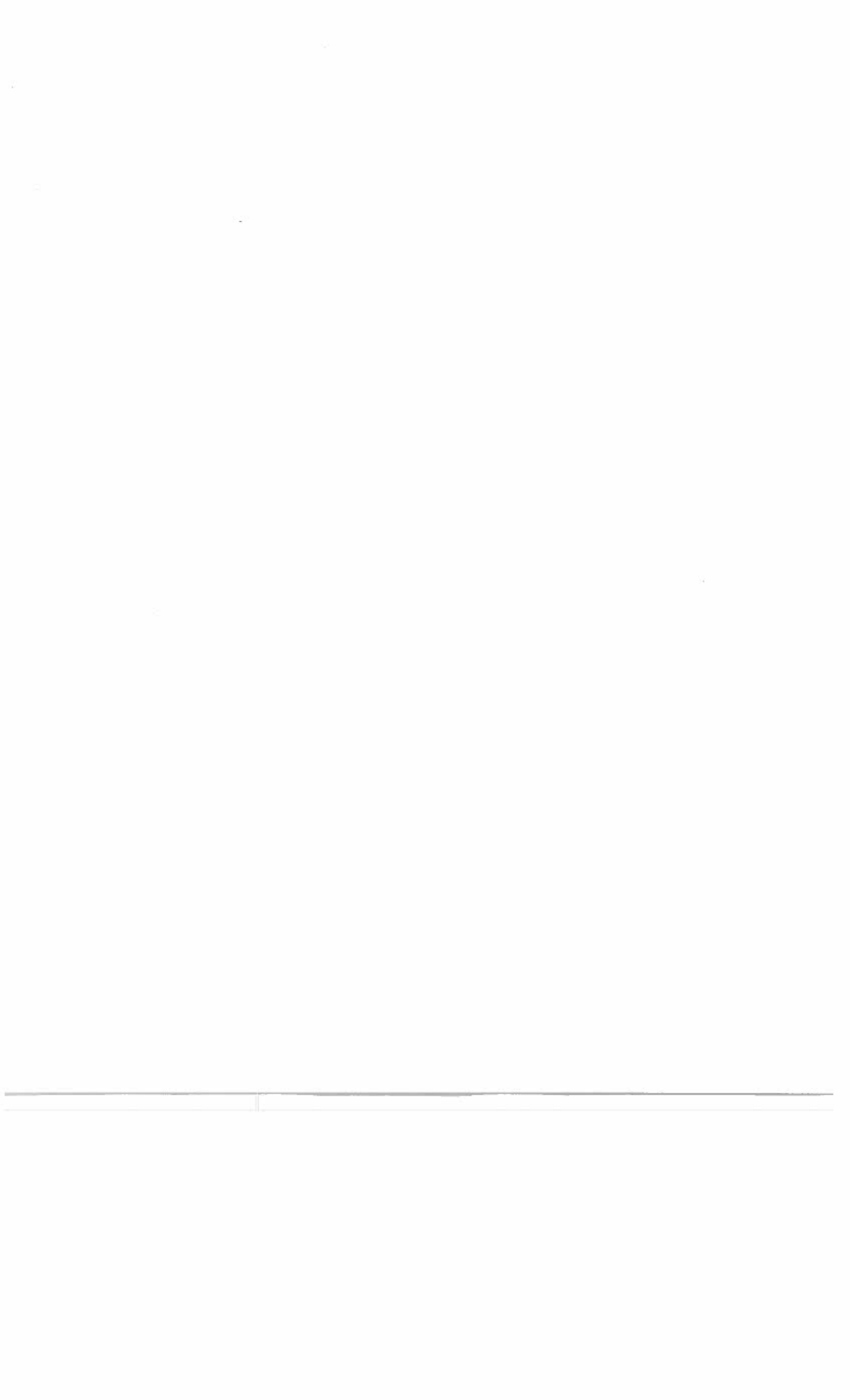


# Cape Light Compact Executive Committee & Governing Board Meeting

**DATE:** Wednesday, May 11, 2016  
**LOCATION:** Innovation Room, Open Cape Building  
3195 Main Street, Barnstable County Complex  
**TIME:** 2:00 – 4:30 p.m.

