

**Cape Light Compact JPE
Executive Committee &
Governing Board Meeting**

DATE: Wednesday, July 10, 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, July 9, 2024, and should follow the public comment protocol below. Written public comments received after the April 9th deadline will be distributed prior to the Compact's next Board meeting.

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

Meeting ID: 821-6800-7353

Passcode: 268781

AGENDA

1. Public Comment
2. Approval of June 5, 2024, Open Session Minutes
3. Chairman's Report, Martin Culik
Annual Performance Review of Compact Administrator
4. Discussion and Proposed Vote for a Supplemental Budget Increase for Operating Budget Legal Expenses, Maggie Downey
5. **Open Session Vote on Entry into Executive Session:** Open Session Vote on Entry into Executive Session pursuant to M.G.L. c. 30A §21(a)10, to discuss trade secrets and confidential, competitively-sensitive or other proprietary power supply information related to the Compact's procurement of municipal aggregation power supply, **to return to open session thereafter.**
6. Administrator's Report, Maggie Downey
 - A. Update on USDA/RUS Rural Energy Services Program (RESP)
 - B. Scheduling Meetings with Select Boards/Town Council and Energy/Climate Committees
 - C. Net Zero Conference Postponed until October 24, 2024
 - D. Executive Session Minutes Update
 - E. Next Board Meeting: September 11, 2024

Board Member Update (Reserved for Updates on Member Activities the Chair Did Not Reasonably Anticipate Would be Discussed – No Voting)

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, June 5, 2024**

The Cape Light Compact JPE Board of Directors met on Wednesday, June 5, 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. Tom McNellis, Eastham
3. Gary Senecal, Eastham Alternate
4. Valerie Bell, Harwich
5. Martin Culik, Chair/Executive Committee, Orleans
6. David Jacobson, Orleans Alternate
7. Suzanne Ryan-Ishkanian, Wellfleet
8. Joyce Flynn, Vice Chair/Executive Committee, Yarmouth

Participating Remotely Were:

1. David Anthony, Secretary/Executive Committee, Barnstable
2. Bill Doherty, Bourne Alternate
3. Colin Odell, Executive Committee, Brewster
4. Brian Miner, Chatham
5. Timothy Carroll, Chilmark
6. Matthew Patrick, Falmouth
7. Wayne Taylor, Mashpee
8. Leanne Drake, Sandwich
9. Nicola Blake, Executive Committee, West Tisbury

Absent Were:

1. Forrest Filler, Aquinnah
2. Brad Crowell, Dennis
3. Meghan Gombos, Dukes County
4. Alan Strahler, Edgartown
5. Peter Meleney, Oak Bluffs
6. Nathaniel Mayo, Provincetown
7. Russ Hartenstine, Tisbury
8. Jarrod Cabral, Truro

Legal Counsel Participating Remotely:

Audrey Eidelman-Kiernan, Esq., KO Law, P.C.

Staff Participation In-Person:

Maggie Downey, Chief Administrative Officer

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, Senior IT Services & Data Management Analyst
Laure Selmer, Energy Efficiency Analyst
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
Tatsiana Nickinello, Energy Efficiency Analyst

Public Participants:

Chris Powicki
Mallorie Barber

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 May 8, 2024 Open Session Meeting Minutes.

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

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Brian	Miner	Chatham	Yes
Tim	Carroll	Chilmark	Yes
Tom	McNellis	Eastham	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes
Suzanne	Ryan-Ishkanian	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Absent

Motion carried in the affirmative (12-0-0)

CHAIRMAN'S REPORT, MARTIN CULIK

Martin Culik stated that tomorrow at 4:30pm is a virtual meeting of the Energy Committees of Cape Cod and the Islands. He stated that some of the Board Members may have already received an email from Liz Argo. Maggie Downey stated that she will send it to the Board for those who have not received it and would like to participate.

**DISCUSSION ON UPCOMING CAPE & ISLANDS CHAPTER OF THE SIERRA CLUB OF MASSACHUSETTS
OFFSHORE WIND RALLY IN BARNSTABLE ON JUNE 15, 2024, MALLORIE BARBER, SIERRA CLUB MEMBER
VOLUNTEER:**

Chris Powicki provided an opening statement conveying that he is here today as the Chair of the Sierra Club's Cape Cod and Islands Group. He stated that nationally the Sierra Club's beyond coal and clean energy campaign has been highly successful in lowering pollutant emissions from the electric sector and the associated impacts on public health and the environment in our global climate. He stated that for a lengthy period of time the Sierra Club has been actively involved in supporting the responsible development of offshore wind resources off the United States coast. In the past couple of years, there's been increased involvement in investment in trying to support the next generation of projects beyond Vineyard Wind. He stated that the Sierra Club has been more active in Massachusetts, Connecticut, and New Jersey recently due to ongoing bid solicitation and possible offshore contracting with the utilities that would help these next projects off the ground once they have been financed.

Chris Powicki stated that the information was sent around by Maggie Downey yesterday and it included a report on wind energy that was commissioned by Sierra Club and prepared by Synapse, and it was intended to look at what the benefits would be of bringing a lot of offshore wind on board into the New England marketplace. He stated that he hopes the Board has had a chance or will review it. He stated that the value proposition for offshore wind is very high and it's certainly something that the Compact has recognized in the past and he thinks that that's a really important element in helping advance offshore wind here on Cape Cod and across Massachusetts as the active engagement of stakeholders.

