Cape Light Compact Governing Board and Executive Committee Meeting

DATE:

May 12, 2017

LOCATION:

Innovation Room, Open Cape Building

3195 Main Street, Barnstable County Complex

TIME:

10:00 a.m. – 12:30 p.m.

AGENDA

10:00	Public Comment
10:10	Approval of Minutes
10:20	Treasurer's Report, Potential Vote to Ratify Treasurer's Approval of Contracts
10:30	Chairman's Report, New Board Member Packet - Discussion
10:40	Energy Efficiency Program Updates 1. 2016 Plan Year Report Presentation, Briana Kane 2. Reminder: April 15 th -May 31 st , Refrigerator Recycling Enhanced Rebate Offer
11:00	Power Supply Marketing Update, Austin Brandt
11:15	Administrator's Report 1. Review and Discuss Proposed July – December 2017 Operating Budget 2. Joint Powers Entity Update: a. Introduction of Comptroller b. General Update c. Request For Advisory Ruling from the DPU on the JPE d. Discuss and potential vote on Payroll Request from Barnstable County
11:35	Board Member Update (Reserved for Updates on Member Activities the Chair Did Not Reasonably Anticipate Would be Discussed – No Voting)
11:45	 Open Session Vote on entry into Executive Session pursuant to M.G.L. c. 30A §§21(a)(3) to discuss matters below, not to return to open session: Regulatory litigation strategy. DPU 17-05, 2017 Eversource Rate Case. Regulatory litigation strategy. DPU 15-122, Eversource Grid Modernization Plan Regulatory litigation strategy. DPU 16-169, National Grid and Compact dispute regarding National Grid Agreement for Natural Gas Heated Homes

Cape Light Compact Governing Board and Executive Committee Open Session Meeting Minutes Wednesday, April 12, 2017

The Cape Light Compact Governing Board and Executive Committee met on Friday, March 3, 2017, in the Innovation Room, Open Cape Building, Barnstable County Complex, 3195 Main Street, Barnstable, MA 02630 at 11:30 a.m.

PRESENT WERE:

- 1. David Anthony Barnstable
- 2. Robert Schofield Bourne
- 3. Colin Odell Brewster
- 4. Peter Cocolis Chatham
- 5. Robert Hannemann Duke's County
- 6. Fred Fenlon Eastham
- 7. Ronald Zweig Falmouth
- 8. Valerie Bell Harwich
- 9. Andy Gottlieb Mashpee: at 12:08pm
- 10. Richard Toole Oak Bluffs
- 11. Martin Culik Orleans
- 12. Tom Donegan Provincetown
- 13. Joshua Peters Sandwich: at 2:11pm
- 14. Joseph Buteau Truro
- 15. Richard Elkin Wellfleet: at 12:06pm
- 16. ChristiAne Mason Wellfleet Alt.
- 17. Sue Hruby Tisbury, by phone
- 18. Joyce Flynn Yarmouth

ABSENT WERE:

- 19. Michael Hebert Aquinnah
- 20. Leo Cakounes Barnstable County
- 21. Tim Carroll Chilmark
- 22. Brad Crowell Dennis
- 23. Paul Pimentel Edgartown
- 24. Vacant Tisbury

confection and

Members/Alternates physically present: 17 Members present by phone: 1

LEGAL COUNSEL

Jeff Bernstein, Esg., BCK Law, PC Erin O'Toole, Esq., BCK Law, PC

STAFF PRESENT

Maggie Downey, Administrator
Austin Brandt, Power Supply Planner
Phil Moffitt, Residential Program Manager
Margaret Song, Commercial and Industrial Program Manager
Briana Kane, Planning and Evaluation Manager
Lindsay Henderson, Analyst
Jacob Wright, Special Projects Coordinator

Cape Light Compact Executive Commutace & Governing Board April 12, 2017 Meeting Manues

PUBLIC PRESENT

Christian Rogers, CPA, Principal, Clifton Larson Allen, LLP Michael Embury

Chr. Flynn opened the meeting at 11:39 AM and recognized members participating remotely due to geographic geo, Nais

PUBLIC COMMENT

No members of the public wished to comment.

CONSIDERATION OF MEETING MINUTES
The Board considered the March 6, 2017 Meeting Minutes. Martin Culik moved the board to accept the amended

d mi	nutes, seconded by Robert Schofie	ld and voted b	y roll call as follows:
1.	David Anthony - Barnstable	Yes	13. Sue Hruby – West Tisbury
2.	Robert Schofield - Bourne	Yes	14. Joyce Flynn - Yarmouth
3.	Colin Odell - Brewster	Yes	15. Martin Culik – Orleans
4.	Peter Cocolis - Chatham	Yes A	
5.	Robert Hannemann – Dukes County	Yes	
6.		Yes	
7.	Ronald Zweig - Falmouth	Abs	
8.	Valerie Bell – Harwich	Yes	
9.	Richard Toole - Oak Bluffs	Yes	
10.	Tom Donegan - Provincetown	Yes	

Yes

Abs

Motion Carried in the Affirmative (13-0-2)

12. ChristiAne Mason - Wellfleet

11. Joseph Buteau - Truro

Alternate

Yes

Yes

Yes

TREASURER'S REPORT

Peter Cocolis evaluated the budgets, saying that while he received the reports late, everything seemed to be in order.

