

Cape Light Compact

Tel: (508) 375-6644 • Fax: (508) 362-4136

www.capelightcompact.org

POST OFFICE BOX 427 • BARNSTABLE SUPERIOR COURT HOUSE • BARNSTABLE, MASSACHUSETTS 02630

Cape Light Compact Governing Board Meeting

DATE: Wednesday, December 10, 2014
LOCATION: Rooms 11&12, Superior Courthouse, Barnstable
TIME: 2:00 – 4:30 p.m.

AGENDA

- 2:00 Public Comment
- 2:10 Approval of Minutes
- 2:20 Treasurer's Report
- 2:30 Administrator's Report
- 2:40 Open Nominations for 2015 Executive Committee Members
- 3:00 Open Session Vote on Entry into Executive Session and Required Declarations of the Chair – (1) M.G.L. c. 30A, Section 21 (a)(10): Power Supply Procurement Strategy Discussion (confidential and competitively sensitive information); (2) M.G.L. c. 30A, Section 21 (a)(3) and Section 21(a)(10): DPU 14-69 (discussion of litigation strategy and related power supply issues); and (3) M.G.L. c 30A, Section 21 (a)(3) and Section 21(a)(10) for the purpose of approving past Compact Executive Session Minutes

Cape Light Compact Governing Board
Wednesday, November 12, 2014
Open Session Meeting Minutes

The Governing Board of the Cape Light Compact met on Wednesday, November 12, 2014 in Rooms 11 & 12, Superior Court House, 3195 Main Street, Barnstable, MA 02630.

PRESENT WERE:

1. Dr. Joyce Flynn, Chairwoman, Yarmouth
2. Peter Cocolis, Treasurer, Chatham
3. Barry Worth, Secretary, Harwich
4. William Doherty, Barnstable County
5. David Anthony, Barnstable @ 2:55 p.m.
6. Deane Keuch, Brewster
7. Timothy Carroll, Chilmark – remote participation by phone
8. Brad Crowell, Dennis – remote participation by phone
9. Fred Fenlon, Eastham
10. Paul Pimentel, Edgartown
11. Ronald Zweig, Falmouth
12. Thomas Mayo, Mashpee
13. Richard Toole, Oak Bluffs
14. Thomas Donegan, Provincetown - remote participation by phone
15. Everett Horn, Sandwich
16. Peter Fontecchio, Truro
17. Sue Hruby, W. Tisbury – remote participation by phone

ABSENT WERE:

18. Michael Hebert, Aquinnah
19. Robert Schofield, Vice-Chair, Bourne
20. Peter Cabana, Member at Large, Dukes County
21. Orleans, Vacant
22. Tisbury, Vacant
23. Richard Elkin, Wellfleet

LEGAL COUNSEL:

Jeffrey Bernstein, Esq., BCK Law, PC

STAFF PRESENT:

Maggie Downey, Compact Administrator
Kevin Galligan, Program Manager
Stephan Wollenburg, Sr. Power Supply Planner
Briana Kane, Sr. Residential Program Coordinator
Matthew Dudley, Residential Program Coordinator
Lindsay Henderson, Marketing & Data Analyst
Meredith Miller, C&I Program Manager
Philip Moffitt, EM&V Manager
Gail Azulay, EM&V Analyst
Debbie Fitton, Energy Education Coordinator
Karen Loura, Administrative Assistant

OTHERS

CALL TO ORDER

With a quorum of the Board present, Chr. Flynn called the meeting to order noting that the agenda had been duly posted pursuant to the Open Meeting Law on the Cape Light Compact Website and the exterior meeting notice board at the Superior Court House.

PUBLIC COMMENT

W. Doherty spoke about his pleasure being a part of the Cape Light Compact Governing Board and thanked his fellow members. He expects lasting fond memories of the Cape Light Compact Board. His last meeting will be in December.

CONSIDERATION OF MEETING MINUTES

B. Worth submitted the October 8, 2014 Open Session Minutes for consideration. Peter Cocolis moved to accept the minutes as presented, seconded by Deane Keuch and voted unanimously by roll call as follows:

- | | | | |
|----------------------------------|-----|------------------------------|-----|
| 1. W. Doherty, Barnstable County | Yes | 9. B. Worth, Harwich | Yes |
| 2. D. Keuch, Brewster | Yes | 10. T. Mayo, Mashpee | Yes |
| 3. P. Cocolis, Chatham | Yes | 11. R. Toole, Oak Bluffs | Yes |
| 4. T. Carroll, Chilmark | Yes | 12. T. Donegan, Provincetown | Yes |
| 5. B. Crowell, Dennis | Yes | 13. E. Horn, Sandwich | Yes |
| 6. F. Fenlon, Eastham | Yes | 14. P. Fontecchio, Truro | Yes |
| 7. P. Pimentel, Edgartown | Abs | 15. S. Hruby, W. Tisbury | Yes |
| 8. R. Zweig, Falmouth | Yes | 16. J. Flynn, Yarmouth | Yes |

Motion carried in the affirmative (15-0-1)

ENERGY EFFICIENCY PROGRAM

- LED Streetlight Presentation

K. Galligan, Program Manager provided a Power Point Presentation to update the Board on the LED Streetlight Retrofit Program (Attachment A).