Mallorie Barber stated that the Massachusetts' Sierra Club is really focused on responsible wind development and for the Sierra Club that means engaging communities and making sure they understand the impacts and creating just community benefit agreements. She stated that a great example was the work done in Salem. There was good discussion with the community about what they wanted to see and there was follow-up to ensure that the developers were doing their part.

Mallorie Barber stated that the Sierra Club is holding an event on June 15th, also known as global wind day, and the goal of the event is to show community-based support for these sorts of projects and be there to educate the community on how they will benefit from them. She stated that the event is taking place at Craigville Beach in Barnstable from 11:00am to 1:00pm. There will be speakers and tabling, and they would like the Compact to have a table at the event.

David Anthony stated that the Compact has taken an agnostic position where we would show support for renewable energy in general, but not for specific projects. He asked if this event was just a general presentation or was it to show support for specific projects. Mallorie Barber answered that it is not supporting any specific projects. She stated that the developers are allowed one shared table where they can talk factually about their projects since they can add a technical expertise that Sierra Club does not have. She stated that the Sierra Club has a really high bar and a very detailed policy for endorsing any specific energy project of any kind.

Maggie Downey asked the Board if they are comfortable with staff tabling at the event. The sense of the Board was yes.

DISCUSSION AND POTENTIAL VOTE TO AUTHORIZE THE COMPACT ADMINISTRATOR TO REQUEST ISSUANCE OF AN IRREVOCABLE STANDBY LETTER OF CREDIT FOR THE USDA RURAL UTILITIES SERVICE (RUS) RURAL ENERGY SERVICES PROGRAM (RESP), MAGGIE DOWNEY:

Maggie Downey stated that David Anthony came in last week to attest to the RUS loan documents, and the required documents are now fully executed. She stated that they have been sent to the Rural Utilities Service's (RUS) legal counsel for their final review. She stated that once they let the Compact know that the loan documents have final approval, then the Compact has to bring it back to Bob Coates to square away our debt-to-income ratio and make sure that all parties understand how this is calculated. The debt-to-income ratio should exclude the Compact's energy efficiency funds. She stated that she will let the Board know as soon as everything is approved, and we are ready to promote the program. She stated that the Compact just resumed meetings with Cape Cod 5 and Self Reliance and that their contracts are all set. She stated that the Cape Cod 5 contract was for 10 years, and they kept all of their fees consistent with their proposal, and this will help keep the interest rate below 3%.

Maggie Downey stated that the Compact is required by RUS to have a letter of credit in place before RUS loan funds have been advanced. She stated that she sent the Board the form of the irrevocable letter of credit, which included the terms and the cost of the letter of credit. The annual cost of the letter of credit is \$22,000, which is built into the interest rate.

Brian Miner moved the CLCJPE Board of Directors vote to authorize the CLCJPE Administrator to request the issuance of an irrevocable, renewable standby letter of credit in favor of the USDA Rural Utilities Service (RUS) in the amount of 50% of the first loan advance as set forth in the RUS loan documents.

Brian Miner further moved that that letter of credit be obtained, maintained, collateralized and renewed in accordance with the terms set forth in the commitment letter from The Cape Cod Five Cent Savings Bank dated April 26, 2024, and that the form of letter of credit in the board packet for this meeting is hereby approved.

The CLC JPE Administrator, Treasurer and Secretary are authorized and directed to take all actions, including approving amendments and revisions to the letter of credit in consultation with legal counsel and RUS, and to execute and deliver all documents necessary or appropriate to implement this vote. Seconded by Robert Schofield.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Brian	Miner	Chatham	Yes
Tim	Carroll	Chilmark	Yes
Tom	McNellis	Eastham	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes

Suzanne	Ryan-Ishkanian	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

ADMINISTRATOR'S REPORT:

1. Brief Update on Eversource Electric Sector Modernization Plan, DPU 24-10

Maggie Downey reviewed the Update on Eversource Electric Sector Modernization Plan (DPU 24-10) PowerPoint. She stated that the Compact requested the Department of Public Utilities (DPU) to do several things. One was to urgently approve the Cape Cod capital investment project (CIP) to allow distributed energy resources to interconnect on Cape Cod and Martha's Vineyard. She stated that after the Board Packet was sent out yesterday the DPU Order was received stating that the CIP was approved. She stated that this is great news for the Cape and Vineyard. There are many renewable energy projects that have been held up. She stated that staff and legal counsel are preparing a summary which will be presented at a later date, but that approval of the CIP was one of the main things recommended by the Compact in DPU 24-10.

Maggie Downey stated that the Compact also asked DPU to approve Eversource's integrated energy planning (IEP) proposal subject to requiring DPU supervision over the broad stakeholder representation in the IEP working group and also for Eversource to include the Compact in the IEP working group.