Peter Cocolis moved the board vote to ratify the actions of the Compact Treasurer relative to Compact contracts from March 3, 2017 through April 12, 2017. 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. Robert Schofield seconded and voted by roll call as follows:

1. D	avid Anthony – Barnstable	Yes	13. Sue Hruby – West Tisbury	Yes
2. R	obert Schofield - Bourne	Yes	14. Joyce Flynn - Yarmouth	Yes
3. C	olin Odell – Brewster	Yes	15. Martin Culik - Orleans	Yes
4. Pe	eter Cocolis – Chatham	Yes		
	obert Hannemann — Dukes ounty	Yes		
	red Fenion – Eastham	Yes .	103	
7. R	onald Zweig – Falmouth	Yes		
8. V	alerie Bell – Harwich	Yes	(K.	
9. Ri	ichard Toole – Oak Bluffs	Yes		
10. To	om Donegan – Provincetown	Yes		
11. Jo	seph Buteau – Truro	Yes		
12. Cł	nristiAne Mason – Wellfleet	Yes		

Motion Carried in the Affirmative (15-0-0)

CHAIRMAN'S REPORT

Joyce informed the group that there is likely to be a scheduled hearing on the 17-04 Assembly of Delegates Ordinance on the Cape Light Compact on April 19th. She asked for everyone to be aware of this situation. Joyce Flynn distributed a statement to the members regarding the close-out audit to the County.

Maggie Downey went on to explain that the Ordinance section 1 contains language that essentially states that the Compact cannot take anything from the premises.

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Fred inquired into the possibility of litigation from the County against the Compact, and Maggie stated that
likely would require the Commissioners' approval, as well as appropriation of funds for counsel. She stated
that all of our financials have been audited and are public information with the exception of customer names
and renewable energy certificate information which are redacted per nondisclosure agreements.

Richard Elkin arrived at 12:06PM.

Andrew Gottlieb arrived at 12:08PM.

Sue Hruby inquired if there was any sort of agreement with the County regarding the investment into the Compact at its inception. Sue recommended sending statements to the newspaper. She stated that all the data is provided already, this is a political argument and that she feels the Assembly has no interest in listening to our side, but we have to say it anyway.

Jeff Bernstein stated that the Barnstable County Charter and the Intergovernmental Agreement are the two key documents here, and that the arguments in this Ordinance are specious at best

Tom Donegan stated that we should welcome the audit, and as an organization be prepared that this could be enacted and be ready with a legal challenge to the other provisions which are beyond the Assembly's authority.

Jeff Bernstein reminded everyone that Barnstable County ceases to provide any services to the Compact on June 30th.

Joyce and Maggie both agreed that a written statement should be prepared and read to the Assembly.

Tom Donegan made a motion to issue a statement welcoming an audit.

"The Cape Light Compact, is a public body and values financial accountability and transparency. The Compact would welcome a GAAP financial audit and encourages Barnstable County to use all available financial records, including previous audits, to conduct its own audit of the Cape Light Compact at Barnstable County's expense."

Richard Elkin seconded and voted by roll call as follows,

1.	David Anthony - Barnstable	Yes	13. Joseph Buteau - Truro	Yes
2.	Robert Schofield - Bourne	Yes	14. Richard Elkin - Wellfleet	Yes
3.	Colin Odell – Brewster	Yes	15. Sue Hruby - W. Tisbury	Yes
4.	Peter Cocolis - Chatham	Yes	16. Joyce Flynn - Yarmouth	Yes
5.	Robert Hannemann – Dukes County	Yes		
6.	Fred Fenlon - Eastham	Abs		

7. Ronald Zweig - Falmouth Yes

8. Valerie Bell - Harwich Yes

9. Andrew Gottlieb - Mashpee Yes

10. Richard Toole - Oak Bluffs Abs

11. Martin Culik - Orleans Yes

· 12. Tom Donegan - Provincetown Yes

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

ENERGY EFFICIENCY PROGRAM UPDATES

RE. 1. COMMERCIAL AND INDUSTRIAL PROGRAM: MARGARET SONG

Margaret Song described the proposed energy efficiency improvements at Martha's Vineyard High School. She noted that the high school serves six towns and thus this matter doesn't rise to the amount to require a vote, but nevertheless wanted the entire board to be aware of what was going on. She stated that the High School has not been served since 2007 and was long overdue. Over 1700 fixtures are being installed, and the cost of the project is estimated at \$250,000.

Margaret updated everyone on a grant opportunity Department of Energy Resources (DOER) on existing green communities, which is offering \$5,000 for the Cape Light Compact to provide technical assistance. There is also an offering for those towns that are considering green communities where Cape Light Compact could offer technical services under the grant up to \$7,500 value. She stated she had received two new inquiries from two towns on green communities on the Cape. The deadline for submission is June 1st for those applications.

2. APRIL 15TH - MAY 31ST, REFRIGERATOR RECYCLING ENHANCED REBATE OFFER

Phil Moffitt stated that they're extending the enhanced recycling rebate offer for refrigerators for a six week period from April 15th to May 31st. The enhanced amount is \$100.

ADMINISTRATOR'S REPORT

Draft Minutes subject to correction, addition and Committee/Board Approval Maggie Downey stated that the Midterm Modification was filed with the Department of Public Utilities, and the board will be notified when more information is available. She requested that the board move the meeting for next month to Friday, the 12th of May. There was a general sense of the board that this was acceptable.

Maggie stated that she is preparing a six month Operating Fund budget, from July 1 through December. Maggie went on to inform everyone that 14 towns have executed the Joint Powers Agreement. The Orleans Board of Selectmen voted to support it unanimously; however, the Orleans Town Charter requires Town Meeting approval for all Intergovernmental Agreements.