- Municipal Incentive Cap

S. Wollenburg provided a Power Point Presentation providing the background on the Municipal Incentive Cap (Attachment C). T. Mayo moved the Board vote to continue with the \$150,000 Municipal Incentive Cap, seconded by P. Fontecchio. T. Mayo requested the motion be amended to include the following reasons:

1. Savings that accrue from these projects benefit all tax payers
2. Projects are cost effective and Compact is required by MGL to pursue all cost effective projects
3. Municipal entities face unique barriers as defined in 2003 Energy Efficiency Plan (EEP)
4. Maintaining the cap at \$150,000 keeps the Compact Board informed of projects

Motion amended by agreement. The Board then voted by roll call as follows:

- | | | | |
|----------------------------------|-----|------------------------------|-----|
| 1. W. Doherty, Barnstable County | Yes | 10. B. Worth, Harwich | Yes |
| 2. D. Anthony, Barnstable | Yes | 11. T. Mayo, Mashpee | Yes |
| 3. D. Keuch, Brewster | Yes | 12. R. Toole, Oak Bluffs | Yes |
| 4. P. Cocolis, Chatham | Yes | 13. T. Donegan, Provincetown | Yes |
| 5. T. Carroll, Chilmark | Yes | 14. E. Horne, Sandwich | Yes |
| 6. B. Crowell, Dennis | Yes | 15. P. Fontecchio, Truro | Yes |
| 7. F. Fenlon, Eastham | Yes | 16. S. Hruby, W. Tisbury | Yes |
| 8. P. Pimentel, Edgartown | Yes | 17. J. Flynn, Yarmouth | Yes |
| 9. R. Zweig, Falmouth | Yes | | |

Motion Carried in the affirmative (17-0-0).

CHILL YOUR BILL UPDATE

L. Henderson distributed Chill Your Bill Posters to members for posting within their communities.

CAPE LIGHT COMPACT WEBSITE

L. Henderson provided an overview of the newly designed Cape Light Compact Website expected to be activated within the next couple of weeks.

TREASURER'S REPORT

P. Cocolis provided the October year-to-date budget. He said spending is where it ought to be. T. Mayo asked to add a column showing the percentages spent. Operating Budget is in good shape. It is a Fiscal Year budget.

CHAIRMAN'S REPORT

ADMINISTRATOR'S REPORT

DPU 14-69

DPU decision by hearing officer is to deny the request of the Attorney General (AG). The AG has appealed to the full Commission. CLC will file objection to it. The Hearing Officer has issued the schedule.

CVEC Update

M. Downey informed the Board that Round 1 & Round II PV Development is on track.

Other Post-employee Benefits (OPEB)

M. Downey informed the Board that misinformation about OPEB obligation was discussed at the Assembly of Delegates by a member of the public. The Compact's OPEB obligation included in budget was based on best known information at that time because the OPEB obligation included in the Compact's audit was not known at the time of budget preparation, this will likely always be the case.

Barnstable County Assembly of Delegates

M. Downey reported the Sandwich Assembly of Delegates representative was on the Sandwich Selectmen's Agenda last Thursday to provide a CVEC update. His update focused mainly on the Cape Light Compact, and he noted, among other things, that the Compact should become a County Department and that the Assembly of Delegates should have authority over the Cape Light Compact Budget.

S. Hruby said she does not believe Dukes County towns would be in agreement with Assembly of Delegates asserting authority over Cape Light Compact.

M. Downey noted that the Compact may need to budget for expenses that have historically been provided by Barnstable County in the upcoming budget. Historically the County Commissioners saw Cape Light Compact as part of a regional service and that those funds would be better used in the delivery of the energy efficiency program. W. Doherty said the subsidy was provided to help the organization get started.

OPEN SESSION VOTE ON ENTRY INTO EXECUTIVE SESSION

J. Flynn proposed an Executive Session as follows:

1) M.G.L. c. 30A, Section 21 (a)(10): Power Supply Procurement Strategy Discussion (confidential and competitively sensitive information);

2) M.G.L. c. 30A, Section 21 (a)(3) and Section 21(a)(10): DPU 14-69 (discussion of litigation strategy and related power supply issues); and

3) M.G.L. c 30A, Section 21 (a)(3 and (10) for the purpose of approving past Compact Executive Session Minutes and Compact Executive Committee Executive Session Minutes. She stated that an open session may have a detrimental effect on the bargaining or litigating and negotiating positions of the Cape Light Compact. She announced that the Board would not reconvene in Open Session at the conclusion of the Executive Session this day. The next meeting is scheduled for December 10, 2014. *R. Zweig moved the Board vote to enter into Executive, seconded by P. Pimentel by roll call vote as follows:*