Maggie Downey stated that the Compact also requested the DPU to direct Eversource to do the following: 1) to test alternative use parameters of battery energy storage systems (BESS) and provide an update on those efforts in an ESMP annual report to inform the GMAC process; 2) report on double poles in an ESMP annual report or in ESMP metrics; 3) develop its next ESMP as a centralized, whole-of-business strategic planning document for meeting the 2050 climate goals; 4) reconsider bill impact analyses to require the next ESMP to include a comprehensive understanding of ESMP investments; and 5) ensure timely subsequent process for certain deferred issues.

Maggie Downey stated that this is an open docket and that the DPU has not issued an order yet. She stated that the briefing phase ends on June 21st and the DPU is required to issue an Order by August 29th. She asked the Board to read through the material and if they have any questions to reach out to Mariel Marchand.

2. Cape Cod Commission One-Cape Summit, September 18-19, Wychmere Beach Club in Harwich

Maggie Downey stated that the Cape Cod Commission sent out a save the date for their One-Cape Summit event on September 18th and 19th at the Wychmere Beach Club in Harwich. She stated that some of the Board Members attended last year and that if any Board Member is interested in attending this year, they should let her know and she will register them. She stated that if Board Members register themselves, they can get reimbursed. She stated that the Compact will be speaking at the event.

3. July 2024 – January 2025 Power Supply Rates

Maggie Downey reviewed the Power Supply Rates: July '24 – January '25 PowerPoint slide. She stated that the power supply rates are decreasing. She stated that the Compact's standard residential rate will be 13.098

cents/kWh, compared to Eversource's basic service rate of 15.772 cents/kWh. The rates have been updated on the Compact's website.

4. Next Board Meeting: July 10, 2024

Maggie Downey stated that the next Board Meeting will be on Wednesday, July 10th, 2024.

Wayne Taylor joined the meeting at 2:40PM.

PRESENTATION/DISCUSSION ON THE COMPACT'S 2023 PLAN YEAR ENERGY EFFICIENCY REPORT, MIRANDA SKINNER

Miranda Skinner reviewed the 2023 Energy Efficiency Plan Year Report (DPU 24-65) PowerPoint. She stated that each year the Compact is required by the DPU to submit a report of our program activities and the Compact submitted the 2023 report on Monday June 3. She stated that today she is going to go over the highlights of the report and if any Board Members are interested, the full report has been posted to the Compact's website.

Miranda Skinner stated that the Compact is on track to reach our three-year goals by the end of 2024. She stated that in 2023 we achieved 112% of our total lifetime energy savings goal, 84% of our total benefit goal, and 102% of our planned budget. She stated that Based on these results plus the planned values for 2024, over the three-year term, the Compact expects to have a cost benefit ratio of 1.67, total program cost of \$185 million, net benefits of \$139 million, total benefits of \$34 million, annual energy savings of 45 GWh, lifetime energy savings of 566 GWh, and then avoided CO₂ emission reductions of over 28,000 metric tons in 2030.

Miranda Skinner reviewed the significant variances in residential programs compared to plan goals. She stated that for the residential new homes and renovations initiatives, the total benefits were 39% lower due to heat pump installations and electrification. She stated that for residential coordinated delivery the total program costs were 41% lower, lifetime savings were 48% lower, and total benefits were 45% lower. These variances were driven by lower adoption of weatherization and air sealing. She stated that in response to these variances, the Compact will be continuing to conduct marketing and outreach efforts focusing on moderate income and renters to drive participation upwards. She stated that for the residential conservation services initiative, the total program costs were 38% lower due to fewer home energy assessments than originally planned as well as labor shortages in 2023 which led to longer wait times. She stated that for the residential retail initiative, the total program costs were 20% higher due to high participation and more HVAC measures being installed.

Miranda Skinner reviewed the significant variances in income-eligible programs compared to plan goals. She stated that in the income-eligible coordinated delivery initiative, the program costs were 95% higher than planned due to heat pump installations and the installations being more expensive than planned. Compared to the MTM numbers the variance is 26%. She stated that since the current program design is proving successful in achieving the benefits in greenhouse gas production, we don't expect to make any changes to the core issue of design and implementation. She stated that in the income-eligible active demand reduction initiative, total Program Costs were 100% lower due to a statewide decision that no costs be assigned to this initiative (instead, the costs will be assigned to the residential active demand reduction initiative).

Miranda Skinner reviewed the significant variances in commercial programs compared to plan goals. She stated that for the new building and major renovations initiatives, the total program costs were 50% lower due to most of the measures being lighting measures rather than HVAC measures. As for the total resource benefits, they were 70% lower because of evaluation results which found the estimated savings to be lower than anticipated.

She stated that for the existing building retrofit initiative, the total program costs were 40% lower and the benefits were 34% lower. She stated that these variances were due to less than expected participation. She stated that as mentioned before the Compact is still impacted by labor shortages and supply chain issues from the pandemic. Also, many of the commercial customers on the Cape heat with natural gas, so many of the customer electrification opportunities were served and attributed to by the gas program administrator (PA). She stated that compared to the MTM numbers the variances were 25% lower and 13% lower respectively. She stated that in the active demand reduction initiative, the total costs were 24% lower due to continued issues recruiting customers and the total benefits were 61% lower. These variances were caused by issues recruiting new customers and due to the low number of participants, there were fewer benefits than planned. She stated that in response to these variances, the Compact has launched a building management system adder, which incentivizes customers to configure their BMS system to be enrolled in ConnectedSolutions. She stated that in the new replacement equipment initiative, total program costs were 40% lower due to changes in expected measure mix.