Finally, Maggie stated that there are several letters in the packet that include the correspondence we've sent out to various public entities, including the Department of Public Utilities to request an advisory hearing regarding the formation of the Joint Powers Entity.

REVIEW/DISCUSS AND POTENTIAL VOTE ON TRANSITION PLAN

Erin O'Toole explained the transition plan and reorganization, deferring to Chris in terms of providing an explanation regarding the moving up of the transfer date to July 1, 2017. She then opened the floor to questions regarding the transition plan document. Maggie Downey requested a few members who are not on the JPE to assist in the transition process on an informal basis.

Maggie stated that there will continue to be meetings in May and June for both the Governing Board and the JPE.

Chris Rogers recommended that the Compact Board establish a separate fund and budget cover all the expenses needed during the transition period.

Colin Odell proposed an amendment on page number two (2) of the Transition Asset Transfer and Succession Plan that word Subcommittee be changed to Advisory Group', and that the last sentence referencing the Open Meeting Law be struck.

Peter Cocolis Seconded and voted by roll call as follows,

1.	David Anthony - Barnstable	Yes	13. Joseph Buteau - Truro	Yes
2.	Robert Schofield Bourne	Yes	14. Richard Elkin - Wellfleet	Yes
3.	Colin Odell - Brewster	Yes	15. Sue Hruby – W. Tisbury	Yes
4.	Peter Cocolis - Chatham	Yes	16. Joyce Flynn - Yarmouth	Yes
5. <	Robert Hannemann – Dukes County	Yes		
6.	Fred Fenlon - Eastham	Yes		
7.	Ronald Zweig - Falmouth	Yes		

8. Valerie Bell - Harwich

Yes

9. Andrew Gottlieb - Mashpee

Not in the

room at

time of

vote

10. Richard Toole - Oak Bluffs

Yes

11. Martin Culik - Orleans

Yes

No

12. Tom Donegan - Provincetown

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

Tom Donegan moved that the Governing Board vote to approve the draft Transition, Asset Transfer and Succession Plan, as amended. 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.

Peter Cocolis seconded and voted by roll call as follows,

1. David Anthony - Barnstable

Yes

13. Joseph Buteau - Truro

Yes

2. 1Robert Schofield - Bourne

1

14. Richard Elkin - Wellfleet

Yes

3. Colin Odell - Brewster

Yes

15. Sue Hruby - W. Tisbury

Yes

4. Peter Cocolis - Chatham

Yes

16. Joyce Flynn - Yarmouth

Yes

5. Robert Hannemann – Dukes County

6. Fred Fenlon - Eastham

Abs

Ronald Zweig — Falmouth

Yes

8. Valerie Bell - Harwich

Yes

9. Andrew Gottlieb - Mashpee

Not in the

room at time of

vote

10. Richard Toole - Oak Bluffs

Abs

11. Martin Culik - Orleans

Yes

Draft Minutes subject to correction, addition and Committee/Board Approval 12. Tom Donegan - Provincetown

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

JOSH PETERS ARRIVED AT 2:11 PM.

1. ESTABLISH AND POTENTIAL VOTE ON TRANSITION BUDGET

Chris Rogers explained the necessity for an operational budget for the Joint Powers entity for the interim period until it fully transitions. until it fully transitions.

Peter Cocolis moved the board vote to appropriate a transition budget of \$240,775.00 for the Cape Light Compact to reorganize as a Joint Powers Entity. 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.

Joseph Buteau seconded and voted by roll call as follows,

1	David Anthony - Barnstable	Yes .	. () . 112 Joshus Detem - Candinisti	37
•	David Midlony - Damstable	165	13. Joshua Peters – Sandwich	Yes
2.	Robert Schofield – Bourne	Yes	14. Joseph Buteau - Truro	Yes
3.	Colin Odell – Brewster	-Yes	15. Richard Elkin - Wellfleet	Yes
4.	Peter Cocolis - Chatham	Yes	16. Sue Hruby - W. Tisbury	Yes
5.	Robert Hannemann - Dukes County	Yes	17. Joyce Flynn - Yarmouth	Yes
6.	Fred Fenlon - Eastham	Yes		
7.	Ronald Zweig - Falmouth	Yes		
8.	Valerie Bell - Harwich	Yes		
9.	Andrew Gottlieb - Mashpee	Yes		
10	Richard Toole – Oak Bluffs	Yes		
ýïĭ	. Martin Culik – Orleans	Yes		
12	. Tom Donegan – Provincetown	Yes		

Draft Minutes subject to correction, addition and Committee/Board Approval *Motion carried in the affirmative (17-0-0)*.

REVOCATION VOTE

Maggie Downey explained that she had been advised by the Compact's Auditor to maintain a separate budget for the Joint Powers Entity Transition, rather than commingling funds with the FY17 Operating Budget. As a result, the Board's previous supplemental budget vote for the FY17 operating fund needed to be revoked and replaced.

Richard Elkin moved that the board vote to revoke the March 3, 2017 supplemental budget request of \$75,000 for the Cape Light Compact's FY17 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.