1. W. Doherty, Barnstable County	Yes	9. R. Zweig, Falmouth	Yes
2. D. Anthony, Barnstable	Yes	10. B. Worth, Harwich	Yes
3. D. Keuch, Brewster	Yes	11. T. Mayo, Mashpee	Yes
4. P. Cocolis, Chatham	Yes	12. R. Toole, Oak Bluffs	Yes
5. T. Carroll, Chilmark	Yes	13. T. Donegan, Provincetown	Yes

6. B. Crowell, Dennis	Yes	14. E. Horn, Sandwich	Yes
7. F. Fenlon, Eastham	Yes	15. P. Fontecchio, Truro	Yes
8. P. Pimentel, Edgartown	Yes	16. S. Hruby, W. Tisbury	Yes
		17. J. Flynn, Yarmouth	Yes

Motion carried in the affirmative (17-0-0). Staff and counsel were permitted to remain.

Respectfully submitted,

Karen E. Loura
Administrative Assistant

LIST OF DOCUMENTS & EXHIBITS:

- Meeting Notice/Agenda
- Draft 10/8/14 Open Session Meeting Minutes
- Municipal LED Streetlight Project Wrap-up & Transition to O&M Power Point Presentation by Kevin Galligan, dated 11/12/14.
- Siemen’s Industry Inc. Cape Light Compact LED Streetlight Project Article dated 7/14.
- LED Streetlight tables 1, 2 & 3 Savings, Billing Revision Status and Credits for Billing Revision Delay.
- Municipal Energy Efficiency Incentive Cap Review Power Point Presentation by S. Wollenburg dated 11/5/14.
- 2014 Budget (Based on Three-year Plan) / 2014 Actuals (January through October) Comparison
- Cape Light Compact Operating Fund - 11/12/14 Year-to-Date Budget Report.
- Copy of 11/5/14 BCK Law letter to DPU re: DPU 14-117

Reviewed by B. Worth, Secretary on 12/8/14.

FOR 2015 05.

ACCOUNTS FOR: 120 CAPE LIGHT COMPACT

	ORIGINAL APPROP	TRANFRS/ADJSMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED

074 CAPE LIGHT COMPACT OPERTG FUND							

074 5100		CLC OPERTG FD-SALARIES					
	0.00	235,000.00	235,000.00	84,958.33	0.00	150,041.67	36.2%
074 5213		CLC OPERTG FD-TELEPHONES					
	0.00	3,000.00	3,000.00	0.00	0.00	3,000.00	.0%
074 5233		CLC OPERTG FD-AUDIT/ACCTG SVCS					
	0.00	40,000.00	40,000.00	1,750.00	0.00	38,250.00	4.4%
074 5235		CLC OPERTG FD-LEGAL SERVICES					
	0.00	430,302.00	430,302.00	177,238.43	0.00	253,063.57	41.2%
074 5238		CLC OPERTG FD-IT COUNTY SUPPRT					
	0.00	24,000.00	24,000.00	0.00	0.00	24,000.00	.0%
074 5239		CLC OPERTG FD-CONTRACTUAL					
	0.00	64,856.34	64,856.34	26,227.21	15,515.13	23,114.00	64.4%*
074 5281		CLC OPERTG FD-OUTSTATE TRAVEL					
	0.00	6,000.00	6,000.00	936.51	0.00	5,063.49	15.6%
074 5282		CLC OPERTG FD-IN STATE TRAVEL					
	0.00	17,700.00	17,700.00	6,136.53	1,700.00	9,863.47	44.3%*
074 5291		CLC OPERTG FD-ADVERTISING					
	0.00	34,500.00	34,500.00	9,394.53	5,836.23	19,269.24	44.1%*
074 5293		CLC OPER-OUTRCH/MARKETG CONTRC					
	0.00	63,865.00	63,865.00	38,444.00	25,346.00	75.00	99.9%*
074 5294		CLC OPERTG FD-FREIGHT/SHIPPG					
	0.00	250.00	250.00	74.17	0.00	175.83	29.7%
074 5295		CLC OPERTG FD-PRINTG/COPYG					
	0.00	8,627.15	8,627.15	0.00	1,627.15	7,000.00	18.9%
074 5298		CLC OPERTG-LED ST LIGHTS-CONTR					
	0.00	135,871.45	135,871.45	29,758.14	0.00	106,113.31	21.9%
074 5361		CLC OPERTG FD-POSTAGE					
	0.00	12,888.79	12,888.79	1,883.77	1,346.88	9,658.14	25.1%
074 5421		CLC OPERTG FD-SPONSORSHIPS					
	0.00	16,000.00	16,000.00	12,000.00	0.00	4,000.00	75.0%*
074 5429		CLC OPERTG FD-SUBSCRIPTIONS					
	0.00	2,500.00	2,500.00	2,326.00	0.00	174.00	93.0%*
074 5433		PUBLIC OFFICIALS INSURANCE					
	0.00	7,328.55	7,328.55	6,764.94	563.61	0.00	100.0%*
074 5463		CLC OPERTG FD-EQUIP RENTAL					
	0.00	4,950.00	4,950.00	0.00	0.00	4,950.00	.0%
074 5469		CLC OPERTG FD-MISC RENTALS					
	0.00	50.00	50.00	50.00	0.00	0.00	100.0%*
074 5490		CLC OPERTG FD-CVEC MEMB CONTRB					
	0.00	403,455.00	403,455.00	403,455.00	0.00	0.00	100.0%*

