

**Cape Light Compact JPE
Governing Board
Meeting Minutes
Wednesday, March 27, 2024**

The Cape Light Compact JPE Board of Directors met on Wednesday, March 27, 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. Robert Schofield, Executive Committee, Bourne
2. Colin Odell, Executive Committee, Brewster
3. Greg Rounseville, Dennis Alternate
4. Gary Senecal, Eastham Alternate
5. Valerie Bell, Harwich
6. Martin Culik, Chair/Executive Committee, Orleans
7. David Jacobson, Orleans Alternate
8. Susan Ryan-Ishkanian, Wellfleet
9. Joyce Flynn, Vice Chair/Executive Committee, Yarmouth

Participating Remotely Were:

1. David Anthony, Secretary/Executive Committee, Barnstable
2. Brian Miner, Chatham
3. Timothy Carroll, Chilmark
4. Brad Crowell, Dennis
5. Tom McNellis, Eastham
6. Alan Strahler, Edgartown
7. Wayne Taylor, Mashpee
8. Ralph Vitacco, Sandwich Alternate
9. Bob Higgins-Steele, Truro Alternate
10. Nathaniel Mayo, Provincetown
11. Suzanne Ryan, Wellfleet

Absent Were:

1. Forrest Filler, Aquinnah
2. Meghan Gombos, Dukes County
3. Matthew Patrick, Falmouth
4. Peter Meleney, Oak Bluffs
5. Leanne Drake, Sandwich
6. Russ Hartenstine, Tisbury
7. Jarrod Cabral, Truro
8. Nicola Blake, Executive Committee, West Tisbury

Legal Counsel Participating Remotely:

Audrey Eidelman Kiernan, Esq., KO Law, P.C.
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
Meredith Miller, Senior Analyst – Income Eligible
Phil Moffitt, Chief Financial Officer
Stephen McCloskey, Analyst - Home Energy Services
Tatsiana Nickinello, Energy Efficiency Analyst

Public Participants:

Becky Rivera – Oak Bluffs

Martin Culik called the meeting to order at 2:00 PM.

Public Comment:

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

APPROVAL OF MINUTES:

The Board considered the February 28,2024 Open Session Meeting Minutes.

David Jacobson stated that he was present at the February Board Meeting. Joyce Flynn stated that in the section about Richard Elkin it should say “his presence”, not “his absence”.

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

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Brian	Miner	Chatham	Yes
Brad	Crowell	Dennis	Abstained
Gary	Senecal	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Martin	Culik	Orleans	Yes

Nate	Mayo	Provincetown	Yes
Ralph	Vitacco	Sandwich	Abstained
Bob	Higgins-Steele	Truro	Yes
Susan	Ryan-Ishkanian	Wellfleet	Yes
Joyce	Flynn	Yarmouth	Yes

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

CHAIRMAN’S REPORT:

1. Report in on Non-Profit Offering Update to Select Boards/Town Council

Martin Culik stated that Board Members received a report on the non-profit offering update to share with their towns. Valerie Bell stated that it was well received in Harwich. She stated that there are members of the Harwich Chamber of Commerce that are non-profits that will fit within the criteria and that the Harwich Chamber of Commerce plans to share the information with them. Bob Higgins-Steele stated that he presented to the Truro Select Board, and they appreciated the update. He stated that he also sent the information along to a non-profit as well. Tom McNellis stated that he presented to the Eastham Select Board and Chamber of Commerce and there was a lot of interest.

2025-2027 ENERGY EFFICIENCY PLAN, MARGARET SONG AND BRIANA KANE:

Maggie Downey began reviewing the 2025-2027 Energy Efficiency and Decarbonization Plan (Plan) April Draft Review PowerPoint.

Maggie Downey stated that there are statutory and regulatory changes that guided the development of the Plan. Specifically, the statutory changes came out of the Climate Act, which establishes an earlier date for filing the draft statewide Plan. Historically the Board has been working on the Plan, making edits or comments, and adding programs, up until the October Board Meeting. The filing was always on October 31st. She stated that that the Board’s role and review of the Plan has changed because of a Department of Public Utilities (DPU) Order that prohibits any substantive changes to the Plan after the Compact and other Program Administrators submit their August Plan filing to the Energy Efficiency Advisory Council (EEAC).

