

**Cape Light Compact JPE
Governing Board
Open Session Meeting Minutes
Wednesday, December 5, 2018**

The Cape Light Compact JPE Board of Directors met on Wednesday, December 5, 2018 in the Martha's Vineyard Conference Room at the Cape Light Compact JPE Offices at 261 Whites Path, Yarmouth, MA 02664 at 2:00 PM.

Present Were:

1. David Anthony, Secretary, Barnstable
2. Robert Schofield, Executive Committee, Bourne
3. Colin Odell, Brewster
4. Peter Cocolis, Executive Committee, Chatham
5. Brad Crowell, Dennis
6. Fred Fenlon, Eastham
7. Paul Pimentel, Edgartown
8. Ronald Zweig, Vice-Chair, Falmouth
9. Valerie Bell, Harwich
10. Richard Toole, Executive Committee, Oak Bluffs – **By phone**
11. Martin Culik, Orleans – **By phone**
12. Leanne Drake, Sandwich
13. Richard Elkin, Wellfleet
14. David Mead-Fox, Wellfleet Alternate
15. Sue Hruby, West Tisbury
16. Joyce Flynn, Chair, Yarmouth
17. Daniel Knapik, Yarmouth Alternate

Absent Were:

1. Michael Hebert, Aquinnah
2. Timothy Carroll, Chilmark
3. Robert Hannemann, Dukes County
4. Wayne Taylor, Mashpee
5. Thomas Donegan, Executive Committee, Provincetown
6. Kirk Metell, Tisbury
7. Jarrod Cabral, Truro

Members/Alternates:

Physically present: 15

Present by phone: 2

Legal Counsel:

Jeffrey Bernstein, Esq., BCK Law, P.C.

Staff Present:

Austin Brandt, Senior Power Supply Planner

Briana Kane, Planning and Evaluation Manager

Dan Schell, Marketing and Communications Coordinator

Maggie Downey, Administrator
Margaret Song, C&I Program Manager
Melissa Allard, Senior Administrative Coordinator

Public Present:

None Present.

Joyce Flynn called the meeting to order at 2:02 PM. Joyce Flynn recognized Richard Toole of Oak Bluffs and Martin Culik of Orleans who were remotely participating because physical attendance at the meeting would be unreasonably difficult.

PUBLIC COMMENT:

There were no members of the public present.

APPROVAL OF MINUTES:

The Board considered the November 14, 2018 Meeting Minutes. The only correction made was to remove Valerie Bell from the absent list.

Robert Schofield moved the Board to accept the minutes as amended, seconded by Peter Cocolis.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Paul	Pimentel	Edgartown	Yes
Ronald	Zweig	Falmouth	Abstained
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Abstained
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (13 – 0 – 2)

CHAIRMAN’S REPORT:

Joyce Flynn stated that after 6 years as chair, she believes it is time for someone else to take over. She stated that she is willing to be on the executive committee.

FISCAL REPORT: OVERVIEW OF OPERATING BUDGETS, PETER COCOLIS:

Peter Cocolis stated that the Compact will likely expend its full operating budget, and that Maggie Downey may have to move funds between line items. The expenses shown with 100% remaining are expenses that will be paid at the end of this year.

Richard Elkin asked about the interest income of almost \$80,000 and why it is so much. Maggie Downey stated she will have to talk to the Comptroller, Joanne Nelson, and she will have a written response to share at, or before, the next Board meeting.

ADMINISTRATOR'S REPORT:

1. Open Nominations for 2019 Cape Light Compact JPE Officers and Executive Committee

Maggie Downey stated that the Board traditionally opens nominations in December and then closes nominations and votes at the January meeting.

Nominations for Officer Positions:

Maggie Downey asked if there were any nominations for Chair. Sue Hruby nominated Thomas Donegan. Robert Schofield nominated Martin Culik. Martin Culik thanked Robert Schofield for the nomination, but stated he is not able to serve at this time. Valerie Bell nominated Robert Schofield. Robert Schofield stated he is unable to take on the position.

Maggie Downey asked if there were any nominations for Vice Chair. Peter Cocolis nominated Ronald Zweig.

Maggie Downey asked if there were any nominations for Secretary. Robert Schofield nominated David Anthony.

Maggie Downey asked if there were any nominations for the position of Treasurer. Richard Elkin nominated Glivinski and Associates, Inc.

Maggie Downey asked if there were any nominations for the position of Business Officer. Robert Schofield nominated Joanne Nelson.

Nominations for Executive Committee:

Maggie Downey asked that if there were any nominations for the general Executive Committee members beyond the Chair, Vice Chair, and Secretary nominations. Valerie Bell nominated Joyce Flynn. Ronald Zweig nominated Robert Schofield. Ronald Zweig nominated Peter Cocolis.

