmental Affairs to issue a Clean Energy and Climate Plan

¹ The EDCs are Massachusetts Electric Company and Nantucket Electric Company each d/b/a National Grid; NSTAR Electric Company d/b/a Eversource Energy; and Fitchburg Gas and Electric Light Company d/b/a Unitil. The LDCs are Boston Gas Company d/b/a National Grid; NSTAR Gas Company and Eversource Gas Company of Massachusetts, each d/b/a Eversource Energy; Liberty Utilities (New England Gas Company) Corp. d/b/a Liberty; The Berkshire Gas Company; and Fitchburg Gas and Electric Light Company d/b/a Unitil.

for 2025 and 2030, which was released on June 30, 2022. G.L. c. 21N, § 4(a). The Clean Energy and Climate Plan for 2025 and 2030 notes that mitigation of any potential cost increases associated with the clean energy transition will be explored through consumer protection programs.² Future policies around clean energy, decarbonized buildings, and electrified transportation need to be affordable and accessible for low-income residents.³ As further explained in the Clean Energy and Climate Plan, the effort to decarbonize building heat systems and transition away from fossil fuel based heat systems should protect all ratepayers from significant cost burdens, particularly those who are most vulnerable to those increases.⁴

In NSTAR Electric Company, D.P.U. 22-22, at 469, 472 (2022), the Department expressed concerns regarding the overall affordability of energy bills and recognized that energy bills have strained many family budgets. The Department stated its interest in discussing and developing policies to address low-income assistance and continuing to examine these issues as appropriate in future dockets. D.P.U. 22-22, at 469-470. Further, the Department stated that the EDCs should explore stratifying low-income discount rates to provide an equitable discount for customers, assist the most vulnerable customers, and mitigate the potential rate shock for customers that transition from low to moderate income. D.P.U. 22-22, at 472. The Department also acknowledged the need for a deeper understanding of the impact energy costs are having on all households and a more in-depth understanding of energy burdens. D.P.U. 22-22, at 472.

² Clean Energy and Climate Plan for 2025 and 2030, at 19 (June 30, 2022), available at <https://www.mass.gov/doc/clean-energy-and-climate-plan-for-2025-and-2030/download>.

³ *Id.* at 14.

⁴ *Id.* at 61.

In the 1994 federal reauthorization of the Low-Income Home Energy Assistance Act Program (“LIHEAP”), Congress defined energy burden as the percentage of a household’s income spent on energy bills (*i.e.*, home energy costs divided by household income). 42 U.S.C. § 8622(2); Human Services Amendments of 1994, 108 Stat. 623, Public Law 103-252 (signed May 18, 1994). In Massachusetts, the average energy burden for all households is about three percent, but the average energy burden for low-income populations is about ten percent, and in certain neighborhoods, the energy burden is as high as 31 percent.⁵ Moreover, low-income households in Massachusetts spend at least 3.5 times more of their income on energy than non-low-income households.⁶ Researchers have identified a household with an energy burden of six percent or more as having a high energy burden.⁷

In D.P.U. 22-22, at 472, the Department directed the EDCs to make detailed utility burden index analyses on electricity residential bills in their Annual Returns to the Department, beginning with the 2022 Annual Return submitted in Spring 2023. More specifically, we directed each EDC to establish a credible process for tracking and calculating customers’ energy burdens with the intention of using this information to develop more advanced and meaningful

⁵ Kimberly Clark, Metropolitan Area Planning Council, Reducing Energy Burden: Resources for Low-Income Residents (January 28, 2022, 4:03 PM), <https://www.mapc.org/planning101/reducing-energy-burden-resources-for-low-income-residents>.

⁶ U.S. Department of Energy, Office of State and Community Energy Programs, Low-Income Energy Affordability Data Tool, <https://www.energy.gov/scep/slsc/lead-tool> (last visited December 1, 2023).

⁷ American Council for an Energy-Efficient Economy, Understanding Energy Affordability, <https://www.aceee.org/sites/default/files/energy-affordability.pdf> (last visited December 1, 2023).

strategies to enhance customer engagement and support. D.P.U. 22-22, at 472. In response, each company provided a detailed household economic burden index analysis evaluating residential electric utility customer bills as percentages of household income by county and provided the summary results by census block group.⁸ The Department has not yet issued this directive to any of the LDCs.

On December 6, 2023, the Department issued an Order on Regulatory Principles and Framework regarding the role of gas local distribution companies as the Commonwealth achieves its target 2050 climate goals. That Order indicates a separate proceeding dedicated toward examining innovative solutions to address the energy burden and affordability.