Miranda Skinner reviewed the cost-effectiveness table. She stated that in 2023, the Compact's programs were all cost effective, meaning that they are greater than or equal to one. She stated that overall, the Compact saw a benefit cost ratio of 1.52 and based on the 2022 and 2023 results, the Compact is on track to be cost effective over the three-year term. She stated that she wants to also point out the Compact was the only small PA which was cost effective across all programs and core initiatives.

Colin Odell stated that it surprises him that there is an overall commercial and industrial program cost effectiveness that is lower than the two contributing sub programs. He asked if there are significant non energy savings involved in that program. Margaret Song stated that these are the programs that have energy savings, and then there is the benefit costs. She stated that in the sector is our hard to measure categories like the monies that have to be sent to Department of Energy Resources (DOER) or MA Clean Energy Center (MA CEC), which we are required to do by statute. As well as anything for evaluation statewide marketing. She stated that all those costs go into the sector benefit cost ratio (BCR) and in effect bring them down. She stated that is not what is shown in here because the BCR would have been non applicable for those categories.

Tom McNellis stated that it was mentioned a couple of times in the PowerPoint that there have been less energy assessments. He asked if the staff know what the Compact's penetration rate is in terms of how many people have now had an assessment and is the Compact coming on a declining curve because of that. Briana Kane stated that she does not have the number off the top of her head but that is correct. She stated that on average, 25 to 30% of each town has participated. She stated that it has been difficult to find more customers to participate and we are finding jobs with barriers that might cause a customer not to participate. As well as conducting more assessments with no actionable measures. She stated that additionally, as a reminder, in this term the Compact was no longer able to offer energy assessments to market rate natural gas customers. She stated that less assessments is being seen statewide.

PRESENTATION AND DISCUSSION ON THE MASSACHUSETTS ENERGY SAVER HOME LOAN PROGRAM, DAN SCHELL:

Dan Schell reviewed the Energy Saver Home Loan Program PowerPoint. He stated that in June of 2023, Governor Healey announced the launch of the Massachusetts Community Climate Bank (MCCB), the first climate bank in the nation with a specific focus on decarbonizing affordable housing. Strategically placed within the State's Housing Finance Agency, the MCCB leverages MassHousing's existing capabilities and infrastructure. MCCB financing will help deliver decarbonization benefits to low-and moderate-income residents and Environmental Justice communities disproportionately burdened by pollution and poor health. He

stated that this energy saver home loan is the first program the MCCB has put out and it was awarded to the Compact.

Dan Schell stated that the energy saver home loan will be low interest financing for income qualified customers to make a variety of energy efficient upgrades to their home, as well as reduce their reliance on fossil fuels. Homeowners must be income-qualified owner-occupants, either of a single-family home or of at least one unit in two to four family home. He stated that there are two tiers for income limits, but in general the program is open to income qualified customers below 135% AMI. He stated that the energy saver home loans will be initiated through the Compact, serving as the Concierge Service Provider (CSP) and an Energy Service Provider (ESP), Abode Energy Management. The CSPs and ESP work with participating lenders to assist borrowers through the step-by-step Energy Assessment, Decarbonization Plan, and loan application process. He stated that the Compact's role is to do the intake for the customers to answer any initial questions that they may have, as well as income qualify the customer. Then the customer will finish the process with Abode who is the one doing the energy modeling and making the recommended upgrades to the customer. He stated that the work to be performed must demonstrate modeled energy savings of at least 20%. Abode will also set up the customer with vetted installers. He stated that once that is complete the customer would go back to the Compact to make sure all the paperwork is completed and set them up with the financier to secure the loan.

Dan Schell reviewed the list of everything that is eligible. It is important to keep in mind that there is a requirement for 20% energy reduction. He stated that customers can't do things like upgrade their electric panel unless it is paired along with something like a heat pump or heat pump water heater. Another example is replacing your roof, unless it is in conjunction with installing solar panels. He stated that the Compact is adding more opportunities, which is great, but it does add to customer confusion. The Compact's role here is to guide them to the best program and product for them. He stated that customers looking for heat pumps and weatherization that may be above moderate income, may still qualify for this program. However, it may also make sense for some of those customers to use the HEAT loan instead of this program as the loan terms are different as are the loan limits.

Dan Schell stated that there are two different interest rate tiers. There is an up to 80% AMI and then 80% to 135% AMI. Income levels are based on The Department of Housing and Urban Development Median Family Income (MFI). Income qualification is based on names on the property deed, not the income of all residents. For customers who fall at 80% AMI or lower, the interest rate is going to be 0.5%, and for those that fall between 80% and 135%, the interest rate will be 2%. He stated that for the first 18 months the customer is only expected to pay the interest. He stated that customers can apply for a loan as low as \$10,000 and up to \$100,000. There is a minimum credit score of 620 and the max debt to income ratio is 50%. Joyce Flynn asked if customers with homes that are in a trust are eligible for the program. Dan Schell stated that they are not eligible for the program.