2. Discuss and Potential Vote on 2019 Operating Budget

Maggie Downey stated that she revised the organization of the 2019 Operating Budget to show line items from high to low expenditures as requested. She also discussed how the marketing budget was allocated and noted that an additional \$7,400 was added to the sponsorship expense for unidentified sponsorship events.

Valerie Bell asked where the energy education expense is coming from. Daniel Schell stated that it comes out of the Energy Efficiency Budget. Peter Cocolis stated that the legal expense budget for 2019 should be sufficient based on legal counsel's work plan, but if an issue or matter not included in the work plan comes up, a supplemental budget request would be needed and would come before the board for approval. He also stated

that the marketing budget has increased and sees it as a good thing. The Compact needs to push to get more customers. Colin Odell stated that it may be best if the expense was shown under a different name such as customer outreach. David Anthony stated that there has always been the anticipation that unforeseen energy related matters come up and that when that happens the Board considers each matter and discusses any potential budget impact. If needed, the Board would then amend the budget through a supplemental budget.

Colin Odell stated that the heading on the Operating Budget is “power supply reserve fund,” and noted that this was in fact not the balance in the reserve fund, but instead the revenues actually collected through September 2018. Colin Odell asked that the heading be changed and that the balance in the reserve fund be provided to the Board. Colin Odell noted that he had previously requested that the budget revenue projections be normalized for weather. Maggie Downey stated that while this is done for the Energy Efficiency Budget, it is difficult to do so for the revenues collected on the mil adder because our revenue does not track weather, but rather is most substantially affected by the number of customers participating in the power supply program, which in turn is more of a function of how the Compact Supplier’s pricing compares relative to Basic Service rather than weather conditions.

Brad Crowell stated that the budget could be revised at any time. The Board should go ahead and approve and work out the issues as they come up. Fred Fenlon asked if in the past five years the Compact has ever overspent its budget. Maggie Downey stated that the Compact isn’t allowed to overspend its appropriated budget. Fred Fenlon stated that we haven’t had an issue before and therefore he believed that everything should work out fine.

Robert Schofield moved the CLCJPE Board of Directors vote to appropriate the Cape Light Compact Joint Powers Entity Operating Budget in the amount of \$848,693.

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 Peter Cocolis.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Paul	Pimentel	Edgartown	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

3. Discuss and Potential Vote on 2% Cost of Living Adjustment (COLA) for Calendar Year 2019

Maggie Downey stated that as mentioned at the previous Board Meeting there is to be a separate vote for the COLA.

Joyce Flynn moved the CLCJPE Board of Directors vote to approve a 2019 employee cost of living adjustment (COLA) in the amount 2%. The effective date is January 1, 2019.

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 Colin Odell.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Paul	Pimentel	Edgartown	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

POWER SUPPLY PRICING OVERVIEW, AUSTIN BRANDT:

Austin Brandt stated that on Friday, November 30th the Compact announced the Power Supply pricing for the upcoming term. The Compact’s Power Supply pricing is just under Eversource’s pricing, and the Compact’s offering exceeds the Renewable Portfolio Standard (“RPS”) requirement by 1%. Austin Brandt noted that data compiled for DPU Annual Report estimates a savings to participating Compact customers of almost \$1.1 as compared to customers on Eversource Basic Service rate for the same time period. Also, in January 2019 the Compact will be announcing an opt-in local renewable power supply product. Customers will be able to elect to pay a premium for additional Class 1 REC content above Compact’s opt-out product.

Open Session Vote on entry into Executive Session pursuant to M.G.L. c. 30A §§21(a)(3) to discuss matters below, to return to open session:

1. Regulatory litigation strategy for the following matters: DPU 18-116, CLC 2019-2021 Energy Efficiency Plan Filing; DPU 16-169, National Grid; DPU 18-128, 2019 Energy Efficiency Surcharges; and DPU 19-MA, 2018 Aggregator Annual Report, Potential Vote

Joyce Flynn at 3:02 PM moved to enter into Executive Session pursuant to MGL Chapter 30A §21(a)(3) to discuss strategy with respect to regulatory litigation.

Joyce Flynn declared that an open session may have a detrimental effect on the litigating position of the Cape Light Compact. The Governing Board will return to Open Session at the conclusion of Executive Session. Seconded by Robert Schofield.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Paul	Pimentel	Edgartown	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

Richard Toole and Martin Culik stopped participation by phone at 3:42 PM.

ADJOURNMENT:

Motion to adjourn made at 3:44 PM moved by Peter Cocolis, seconded by Robert Schofield.

Respectfully submitted,

Melissa Allard

LIST OF DOCUMENTS AND EXHIBITS:

- Meeting Notice/Agenda
- November 14, 2018 Meeting Minutes
- 2018 Operating Budget
- 2019 Operating Budget
- Agenda Action Request: Calendar Year 2019 Operating Budget (January 1 – December 31, 2019)
- Agenda Action Request: 2% 2019 Employee Cost of Living Adjustment (COLA)
- Press Release: Cape Light Compact Announces Winter Electric Pricing