Investigation by the Department of Public Utilities on its own Motion into the Role of Gas Local Distribution Companies as the Commonwealth Achieves its Target 2050 Climate Goals,

D.P.U. 20-80-B at 16 (December 6, 2023). This proceeding will allow the Department to address affordability issues in an effective manner and still enable us to achieve the necessary progress toward the Commonwealth's greenhouse gas emission reduction limits through our work in other dockets.

The Department recognizes the importance of ensuring that ratepayers in the Commonwealth can meet their basic household needs, like food, housing, and medicine, while also paying their utility bills. The Department has historically provided for assistance programs to residential ratepayers unable to pay their utility bills. These have included low-income

⁸ The EDCs filed these energy burden reports as supplemental data with their 2022 annual returns. See generally Department of Public Utilities, Find an electric company annual return, Energy Burden Reports, <https://www.mass.gov/info-details/find-an-electric-company-annual-return> (last visited December 1, 2023).

discount rates, arrearage management programs (“AMPs”) to assist low-income customers, and disconnection protections. Each of these is described below.⁹

III. CURRENT METHODS TO ADDRESS ENERGY AFFORDABILITY

A. Low-Income Discount Rates

Pursuant to G.L. c. 164, § 1F, the Department requires distribution companies to provide percentage discounts to rates for eligible low-income customers comparable to the low-income discount rate received off the total bill for rates in effect prior to March 1, 1998. Massachusetts Electric Company and Nantucket Electric Company, D.P.U. 15-155, at 463 (2016); see Expanding Low Income Customer Protections and Assistance, D.P.U. 08-4, at 36 (2008). In D.P.U. 15-155, at 469, pursuant to G.L. c. 164, § 41, the Department determined that a fully compensating adjustment should be made to the low-income discount where the scale of on-site generation would have an impact on affordability for low-income customers. The Department found that on-site generation had grown with an increase in costs from associated incentives, and that the increased costs of these incentives were included in customers’ bills, including bills of low-income customers. D.P.U. 15-155, at 469-470. The Department directed that the adjusted low-income discount would remain in effect until each company’s next base distribution rate case, at which time the Department would determine whether further adjustment was warranted.

⁹ The Department also reviews and approves the Three-Year Energy Efficiency Plans of the electric and gas Program Administrators, including budgets. 2022-2024 Three-Year Energy Efficiency Plans, D.P.U. 21-120 through D.P.U. 21-129 (2022). Ratepayers have access to energy efficiency programs that historically have resulted in bill savings from reduced energy consumption for participating customers. In addition, the Program Administrators are required to commit a certain percentage of their budgets to energy efficiency offerings for low-income customers (*i.e.*, at least ten percent or 20 percent, respectively, for the electric and gas Program Administrators). G.L. c 25, § 19(c).

D.P.U. 15-155, at 471. The Department expected that, in their respective next base rate proceedings, all EDCs would file revised rate design proposals for low-income customers that comply with the standard set forth in G.L. c. 164, § 141. D.P.U. 15-155, at 471. All the EDCs have since complied with this directive.

Currently, all Massachusetts LDCs offer 25 percent discounts to eligible low-income customers. See, e.g., Boston Gas Company, M.D.P.U. No. 64.2, at 2; Eversource Gas Company of Massachusetts (“EGMA”), M.D.P.U. No. 7D at 2. Massachusetts EDCs offer discounts ranging from 32 percent (Massachusetts Electric Company, M.D.P.U. No. 1487, at 2) to 42 percent (NSTAR Electric Company, M.D.P.U. No. 10E at 2).¹⁰ Eligibility for low-income discount rates is determined upon verification of a receipt of any means-tested public benefit providing cash, housing, food, or medical care,¹¹ or upon verification of eligibility for LIHEAP or its successor program, or other criteria determined by the Department. G.L. c. 164, § 1F(4). Pursuant to G.L. c. 164, § 1F(4), the low-income discount eligibility rate is capped when

¹⁰ New Hampshire offers low-income electric customers a tiered discount rate ranging from 5 percent to 86 percent, based on household income and size, for the first 750 kWh on monthly electric bills. NH Department of Energy, Electric Assistance Program Brochure, effective July 2023, <https://www.energy.nh.gov/sites/g/files/ehbemt551/files/inline-documents/sonh/electric-assistance-program-brochure.pdf> (last visited December 1, 2023).