## AGENDA

- 2:00 – 2:10 Public Comment
- 2:10 – 2:20 Approval of Minutes
- 2:20 – 2:30 Treasurers' Report, Potential Vote to Ratify Treasurers' Approval of Contracts
- 2:30 – 2:40 Chairman's Report
- 2:40 – 2:50 Administrators' Report:  
Presentation and Discussion on 2<sup>nd</sup> Draft of FY17 Operating Budget  
Update on Administrative Services Agreement  
Legislative Update
- 2:50 – 3:10 Update on Behavior Initiative and Demand Response Offering, Maggie Downey
- 3:10 Open Session Vote on entry into Executive Session pursuant to M.G.L. c. 30A §21(a)(3) to discuss:
1. Litigation strategy discussion regarding Electric Distribution Companies and Interstate Natural Gas Pipeline Capacity Contracts, DPU 15-181, DPU 16-05 and DPU 16-07, which includes a discussion of confidential, competitively sensitive or other proprietary information that if disclosed during open session will adversely affect the Compact's ability to conduct business in relation to other entities making, selling or distributing electric power and energy; and
  2. Litigation strategies related to Grid Modernization and Plans filed by Massachusetts Distribution Companies (DPU 15-120 and 15-122)
- 4:15 – 4:30 Board Member Update (Reserved for Updates on Member Activities the Chair Did Not Reasonably Anticipate Would be Discussed – No Voting)
-



**Cape Light Compact  
Governing Board and Executive Committee  
Open Session Meeting Minutes  
Wednesday, April 13, 2016**

The Cape Light Compact Governing Board and Executive Committee met on Wednesday, April 13, 2016 in the Innovation Room, Open Cape Building, Barnstable County Complex, 3195 Main Street, Barnstable MA 02630 at 11:30 a.m.

**PRESENT WERE:**

1. Joyce Flynn, Chairwoman, Yarmouth
2. Robert Schofield, Vice-Chair, Bourne @ 11:45
3. Peter Cocolis, Treasurer, Chatham
4. Ronald Zweig, Secretary, Falmouth
5. Sheila Lyons, Barnstable County @ 1:20
6. Richard Toole, Member at Large, Oak Bluffs
7. David Anthony, Barnstable
8. Deane Keuch, Brewster
9. Brad Crowell, Dennis
10. Fred Fenlon, Eastham
11. Valerie Bell, Harwich
12. Joseph Buteau, Truro
13. Thomas Donegan, Provincetown @11:40
14. Joshua Peters, Sandwich
15. Richard Elkin, Wellfleet
16. Paul Pimentel, Edgartown
17. Sue Hruby, W. Tisbury – by phone

**ABSENT WERE:**

18. Michael Hebert, Aquinnah
19. Tim Carroll, Chilmark
20. John Ally, Dukes County
21. Tisbury – vacant
22. Mashpee - vacant
23. Chris Galazzi - Orleans

Members physically present: 16  
Members participating by phone: 1

**LEGAL COUNSEL**

Jeff Bernstein, Esq., BCK Law, PC

**STAFF PRESENT:**

Maggie Downey, Administrator  
Austin Brandt, Power Supply Planner  
Lindsay Henderson, Analyst

**CONSULTANTS**

Kevin Galligan, Galligan Energy Consulting, Inc.

Chr. Flynn called the meeting to order at 11:35 a.m. stating the Meeting Notice/Agenda had been duly posted on the Cape Light Compact website in accordance with the Open Meeting Law. The Chair acknowledged remote participation of S. Hruby who was unable to attend due to other obligations.

