

**Cape Light Compact JPE  
Governing Board  
Executive Session Meeting Minutes  
Wednesday, September 11, 2019**

The Cape Light Compact JPE Board of Directors met on Wednesday, September 11, 2019 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. Peter Doyle, Barnstable Alternate
3. Robert Schofield, Bourne
4. Colin Odell, Brewster
5. Peter Cocolis, Chatham– **By Phone**
6. Timothy Carroll, Chilmark – **By Phone**
7. Eric Peckar, Dukes County – **By Phone**
8. Fred Fenlon, Eastham
9. Alan Strahler, Edgartown
10. Ronald Zweig, Chair, Falmouth
11. Valerie Bell, Harwich
12. Richard Toole, Oak Bluffs – **By Phone**
13. Martin Culik, Executive Committee, Orleans
14. Leanne Drake, Sandwich
15. Richard Elkin, Wellfleet
16. Sue Hruby, West Tisbury – **By Phone**
17. Joyce Flynn, Yarmouth

**Absent Were:**

1. Michael Hebert, Aquinnah
2. Brad Crowell, Dennis
3. Wayne Taylor, Mashpee
4. Nathaniel Mayo, Provincetown
5. Kirk Metell, Tisbury
6. Jarrod Cabral, Truro

**Members/Alternates:**

Physically present: 12

Present by phone: 5

**Legal Counsel:**

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

**Staff Present:**

Austin Brandt, Senior Power Supply Planner

Dan Schell, Marketing and Communications Coordinator

Maggie Downey, Administrator

Margaret Song, C&I Program Manager

Megan Terrio, Comptroller  
Melissa Allard, Senior Administrative Coordinator  
Phil Moffit, Planning and Evaluation Manager

**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:**

- 1. Provide an update on Pending Regulatory Litigation and strategy discussion related to the Compact's Current Priority DPU Dockets (see below), and to review and approve, and potential vote to consider whether to release, executive session minutes from July 17, 2019 that discuss trade secrets and confidential, competitively-sensitive or other proprietary power supply information; regulatory litigation strategy for DPU 18-116, CLC 2019-2021 Energy Efficiency Plan Filing; the Cape Light Compact 2019 and beyond power supply program portfolio (renewable energy and REC contracting) as well as whether it is appropriate to release any portion of confidential competitive electric supply contract provisions, to return to open session thereafter.**
  - a. DPU 15-122 Grid Modernization**
  - b. DPU 16-127 2013-2015 Energy Efficiency Term Report**
  - c. DPU 17-164, Joint Distribution Company Proposal Regarding Distributed Generation Interconnection Standards**
  - d. DPU 18-50, Eversource Performance-Based Ratemaking Metrics**
  - e. DPU 18-116, CLC 2019-2021 Three-Year Plan, Compact Active Demand Response and Cape & Vineyard Electrification Offering**
  - f. DPU 19-07, Investigation into Consumer Protection and Retail Electric Competitive Supply**
  - g. DPU 19-55, Distributed Generation Interconnection Standards**
  - h. DPU 19-96, 2016-2018 Energy Efficiency Plan, Three-Year Term Report**

*Ronald Zweig at 2:50 PM moved to enter into Executive Session pursuant to M.G.L. c. 30A §21(a)(3) and(10) to provide an update on Pending Regulatory Litigation and strategy discussion related to the Compact's Current Priority DPU Dockets (see below), and to review and approve, and potential vote to consider whether to release, executive session minutes from July 17, 2019 that discuss trade secrets and confidential, competitively-sensitive or other proprietary power supply information; regulatory litigation strategy for DPU 18-116, CLC 2019-2021 Energy Efficiency Plan Filing; the Cape Light Compact 2019 and beyond power supply program portfolio (renewable energy and REC contracting) as well as whether it is appropriate to release any portion of confidential competitive electric supply contract provisions, to return to open session thereafter.*

- 1. DPU 15-122 Grid Modernization*
- 2. DPU 16-127 2013-2015 Energy Efficiency Term Report*
- 3. DPU 17-164, Joint Distribution Company Proposal Regarding Distributed Generation Interconnection Standards*
- 4. DPU 18-50, Eversource Performance-Based Ratemaking Metrics*
- 5. DPU 18-116, CLC 2019-2021 Three-Year Plan, Compact Active Demand Response and Cape & Vineyard Electrification Offering*
- 6. DPU 19-07, Investigation into Consumer Protection and Retail Electric Competitive Supply*
- 7. DPU 19-55, Distributed Generation Interconnection Standards*
- 8. DPU 19-96, 2016-2018 Energy Efficiency Plan, Three-Year Term Report*

*Each member participating remotely has stated that no other individuals are present and/or able to hear the discussion at his or her location, unless the presence of such individuals has been approved by a vote of the public body.*

*Ronald Zweig declared that an open session may adversely affect the Cape Light Compact's ability to conduct business in relation to other entities making, selling or distributing electric power and energy. The Governing Board will return to Open Session at the conclusion of Executive Session. Seconded by Joyce Flynn.*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	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)*

**APPROVAL OF MINUTES:**

The Board considered the July 17, 2019 Executive Session Meeting Minutes.

*David Anthony moved the Board to accept the minutes as amended and to release them as is, seconded by Robert Schofield.*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	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)*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	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)*

**UPDATE ON CURRENT CLCJPE PRIORITY DEPARTMENT OF PUBLIC UTILITIES OPEN DOCKETS, JEFFREY BERNSTEIN:**

Jeff Bernstein reviewed Update on Current CLCJPE Priority Department of Public Utilities Open Dockets PowerPoint.

Jeff Bernstein stated that in most cases, for example D.P.U. 16-127, there is no timeline. Maggie Downey stated that the Compact may never get approval.

Jeff Bernstein stated for that there was a Technical Session on D.P.U. 17-164 back in June 2019 and now the Compact is waiting on the DPU for next steps.

Jeff Bernstein stated that D.P.U. 18-50 was for the Performance-Based Ratemaking Metrics. The DPU required metrics in three areas; improvements to customer satisfaction and engagement, reductions in system peak demand from current levels, and strategic planning for climate adaptation. The Compact participated in discovery and filed briefs on various energy efficiency related issued, including concerns related to double counting incentives as well as tracking and reporting of peak demand reductions. Many of these materials can be found online at the DPU’s electronic fileroom.

Jeff Bernstein stated D.P.U. 18-116 is for the 2019-2021 Three-Year Plan. The Compact asked the DPU for reconsideration and clarification in February 2019 and hasn’t received a response. The Compact has come to an agreement on ADR and a compliance filing is required by September 30, 2019.

Jeff Bernstein stated that D.P.U. 19-55 is a new docket to help move the CVEO program along.

Jeff Bernstein stated that a testimony was filed in August for D.P.U. 19-96 on the Term Report on 2016-2018. The DPU has set up a hearing on October 30, 2019 to review.

**Return to Open Session**

*At 3:12 PM, Ron Zweig asked for a motion to end executive session, moved by Martin Culik, seconded by Colin Odell.*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	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)*

Respectfully submitted,

Melissa Allard

**LIST OF DOCUMENTS AND EXHIBITS:**

- Meeting Notice/Agenda
- July 17, 2019 Draft Executive Session Meeting Minutes
- Update on Current CLCJPE Priority Department of Public Utilities Open Dockets PowerPoint