¹¹ These programs include the following: LIHEAP; Commonwealth Care Plan; Emergency Aid to Elders, Disabled, and Children; Fuel Assistance/Home Energy Assistance Program; Food stamps; Health Safety Net Plan; Head Start; MassHealth; Public Housing;; Supplemental Security Income; Transitional Aid to Families with Dependent Children; Veterans’ Service Benefits; Veterans DIC Surviving Parent or Spouse; Veterans Non-Service Disability Pension; Women, Infants and Children.

household income exceeds 200 percent of the federal poverty level (“FPL”).¹² Some companies have set the eligibility cap when a household’s gross income exceeds 60 percent of Massachusetts’ estimated state median income (“SMI”), which results in a higher threshold.¹³ See, e.g., EGMA, M.D.P.U. No. 7D at 1; NSTAR Gas Company, M.D.P.U. No. 423N at 2; Fitchburg Gas and Electric Light Company, M.D.P.U. No. 385, at 1 (electric), and M.D.P.U. No. 253, at 1 (gas).

In D.P.U. 22-22, at 472, as noted above, the Department directed the EDCs to explore stratifying low-income discount rates. In its November 16, 2023 filing for approval of a general increase in base distribution rates, Massachusetts Electric Company and Nantucket Electric Company (“National Grid”) proposes the following five-tiered low-income discount rate, which offers higher discounts for customers with lower income levels:

- 55 percent discount for households with incomes between 0 and 75 percent of FPL;
- 49 percent discount for households with incomes between 75 and 100 percent of FPL;
- 44 percent discount for households with incomes between 100 and 150 percent of FPL;
- 36 percent discount for households with incomes between 150 and 200 percent of FPL; and
- 32 percent discount for households with incomes between 200 percent of FPL and 60 percent of SMI.

¹² In 2023, the FPL for a family of four is \$30,000. U.S. Department of Health and Human Services, HealthCare.gov Glossary, Federal poverty level (FPL), <https://www.healthcare.gov/glossary/federal-poverty-level-fpl/> (last visited December 1, 2023).

¹³ Sixty percent of the SMI for a household of four is \$87,294, whereas 200 percent of the FPL for the same household is \$60,000. Massachusetts Executive Office of Housing and Livable Communities (formerly Department of Housing and Community Development), Fiscal Year 2024 LIHEAP Income Eligibility and Benefit Levels (November 8, 2023), <https://www.mass.gov/doc/fy-2024-liheap-income-eligibility-and-benefit-chart-november-8-2023/download>.

Massachusetts Electric Company and Nantucket Electric Company, D.P.U. 23-150, prefiled testimony of Howard/Davis/Barde/Mancinelli, NG-CP-1, at 26-28. In its August 17, 2023 filing for approval of a general increase in base distribution rates, Fitchburg Gas and Electric Light Company (“Unitil”) proposes increasing its current low-income discount rate for electric customers from 34.5 percent to 40 percent, stating that a change to the discount structure should be considered and implemented on a statewide basis. Fitchburg Gas and Electric Light Company, D.P.U. 23-80, prefiled testimony of Robert B. Hevert, Unitil-RBH-1, at 40. These proposals from National Grid and Unitil are under review in dockets D.P.U. 23-150 and D.P.U. 23-80, respectively, and any comments on these proposals should be filed in those respective dockets.

B. AMPs

Massachusetts distribution companies offer AMPs that provide arrearage forgiveness for customers who meet certain criteria. If payments are made on-time, credits will be provided for a portion of arrears. Details regarding each company’s current AMP are provided below.

- The Berkshire Gas Company, D.P.U. 23-AMP-Berkshire: Eligible customers must have outstanding bills in arrears (60 days) of at least \$300 for residential heating customers and \$100 for residential non-heating customers. Qualified low-income residential heating and non-heating customers are able to earn 100 percent forgiveness of their full arrearage balances. Low-income customers (currently defined as customers served pursuant to rate codes R-2 and R-4 or identified as a “protected” customer) are automatically enrolled in the AMP.
- Liberty Utilities (New England Natural Gas Company) Corp., D.P.U. 23-AMP-Liberty: Eligible customers must have outstanding bills in arrears (60 days) of at least \$300. Qualified customers must be the customer of record, be eligible for the discount rate, not be shutoff for nonpayment, not be a landlord account, and agree to participate in the discount rate. The AMP offers 100 percent arrearage forgiveness to eligible discount rate customers. All eligible customers are automatically enrolled in the AMP.