Martin Culik seconded and voted by roll call as follows,

rtiit	Chirk seconaea ana votea by ron	can as	follows,	
1.	David Anthony - Barnstable	Yes	13. Joshua Peters - Sandwich	Yes
2.	Robert Schofield - Bourne	Yes	14. Joseph Buteau – Truro	Yes
3.	Colin Odell – Brewster	Yes	15. Richard Elkin – Wellfleet	Yes
4.	Peter Cocolis - Chatham	Yes	16. Sue Hruby – W. Tisbury	Yes
5.	Robert Hannemann – Dukes County	Yes	17. Joyce Flynn - Yarmouth	Yes
6.	Fred Fenion – Eastham	Yes		
7.	Ronald Zweig - Falmouth	Yes		
8.	Valerie Bell – Harwich	Yes		
9.	Andrew Gottlieb - Mashpee	Yes		
10.	Richard Toole - Oak Bluffs	Yes		
11.	Martin Culik - Orleans	Yes		
12.	Tom Donegan - Provincetown	Yes		

OPERATIONAL DATE MOVE

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

Draft Minutes subject to correction, addition and Committee/Board Approval

David Anthony asked what the consequence would be if this motion passes and a town hasn't joined by July 1st.

Jeff Bernstein explained that the consequences of that is up to the Board, and it would have to determine if it meant that the relationship ended and the town was thereby obligated to seek approval of an independent aggregation plan or return to Eversource Basic Service, or if the Compact would allow some sort of grace period.

Chris Rogers explained that it would be far more efficient to have the fiscal agent shift on July 1. Jeff Bernstein noted that we could carry two sets of books past that date if we needed to.

Richard Elkin addressed questions regarding weighted voting, which is currently an issue with one of his Selectmen in terms of voting for the JPE.

Martin Culik moved that the board vote to move the operational transfer date of the Cape Light Compact Joint Powers Entity from January 31, 2018 to July 1, 2017. 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.

Richard Elkin seconded and voted by roll call as follows,

			4,	
1.	David Anthony - Barnstable	Abs	13. Joshua Peters – Sandwich	Yes
2.	Robert Schofield - Bourne	Yes	14. Joseph Buteau – Truro	Yes
3.	Colin Odell - Brewster	Yes	15. Richard Elkin - Wellfleet	Yes
4.	Peter Cocolis - Chatham	Yes	16. Sue Hruby – W. Tisbury	Yes
5.	Robert Hannemann – Dukes County	Yes	17. Joyce Flynn - Yarmouth	Yes
6.	Fred Fenion - Eastham	Yes		
7.	Ronald Zweig - Falmouth	Yes		
8.	Valerie Bell - Harwich	Yes		
9.	Andrew Gottlieb - Mashpee	Yes		
10.	Richard Toole - Oak Bluffs	Yes		
ý11.	Martin Culik – Orleans	Yes		
12.	Tom Donegan - Provincetown	Yes		

Motion carried in the affirmative (16-0-1).

OFFICE SPACE UPDATE

Maggie Downey informed the board that after receiving six proposals, they had narrowed the position down to one location and are currently negotiating the Lease

COMPTROLLER

Maggie informed the Board that there has been a selection for the position, and an offer of employment was presented.. presented...

RECESS

Maggie Downey explained that we would need to recess to allow for Directors to engage in the Cape Light Compact, Joint Powers Entity meeting.

Joyce Flynn moved the board to recess, Robert seconded and voted by roll call as follows,

1.	David Anthony - Barnstable	Yes		13. Joshua Peters - Sandwich	Yes
2.	Robert Schofield - Bourne	Yes	A CO	14. Joseph Buteau – Truro	Yes
3.	Colin Odell - Brewster	Yes	CO,	15. Richard Elkin - Wellfleet	Yes
4.	Peter Cocolis - Chatham	Yes	•	16. Sue Hruby – W. Tisbury	Yes
5.	Robert Hannemann – Dukes County	Yes		17. Joyce Flynn - Yarmouth	Yes
6.	Fred Fenlon – Eastham	Yes			
7.	Ronald Zweig – Falmouth	Yes			
8.	Valerie Bell - Harwich	Yes			
9.	Andrew Gottlieb - Mashpee	Yes			
10.	Richard Toole - Oak Bluffs	Yes			
111.	Martin Culik - Orleans	Yes			
12.	Tom Donegan - Provincetown	Yes			

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

Upon returning from recess, the board members present were as follows,

- 1. Robert Schofield Bourne
- 2. Colin Odell Brewster
- 3. Peter Cocolis Chatham
- 4. Richard Toole Oak Bluffs
- Martin Culik Orleans
- 6. Joshua Peters Sandwich
- 7. Richard Elkin Wellfleet
- 8. Joyce Flynn Yarmouth

Ton and Containing of 130 and Marion and Due to loss of a quorum, the meeting continued as one of the Executive Committee.

EXECUTIVE SESSION

Robert Schofield moved we enter into Executive Session, pursuant to MGL Chapter 30A §21(a)(3) to discuss strategy with respect to 1) pending regulatory litigation relative to National Grid and the Cape Light Compact and the National Grid Agreement for Natural Gas Heated Homes (DPU 16-169), 2) pending regulatory litigation regarding the 2017 Eversource rate case (DPU 17-05), and 3) pending regulatory litigation regarding the Eversource Grid Modernization Plan (DPU 15-122).

Joyce Flynn as Compact Chair declared that than open session may have a detrimental effect on the Cape Light Compact's litigating position. The board would not return to Open Session at the conclusion of Executive Session.

Seconded by Richard Toole and voted by roll call as follows.