FOR 2015 05

ACCOUNTS FOR: 120 CAPE LIGHT COMPACT

	ORIGINAL APPROP	TRANFRS/ADJSMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
4 5559		CLC OPERTG FD-COMPUTER EQUIP					
	0.00	1,441.86	1,441.86	0.00	1,441.86	0.00	100.0%*
4 5981		CLC OPERTG FD-RETIREMENT					
	0.00	35,000.00	35,000.00	35,000.00	0.00	0.00	100.0%*
4 5983		CLC OPERTG FD-GRP INSUR					
	0.00	21,000.00	21,000.00	9,332.77	0.00	11,667.23	44.4%*
4 5984		CLC OPERTG FD-MEDICARE					
	0.00	800.00	800.00	1,202.58	0.00	-402.58	150.3%*
TOTAL CAPE LIGHT COMPACT OPERT							
	0.00	1,569,386.14	1,569,386.14	846,932.91	53,376.86	669,076.37	57.4%

2014 Percent Variance

Program	PA Costs					
	PPA	Marketing	Incentives	STAT	EMV	Total PA Costs
Residential (total)	74.3%	70.4%	88.0%	91.2%	62.7%	85.2%
1. Residential Whole House	73.7%	55.9%	93.3%	73.3%	51.9%	87.8%
Residential New Construction	73.7%	53.4%	95.9%	85.9%	61.2%	87.2%
Residential Multi-Family Retrofit	73.7%	13.1%	40.1%	62.9%	34.5%	41.1%
Residential Home Energy Services	73.7%	68.8%	96.4%	66.5%	53.5%	90.5%
Residential Behavior/Feedback	0.0%	23.3%	78.7%	100.0%	0.0%	83.5%
2. Residential Products	73.7%	71.4%	67.3%	63.2%	114.5%	70.0%
Residential Cooling & Heating Equipment	73.7%	75.3%	66.4%	91.7%	144.8%	71.1%
Residential Lighting	73.7%	67.8%	68.4%	66.5%	118.9%	72.4%
Residential Consumer Products	73.7%	81.1%	65.9%	48.8%	65.7%	60.2%
3. Residential Hard-to-Measure	77.9%	82.8%	0.0%	166.3%	44.9%	111.0%
Residential Statewide Marketing	0.0%	95.3%	0.0%	0.0%	0.0%	95.3%
Residential DOER Assessment	86.6%	0.0%	0.0%	0.0%	44.9%	82.9%
Residential EEAC Consultants (6)	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Residential Sponsorship & Subscriptions	15.9%	0.0%	0.0%	0.0%	0.0%	15.9%
Residential HEAT Loan	0.0%	0.0%	0.0%	243.8%	0.0%	243.8%
Residential Workforce Development	0.0%	0.0%	0.0%	2.8%	0.0%	2.8%
Residential R&D and Demonstration	0.0%	0.0%	0.0%	25.6%	0.0%	5.5%
Residential Education	0.0%	72.6%	0.0%	0.0%	0.0%	72.6%
Low-Income (total)	65.2%	65.4%	72.6%	50.5%	33.5%	65.3%
4. Low-Income Whole House	70.8%	91.4%	72.6%	50.5%	33.3%	65.9%
Low-Income New Construction	70.8%	92.5%	1.2%	75.9%	35.6%	6.6%
Low-Income Single Family Retrofit	70.8%	91.2%	97.9%	55.3%	31.0%	82.0%
Low-Income Multi-Family Retrofit	70.8%	92.5%	26.2%	30.8%	45.2%	30.0%
5. Low-Income Hard-to-Measure	49.6%	49.6%	0.0%	0.0%	44.8%	49.5%
Low-Income Statewide Marketing	0.0%	68.3%	0.0%	0.0%	0.0%	68.3%
Low-Income DOER Assessment	83.8%	0.0%	0.0%	0.0%	44.8%	79.0%
Low-Income Energy Affordability Network	30.8%	30.8%	0.0%	0.0%	0.0%	30.8%
Commercial & Industrial (total)	69.8%	83.8%	70.1%	55.1%	107.0%	70.8%
6. C&I New Construction	65.7%	79.4%	67.1%	59.1%	83.5%	67.4%
C&I New Construction	65.7%	79.4%	67.1%	59.1%	83.5%	67.4%
7. C&I Retrofit	65.7%	81.2%	70.6%	53.2%	120.0%	71.1%
C&I Retrofit	65.7%	90.4%	66.5%	49.7%	113.5%	67.0%
C&I Direct Install	65.7%	75.3%	80.7%	56.6%	126.0%	79.9%
8. C&I Hard-to-Measure	105.1%	89.5%	0.0%	0.0%	44.8%	95.3%
C&I Statewide Marketing	0.0%	89.5%	0.0%	0.0%	0.0%	89.5%
C&I DOER Assessment	151.2%	0.0%	0.0%	0.0%	44.8%	136.6%
C&I EEAC Consultants (6)	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
C&I Sponsorships & Subscriptions	0.7%	0.0%	0.0%	0.0%	0.0%	0.7%
GRAND TOTAL	71.4%	72.9%	78.2%	70.3%	75.5%	76.8%

**Cape Light Compact Governing Board
Wednesday, September 10, 2014
Executive Session Meeting Minutes**

The Governing Board of the Cape Light Compact met in Executive Session on Wednesday, September 10, 2014 in Room 11/12, Superior Court House, 3195 Main Street, Barnstable, MA 02630.