- National Grid, D.P.U. 23-AMP-05 National Grid: Eligible customers must have outstanding bills of at least \$300 in arrears for at least 60 days. Applicants must be the customer of record, must qualify for any means-tested public benefit or be eligible for LIHEAP, and must have an active, individually metered residential gas or electric heating or non-heating account. Participants are eligible for forgiveness of 100 percent of their pre-plan arrears balance up to an annual maximum of \$12,000.
- Unitil, D.P.U. 23-AMP-Unitil: Eligible customers must have an arrearage of at least \$300 that is 60 days or more in arrears. Eligible customers must also be the active residential customer of record, must reside at the location, and must have a combined gross annual household income within 60 percent of the state median income guidelines and be certified for the discount rate. The maximum annual arrearage forgiveness is \$4,800 for electric or gas service; for customers with both electric and gas service, the maximum annual arrearage forgiveness is \$9,600. For customers with an arrearage that exceeds the annual forgiveness allowed, the AMP continues each year until the customer's account is paid in full.
- NSTAR Gas Company and NSTAR Electric Company, D.P.U. 23-AMP-NSTAR: Eligible customers must have an arrearage of at least \$300 that is 60 days or more in arrears. Participant must have an active residential gas or electric, non-landlord account in their name, have verified income within 60 percent of state median income guidelines, and participate in the residential assistance rate. The annual amount forgiven is not to exceed \$12,000 (applicable to Eastern Massachusetts and Western Massachusetts eligible customers).
- Eversource Gas Company of Massachusetts, D.P.U. 23-AMP-EGMA: Eligible customers must have at least a \$300 balance that is a minimum of 60 days past due; the total balance due at the time of enrollment may be forgiven, up to a maximum of \$3,600 per year per customer. If the total balance due at the time of enrollment is greater than \$3,600, a multiple-year arrangement may be necessary to address the entire balance.

C. Disconnection Protection

Pursuant to the Department's billing and termination regulations, 220 CMR 25.00, a company may not terminate service to a residential customer for any reason other than failure to pay a bill unless the Department certifies its approval after giving both parties an opportunity to be heard. 220 CMR 25.02(1), (3). Moreover, there are specific guidelines that a company must

follow prior to terminating service, such as providing a second request for payment and a specific termination notice to the customer. 220 CMR 25.02(3).

A company may not shut off service (or refuse to restore service) where the customer has provided certification that there is a financial hardship and that one of the following four conditions exists: (1) someone living in the house is seriously ill as certified by a registered physician or local board of health; (2) a child under the age of twelve months lives in the household and was in the household prior to the termination; (3) the period is between November 15 and March 15 and the service is necessary to heat the house; or (4) all adults in the home are 65 years of age or older and a minor also resides in the home. 220 CMR 25.03. In addition, where all residents in a household are 65 years of age or older, the company may not terminate service without written approval from the Department. 220 CMR 25.05(3). There is no disconnection protection for people with disabilities or during summer months.

On March 10, 2020, pursuant to St. 1950, c. 639 and G.L. c. 17, § 2A, Governor Baker declared a state of emergency in Massachusetts related to the COVID-19 pandemic (“State of Emergency”). Governor’s Declaration of Emergency. Subsequently, on March 24, 2020, Governor Baker granted the Chairman of the Department authority pursuant to G.L. c. 25, § 4B to take necessary action to assure public safety and welfare through the priority restoration or continuing availability of gas, electric, and water utility services. The same day, the Chairman issued an Order prohibiting investor-owned gas, electric, and water distribution companies from shutting off utility service, or threatening to shut off utility service, to any customers for non-payment of bills until the State of Emergency was lifted or further communication was provided by the Department (“Shut-Off Moratorium”). Chairman’s First Set of Orders under G.L. c. 25,

§ 4B (March 24, 2020). The Shut-Off Moratorium remained in place until June 30, 2021.

Notice of Inquiry into Establishing Policies and Practices for Electric and Gas Companies Regarding Customer Assistance and Ratemaking Measures in Connection to the State of Emergency Regarding the Novel Coronavirus (“COVID-19”) Pandemic, D.P.U. 20-58-E, at 4 (2021).

D. PIPPS

In addition to using the measures in place in Massachusetts, several states also offer percentage-of-income payment plans (“PIPPs”), which cap energy costs as a percentage of household income.¹⁴ Like discount rates, PIPPs can reduce the cost of energy for low-income customers and directly reduce energy burden. Unlike discount rates, however, PIPPs tie the level of financial assistance to a customer’s income, which results in more targeted relief. One drawback is that PIPPs can remove customers’ incentive to save energy, although this can be mitigated through requiring enrollment in energy efficiency programs, conservation incentives, or usage caps over which the discount would be lessened or removed.