**PUBLIC COMMENT**

There were no members of the public present.

**CONSIDERATION OF MEETING MINUTES**

The Board considered the March 9, 2016 Meeting Minutes. *D. Anthony* moved the Board vote to accept the minutes, seconded by *P. Cocolis* and voted by roll call as follows:

- |                                   |     |                                  |     |
|-----------------------------------|-----|----------------------------------|-----|
| 1. <i>D. Anthony – Barnstable</i> | Yes | 9. <i>R. Toole – Oak Bluffs</i>  | Yes |
| 2. <i>D. Keuch – Brewster</i>     | Yes | 10. <i>J. Peters – Sandwich</i>  | Yes |
| 3. <i>P. Cocolis – Chatham</i>    | Yes | 11. <i>J. Buteau – Truro</i>     | Abs |
| 4. <i>B. Crowell – Dennis</i>     | Abs | 12. <i>S. Hruby – W. Tisbury</i> | Yes |
| 5. <i>F. Fenlon – Eastham</i>     | Yes | 13. <i>J. Flynn – Yarmouth</i>   | Yes |
| 6. <i>P. Pimentel – Edgartown</i> | Abs |                                  |     |
| 7. <i>R. Zweig – Falmouth</i>     | Abs |                                  |     |
| 8. <i>V. Bell – Harwich</i>       | Abs |                                  |     |
- Motion carried in the affirmative (8-0-5)*

T. Donegan arrived at 11:40 am and R. Schofield arrived at 11:45 am.

**TREASURER’S REPORT**

P. Cocolis reviewed the energy efficiency fund budget for the end of calendar year 2015. He stated that 93.5% of the budget was spent and that the money that was not spent in 2015 gets reconciled with the energy efficiency reconciliation factor and filed with the DPU to correct the charges to ratepayers<sup>1</sup>. For future reports, the Board Members stated that they would like to see bullets with the main points of the report as there is a lot of information.

P. Cocolis then reviewed the energy efficiency fund budget for calendar year 2016 for the month of January. R. Toole asked why the budget was less than last year and M. Downey stated that it is based upon demand and many factors. She also stated that the high budgets that we have seen are not sustainable and will be decreasing over time with changes in code<sup>2</sup> and opportunities, and also to remember that this is the first year of a 3 year plan. M. Downey reminded the Board that our financial records are posted to the Compact’s website every 6 months. There is also a graph on the website that displays what the bill impact is for a customer for the energy efficiency programs.

P. Cocolis reviewed the FY16 operating fund budget which showed that 66.3% has been spent through 4/11/16. He stated that the Board will need to approve a supplemental budget request in the Salaries, Marketing and Retirement accounts.

P. Cocolis reviewed the Contract Summary sheet listing Contracts and Amendments he has approved, since the last Board meeting, which have been forwarded to the County Commissioners for execution and requested the Board vote to ratify his actions. M. Downey stated that the Compact issues Requests for Proposals for the majority of energy efficiency service programs although they are exempt from Ch. 30B procurement laws pursuant to the energy related services exemption. She stated that there are some RFPs that are done statewide through other Program Administrators and even though the Compact participates in these RFPs and review the proposals, we generally do not receive the final documents. *R. Schofield* moved the board vote to ratify the

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<sup>1</sup> This correction will be made in the Compact’s Energy Efficiency Reconciliation Factor (EERF) filing with the Department of Public Utilities. Unspent 2015 funds are rolled-over into the 2016 a revenue stream.