1. Robert Schofield - Bourne

Yes

Peter Cocolis – Chatham

Yes

3. Richard Toole - Oak Bluffs

Yes

4. Joyce Flynn - Yarmouth

Yes

Respectfully submitted, Jacob Wright

LIST OF DOCUMENTS & EXHIBITS

- Meeting Notice/Agenda
- March 3, 2017 Meeting Minutes Draft
- Barnstable County Assembly of Delegates 17-04 Ordinance
- Martha's Vineyard Regional High School District Lighting Project 2017
- Board Approval BCK Law Advisory Hearing Request to Department of Public Utilities, dated 3.31.2017
- Letter to Barnstable County Retirement Association Re: Petition for CLGJPE Membership
- Letter to Cape Cod Municipal Health Group Re: Petition for CLCJPE Membership
- BCK Law Notice of Reorganization to Melissa Hoffer, Esq., Attorney General's Office
- Letter to Jack Yunits, Barnstable County Administrator, Re: Termination of ASA with Barnstable
- Letter to Neil Cohen, Inspector General's Office, Re: CLGJPE
- Letter to Kathleen Colleary, Municipal Finance Law Bureau, Re: CLCJPE
- A Plan 2017 Printer and Plan 2017 Printer an Letter to Judith Judson, Department of Energy Resources, Re: CLCJPE
 - Transition, Asset Transfer and Succession Plan Draft, dated 4.12.2017

VENDON NAME	Controct Executed Yes/No	AMOUNT OF CONTIUNCT	AMOUNT OF AMENDINENT	TEAM	THE SHAPE	COMPETITIVELY PROCESSES	P. Cocollis Approval
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FOR 2017 12

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Projected Cape Light Compact Power Supply Receive Fund Balance as of Chiefs	Janes La of C72019		S 990,132.76 (S70K of Operational Adders)
Cape Light Compact July 1, 2017 - Decemi	ember 31, 2017 Operating Budget		
Rem	Approved FY17	Proposed July 1 - December 31, 2017	
Salaries	\$ 194,500.00	5 106.296.00	Aucha 90%, Manaic 76%, Jake 10%, Linkery 108, Targes 208
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Auditor	1	20,000,00	
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	1		25% of Total Estimated Costs
	3 136,800.00		
I TERMITY SETVICES		4	25% of Total Estimated Costs
Payroll Services		\$ 500.00	25% of Total Estimated Costs
Professional Development	\$ 5,000.00	\$ 2,500.00	
Custodia/Maintenance County	\$ 9,789.00	•	
Custodial		5 2,500.00	25% of Total Estimated Cost
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Travel in-state		S 8,000.00	
Advertising - power supply	\$ 45,100.00	5 39,000,00	
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Bank Fees	\$ 500.00	\$ 500.00	
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Retirement	\$ 55,000.00	5 45,060.60	
Reside Insurance	\$ 36,913.00	20 000.00	
Medicare		2 000 00	
Misc Fringes	\$ 1,800.00	00.000	
Finance County Support	\$ 5,000,00	2	
Close-Out Expenses with County		5,000.00	25% of Total Estimated Cost
	- 1		
Subjets! CLC Operating Budget	5 1,185,947,23	5 701,196.00	



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF FILING AND REQUEST FOR COMMENTS

D.P.U. 17-95

May 10, 2017

Request of the Towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Edgartown, Eastham, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, West Tisbury, Wellfleet, and Yarmouth, and the Counties of Barnstable and Dukes, acting together as the Cape Light Compact, to the Department of Public Utilities, for an advisory ruling pursuant to G.L. c. 30A, §8 and 220 C.M.R. §§2.02 and 2.08.

On March 31, 2017, the Towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Edgartown, Eastham, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, West Tisbury, Wellfleet, and Yarmouth, and the Counties of Barnstable and Dukes, acting together as the Cape Light Compact ("Compact"), filed a request for an advisory ruling from the Department of Public Utilities ("Department") seeking to clarify that the Compact will not be required to file a revised municipal aggregation plan if it undergoes an internal reorganization that transfers the Compact's operations from an inter-governmental organization under G.L. c. 40, §4A to a joint powers entity under G.L. c. 40, §4A1/2. The Department docketed this request as D.P.U. 17-95.

General Laws c. 164, § 134 authorizes a group of municipalities acting together to procure a contract for electric supply on behalf of aggregated consumers within its boundaries. The Department approved the Compact's original municipal aggregation plan in August 2000. Cape Light Compact, D.T.E. 00-47 (2000). On May 18, 2015, the Department approved a revised municipal aggregation plan for the Compact that included: (1) updates to certain terminology; (2) revisions to the Compact's goals to ensure consistency with the goals included in the Compact's Inter-Governmental Agreement, (3) updates to reflect the Compact's methods for soliciting and evaluating electricity supply contracts, including its use of a chief procurement officer, (4) revisions to incorporate the Compact's appropriation process for the use of funds collected from the Compact's municipal aggregation program customers through an adder, and (5) revisions to incorporate additional directives that the Department imposed on municipal aggregations. Cape Light Compact, D.P.U. 14-69 (2015).

Pursuant to G.L. c. 30A, § 8, and 220 C.M.R. § 2.08, the Department has discretion to issue or to decline to issue advisory rulings as to the applicability to any person, property,

D.P.U. 17-95 Page 2

or factual situation of any statute or regulation enforced or administered by the Department. Such rulings are not binding upon the Department in any subsequent formal proceeding.

Any person who desires to comment on the Compact's request for an advisory ruling may submit written comments to the Department no later than the close of business (5:00 p.m.) on Monday, June 5, 2017. An original hardcopy of all written comments must be filed with Mark D. Marini, Secretary, Department of Public Utilities, One South Station, 5th Floor, Boston, Massachusetts 02110. Two copies of all written comments must also be sent to Elizabeth Lydon, Hearing Officer, at the Department of Public Utilities. One copy of all written comments should also be sent to the attorneys for the Compact, Jeffrey M. Bernstein, Esq., and Audrey A. Eidelman, Esq., BCK Law P.C., 271 Waverley Oaks Road, Suite 203, Waltham, Massachusetts, 02452.