¹⁴ Virginia has a PIPP that sets the energy burden target level at six percent of household income for those with non-electric heating, and ten percent of household income for those with electric heating; the eligibility threshold is 150 percent of the FPL. Virginia Electric Utility Regulation Act, Va. Code Ann. §§ 56-585.6, 56-576 (2023), <https://law.lis.virginia.gov/vacode/title56/chapter23/section56-585.6/>, <https://law.lis.virginia.gov/vacode/title56/chapter23/section56-576/>. Other states with PIPPs include Ohio, Colorado, Illinois, Nevada, Pennsylvania, Connecticut, California, New Jersey, and Maine. Sagarika Subramanian and Mark Kresowik, American Council for an Energy-Efficient Economy, Innovative Electricity Rates Can Advance Equity and Electrification (September 14, 2023), <https://www.aceee.org/blog-post/2023/09/innovative-electricity-rates-can-advance-equity-and-electrification>.

IV. REQUEST FOR COMMENTS

A. Introduction

The Department invites all interested persons to participate in this proceeding to provide input on how the Department can reduce the energy burden and address affordability issues. The Department seeks written comments on any or all of the questions below by **5:00 P.M. on Friday, March 1, 2024**. The Department anticipates significant interest in this proceeding and would like comment from a broad range of stakeholders and customers. Therefore, we encourage interested persons to present consensus positions and submit comments jointly, when possible.

All comments should be submitted to the Department in electronic format by e-mail attachment to dpu.efiling@mass.gov and laurie.e.weisman@mass.gov. The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 24-15); (2) the name of the person or entity submitting the filing; and (3) indicate that the document is a written comment. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. All documents submitted in electronic format will be posted on the Department's website by looking up the docket by its number in the docket database at <https://eeaonline.eea.state.ma.us/DPU/Fileroom/>. The Department will determine the appropriate next steps for this proceeding after completing our review of the initial comments.

Any person interested in participating in this inquiry without filing comments should indicate such interest by informing Department Secretary Mark D. Marini, via email (mark.marini@mass.gov) and Hearing Officer Laurie Ellen Weisman, via email (laurie.e.weisman@mass.gov), no later than **5:00 p.m. on Friday, March 1, 2024**. To be

included on the distribution list, the request to the Department must include the following information: (1) name and organization represented, if any; (2) address; (3) telephone number; and (4) email address.

B. Design of Residential Energy Affordability Programs

1. As between a PIPP and tiered discount rates (collectively referred to as “energy affordability programs”), discuss the relative advantages and disadvantages of each.
2. Discuss how the Department should address the “cliff” experienced by customers who have an increase in income that is sufficient to remove their eligibility for assistance programs but insufficient to ease the energy burden to the comparable level prior to the income increase.
3. Discuss how eligibility for an energy affordability program should be determined. Is the eligibility threshold different depending upon whether it is related to a PIPP or tiered discount rates? Should eligibility be based on the FPL or SMI? Are there other options?
4. Discuss whether customers in arrears should be eligible for participation in energy affordability programs. If so, discuss how that debt should be treated.
5. Discuss whether energy affordability programs should only apply to a maximum amount of consumption each month.
6. Discuss whether energy affordability programs should reflect a seasonal fluctuation or an annual determination regarding energy usage limits.
7. Discuss the use of demographics (e.g., age, households with children, owners/renters) in designing energy affordability programs.
8. Discuss whether energy affordability programs should be designed to provide particular relief to environmental justice (“EJ”) populations. If so, how can programs be designed to provide such relief?
9. Should the maximum cap as a percentage of household income paid under a PIPP be set below six percent for customers who experience a disproportionate burden of energy infrastructure in their neighborhood?
10. With respect to a PIPP, discuss how the percentage cap on energy costs should be determined.

11. With respect to a PIPP, discuss how the Department can limit the total energy burden of electric and gas bills for customers served by two different distribution companies, one for gas and one for electric.
12. Discuss how the revenue shortfall associated with energy affordability programs should be recovered from other customers. Should it be allocated only among residential customers of the utility or across all customer classes? Should it be a statewide recovery factor (i.e., spread across all gas or electric utilities)? Are there other options?
13. Discuss whether energy affordability programs should focus on heating versus non-heating customers.
14. With respect to tiered discount rates, discuss how the varying levels of discount should be determined. Should the discount rates and income levels be revised from time to time? If so, how often?
15. Discuss the role of energy efficiency programs, consumption reduction, investment in residential loan programs for photovoltaic and battery installations, and targeted educational programs in addressing energy affordability.