Maggie Downey reviewed the timeline for the Compact review of the statewide 2025-2027 Plan. She stated that comments from the Board have to be submitted to the EEAC for their review and consideration. She stated that the draft Plan will be submitted to the EEAC on April 1st. As soon as the Plan is submitted, she will send it out to the Board. She stated that at the April 10th Board Meeting staff will prepare a presentation on the Plan and the Board will begin its review and discussion of the Plan. The focus will be primarily on residential, income eligible issues. She stated this would be the time that if any Board Members have a comment or concern to share them. Any Board comments and/or recommendations intended for the EEAC must be submitted on June 7th. She stated that the EEAC must submit a Resolution on the Plan with their recommendations to Program Administrators (PAs) by June 26th and PAs have until August 11th to respond to the EEAC. She stated that after August 11th no substantive changes are allowed. PAs have until October 31st to prepare their filing. She stated that the DPU will have until March 31st, 2025, to approve the Plan.

Briana Kane continued the review of the PowerPoint.

Briana Kane stated that during the February Board Meeting we let the Board know that we received the Secretary’s letter establishing the Greenhouse Gas (GHG) goals the PAs were to meet for their planning period.

She reviewed graphs of the planned and actuals GHG goals in 2022 through 2024, as well as 2022 through 2024 versus 2025 through 2027. She stated that this is based on a goal of reducing one million metric tons of GHG emissions, and the Compact, consistent with the Secretary's letter, is working on scenario two, which is a reduction of 2.2 million metric tons of GHG emissions.

Briana Kane stated that the three core items for 2025 through 2027 are decarbonization, equity, and customer experience. She reviewed some of the highlights of the Plan. She stated that for income eligible the Compact has had a long-standing turnkey offering. Turnkey is the term that's being used for a fully facilitated energy efficiency experience. She stated that this will be brought forward into the market rate model for moderate income customers and residential. There is also a component in the commercial and industrial program offering for small business customers. She stated that PAs will use both Area Median Income (AMI) and State Median Income (SMI) to determine a customer's eligibility for programs. Staff will use either AMI or SMI, whichever benefits the customer most, when determining eligibility for a program. She stated that for the Compact, Barnstable and Dukes County will have separate AMI and SMI levels. She stated that we will have a targeted enhanced community-based offer. The Compact has started an offer for Oak Bluffs and will continue in 2025 through 2027 along with Tisbury. She stated that that the Compact will be rolling out a new component of a statewide model to fund and deliver electrification projects. This will allow for more decarbonization to happen in the Commonwealth for all customers. She stated that there are also some changes to the HEAT Loan. Currently, the Heat Loan has up to a seven-year term, with 0% interest, and there is a \$20,000 and \$50,000 option. She stated to better manage costs, it is still going to be 0% interest, but the term will be reduced to up to 5 years and the total amount capped at \$25,000. The reason behind the changes is that low-and-moderate income customers will be offered no cost electrification (heat pumps) and many other no cost energy efficiency improvements.

Briana Kane stated that the Compact has a community first partner, as well as a few education grants. She stated that we have one community first partner in the current 2022-2024 Plan and that is Vineyard Power. They have been awarded \$120,000 to help promote and market energy efficiency programs to customers on Martha's Vineyard. She stated that the Compact did award an education grant in 2022 to help get the word out about the Compact's energy efficiency programs. There was also another education grant awardee that was shared with National Grid. She stated that it was our Faith Communities Environmental Network. They have been working very closely with environmental justice (EJ) populations and the faith communities promoting energy efficiency services. She stated that for the community first partnership budget it is projected that the Compact will spend \$297,000. She stated that moving forward with the EEP planning process we have to set some placeholders for some costs. The Compact's projected budget for 2025- 2027 is \$812,000.