PRESENT WERE:

1. Dr. Joyce Flynn, Chairwoman, Yarmouth
2. Robert Schofield, Vice-Chair, Bourne
3. Peter Cabana, Member at Large, Dukes County
4. William Doherty, Barnstable County
5. David Anthony, Barnstable
6. Deane Keuch, Brewster
7. Timothy Carroll, Chilmark – remotely by phone
8. Brad Crowell, Dennis
9. Frederick Fenlon, Eastham
10. Paul Pimentel, Edgartown
11. Ronald Zweig, Falmouth – remotely by phone
12. Thomas Mayo, Mashpee
13. Richard Toole, Oak Bluffs
14. Everett Horn, Sandwich
15. Peter Fontecchio, Truro
16. Richard Elkin, Wellfleet
17. Susan Hruby, W. Tisbury

ABSENT WERE:

- Michael Hebert, Aquinnah
Peter Cocolis, Treasurer, Chatham
Barry Worth, Secretary, Harwich
Orleans, Vacant
Thomas Donegan, Provincetown
Tisbury, Vacant

STAFF PRESENT:

- Maggie Downey, Administrator
Meredith Miller, C&I Program Manager
Margaret Song, Residential Program Manager
Stephan Wollenburg, Sr. Power Supply Manager
Philip Moffitt, EM&V Manager
Vicki Marchant, C&I Program Analyst
Briana Kane, Sr. Residential Program Coordinator
Matthew Dudley, Residential Program Coordinator
Debbie Fitton, Energy Education Coordinator
Lindsay Henderson, Marketing & Data Analyst
Karen Loura, Administrative Assistant

LEGAL COUNSEL:

Jeffrey Bernstein, Esq., BCK Law, PC

OPEN SESSION VOTE ON ENTRY INTO EXECUTIVE SESSION

At 4:58 p.m., Chr. Flynn requested an Executive Session for the following reasons: (1) M.G.L. c. 30A, Section 21 (a) (10): Power Supply Procurement Strategy Discussion (confidential and competitively sensitive information; 2) M.G.L. c. 30A, Section 21 (a)(3) and Section 21(a)(10): DPU 14-69 (discussion of litigation strategy and related power supply issues), and 3) M.G.L. c 30A, Section 21 (a)(3 and (10) for the purpose of approving past Compact Executive Session Minutes. She declared that an open session may have a detrimental effect on the bargaining or litigating and negotiating positions of the Cape Light Compact. She announced that the Board would not reconvene at the conclusion of the Executive Session in Open Session this day. *D. Keuch moved the Board vote to enter into Executive Session, seconded by P. Cabana and voted by roll call vote as follows:*

- | | | | |
|----------------------------------|-----|--------------------------|-----|
| 1. D. Anthony, Barnstable | Yes | 9. R. Zweig, Falmouth | Yes |
| 2. W. Doherty, Barnstable County | Yes | 10. T. Mayo, Mashpee | Yes |
| 3. R. Schofield, Bourne | Yes | 11. R. Toole, Oak Bluffs | Yes |
| 4. D. Keuch, Brewster | Yes | 12. E. Horn, Sandwich | Yes |
| 5. T. Carroll, Chilmark | Yes | 13. P. Fontecchio, Truro | Yes |
| 6. P. Cabana, Dukes County | Yes | 14. R. Elkin, Wellfleet | Yes |
| 7. F. Fenlon, Eastham | Yes | 15. S. Hruby, W. Tisbury | Yes |
| 8. P. Pimentel, Edgartown | Yes | 16. J. Flynn, Yarmouth | Yes |

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

Staff and Counsel were permitted to remain.

POWER SUPPLY PROCUREMENT

1. S. Wollenburg reported a Request for Proposals (RFP) has been sent. [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] The Cape Light Compact offering will likely be higher than NSTAR for the 1st half of 2015 because NSTAR procured 50% of their supply in the spring of 2014. He said there will be statewide push on the anticipated polar vortex and abnormally cold winter. He reported the team will work on local marketing and education. He informed the Board all prices are going to increase and they will begin hearing reports in the news.