C. Other Energy Affordability Measures

1. With respect to potential changes to the AMPs, discuss:
 - a. The level of debt forgiveness that should be offered, and how quickly customers should be required to pay off their debts;
 - b. Whether income eligibility thresholds should be the same as for energy affordability programs or, if not, how they should be set;
 - c. How the costs associated with AMPs should be recovered from other customers;
 - d. What happens if the customer misses a payment; and
 - e. Whether the program should be offered to customers who have been disconnected.
2. With respect to current disconnection protections and potential changes, discuss:
 - a. The effectiveness of disconnection as a tool to reduce arrearages;

- b. The minimum notification and arrearage requirements prior to disconnection and recommended changes;
- c. Current policy and level regarding disconnection/reconnection fees, and whether utilities should be allowed to charge disconnection/reconnection fees to customers eligible for energy affordability programs;
- d. Whether the Department should consider disconnection protections for people with disabilities.
- e. How the costs associated with disconnection protections are currently recovered and how should they be recovered from other customers; and
- f. Whether the Department should consider shutoff moratoriums for nonpayment during the summer and, if so, the appropriate time period.

D. Program Administration

- 1. Discuss the challenges and best practices for income verification for energy affordability programs, including the use of automatic enrollment or self-certification. In particular, discuss how to verify incomes above 200 percent of the FPL or 60 percent of the SMI.
- 2. Discuss the best practices to increase enrollment across energy affordability programs, such as the expanded use of utility advanced metering infrastructure data, marketing and outreach, and increased eligibility requirements.

E. Small Commercial and Industrial Energy Affordability Programs

- 1. Is there a reasonable method to address energy burden for small commercial and industrial (“C&I”) customers including, in particular, those that are non-profit entities? If so, what is that method?
- 2. How should the Department define small C&I customers for the purpose of an energy affordability program?

F. General Questions

- 1. For individuals in particular, discuss what the energy burden looks like for you and what decisions you make about how to pay your energy bills and alter your energy consumption in an attempt to lower your bills.

2. Provide any additional comments or suggestions regarding the methods and measures that the Department could employ to address energy affordability.

G. Detailed Questions for Distribution Companies

1. **[National Grid (gas and electric) and Eversource electric only]** Regarding income thresholds for eligibility of the following low-income discount rate tariffs, please discuss any concerns the companies would have with respect to low-income program participation and offerings if ordered to change their low-income threshold from 200 percent of the federal poverty level to 60 percent of statewide median income:
 - a. Regarding Availability Clauses of Boston Gas Company:
 - R-2 Residential Assistance Non-Heating Rate, M.D.P.U. No. 64.2
 - R-4B Residential Assistance Heating Rate, Boston division, M.D.P.U. No. 67.3
 - R-4C Residential Assistance Heating Rate, Boston division, M.D.P.U. No. 68.2
 - b. Regarding Availability Clauses of National Grid electric:
 - Nantucket Electric Co R-2 Residential Low Income, M.D.P.U. No. 653
 - Massachusetts Electric Co R-2 Residential Low Income, M.D.P.U. No. 1487
 - c. Regarding Special Provisions of NSTAR Electric Company:
 - Residential Assistance Rate R-2, M.D.P.U. No. 8E
 - Residential Space Heating Assistance, M.D.P.U. No. 10E
2. **[Gas companies only]** For each company, as well as for all gas companies combined, please provide energy burden data, by census block group, in searchable Microsoft Excel format with all formulas and links intact (PDF materials must be submitted in searchable format), in a similar fashion to that provided by the EDCs as ordered in D.P.U. 22-22, at 472-473:

Provide a detailed household economic burden index analysis evaluating residential energy electric utility customer bills as percentages of household income by county and ... provide the summary results of a detailed household burden index analysis by, at least census, block group.... Additionally, ... show the analysis by household income for the statewide median household income and 50 percent, 100 percent, and 200 percent of the Federal Poverty Guidelines. This level of granularity in the data is intended to provide a clearer picture of specific areas of the Company's service territory with higher-than-average energy burden.

Within the same worksheet, also include the following, ensuring that average bills are calculated consistently among all companies:

- a count of residential households by rate class within each census block group;
- average annual use for each residential rate class within each census block group;
- in addition to providing “the analysis by household income for the statewide median household income and 50 percent, 100 percent, and 200 percent of the Federal Poverty Guidelines,” provide the analysis for households earning the following ranges of statewide median income:
 - 0-60 percent
 - 61-80 percent
 - 81-100 percent
 - 101-120 percent; and
- the data underlying the 2020 Environmental Justice (“EJ”) Populations map, offered by MassGIS, available at <https://www.mass.gov/info-details/massgis-data-2020-environmental-justice-populations>.

The data should include a unique row for each census block group and a unique column for each parameter (utility, median income, number of R-1 customers, EJ population criteria, etc), in a format conducive to executing quantitative analysis in Microsoft Excel (such as producing pivot tables).

3. **[Electric companies only]** Please provide, for each company as well as for all electric companies combined, the energy burden data as filed with the companies' 2022 Annual Returns to the Department, by census block group (not tract), in searchable Microsoft Excel format with all formulas and links intact (PDF materials must be submitted in searchable format).