Dan Schell stated that there are three lenders the Compact will be working with and have been vetted through MCCB. They are Cape Cod 5, BayCoast Bank, and Bristol County Savings Bank. He stated that the program launched in May and the Compact has already had 20 customers reach out about the program. He stated that in the next couple of weeks staff will start doing intakes and doing income qualification for the customers that may be a good fit.

CONTINUED DISCUSSION AND POTENTIAL VOTE ON DEVELOPMENT OF RECOMMENDATIONS TO THE MASSACHUSETTS ENERGY EFFICIENCY ADVISORY COUNCIL (EEAC) ON THE MASSACHUSETTS 2025-2027 ENERGY EFFICIENCY AND DECARBONIZATION PLAN, MARGARET SONG:

Margaret Song reviewed the 2025-2027 Energy Efficiency Plan April Draft update PowerPoint. She stated that June 7th is when public comments or recommendations are due to the EEAC. Therefore, the Board will have to determine today if there is anything they would like to submit. She stated that on September 11th the Board will vote on the 2025-2027 Energy Efficiency Plan (EEP).

Margaret Song reviewed the discussions the Board has previously discussed as a reminder. She stated that the Compact will have an enhanced call center, will be directly supervising our community first partnership, and reviewed the HEAT loan adjustment.

Margaret Song stated that the Compact from 2001 to 2021 served residential customers, regardless of their heating source. She stated that as a reminder, right now the Compact serves all customers except for those who primarily heat with natural gas. This is because in 2015, National Grid objected to the Compact serving customers that heat with natural gas, and it turned into a DPU proceeding on the issue. In 2016, there was no ruling, and the issue was put aside until our 2022 to 2024 plan order issued by DPU in 2021 saying that the Compact was basically prohibited from serving customers in natural gas heated homes. She stated that in 2023 the Board in the strategic priority planning discussion did identify that natural gas customers and the customer service for them has really been an issue. She stated that the Compact would like to help the natural gas customers that come to us directly and therefore it was proposed to National Grid as a compromise to do so for a fee for our service. She stated that the Compact asked National Grid to respond by June 5th to its proposal and they sent an email right before the Board Meeting stating that they were interested in working with the Compact. She stated that there is still much to work out with them on this. She stated that the Compact is looking here to make sure the Board is still supportive of this direction.

Martin Culik asked if this is something the DPU would need to weigh in on. Margaret Song stated that the Compact would be serving basically as a contractor for National Grid in a customer service role therefore they should not need to be involved. She stated that it will be upon National Grid to consider how to inform DPU. Martin Culik asked if this would start at the beginning of 2025. Margaret Song answered that is what the Compact has proposed but we will need to determine that with National Grid.

Margaret Song asked the Board if there were any comments or recommendations that the Board would like the Compact to submit to the EEAC. There were none.

DISCUSSION AND POTENTIAL VOTE TO INCREASE THE THRESHOLD OF REQUIRING BOARD APPROVAL ON MUNICIPAL PROJECTS FROM \$150,000 TO \$300,000, BRIANA KANE:

Briana Kane stated that in the past it was decided that if a municipal project offer was \$150,000 or over it would be brought back to the Board to approve or not. She stated that the reasoning behind that was that the Compact's budget was significantly smaller. She stated that now the Compact has a larger budget. Also, depending on when the project is brought forth it could hold up the project if staff needs to get the Board's approval first. She stated that the staff is looking to increase the cap to \$300,000 to align with G.L. c. 25A statutory provisions exempting the formal procurement requirements for projects of up to \$300,000.

Robert Schofield moved the Board vote to increase the energy efficiency municipal project incentive cap from \$150,000 to \$300,000.

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 Joyce Flynn.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Brian	Miner	Chatham	Yes
Tim	Carroll	Chilmark	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
Suzanne	Ryan-Ishkanian	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

Tim Carroll left the meeting at 3:56PM.

ADJOURNMENT:

Motion to adjourn made at 3:58 PM moved by Robert Schofield, seconded by Joyce Flynn.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Brian	Miner	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
Suzanne	Ryan-Ishkanian	Wellfleet	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

Respectfully submitted,

Melissa Allard

LIST OF DOCUMENTS AND EXHIBITS:

- Meeting Notice/Agenda

- May 8, 2024, Draft Open Session Meeting Minutes
- MA is Ready for Offshore Wind by Sierra Club
- Cape Cod 5 Irrevocable Standby Letter of Credit
- Update on Eversource Electric Sector Modernization Plan (DPU 24-10) PowerPoint
- Power Supply Rates: July '24 – January '25 PowerPoint slide
- 2023 Energy Efficiency Plan Year Report (DPU 24-65) PowerPoint
- Energy Saver Home Loan Program Power Point
- 2025-2027 Energy Efficiency Plan April Draft update PowerPoint

Agenda Action Request

Cape Light Compact

Meeting Date: 7/10/2024



Supplemental Operating Budget Request

REQUESTED BY: *Maggie Downey*

Proposed Motion(s)

I move the CLCJPE Board of Directors approve the proposed supplemental budget request of \$175,00.00 for legal services in the Operating Budget.