2. DISCUSSION OF LITIGATION STRATEGY AND RELATED POWER SUPPLY ISSUES

3. Consideration of Meeting Minutes

The Board then considered the June 11, 2014 Executive Session Meeting Minutes. M. Downey requested a change on page 2, last paragraph, 1st line to replace the word “consensus from the members” to “a sense of the members”. W. Doherty moved the Board vote to accept the minutes as amended, seconded by P. Cabana and voted by roll call vote as follows:

- | | | | |
|----------------------------------|-----|--------------------------|-----|
| 1. D. Anthony, Barnstable | Yes | 9. R. Zweig, Falmouth | Yes |
| 2. W. Doherty, Barnstable County | Yes | 10. T. Mayo, Mashpee | Yes |
| 3. R. Schofield, Bourne | Yes | 11. R. Toole, Oak Bluffs | Yes |
| 4. D. Keuch, Brewster | Yes | 12. E. Horn, Sandwich | Yes |
| 5. T. Carroll, Chilmark | Yes | 13. P. Fontecchio, Truro | Yes |
| 6. P. Cabana, Dukes County | Yes | 14. R. Elkin, Wellfleet | Yes |
| 7. F. Fenlon, Eastham | Yes | 15. S. Hruby, W. Tisbury | Yes |
| 8. P. Pimentel, Edgartown | Yes | 16. J. Flynn, Yarmouth | Yes |

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

The Board then considered the July 9, 2014 Executive Session Meeting Minutes. W. Doherty moved the Board accept the minutes as amended to correct attendance consistent with the 7/9/14 Open Session Minutes, seconded by F. Fenlon and voted by roll call vote as follows:

- | | | | |
|----------------------------------|-----------|--------------------------|-----------|
| 1. D. Anthony, Barnstable | Yes | 9. R. Zweig, Falmouth | Abstained |
| 2. W. Doherty, Barnstable County | Yes | 10. T. Mayo, Mashpee | Yes |
| 3. R. Schofield, Bourne | Abstained | 11. R. Toole, Oak Bluffs | Yes |
| 4. D. Keuch, Brewster | Yes | 12. E. Horn, Sandwich | Yes |
| 5. T. Carroll, Chilmark | Yes | 13. P. Fontecchio, Truro | Yes |
| 6. P. Cabana, Dukes County | Yes | 14. R. Elkin, Wellfleet | Yes |
| 7. F. Fenlon, Eastham | Yes | 15. S. Hruby, W. Tisbury | Yes |
| 8. P. Pimentel, Edgartown | Yes | 16. J. Flynn, Yarmouth | Yes |

Motion carried in the affirmative (14-0-2)

At 5:15 p.m., the Board adjourned.

Respectfully submitted,

Karen E. Loura
Administrative Assistant

List of Documents and Exhibits:

Meeting Notice/Agenda

6/11/14 Draft Executive Session Minutes

7/9/14 Draft Executive Session Minutes

**Cape Light Compact
Executive Committee
Executive Session Meeting Minutes
Monday, October 27, 2014**

The Executive Committee of the Cape Light Compact Governing Board met in an emergency executive session on Friday, October 27, 2014 at 12:00 noon in the County Commissioner's Meeting Room, Barnstable Superior Courthouse, 3195 Main Street, Barnstable MA 02630

PRESENT WERE:

1. Dr. Joyce Flynn, Chairwoman, Yarmouth
2. Robert Schofield, Vice-Chair, Bourne
3. Peter Cocolis, Treasurer, Chatham
4. Peter Cabana, Member at Large, Dukes County
5. Barry Worth, Secretary, Harwich
Frederick Fenlon, Eastham
Ray Castillo, Orleans

LEGAL COUNSEL:

Jeffrey Bernstein, Esq., BCK Law, PC - remotely by telephone

STAFF PRESENT:

Maggie Downey, Administrator
Karen Loura, Administrative Assistant

Chr. Flynn called the meeting to order at 12:05 p.m. An Emergency Meeting Notice/Agenda was posted to the Cape Light Compact Website and on the exterior public meeting notice board at the Superior Courthouse on Thursday, October 23, 2014 @ 4:00 p.m.

R. Schofield moved the Committee vote to enter Executive Session for the purpose of discussing litigation strategy relative to DPU 14-69 pursuant to MGL Ch. 30A § 21 (a) (3), seconded by B. Worth. Chr. Flynn stated that the meeting convened in open session, notice and posting was given and the Board would not reconvene in open session this day. The Committee then voted by roll call as follows:

- | | | | |
|-----------------------------------|------------|------------------------------|------------|
| <i>1. P. Cabana, Dukes County</i> | <i>Yes</i> | <i>4. B. Worth, Harwich</i> | <i>Yes</i> |
| <i>2. B. Schofield, Bourne</i> | <i>Yes</i> | <i>5. J. Flynn, Yarmouth</i> | <i>Yes</i> |
| <i>3. P. Cocolis, Chatham</i> | <i>Yes</i> | | |

Motion passed unanimously (5-0-0). Staff and Compact Board members were permitted to remain. Legal counsel participated by telephone.