<sup>2</sup> New building codes therein require more stringent energy efficiency requirements.

actions of the Compact Treasurer relative to Compact contracts from March 9, 2016 through April 13, 2016. 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 P. Pimentel and voted by roll call as follows:

1. D. Anthony – Barnstable	Yes	10. R. Toole – Oak Bluffs	Yes
2. R. Schofield – Bourne	Yes	11. T. Donegan – Provincetown	Yes
3. D. Keuch – Brewster	Yes	12. J. Peters – Sandwich	Yes
4. P. Cocolis – Chatham	Yes	13. J. Buteau – Truro	Yes
5. B. Crowell – Dennis	Yes	14. S. Hruby – W. Tisbury	Yes
6. F. Fenlon – Eastham	Yes	15. J. Flynn – Yarmouth	Yes
7. P. Pimentel – Edgartown	Yes		
8. R. Zweig – Falmouth	Yes		
9. V. Bell – Harwich	Yes		

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

#### CHAIRMAN'S REPORT

Chr. Flynn stated that she has become aware that Compact staff has a lot of vacation time accrued and encouraged them to use their time.

#### ADMINISTRATOR'S REPORT

- Draft of FY17 Operating Budget  
M. Downey reviewed the draft FY17 operating fund budget. The FY16 budget on this sheet included the supplemental budget that is assumed to be approved by the Board at this meeting. She stated that she had been directed in the past to bring a draft budget to the Board in April to allow for review time. M. Downey pointed out new line items and stated that we don't have final numbers for some of the lines at this time. The Compact has accruals on the balance sheet and should develop a plan to address and eliminate this liability. She stated that the proposed legal budget does not include funding for a rate case, which would be a heavy lift, and the budget also does not include general expenses such as room rentals for meetings.
- Update on Administrative Services Agreement  
M. Downey stated that she has several meetings with the County Administrator, Finance Director and County Counsel regarding the Compact and County's relationship. M. Downey has been working with County Administration to work through several issues, and the County's biggest concern is the liability with signing contracts. J. Bernstein stated that since the funds are the Compact's the County is really just an agent of CLC. D. Anthony stated that Barnstable is willing to entertain discussion about becoming fiscal agent.
- Out of State Travel Request  
M. Downey received an award from the US Department of Energy's Women in Energy and is a member of this association and there is a symposium meeting twice a year. The spring meeting is in Palo Alto, CA 5/30/16-6/2/16 and the estimated cost is about \$1,500.
- Board Meeting Calendar Invites  
M. Downey stated that L. Henderson will be sending out new meeting invites for the Board Meetings.
- Other

M. Downey stated that there are some vacancies on the Board vacancies for the towns of Mashpee, Orleans and Tisbury.

**BOARD MEMBER UPDATE**

No updates from members of the Board.

Break 12:55 – 1:15 pm

S. Lyons arrived at 1:21 pm.

**SUPPLEMENTAL FY16 BUDGET REQUEST**

M. Downey presented the supplemental budget for FY16. *R. Schofield moved the Board to approve the supplemental budget request to the Compact's FY16 operating budget as presented. 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, P.*

*Pimental seconded and voted by roll call as follows:*

- |                                 |     |                               |     |
|---------------------------------|-----|-------------------------------|-----|
| 1. D. Anthony – Barnstable      | Yes | 11. R. Toole – Oak Bluffs     | Yes |
| 2. S. Lyons – Barnstable County | Yes | 12. T. Donegan – Provincetown | Yes |
| 3. R. Schofield – Bourne        | Yes | 13. J. Peters – Sandwich      | Yes |
| 4. D. Keuch – Brewster          | Yes | 14. J. Buteau – Truro         | Yes |
| 5. P. Cocolis – Chatham         | Yes | 15. S. Hrubby – W. Tisbury    | Yes |
| 6. B. Crowell – Dennis          | Yes | 16. J. Flynn – Yarmouth       | Yes |
| 7. F. Fenlon – Eastham          | Yes |                               |     |
| 8. P. Pimentel – Edgartown      | Yes |                               |     |
| 9. R. Zweig – Falmouth          | Yes |                               |     |
| 10. V. Bell – Harwich           | Yes |                               |     |
- Motion carried in the affirmative (16-0-0)