All documents should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dpu.efiling@state.ma.us and to the Hearing Officer elizabeth.lydon@state.ma.us, or (2) on a CD-ROM. The text of the e-mail or CD-ROM must specify: (1) the docket number of the proceeding, D.P.U. 17-95; (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. All documents submitted in electronic format will be posted on the Department's website: http://www.mass.gov/dpu.

A copy of the Compact's request is available for public viewing at the Department's offices, One South Station, 5th Floor, Boston, Massachusetts 02110, during regular business hours and on the Department's website: http://www.mass.gov/dpu. Documents on the Department's website may be accessed by docket number (D.P.U. 17-45) in the file room at http://web1.env.state.ma.us/DPU/FileRoom/dockets/bynumber. A copy of the Compact's request is also available for public viewing at the Compact's offices, 3195 Main Street, Barnstable, Massachusetts 02630.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact Theresa Kelly at Theresa.Kelly@state.ma.us or (617) 305-3642. Any person desiring further information regarding the filing should contact counsel for the Compact, Jeffrey M. Bernstein, Esq., and Audrey A. Eidelman, Esq., BCK Law P.C., at (617) 224-9500. Any person desiring further information regarding this notice should contact Elizabeth Lydon, Hearing Officer, Department of Public Utilities, at (617) 305-3500.

Agenda Action Request Cape Light Compact Meeting Date: 5/12/17



Aquinnah

Barnstable

Barnstable County

Bourne

Brewster

Chatham

Chilmark

Dennis

Dukes County

Eastham

Edgartown

Falmouth

Harwich

Maslipee

Oak Bluffs

Orleans

Provincetown

Sandwich

Tisbury

Truro

Wellfleet

West Tisbury

Yarmouth

Final Employee Payroll Request by Barnstable County

REQUESTED BY: Maggie Downey

Proposed Motion(s)

1) I move the Board vote to authorize Barnstable County to issue final paychecks for Cape Light Compact staff for the time period of June 11, 2017 through June 30, 2017 on June 30, 2017, and the Board approves this as a prepayment of one week under the County's policies. 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.

Consistent with the Termination and Transition Agreement, Compact staff will cease to be employees of Barnstable County on June 30, 2017. Issuing a check for three weeks instead of the standard 2 weeks will allow the County to issue its final paycheck on June 30, 2017. Staff will be employees of the CLCJPE on July 1, 2017 and their first paycheck will be issued on July 14, 2017 for the period July 1 through July 8, 2017.

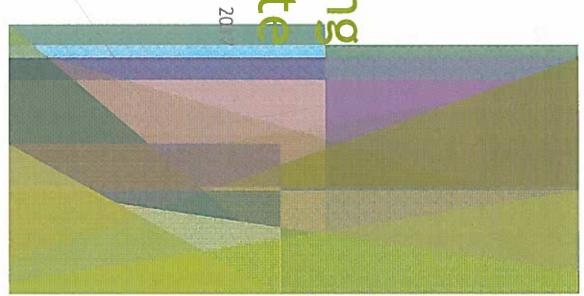
Record of Board Action

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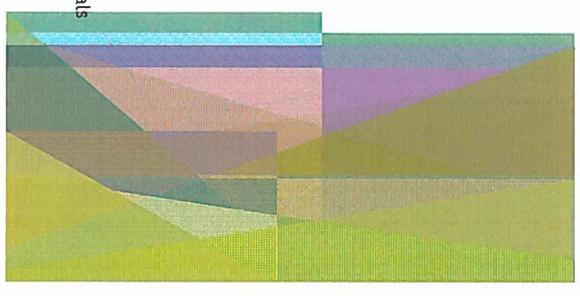
Power Supply Marketing Update

May 12, 20



Overview of Campaign

- Newspaper Ads
- Ran in all weeklies and Cape Cod Times 12/7/16-12/11/16
- Radio Ads -
- Ran 1/23/17 4/2/17 on 99.9 the Q and Ocean 104.7
- Ran 1/23/17 3/5/17 on 95.1 WXTK
- Digital Ad on Capecod.com
- Ran January March 2017
- Direct Mail mailed to basic service customers
- Letter mailed on 2/15/17
- Follow-up postcard mailed on 2/28/17
- Power Supply page on Compact website
- Includes information about green aggregation with videos and visuals
- Added a link for customers to sign-up online



Marketing Materials

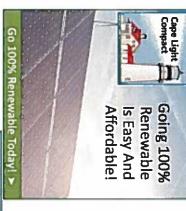
Flyer and Newspaper Ads



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Sample of Online Ads









Website Statistics (Power Supply Page)

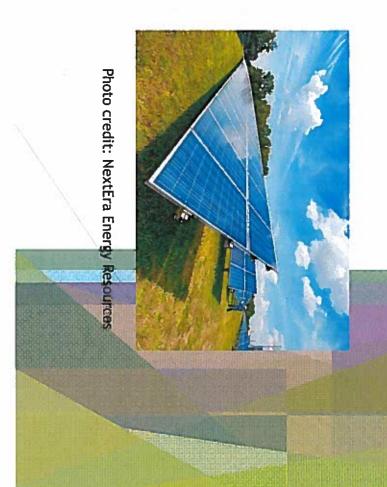
In 2015, Compact did not engage in radio ads, as was done in 2016 and 2017.