Within the same worksheet, also include the following, ensuring that average bills are calculated consistently among all companies:

- a count of residential households by rate class within each census block group;
- average annual use for each residential rate class within each census block group;
- in addition to providing “the analysis by household income for the statewide median household income and 50 percent, 100 percent, and 200 percent of the Federal Poverty Guidelines,” provide the analysis for households earning the following ranges of statewide median income:
 - 0-60 percent
 - 61-80 percent
 - 81-100 percent
 - 101-120 percent; and
- the data underlying the 2020 EJ Populations map, offered by MassGIS, available at <https://www.mass.gov/info-details/massgis-data-2020-environmental-justice-populations>

The data should include a unique row for each census block group and a unique column for each parameter (utility, median income, number of R-1 customers, EJ population criteria, etc.), in a format conducive to executing quantitative analysis in Microsoft Excel (such as producing pivot tables).

4. Please provide a statewide dataset that combines the energy burden data as requested in numbers 2 and 3 above.

V. ORDER

Accordingly, the Department

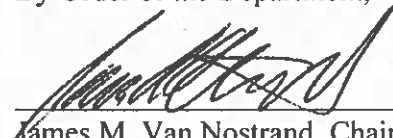
VOTES: To open an inquiry into energy burden with a focus on energy affordability for residential ratepayers; and it is

ORDERED: That the Secretary of the Department shall send a copy of this Order to each electric and gas distribution company subject to the jurisdiction of the Department under G.L. c. 164; cities and towns in the Commonwealth; the Joint Committee on


Telecommunications, Utilities and Energy; and the Attorney General of the Commonwealth; and
it is

FURTHER ORDERED: That the Secretary of the Department shall serve a copy of this
Order upon all persons on the Department's distribution list.

By Order of the Department,



James M. Van Nostrand, Chair



Cecile M. Fraser, Commissioner



Staci Rubin, Commissioner

Matt Pastorek
for Feb mtg pen

Don't be fooled again, Enterprise Article

Never before in my life have I seen (and I have seen a lot in ten years on Beacon Hill) such an outlandishly deliberate effort to distort the truth. It's an effort to subvert the common good along with the future of our children and our planet. Why would someone do this? They do it for all the riches the fossil fuel industry can provide. They do it for about \$72 million in payoffs.

The people who take this money don't believe in what science is telling us about global warming nor do they believe their own eyes when they see coastal flooding, hurricanes and tornadoes sweeping across the Country. If they do believe climate change is real, they just figure they will be rich enough to survive the worst it can do.

There is a deliberate, well-funded campaign to distort the truth about Global Warming and its impact on our coastal communities. It is funded by the fossil fuel industry. They hope you will never know about it but it's there and it's \$72 million dollars big. They will do and say anything to get you to believe that wind turbines and their cable connections to the grid are bad for you and the environment. Does this sound familiar? It should because the fossil fuel guys took the tobacco industry's playbook that told the American public that smoking was actually good for you and sponsored fake studies that proved smoking was not harmful to human health.

A new study by The Brown University Climate and Development Lab¹ produced a well-documented report entitled, "Against the Wind, A Map of the Anti-Offshore Wind Network in the Eastern United States,"² showing the extensive network with over fifty organizations to feed local NIMBY groups (and fake grass roots groups called astro-turf) with propaganda and misinformation used to justify their OSW opposition before local boards.

To give you an example of the fossil fuel industry's audacity, a strategy memo written by one of their consultants said that they will reverse the renewable OSW message to a point where it becomes, "...so bad no one wants to admit in public they are for it... by turning green to black and clean to dirty." The report can be found on line here:

<http://www.climatedevlab.brown.edu/anti-offshorewindnetwork>.

The Brown University researchers also have a site responding to several anti OSW claims. <http://www.RealOffshoreWind.org>. In it noted scientists respond to questions like: Will OSW

¹ The Climate and Development Lab: Brown University's Climate and Development Lab (CDL) is a student-faculty think tank based at the Institute at Brown for Environment and Society, and was founded in 2010 as an experiment in engaged learning and scholarship. The CDL seeks to produce timely, accessible and impactful research that informs more just and effective climate change policies. We work with leading actors in government, civil society, and the media around the world in the attempt to bring about change by identifying and filling important research gaps and generating ideas for action on climate change. The CDL fosters transformational learning experiences by equipping Brown students with the tools to effectively shape policy and explore the intersections between climate change, public policy and global governance.