Briana Kane continued to review Plan highlights. She stated that the new construction program offerings will be an all-electric solution and there will be no incentives for fossil fuel new construction projects, with limited exceptions as stipulated by state law. She stated that for the commercial and industrial programs we have been hearing about a need and desire for some more technical assistance and commissioning studies. Therefore, the Compact will be planning to expand its offerings for those two components. She stated that there is also a great interest in data and reporting. The Compact has always been responsive to requests for data needs and will continue to support its robust level of data presentation. She stated that there is a statewide call center that is being planned that will mirror a lot of what Compact's call center currently does. The Compact will be continuing its own internal call center and not participating in the statewide call center. She stated that the call center is well versed in our program offerings and is able to provide great support to customers who call us. She stated that she wanted to remind everyone that a proposal was submitted to National Grid to provide customer service support for natural gas customers for a fee.

Briana Kane reviewed the moderate income offering. Customers with electric, oil, or propane, can qualify by sending in income documentation. She stated that if they choose the turnkey pathway, they would be eligible for no cost weatherization, no cost weatherization barrier remediation, no cost pre-electrification barrier remediation, and no cost heat pump installations. If a customer is just looking to complete weatherization, they can self-attest that they fall within the income guidelines. She stated this is a way to try and encourage more people to participate in the moderate-income offerings. She stated for those customers not willing to participate in the turnkey pathway they will still be able to do the self-attestation and receive no cost weatherization, and for the heat pump they would be offered an enhanced rebate.

Briana Kane stated that the Compact and Mass Save will be making website improvements. She stated that the Compact will be pursuing enhanced language access for non-English speakers and those with limited English proficiency. The Compact is working on a few things currently that will start in 2024. She stated the Compact has always had the ability for a customer who calls into the Compact to access translation services through a language access line and we are able to offer that to the Compact's income eligible vendor if needed. The market rate vendor already has their own language translation services available. She stated that the Compact is going to expand and build upon it a bit more. She stated that the Compact will continue focusing on diversifying the workforce through vendor trainings and supplier diversity summits. Some of these will be happening and have happened during this plan term but will continue to be expanded on in the 2025 -2027 term. She noted that whenever possible, the Compact and PAs are looking to leverage additional funds to help with the delivery of energy efficiency program offerings.

Margaret Song continued the review of the PowerPoint.

Margaret Song reminded the Board that in 2022 through 2024 there have been a variety of budgets that got approved. She stated that the original 2022 through 2024 Plan was submitted with CVEO. However, the Plan was approved without CVEO. She stated that in January 2023, after the legislation allowed for CVEO, it was approved and that increased the budget. She stated that through a subsequent midterm modification (MTM) the Compact increased its budget in both residential and income eligible customer sectors and decreased the commercial and industrial sector budget. She stated that with the changes to the budget you can see what is happening with achieving the 2030 GHG emission reductions goals for the 2022 through 2024 Plan. They have been moving slightly up and down because of the mix that we are seeing in cost versus savings.

Margaret Song reviewed the draft budget for the 2025 through 2027 Plan. She stated that there is an increase in the residential budget due to no cost offerings for moderate income customers and equity work. She stated that there is also an increase in income eligible budgets and the commercial and industrial budget decreases. She stated that the decrease is because the Compact has not seen an uptake in heat pumps in commercial buildings.

Margaret Song reviewed the budget on a year-to-year basis. She stated that the budgets tend to increase from year to year because we do think that there is going to be a steady uptick of adoption of weatherization and heat pumps as we go.

Margaret Song stated that when we talk about how much people are going to be charged on their bills, it's really about the energy efficiency surcharge (EES). She stated that they have been changing over time due to the Eversource rate case and energy efficiency programs. Once the Compact's MTM is implemented there will likely be a slightly higher EES on July 1st. She stated that for January 2025 the Compact does not know what the carryover looks like as the year is not close to being over. She stated that we also don't know what several outside funding amounts will be, such as the Forward Capacity Market and the Regional Greenhouse Gas Initiative (RGGI) proceeds. Therefore, those amounts are not embedded in the slide. She stated that we don't know what the distribution costs are so those are all kept constant. She stated that as you can see these are big

bill impacts and the Board needs to be aware of what it will cost ratepayers to achieve the Secretary's mandated GHG reduction goals. Maggie Downey stated that a five cent EES is what all the other utility PAs are anticipating, or very close to five cents.