**ENERGY EFFICIENCY UPDATE**

**Clarifying Commercial & Industrial Programs**

M. Downey reminded the Board that M. Song had presented the question at the last Board meeting at to whether or not the budget criteria for certain social and cultural non-profits would apply to the non-profit as a whole or each site individually. *D. Anthony moved the Board to approve application of budget criteria to each site rather than the entire organization. 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, R. Schofield seconded and voted by roll call as follows:*

- |                                 |     |                               |     |
|---------------------------------|-----|-------------------------------|-----|
| 1. D. Anthony – Barnstable      | Yes | 11. R. Toole – Oak Bluffs     | Yes |
| 2. S. Lyons – Barnstable County | Yes | 12. T. Donegan – Provincetown | Yes |
| 3. R. Schofield – Bourne        | Yes | 13. J. Peters – Sandwich      | Yes |
| 4. D. Keuch – Brewster          | Yes | 14. J. Buteau – Truro         | Yes |
| 5. P. Cocolis – Chatham         | Yes | 15. S. Hrubby – W. Tisbury    | Yes |
| 6. B. Crowell – Dennis          | Yes | 16. J. Flynn – Yarmouth       | Yes |
| 7. F. Fenlon – Eastham          | Yes |                               |     |
| 8. P. Pimentel – Edgartown      | Yes |                               |     |
| 9. R. Zweig – Falmouth          | Yes |                               |     |
| 10. V. Bell – Harwich           | Yes |                               |     |

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

**EXECUTIVE COMMITTEE MINUTES**

*P. Cocolis moved to approve the Executive Committee minutes of March 21, 2016, R. Schofield seconded. Approved (4-0-1) with R. Zweig abstaining.*

*R. Elkin arrived at 1:45 p.m.*

**GRID MODERNIZATION AND PLANS FILED BY MASSACHUSETTS DISTRIBUTION COMPANIES (DPU 15-120, 15-121 AND 15-122), AND OVERVIEW OF MICRO GRIDS**

Austin Brandt presented an overview of the Grid Modernization plans that have been filed with the Department of Public Utilities. M. Downey stated that the Compact is waiting to review the evaluation of National Grid's pilot that it did in Worcester, to see how aspects of that pilot may benefit the ratepayers on Cape Cod and Martha's Vineyard. She stated that it will be very important to educate consumers.

K. Galligan presented an overview of micro grids, including what a micro grid is and the value of them.

**EXECUTIVE SESSION**

*At 2:45 p.m. Chr. Flynn moved the Board to enter into executive session for the purpose of litigation strategy related to DPU 15-181, DPU 16-05, DPU 16-07, DPU 15-122 and DPU 15-120 pursuant to G.L. c. 30A §21(a)(3) and discussion of confidential power supply contracts including trade secrets or confidential competitively sensitive or other proprietary information pursuant to G.L. c. 30A § 21(a)(10). She declared in open session that an open meeting may have a detrimental effect on the bargaining or litigating position of the Cape Light Compact. She said the Board will not reconvene in Open Session at the conclusion of the Executive Session.*

*Seconded by R. Schofield and voted by roll call as follows:*

- |                                 |     |                               |     |
|---------------------------------|-----|-------------------------------|-----|
| 1. D. Anthony – Barnstable      | Yes | 11. R. Toole – Oak Bluffs     | Yes |
| 2. S. Lyons – Barnstable County | Yes | 12. T. Donegan – Provincetown | Yes |
| 3. R. Schofield – Bourne        | Yes | 13. J. Peters – Sandwich      | Yes |
| 4. D. Keuch – Brewster          | Yes | 14. J. Buteau – Truro         | Yes |
| 5. P. Cocolis – Chatham         | Yes | 15. R. Elkin - Wellfleet      | Yes |
| 6. B. Crowell – Dennis          | Yes | 16. S. Hrubby – W. Tisbury    | Yes |
| 7. F. Fenlon – Eastham          | Yes | 17. J. Flynn – Yarmouth       | Yes |
| 8. P. Pimentel – Edgartown      | Yes |                               |     |
| 9. R. Zweig – Falmouth          | Yes |                               |     |
| 10. V. Bell – Harwich           | Yes |                               |     |