includes returning 3,316 3,866	Total Pageviews (which	Unique Pageviews 2,262 2,863		2015 2016
4,124		3,042	11.07	2017

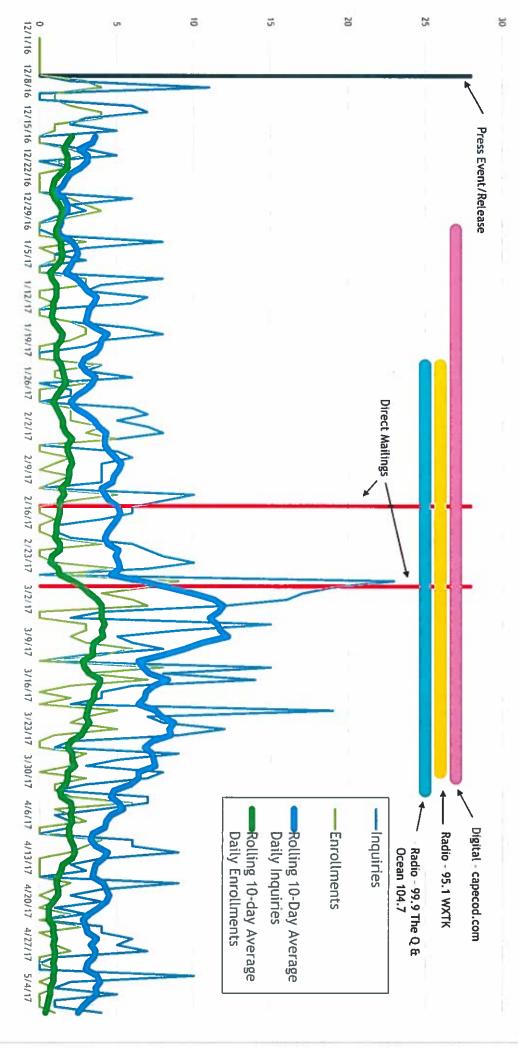
In addition for 2017, the power supply press release post showed 348 unique pageviews and a total of 397 views.

NextEra Call Center Inquiries and Sign-Ups

- Number of inquiry calls received from 12/7/16 5/8/17
- Residential = 696
- Commercial = 116
- Number of opt-in signups
- Residential = 259
- Commercial = 20
- Source of Referral
 Direct Mail = 43
- Radio = 9
- Other = 227



Residential Daily Inquiries & Enrollments with Marketing Campaign Overlay



Budget

Method of Outreach	Cape Light Compact	NextEra Energy Services	78
Newspaper Ads Compact is required to do print ads	\$12,663	\$0	and the
Radio Ads	\$0	\$15,000	
Online - Capecod.com	\$2,550	\$0	
Direct Mail Letter and Postcard	\$10,000	\$10,000	
Total	\$25,213	\$25,000	
			Annual Property lies

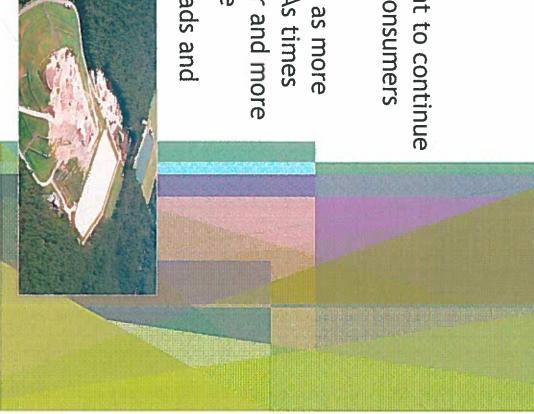
NextEra's marketing team designed all of the creative (print ads, flyers, and both direct mail pieces) at no additional charge to the Compact.

Conclusion

Despite relatively few signups, it is important to continue about the Compact and Green Aggregation marketing and outreach efforts to educate consumers

Considering different marketing tactics such as more are using the internet as their go-to resource change, less folks are reading the newspaper and more digital advertising and digital commercials. As times

Will continue to do the quarterly disclosure ads and pricing ads, as required



2016 Annual Report

Cape Light Compact Governing Board Meeting May 12, 2017



Working Together Toward A Smarter Energy Future

Introduction



- by the PAs 2016 – 2018 is the third 3-year Energy Efficiency Plan files
- \$2.54 saved for every \$1 invested in efficiency measures
- Savings are equivalent to*:
- Removing 9,740 cars from the road for one year
- 5,188,380 gallons of gasoline not consumed
- Carbon sequestered by 43,647 acres of U.S. forests in one year

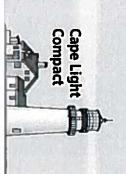
^{*}https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator

2016 Customers



204,537	Total
2,257	Street Lighting
24,649	C&I
9,779	Low-Income
167,852	Residential
Number of Customers	Customer Class

Benefits =



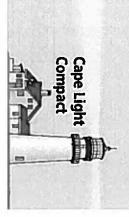
- Electric Savings
- **Avoided Costs**
- Electricity Generation and Transmission
- Non-Electric Impacts
- Non-Electric Benefits (NEBs)
- Fuel Savings (Oil, Natural Gas, Propane)
- Non-Energy Impacts (NEIs)
- Reduced Water/Sewer Costs
- Reduced Lighting/Equipment Maintenance
- Increased Property Value