Colin Odell asked how dependent the Plan goals are on market rate customer participation. He also asked if the budget has a commensurate amount of the marketing funds that will be needed to reach these goals. Margaret Song answered that she doesn't have all of those answers today but will get back to the Board. She stated that the Compact is still relying a lot on market rate customers, it's just that more money is being put towards moderate-income customers. She stated that the Compact has a lot of other resources that it is putting towards language access, community access, and marketing. She stated that some of those budgets have increased along with everything else. She stated that the Compact will need some help from the Board to figure out how to use those dollars to motivate customers to install heat pumps. Maggie Downey stated that as a reminder there will be no more incentives for fossil fuels, unless it qualifies as an exemption under state law.

Margaret Song reviewed the bill impacts for residential and small businesses. For residential the average bill will see a 9.5% increase for residential (R1) customers and 9.4% for low-income discount (R2) customers. As for small businesses, it would be an average of 1.8% increase.

Maggie Downey finished the review of the PowerPoint. She stated that as a reminder she will send out the 2025-- 2027 Plan once received on April 1st. She asked the Board to read the executive summary and the residential section because that is where will probably be spending most of our time. She stated that at the April 10th Board meeting we will discuss and begin to formulate comments and questions on the Plan. This will continue at the May 8th Board meeting. She stated that at the June 5th Board meeting the Board will have to finalize any comments for the EEAC and there will be a potential vote on the Plan.

Tim Carroll joined the meeting at 3:20PM.

**UPDATE ON THE USDA RURAL UTILITIES SERVICE (RUS) RURAL ENERGY SERVICES PROGRAM (RESP):
CAPE LIGHT COMPACT SOLAR LOAN PROGRAM, ERIN O'TOOLE, KO LAW:**

Erin O'Toole reviewed the Rural Utilities Services (RUS) Rural Energy Savings Program (RESP) PowerPoint.

Erin O'Toole stated that the Compact has been working on this program since the Compact submitted its initial application in December 2020 and that the Compact received the documents from RUS a few weeks ago. She stated RUS has set April 30th as the loan closing date. She stated that the Compact is working hard to meet the deadline. She stated that the purpose of RESP is to provide qualified applicants with zero-percent loans to develop or expand energy efficiency financing programs for their members, including solar programs.

Erin O'Toole stated that on March 4th the Compact received draft documents from RUS. She stated that the loan documents need to be customized for the Compact as borrower, and they are commercially reasonable. She stated that the Compact has requested some edits because the documents did not take into account of the Compact's status as a Joint Powers Entity and therefore, it was suggested to remove terminology regarding corporate existence and similar items. She stated that she has a call scheduled with RUS tomorrow to go over the proposed edits. She stated that RUS is also requiring the Compact to obtain a Letter of Credit from Cape Cod Five to secure the loan. The letter of credit must be 50% of the outstanding balance of the RUS loan. She stated that this is something the Compact has been working on separate from the RUS loan documents. Consistent with its other LOC, Cape Cod 5 will require security for the letter of credit.

Erin O’Toole stated that at the next Board Meeting the Board will be asked to vote on a Resolution required in connection with the RUS loan. Among other things, the resolution will authorize the Compact Administrator to execute the loan documents and perform the actions necessary to implement the loan. She stated that separately, the Board will be asked to vote to clarify and amend the term of the current Joint Powers Agreement to clearly state that it expires in 2046 as the RUS Note runs through 2044.

Erin O’Toole stated that this program will complement the Compact’s activities as a Program Administrator of Mass Save but it is funded and implemented independent of the Compact’s energy efficiency activities and the 2025-2027 Three-Year Plan. Currently, the Compact plans to announce the program during the summer and market the program in the fall of 2024. She stated that the Compact will continue to work with Cape Cod Five to develop the customer loan documents and program participation documents during the summer. She stated that the Compact is looking do get this completed around Labor Day.

Valerie Bell asked what the administrative costs are and where they come out of. Maggie Downey stated that when the Compact was invited to submit an application, we put together a business plan (spreadsheet) that includes all costs and that these costs are included in the interest rate paid by the borrowers. She reminded the Board that the loan will be fully serviced by the bank.

Tom McNellis stated that he noticed there is security required for the letter of credit. He asked how the Compact is compiling that. Maggie Downey stated that the letter of credit is built into the interest rate, and it is going to be an annual fee of \$22,050.