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 approved 2024 legal services Operating budget is **\$310,000**. Legal expenditures from this fund through June 30, 2024, is \$275,446. If approved by the Board, the calendar year legal services Operating budget would be **\$485,000**, of which \$145,000 should be recovered the USDA RESP solar loan program. The CY2024 budget anticipated spending \$75,00 on *all* DPU proceedings. The supplemental budget request is a result of the Compact's participation in the following DPU proceedings:

- As of June 30, approximately \$85,000 in legal services have been billed solely to DPU 24-10, Eversource's Electric Sector Modernization Plan ("ESMP") docket. On January 29, 2024, Eversource filed its final ESMP for DPU approval. That filing and intervenors' testimony in the course of the proceeding raised additional issues resulting in more comprehensive participation by the Compact in the discovery and briefing stages. A DPU order will be issued in August, requiring additional review and analysis and possible compliance phases. There are also other power supply dockets that the Compact has participated in this year and will continue to participate in throughout the year (e.g., D.P.U. 21-80 (Eversource Grid Modernization Metrics Plan for 2022 to 2025), D.P.U. 22-55 (Cape CIP) and D.P.U. 24-40 (Eversource 2023 Grid Modernization Annual Report)).
- In 2024, the Department opened a new investigation into energy affordability issues, DPU 24-15. Legal services are billed to both the operating and energy efficiency budget for this matter, depending on the subject matter of the service. As of June 30, approximately \$10,000 in legal services were billed to the operating budget for this matter. There is no procedural schedule in the docket to provide a sense of additional activity for the remainder of the year – to date the DPU has taken public comment and held a virtual workshop with presentations from industry experts to consider potential changes to rate design and policy to address energy affordability.
- The estimated budget for RESP in 2024 was \$20,000, which was solely a placeholder due to the RUS multi-year delay in processing the Compact's loan application. RUS did in fact move forward with processing the loan approval this Spring and the Compact plans to begin program implementation later this year. As of June 30, approximately \$70,000 in legal services were billed to the RESP matter. Legal expenses will continue as the program rollout continues throughout this year.