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

Respectfully submitted,  
Lindsay Henderson

**LIST OF DOCUMENTS & EXHIBITS**

- Meeting Notice/Agenda
- March 9, 2016 Meeting Minutes – draft
- Summary of Contracts – March 9, 2016 – April 13, 2016

- FY16 Operating Budget Report dated 4/11/16
- 2015 EE Budget Report
- 2016 EE Budget Report
- Supplemental Operating Budget Request for FY16
- Draft FY17 Budget
- Out of State Travel Request for M. Downey
- Non-Profit Update
- Micro-grids An Overview What, Why & Where (presentation and white paper)
- Grid Modernization Overview (presentation and summary)
- March 30, 2016 Compact Petition for Leave to Intervene in DPU 15-122
- March 30, 2016 Compact Petition for Leave to Intervene in DPU 15-120



**Agenda Action Request  
Cape Light Compact  
Meeting Date: 5/11/2016**



- Aquinnah*
- Barnstable*
- Barnstable County*
- Bourne*
- Brewster*
- Chatham*
- Chilmark*
- Dennis*
- Dukes County*
- Eastham*
- Edgartown*
- Falmouth*
- Harwich*
- Mashpee*
- Oak Bluffs*
- Orleans*
- Provincetown*
- Sandwich*
- Tisbury*
- Truro*
- Wellfleet*
- West Tisbury*
- Yarmouth*

**Ratify Actions of Treasurer**

**REQUESTED BY:** Peter Cocolis

**Proposed Motion(s)**

I move the Board vote to ratify the actions of the Compact Treasurer relative to Compact contracts from April 13, 2016 through May 11, 2016.

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**

- **This motion is consistent with the Board's March 11, 2015 vote to establish a contract review process**