The Committee considered a draft memorandum in opposition to the Attorney General 10/24/14 request for evidentiary hearings in Department of Public Utilities (DPU) 14-69 Updated Aggregation Plan. Atty. Bernstein provided history of recent events and provided a timeline for decision. M. Downey requested the tone of the draft be firm but respectful. P. Cocolis stated the arguments are excellent. There was discussion about wording of the introduction to ensure that it does not lead a reader to think that the document is being submitted on behalf of the BOS/Council. The document introduction should be clear that it is the Compact..

Because the matter is in a DPU proceeding, the emergency executive committee meeting was called and all Compact board members were invited. There is a need to act quickly and the purpose of this meeting is to seek consultation and to inform members of the proposed response. It was noted that M. Downey has the full authority to respond and approval/authorization from the Committee is not needed.

At 12:50 p.m. R. Schofield moved to exit Executive Session, seconded by P. Cocolis and voted by roll call unanimously in favor by the Executive Committee.

<i>4. P. Cabana, Dukes County</i>	<i>Yes</i>	<i>4. B. Worth, Harwich</i>	<i>Yes</i>
<i>5. B. Schofield, Bourne</i>	<i>Yes</i>	<i>5. J. Flynn, Yarmouth</i>	<i>Yes</i>
<i>6. P. Cocolis, Chatham</i>	<i>Yes</i>		

Motion passed unanimously (5-0-0).

Next meetings: November 12, 2014 and December 10, 2014.

Respectfully submitted,

Karen E. Loura
Administrative Assistant

List of Documents & Exhibits:

- Meeting Notice/Agenda
- Draft Memorandum in Opposition to the Attorney General's Request for evidentiary Hearings DPU 14-69

Cape Light Compact Governing Board
Wednesday, November 12, 2014
Executive Session Meeting Minutes

The Governing Board of the Cape Light Compact met in Executive Session on Wednesday, November 12, 2014 at 4:00 p.m. in Rooms 11 & 12, Superior Court House, 3195 Main Street, Barnstable, MA 02630.

PRESENT WERE:

1. Dr. Joyce Flynn, Chairwoman, Yarmouth
2. Peter Cocolis, Treasurer, Chatham
3. Barry Worth, Secretary, Harwich
4. William Doherty, Barnstable County
5. David Anthony, Barnstable
6. Deane Keuch, Brewster
7. Timothy Carroll, Chilmark - by phone
8. Brad Crowell, Dennis – by phone
9. Fred Fenlon, Eastham
10. Paul Pimentel, Edgartown
11. Ronald Zweig, Falmouth
12. Thomas Mayo, Mashpee
13. Richard Toole, Oak Bluffs
14. Thomas Donegan, Provincetown - by phone
15. Everett Horn, Sandwich
16. Peter Fontecchio, Truro
17. Sue Hruby, W. Tisbury – by phone

ABSENT WERE:

18. Michael Hebert, Aquinnah
19. Robert Schofield, Vice-Chair, Bourne
20. Peter Cabana, Member at Large, Dukes County
21. Orleans, Vacant
22. Tisbury, Vacant
23. Richard Elkin, Wellfleet

LEGAL COUNSEL:

Jeffrey Bernstein, Esq., BCK Law, PC

STAFF PRESENT:

Maggie Downey, Compact Administrator
Stephan Wollenburg, Sr. Power Supply Planner
Briana Kane, Sr. Residential Program Coordinator
Matthew Dudley, Residential Program Coordinator
Lindsay Henderson, Marketing & Data Analyst
Meredith Miller, C&I Program Manager
Philip Moffitt, EM&V Manager
Gail Azulay, EM&V Analyst
Debbie Fitton, Energy Education Coordinator
Karen Loura, Administrative Assistant

Open Session Vote on entry into Executive Session

J. Flynn proposed an Executive Session as follows:

- (1) M.G.L. c. 30A, Section 21 (a)(10): Power Supply Procurement Strategy Discussion (confidential and competitively sensitive information);
- 2) M.G.L. c. 30A, Section 21 (a)(3) and Section 21(a)(10): DPU 14-69 (discussion of litigation strategy and related power supply issues); and
- 3) M.G.L. c 30A, Section 21 (a)(3 and (10) for the purpose of approving past Compact Executive Session Minutes and Compact Executive Committee Executive Session Minutes. She stated that an open session may have a detrimental effect on the bargaining or litigating and negotiating positions

of the Cape Light Compact. She announced that the Board would not reconvene in Open Session at the conclusion of the Executive Session this day. The next meeting is scheduled for December 10, 2014.