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

2024 Operating Budget Expense Report Through 06/21/2024

ORG	OBJECT	ACCOUNT DESCRIPTION	ORIGINAL APP	REVISED BUDGET	YTD EXPENDED	AVAILABLE BUD	% USED
01001	5110	OP-SALARIES	\$ 136,500.00	\$ 136,500.00	\$ 65,219.70	\$ 71,280.30	47.80
01001	5119	OP-SALARY RESERVE	\$ 5,000.00	\$ 5,000.00	\$ -	\$ 5,000.00	0.00
01001	5171	OP-RETIREMENT	\$ 27,000.00	\$ 27,000.00	\$ -	\$ 27,000.00	0.00
01001	5173	OP-GROUP INSURANCE	\$ 18,500.00	\$ 18,500.00	\$ 6,828.14	\$ 11,671.86	36.90
01001	5174	OP-MEDICARE/OTHER TAXES	\$ 2,000.00	\$ 2,000.00	\$ 892.56	\$ 1,107.44	44.60
01001	5175	STATE UNEMPLOYMENT INSURANCE	\$ 621.00	\$ 621.00	\$ 107.61	\$ 513.39	17.30
01001	5179	OP-MISC FRINGES	\$ 250.00	\$ 250.00	\$ 12.00	\$ 238.00	4.80
01001	5181	OP-OPEB LIABILITY	\$ 16,990.00	\$ 16,990.00	\$ -	\$ 16,990.00	0.00
01001	5210	OP-UTILITIES	\$ 250.00	\$ 250.00	\$ 64.89	\$ 185.11	26.00
01001	5270	OP-MISC RENTALS	\$ 600.00	\$ 600.00	\$ 223.78	\$ 376.22	37.30
01001	5272	OP-RENT	\$ 6,210.00	\$ 6,210.00	\$ 3,105.00	\$ 3,105.00	50.00
01001	5290	OP-CUSTODIAL SERVICES	\$ 2,000.00	\$ 2,000.00	\$ 1,031.05	\$ 968.95	51.60
01001	5301	OP-ADVERTISING	\$ 55,000.00	\$ 55,000.00	\$ 17,794.18	\$ 37,205.82	32.40
01001	5302	OP-PUBLIC MARKETING SUPPORT	\$ 25,000.00	\$ 25,000.00	\$ 8,749.18	\$ 16,250.82	35.00
01001	5309	OP-IT SERVICES	\$ 2,000.00	\$ 2,000.00	\$ 1,101.74	\$ 898.26	55.10
01001	5313	OP-STAFF PROFESSIONAL DEVELOP	\$ 5,000.00	\$ 5,000.00	\$ 90.00	\$ 4,910.00	1.80
01001	5314	OP-PAYROLL SERVICES	\$ 250.00	\$ 250.00	\$ 73.38	\$ 176.62	29.40
01001	5315	OP-LEGAL SERVICES	\$ 310,000.00	\$ 310,000.00	\$ 241,402.62	\$ 68,597.38	77.90
01001	5316	OP-AUDIT FEES	\$ 7,500.00	\$ 7,500.00	\$ 801.37	\$ 6,698.63	10.70
01001	5318	OP-TREASURY SERVICES	\$ 12,000.00	\$ 12,000.00	\$ 6,222.00	\$ 5,778.00	51.90
01001	5319	OP-CONTRACTUAL	\$ 45,000.00	\$ 45,000.00	\$ 10,140.50	\$ 34,859.50	22.50
01001	5320	OP-OUTREACH/MARKETING CONTRACT	\$ 35,000.00	\$ 35,000.00	\$ 2,704.96	\$ 32,295.04	7.70
01001	5341	OP-POSTAGE	\$ 7,500.00	\$ 7,500.00	\$ 4,453.85	\$ 3,046.15	59.40
01001	5343	OP-TELEPHONES	\$ 1,200.00	\$ 1,200.00	\$ 676.53	\$ 523.47	56.40
01001	5344	OP-INTERNET	\$ 2,500.00	\$ 2,500.00	\$ 524.51	\$ 1,975.49	21.00
01001	5345	OP-PRINTING	\$ 12,500.00	\$ 12,500.00	\$ 8,002.61	\$ 4,497.39	64.00
01001	5400	OP-SUPPLIES	\$ 1,600.00	\$ 1,600.00	\$ 457.47	\$ 1,142.53	28.60
01001	5490	OP-FOOD SUPPLIES	\$ 6,500.00	\$ 6,500.00	\$ 2,049.86	\$ 4,450.14	31.50
01001	5710	OP-TRAVEL IN STATE	\$ 5,000.00	\$ 5,000.00	\$ 2,964.08	\$ 2,035.92	59.30
01001	5720	OP-TRAVEL OUT STATE	\$ 8,000.00	\$ 8,000.00	\$ 2,182.22	\$ 5,817.78	27.30
01001	5730	OP-SPONSORSHIPS	\$ 51,000.00	\$ 51,000.00	\$ 53,349.03	\$ (2,349.03)	104.60
01001	5731	OP-SUBSCRIPTIONS	\$ 25,000.00	\$ 25,000.00	\$ 21,449.00	\$ 3,551.00	85.80
01001	5732	OP-SOFTWARE LICENSES	\$ 2,100.00	\$ 2,100.00	\$ 1,240.30	\$ 859.70	59.10
01001	5741	OP-INSURANCE	\$ 5,000.00	\$ 5,000.00	\$ 816.96	\$ 4,183.04	16.30
01001	5789	OP-UNPAID BILLS	\$ 500.00	\$ 500.00	\$ -	\$ 500.00	0.00
01001	5850	OP-MISC EQUIPMENT	\$ 1,000.00	\$ 1,000.00	\$ 505.92	\$ 494.08	50.60
01001	5854	OP-FINANCIAL SOFTWARE SYSTEM	\$ 3,900.00	\$ 3,900.00	\$ -	\$ 3,900.00	0.00
Grand Total			\$ 845,971.00	\$ 845,971.00	\$ 465,237.00	\$ 380,734.00	55.00

January-April 2024 Mil Adder Revenue: \$ 380,497.42



Cape and Islands Municipal Leaders Association, Inc.

<https://cimla.org/>
Representing 22 Municipalities & 105 Elected Officials

P.O. Box 306
Sagamore Beach, MA 02562-0306

June 25, 2024

Submitted electronically to <https://www.regulations.gov> and by regular U.S. Mail

Mr. Zachary Jylkka
Renewable Energy Program Specialist
Office of Renewable Energy Programs
45600 Woodland Road, Mailstop: VAM-OREP
Sterling, VA 20166

Re: Gulf of Maine Lease Sale PSN Comments (BOEM-2024-0026)
Request 180-day comment period extension

Dear Mr. Jylkka:

The Cape and Islands Municipal Leaders Association, Inc. (CIMLA), membership of 105 elected officials, represents the twenty-two municipalities of Cape Cod, Martha's Vineyard and Nantucket. We thank you for your presentation to our membership at our Annual Meeting held on June 14, 2024, the Lower/Outer Cape Briefing on June 25, and for this opportunity to comment on the Gulf of Maine offshore wind proposed sale notice.

CIMLA members are elected to serve our communities with the highest regard for public process and are committed to working with our federal and state partners who share this obligation as we responsibly transition to clean energy resources.

Our first comment, given this commitment to an informed public process, as further described in our list of concerns below, is that the short comment period currently set to close on July 1, 2024, be extended to July 22, 2024 to coincide with the close of comments due on the draft Environmental Assessment. This comment period extension will allow for additional public meetings to address comments and concerns and provide for a more streamlined permitting, construction and operation of what is likely the most significant investment in energy facilities ever to be made.

CIMLA comments and concerns, not limited to or in priority order, are:

1. Floating offshore wind turbines have never been installed at this scale and in the resources provided to date we are not able to assess the impacts of such deployment, specifically how would a municipality be protected in the event wind turbine debris from a major catastrophic event were to impact the community?
2. Significant gaps were identified in a NOAA Technical Memorandum *Fisheries and Offshore Wind Interactions: Synthesis of Science* (NMFS-NE-291, March, 2023) and we highlight some with more specific questions as follows:
 - a. What is the annual revenue generated from commercial fisheries in the federal waters of BOEM's Gulf of Maine Planning Area?
 - b. How much of the total fisheries revenue in the Gulf of Maine is landed by the multispecies ground fishing fleet?
 - c. Which state is largely associated with the multispecies ground fishing fleet in the Gulf of Maine?
 - d. Why is the groundfish industry important to the economy of Massachusetts?