**Record of Board Action**

Motion by:	Second by:	# Aye	# Nay	# Abstain	Disposition



2016 Budgeted (Based on 2016 Planned)

Program	PA Costs						TOTAL PA COSTS
	PP&A	Marketing	Incentives	STAT	EMV	PA COSTS	
A - Residential	\$ 1,268,568	\$ 477,634	\$ 14,566,274	\$ 4,559,869	\$ 769,948	\$ 21,642,293	
A1 - Residential Whole House	\$ 815,400	\$ 176,447	\$ 10,548,164	\$ 3,801,241	\$ 616,118	\$ 15,937,371	
A1a - Residential New Construction	\$ 23,099	\$ 6,994	\$ 321,481	\$ 83,011	\$ 16,370	\$ 450,955	
A1b - Residential Multi-Family Retrofit	\$ 38,342	\$ 23,932	\$ 427,406	\$ 231,702	\$ 27,174	\$ 748,556	
A1c - Residential Home Energy Services - Measures	\$ 656,565	\$ 92,833	\$ 9,634,746	\$ 1,868,725	\$ 500,378	\$ 12,733,248	
A1d - Residential Home Energy Services - RCS	\$ 86,091	\$ 36,529	\$ -	\$ 1,971,128	\$ 61,014	\$ 1,680,762	
A1e - Residential Behavior/Feedback Program	\$ 11,303	\$ 16,159	\$ 164,531	\$ -	\$ 11,182	\$ 323,850	
A2 - Residential Products	\$ 217,054	\$ 139,010	\$ 3,145,610	\$ 582,061	\$ 153,879	\$ 4,237,564	
A2a - Residential Heating & Cooling Equipment	\$ 88,811	\$ 27,608	\$ 1,364,500	\$ 190,004	\$ 62,942	\$ 1,733,864	
A2b - Residential Consumer Products	\$ 19,165	\$ 25,736	\$ 158,788	\$ 160,454	\$ 13,724	\$ 378,068	
A2c - Residential Lighting	\$ 108,078	\$ 85,666	\$ 1,622,312	\$ 231,603	\$ 77,163	\$ 2,125,632	
A3 - Residential Hard-to-Measure	\$ 236,114	\$ 162,177	\$ 872,500	\$ 176,568	\$ -	\$ 1,447,359	
A3a - Residential Statewide Marketing	\$ -	\$ 112,017	\$ -	\$ -	\$ -	\$ 112,017	
A3b - Residential Statewide Database	\$ 13,253	\$ -	\$ -	\$ -	\$ -	\$ 13,253	
A3c - Residential DOER Assessment	\$ 145,089	\$ -	\$ -	\$ -	\$ -	\$ 145,089	
A3d - Residential EEAC Consultants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
A3e - Residential Sponsorships & Subscriptions	\$ 23,827	\$ 10,127	\$ -	\$ -	\$ -	\$ 33,954	
A3f - Residential HEAT Loan	\$ 53,945	\$ 11,532	\$ 850,000	\$ 99,468	\$ -	\$ 1,014,945	
A3g - Residential Workforce Development	\$ -	\$ -	\$ -	\$ 19,600	\$ -	\$ 19,600	
A3h - Residential R&D and Demonstration	\$ -	\$ 3,500	\$ 22,500	\$ 57,500	\$ -	\$ 83,500	
A3i - Residential Education	\$ -	\$ 25,000	\$ -	\$ -	\$ -	\$ 25,000	
B - Low-Income	\$ 268,783	\$ 53,890	\$ 2,845,870	\$ 718,294	\$ 153,661	\$ 4,040,498	
B1 - Low-Income Whole House	\$ 191,300	\$ 29,155	\$ 2,845,870	\$ 718,294	\$ 153,661	\$ 3,938,279	
B1a - Low-Income Single Family Retrofit	\$ 132,659	\$ 22,670	\$ 1,933,450	\$ 535,701	\$ 106,558	\$ 2,731,037	
B1b - Low-Income Multi-Family Retrofit	\$ 58,441	\$ 6,485	\$ 912,420	\$ 182,591	\$ 47,103	\$ 1,207,242	
B2 - Low-Income Hard-to-Measure	\$ 77,483	\$ 24,736	\$ -	\$ -	\$ -	\$ 102,219	
B2a - Low-Income Statewide Marketing	\$ -	\$ 22,684	\$ -	\$ -	\$ -	\$ 22,684	
B2b - Low-Income Statewide Database	\$ 2,684	\$ -	\$ -	\$ -	\$ -	\$ 2,684	
B2c - Low-Income DOER Assessment	\$ 29,381	\$ -	\$ -	\$ -	\$ -	\$ 29,381	
B2d - Low-Income Energy Affordability Network	\$ 36,070	\$ -	\$ -	\$ -	\$ -	\$ 36,070	
B2e - Low-Income Sponsorships & Subscriptions	\$ 9,348	\$ 2,052	\$ -	\$ -	\$ -	\$ 11,400	
C - Commercial & Industrial	\$ 830,371	\$ 255,539	\$ 9,796,815	\$ 1,776,112	\$ 503,985	\$ 13,162,821	
C1 - C&I New Construction	\$ 90,884	\$ 10,704	\$ 1,217,530	\$ 294,107	\$ 66,048	\$ 1,679,273	
C1a - C&I New Buildings & Major Renovations	\$ 57,873	\$ 5,543	\$ 723,350	\$ 240,510	\$ 42,058	\$ 1,069,334	
C1b - C&I Initial Purchase & End of Useful Life	\$ 33,010	\$ 5,162	\$ 494,180	\$ 53,597	\$ 23,990	\$ 609,938	
C2 - C&I Retrofit	\$ 602,611	\$ 142,714	\$ 8,539,285	\$ 1,412,005	\$ 437,937	\$ 11,194,552	
C2a - C&I Existing Building Retrofit	\$ 174,387	\$ 51,702	\$ 2,504,305	\$ 365,059	\$ 126,733	\$ 3,222,186	
C2b - C&I Small Business	\$ 295,760	\$ 58,326	\$ 4,221,754	\$ 674,040	\$ 214,939	\$ 5,464,819	
C2c - C&I Multifamily Retrofit	\$ 40,776	\$ 23,905	\$ 427,406	\$ 231,700	\$ 29,633	\$ 753,420	
C2d - C&I Upstream Lighting	\$ 91,688	\$ 8,781	\$ 1,385,820	\$ 141,206	\$ 66,632	\$ 1,694,127	
C3 - C&I Hard-to-Measure	\$ 136,877	\$ 102,120	\$ 40,000	\$ 70,000	\$ -	\$ 348,996	
C3a - C&I Statewide Marketing	\$ -	\$ 75,399	\$ -	\$ -	\$ -	\$ 75,399	
C3b - C&I Statewide Database	\$ 8,909	\$ -	\$ -	\$ -	\$ -	\$ 8,909	
C3c - C&I DOER Assessment	\$ 97,530	\$ -	\$ -	\$ -	\$ -	\$ 97,530	
C3d - C&I EEAC Consultants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
C3e - C&I Sponsorships & Subscriptions	\$ 30,438	\$ 6,821	\$ -	\$ -	\$ -	\$ 37,259	
C3f - C&I Workforce Development	\$ -	\$ 20,000	\$ -	\$ 60,000	\$ -	\$ 80,000	
C3g - C&I R&D and Demonstration	\$ -	\$ -	\$ 40,000	\$ 10,000	\$ -	\$ 50,000	
<b>GRAND TOTAL</b>	<b>\$ 2,367,722</b>	<b>\$ 787,063</b>	<b>\$ 27,208,959</b>	<b>\$ 7,054,275</b>	<b>\$ 1,427,594</b>	<b>\$ 38,845,613</b>	