Gary Senecal asked if there has been any initial work done for the outreach that we are going to do. Maggie Downey stated that there is a work plan, but that was before all these other solar programs were created. She stated that it will have to be updated and she is waiting to see where the other programs fall first before continuing to draft or promote anything,

DISCUSSION AND POTENTIAL VOTE ON THE CAPE LIGHT COMPACT’S RENEWABLE PORTFOLIO STANDARD (RPS) CLASS I STATEMENT OF QUALIFICATION APPLICATION, MARIEL MARCHAND:

Mariel Marchand reviewed the Renewable Portfolio Standard Application: Certification for CVEO PowerPoint.

Mariel Marchand stated that we estimated it would be about \$30,000 a year in revenue. However, that is going to be impacted by how much production there is by the solar PV systems and the price of the RECs. She stated that the first step in registering these systems for RPS is to submit an application to the Department of Energy Resources (DOER).

Mariel Marchand stated that the RPS application requires an authorized representative for the PV systems to submit a certification that demonstrates their authority to submit the application on behalf of the Compact. She stated therefore, essentially, we need a vote from the Board.

Joyce Flynn moved the Board vote to authorize Compact staff to complete and submit the RPS Class I Statement of Qualification Application to the Massachusetts Department of Energy Resources.

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
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Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Brian	Miner	Chatham	Yes
Tim	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Abstained
Gary	Senecal	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Ralph	Vitacco	Sandwich	Yes
Bob	Higgins-Steele	Truro	Yes
Susan	Ryan-Ishkanian	Wellfleet	Yes
Joyce	Flynn	Yarmouth	Yes

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

ADMINISTRATOR’S REPORT:

1. MassHousing Grant: Outreach Assistance and Customer Support for Energy Saver Home Loan Program

Maggie Downey stated that she discovered an RFP from Massachusetts Housing a week before the proposals were due. They are looking for customer support and coordination on their program called the Energy Saver Home Loan. She stated that the focus is on low to moderate income homeowners and this program will provide a loan product to fund eligible measures that are not funded through Mass Save. She stated that this is intended to fill gaps. She stated that staff pursued this grant to avoid customer confusion over the many options and programs that are available in the pursuit of decarbonizing your home.

Maggie Downey stated that in the past the Board has directed the Compact to be sort of a one stop shop for decarbonization. Explaining to customers what is out there and what's available to them and not just what is offered through Mass Save, but all the new programs that have been developed. She stated that if awarded it would be a two-year program with an option for an additional three years. She stated that the Compact should know within a week whether or not it has been awarded this program. She stated that the Compact would need to increase staff and there would need to be some database updates if awarded the program. The goal would be to roll out this program after Labor Day. She stated that Nantucket is also included here. They were very excited to participate because they're an underserved population.

2. Electric supply rate for Industrial customers

Maggie Downey reviewed the Power Supply Rates: Industrial Rate Update PowerPoint slide. She stated that from the April to July meter reads the industrial standard rate will be 9.779 cents/kWh. These rates change every three months. Mariel Marchand stated that the Compact has about 10 industrial customers on this rate.

3. Department of Public Utilities – Notice of Road Show Events

Maggie Downey stated that she received a notice from the DPU that they are holding a road show throughout 2024 so they can engage directly with the public. She stated that the notice is in the Board Packet if anyone wants to attend one of the events.

4. Next Board Meeting

Maggie Downey stated that the next Board Meeting will be held on April 10, 2024.

Wayne Taylor left the meeting at 4:10PM.

ADJOURNMENT:

Motion to adjourn made at 4:10 PM moved by Colin Odell, seconded by Robert Schofield.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Brian	Miner	Chatham	Yes
Tim	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Gary	Senecal	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Valerie	Bell	Harwich	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Ralph	Vitacco	Sandwich	Yes
Bob	Higgins-Steele	Truro	Yes
Susan	Ryan-Ishkanian	Wellfleet	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
- February 28, 2024, Draft Open Session Meeting Minutes
- 2025-2027 Energy Efficiency Plan April Draft Review PowerPoint
- Renewable Portfolio Standard Application: Certification for CVEO PowerPoint
- Power Supply Rates: Industrial Rate Update PowerPoint slide
- Department of Public Utilities – Notice of Road Show Events