- e. How might offshore wind development impact small fisheries and small ports in New England, and what are the broader implications for marine fisheries and management decisions that may not show up in the general data report?
 - f. What concerns are raised and addressed regarding the Draft Wind Energy Area near Georges Bank in relation to high valued fisheries and sensitive deep water coral habitat?
 - g. What types of fisheries and habitats could be affected by development near Georges Bank?
 - h. What historic data has been documented in offshore wind development in the Gulf of Maine predicting future fishing activity?
 - i. What safety concerns are highlighted by safety industry experts and US Coast Guard regarding offshore wind development?
 - j. What recommendations are made by the Gulf of Maine commercial fishing industry before identifying and leasing areas for offshore wind development?
 - k. Offshore wind installations that utilize floating turbine moorings may present an entanglement risk for marine creatures (at 17 & 42 of the Technical Memo). What modeling studies have been completed or are being conducted specific to the entanglement risk with moorings of floating marine turbines and the inter-array buoyed cables to marine species in the Gulf of Maine?
3. Gulf of Maine is a seasonally stratified water body and there is the risk that wake effect of currents will cause the waters to mix and be changed irreversibly – what scientific studies have been done in this regard?
4. The Draft Environmental Impact Assessment covers the work associated with surveying and characterizing the lease areas but does not cover the construction and post-construction period. While the area has been reduced from the DRAFT WEA, there are concerns about the impacts on protected marine species, specifically the North Atlantic Right Whale, with leases located in mapped NMFS critical habitats for the species. Additionally,

there are areas with lease areas where significant right whale densities are reported. This impact cannot be assessed without further details, and while that may be part of the environmental assessment done at a later date once the lessees develop their plans, it is important to note at this time the concerns around this species in particular

<https://www.fisheries.noaa.gov/resource/map/north-atlantic-right-whale-critical-habitat-map-and-gis-data>

5. What role, involvement, comments or concerns to date has the Cape Cod National Seashore and/or the Advisory Commission provided in developing this proposed sale notice?
6. Simulated views have been provided from Highland Light, Marconi Beach and Nauset Beach (the simulations are available here <https://www.boem.gov/renewable-energy/state-activities/gulf-maine-proposed-lease-areas-cape-cod-offshore-wind-visual>)
 - a. Please provide simulations of how they would appear at night with the safety lighting at each of the above locations.
7. Is there an integrated permitting scheme of Federal, State and local permitting authorities proposed for the significant transmission lines that will be necessary to come onshore?
8. Will lease sale conditions, especially given the phased approach, include provisions that the multiple developers must work together to design, permit, construct and operate joint-transmission facilities to minimize negative impacts (including avoiding or reducing activity in Stellwagen Bank National Marine Sanctuary)?
9. 15 GW of new energy generation, equivalent to the generating capacity of more than 12 Seabrook Nuclear Power Stations, coming to the potential sites of: Sandwich, Plymouth, Boston, Salem and other interconnections will require significant substation, transmission and likely distribution system

upgrades. Has ISO New England and the local electric distribution companies provided comments to date?

10. BOEM has indicated that offshore power substations will likely be necessary due to the distance involved in bring the power to shore from the offshore wind facilities. Can additional details be provided about such offshore power substations?
11. Will any/all local substation, transmission and distribution system upgrades associated with the interconnections of this new wind energy be borne by the developer(s) and not electric ratepayers?
12. The purpose, funding estimates, allocation, monitoring and reporting of the Fisheries Compensatory Mitigation Fund (FCMF) associated with this project is lacking. If the FCMF is intended to address potential impacts on our fishing industry from offshore wind energy development more specifics need to be provided by BOEM to allow for informed comments.
13. The proposed Gulf of Maine Master Lease includes a provision that the Lessee must remove or decommission all facilities within two years of lease termination (Section 13, Form BOEM-0008 (October 2016)). Is there a decommissioning fund contemplated, how is the value determined, who manages it and would it also be available for facilities that may need to be removed from State or local properties?

Thank you for considering our comments and with these concerns we request the extension of the comment period to July 22, 2024 to also include an outreach action plan for our constituency.

BOEM-2024-0026

June 25, 2024

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Doug C Brown", with a stylized, flowing script.

Douglas C. Brown

President, Cape & Islands Municipal Leaders Association, Inc. and
Select Board Member, Town of Falmouth, Massachusetts

cc: Governor Maura Healey
Lieutenant Governor Kim Driscoll
Secretary Rebecca Tepper, EEA
Senator Ed Markey
Senator Elizabeth Warren
Representative Bill Keating
Senator Julian Cyr
Senator Susan L. Moran
Senator Bruce Tarr
Representative Sarah K. Peake
Daniel McKiernan, Director Mass Division of Marine Fisheries
CIMLA membership