² Slevin, Isaac, William Katstrup and Timmons Roberts, 2023. "Against the Wind: A Map of the Anti -Offshore Wind Network in the Eastern United States." The Climate and Development Lab, December, 2023

kill whales? Will OSW harm birds? Will you be able to see the lights on wind turbines at night? Will offshore wind actually reduce emissions? Are the cables dangerous to humans or marine species?

If you are concerned about how climate change will impact the future of your children and grandchildren, then you owe yourself a few moments to look into the Brown research. If you are an elected official in Falmouth, you should read both documents carefully. Don't become easy prey for the guys who make a fortune pumping oil, mining coal or drilling for natural gas. Don't let some guy (who goes by two names) you never heard of before who lives in another state fill your head with the fossil fuel industry's propaganda.

Offshore Wind is the world's ticket to reasonably affordable renewable electricity that we absolutely must have to slow down climate change so our children and their children will have a livable world. Don't take my word for it. Read what the scientists say.

Massachusetts order expected to boost distributed solar, could be model for other states, official says

New rules expand net metering to government facilities, exempt certain users from program generation caps, and enable net metering transfer credits between utility territories and ISO-NE load zones.

Published Feb. 21, 2024

By Brian Martucci

Bilanol via Getty Images

Dive Brief:

- The Massachusetts Department of Public Utilities, or DPU, announced sweeping net metering program changes on Feb. 15 that could expand distributed energy generation across the state, Massachusetts Undersecretary of Energy Michael Judge told Utility Dive in an interview.
- Among the most impactful changes are new net metering cap exemptions for private behind-the-meter facilities generating 60 kW to 2,000 kW and public behind-the-meter facilities generating 60 kW to 10,000 kW. The exemptions immediately benefit net metering facilities served by two of Massachusetts's three investor-owned utilities, Judge said.
- Separately, larger solar arrays could benefit from a first-in-the-nation ability for net metering facilities to transfer credits across

Massachusetts' three ISO New England load zones and investor-owned utility territories, Judge said. The credit transfer framework is a model for other states with geographic constraints on renewable generation in high-load areas, such as New York, he added.

Dive Insight:

The DPU's enhancements come as other states restrict or roll back net metering benefits. A 2017 Indiana law meant to phase out net metering by 2047 could more than double the typical residential solar system's payback period from under 10 to more than 20 years, according to testimony heard in 2022 by the Indiana Utility Regulatory Commission. California's solar industry shed up to 17,000 jobs last year following net metering tariff changes intended to incentivize onsite load service and battery storage, according to the California Solar + Storage Association.

Though the Massachusetts regulations' final text excludes batteries and other on-premise energy storage systems from the definition of "onsite load," the new net metering cap exemptions for onsite generation could benefit commercial users looking to add behind-the-meter generation capacity, Judge said.

Lifting the net metering cap exemption for private behind-the-meter generation from the current 25-kW limit to 2,000 kW immediately improves behind-the-meter project economics for power-hungry businesses in National Grid and Unitil territory, where net metering capacity is fully subscribed, Judge said. Net metering capacity is nearly full in territory served by Eversource, Massachusetts' third investor-owned utility, "so these changes will also benefit Eversource customers over time," Executive Office of Energy & Environmental Affairs Director of Communications Maria Hardiman told Utility Dive in an email.

The DPU's rules allow even higher net metering caps for state and municipal facilities — up to 10,000 kW per site, enough to power about 1,700 U.S. homes, per the Solar Energy Industries Association.

“We are very optimistic for the impact on behind-the-meter generation in Massachusetts,” Judge said.

The new rules show a “clear preference” for onsite generation because “it creates fewer issues for the distribution system” and alleviates land-use concerns around utility-scale renewable generation projects, Judge said. Many behind-the-meter solar projects adorn existing buildings or parking lots.

Other types of generation eligible for net metering include wind, anaerobic digestion and certain small hydropower units, but “99%” of capacity is solar, Judge said.

The DPU's net metering enhancements will also benefit off-premise generation, including new and existing utility-scale and community solar arrays in less densely populated parts of Massachusetts, said Judge. The rule change allowing net metering credit transfers among the state's three ISO-NE load zones enables larger-scale renewable generators in the Western/Central and Southeastern Load Zones to serve customers in the more densely populated Northeastern Load Zone, which includes the Boston area and accounts for much of the state's electricity demand.

Other states, including New York, have hesitated to ease restrictions on credit transfers between load zones and utility territories over concerns that the framework would be difficult to manage, Judge said. But Massachusetts' three investor-owned utilities offered “no specific pushback” to the proposal and seemed confident that they could overcome any operational issues, he said.

The DPU's net metering changes will take effect "very soon," Judge said. Additional tweaks may follow, including closing a "donut hole" that binds projects between 25 kW and 60 kW capacity to the old program caps, he added.