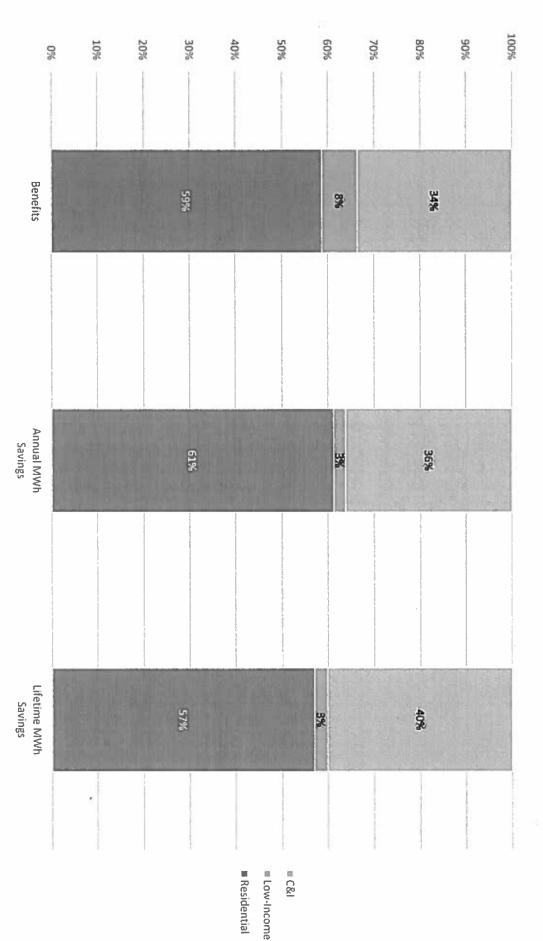
2016 Results



	Cape Lig	Cape Light Compact 2016 Summary Results	Summary Res	ults	
	PA Costs	Benefits	Annual MWh	Annual MWh Lifetime MWh	BCR
Planned	(aka Budget)		Savings	Savings	
Residential	\$21,642,293	\$ 60,058,844	21,103	213,456	2.26
Low-Income	\$ 4,040,498	\$ 9,767,299	1,640	16,707	2.42
C&I	\$13,162,821	\$ 53,598,354	36,732	322,580	2.85
Total	\$38,845,613	\$ 123,424,497	59,475	552,743	2.50
Actual					
Residential	\$16,460,438	\$ 58,216,153	40,193	288,384	2.54
Low-Income	\$ 2,849,163	\$ 7,632,498	1,668	14,667	2.68
C&I	\$ 7,943,839	\$ 33,259,173	23,749	202,839	2.51
Total	\$27,253,441	\$ 99,107,824	65,610	505,890	2.54

2016 Sector Benefits & Savings





2010 - 2016 Comparison



	Cap	e Light	Compa	Cape Light Compact 2010-2018 Com	018 Com	parison			
				Actual				Projected	cted
	2010	2011	2012	2013	2014	2015	2016	2017	2018
Expenditures	\$14M	\$17M	\$26M	\$26M	\$37M	\$38M	\$27M	\$43M	\$47M
Benefits	\$38M	\$69M	\$96M	\$107M	\$138M	\$153M	\$99M	\$130M	\$143M
Annual Savings (MWh)	15k	25k	29k	28k	50k	53k	66k	58k	59k
Lifetime Savings (MWh)	166k	262k	297k	291k	493k	623k	506k	551k	588k
Portfolio BCR	2.54	3.60	3.18	3.55	3.21	3.85	2.54	2.56	2.66

Where to find the full report



http://www.capelightcompact.org/wpcontent/uploads/2017/05/Let-Marini-5-1-17-CLCclc...pdf 2016-PYR-Filing-DPU-17-100-COMPLETE-FILING-

Welcome to the governing board of the Cape Light Compact, Joint Powers Entity, the award-winning regional energy services agency probably better known in government circles than in everyday conversations among Cape Cod's residents and businesses. (We're working to change that.)

Your appointment as a director means your Cape or Vineyard town's appointing board thinks highly of your ability to absorb and analyze complex information—and to frame a shortened version that most attendees at a Board of Selectmen meeting will be able to understand.

Consider yourself both an ambassador and a decision maker; you'll be the means by which your town government and citizens are kept abreast of important energy issues. And you represent your town when decisions are made regarding energy issues in the Compact's three-fold mission of power supply, energy efficiency, and consumer advocacy for all electric ratepayers.

You'll want to visit the Compact's website www.capelightcompact.org and read about the Compact's history. Some legislative changes, especially the Green Community Act, enhanced our mission and positioned Massachusetts as a high-achieving state in conservation and energy efficiency. (If you haven't yet requested an energy audit for your home, you'll want to request one, so that you'll be able to describe the experience to interested constituents.)

You'll be working with some dedicated colleagues, and we enclose the latest edition of the board contact list with this packet. It further includes hard copies of the Compact's governing documents, the Joint Powers Agreement (2017) and the Municipal Aggregation Plan. You'll be assigned a senior board member as a fast tutor for your questions, but all of us stand ready to help.

On behalf of the Compact board and staff, we look forward to working with you.

PACKET CONTENTS

- 1. Joint Powers Agreement among the Compact's member towns [and member counties]
- 2. Compact's Municipal Aggregation Plan
- 3. Rights and responsibilities of Cape Light Compact, JPE directors
- 4. Outline summary of Compact's current rate structure, rates, and suppliers
- 5. Copy of previous month's energy efficiency report for your town
- 6. Copy of latest board and staff contact list
- 7. Reimbursement form for mileage expenses to attend board meetings