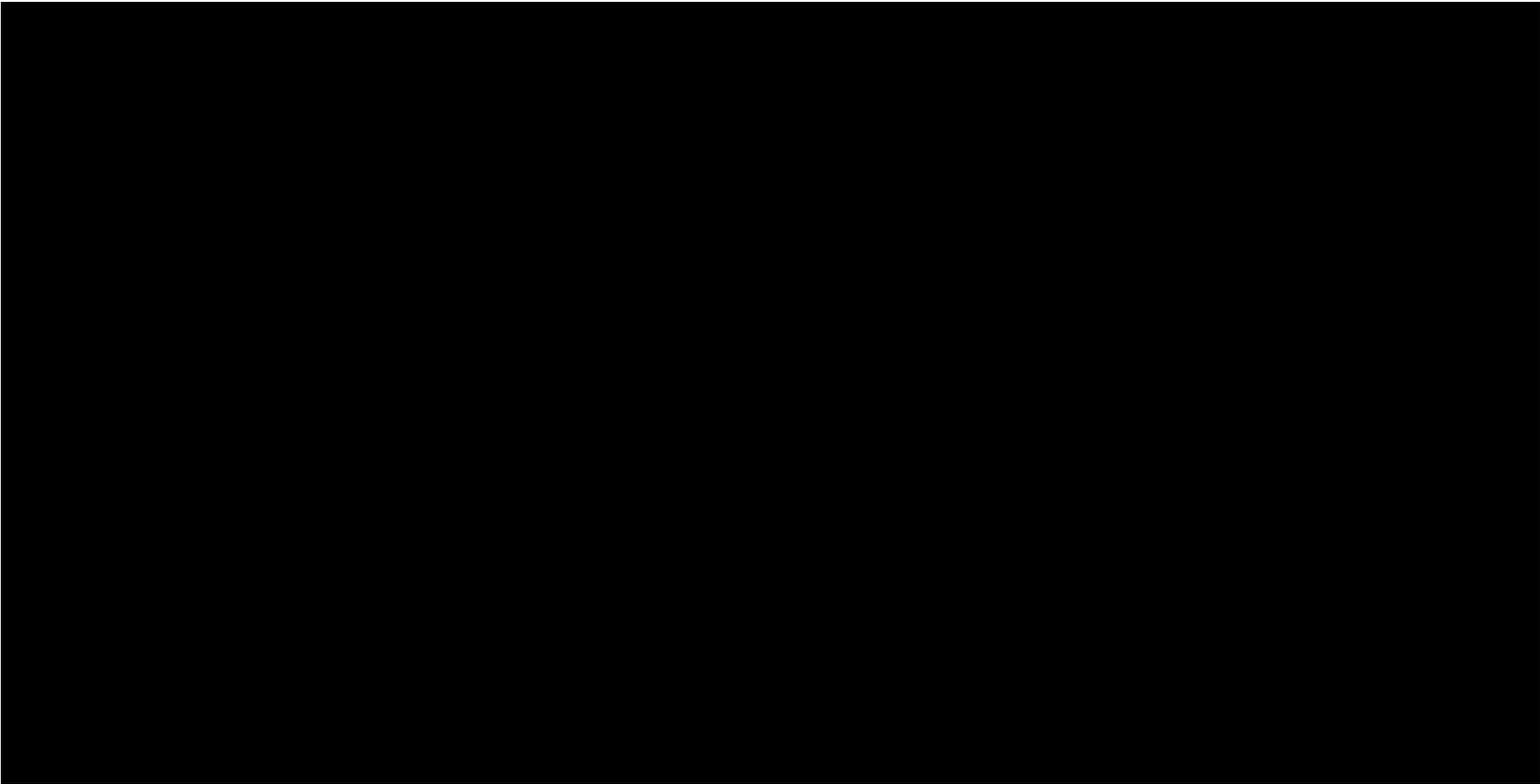
R. Zweig moved the Board vote to enter into Executive, seconded by P. Pimentel by roll call vote as follows:

- | | | | |
|----------------------------------|-----|------------------------------|-----|
| 1. W. Doherty, Barnstable County | Yes | 10. B. Worth, Harwich | Yes |
| 2. D. Anthony, Barnstable | Yes | 11. T. Mayo, Mashpee | Yes |
| 3. D. Keuch, Brewster | Yes | 12. R. Toole, Oak Bluffs | Yes |
| 4. P. Cocolis, Chatham | Yes | 13. T. Donegan, Provincetown | Yes |
| 5. T. Carroll, Chilmark | Yes | 14. E. Horn, Sandwich | Yes |
| 6. B. Crowell, Dennis | Yes | 15. P. Fontecchio, Truro | Yes |
| 7. F. Fenlon, Eastham | Yes | 16. S. Hruby, W. Tisbury | Yes |
| 8. P. Pimentel, Edgartown | Yes | 17. J. Flynn, Yarmouth | Yes |
| 9. R. Zweig, Falmouth | Yes | | |

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

S. Wollenburg reported Cape Light Compact has executed a contract with Nextera to serve commercial and industrial customers and ConEdison Solutions (CES) to serve residential customers. He provided the pricing structure and comparison with NSTAR's rates. Cape Light Compact will be slightly above NSTAR at least for the 1st half of 2015.

CLC discussed the operational adder. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] M. Downey requested a sense of the Board on this issue.



Without a quorum present in the room, the following informational update was provided to those present:

EXECUTIVE SESSION MEETING MINUTES

It was agreed to Table consideration past Executive Session Meeting Minutes and Executive Committee Executive Session Minutes to next meeting.

At 4:45 p.m. the meeting adjourned.

Reviewed by Barry Worth, Secretary on 12/8/14