2016 Actuals through Apr 2016

Program	PA Costs						TOTAL PA COSTS
	PP&A	Marketing	Incentives	STAT	EMV	PA COSTS	
A - Residential	\$ 336,699	\$ 120,284	\$ 341,187	\$ 206,042	\$ 110,949	\$ 1,115,141	
A1 - Residential Whole House	\$ 165,997	\$ 25,097	\$ 116,394	\$ 132,237	\$ 45,444	\$ 485,069	
A1a - Residential New Construction	\$ 4,702	\$ 1,127	\$ 56,526	\$ 15,407	\$ 1,118	\$ 78,880	
A1b - Residential Multi-Family Retrofit	\$ 7,806	\$ 963	\$ -	\$ 4,679	\$ 4,878	\$ 18,326	
A1c - Residential Home Energy Services - Measures	\$ 133,662	\$ 19,216	\$ 140	\$ 84,977	\$ 33,060	\$ 271,054	
A1d - Residential Home Energy Services - RCS	\$ 17,526	\$ 3,507	\$ -	\$ 12,621	\$ 3,324	\$ 36,978	
A1e - Residential Behavior/Feedback Program	\$ 2,301	\$ 284	\$ 59,629	\$ 14,553	\$ 3,065	\$ 79,831	
A2 - Residential Products	\$ 44,187	\$ 37,132	\$ 201,730	\$ 66,963	\$ 65,505	\$ 415,517	
A2a - Residential Heating & Cooling Equipment	\$ 18,080	\$ 2,231	\$ 155,224	\$ 18,678	\$ 26,090	\$ 220,303	
A2b - Residential Consumer Products	\$ 3,942	\$ 8,192	\$ 12,549	\$ 11,802	\$ 1,553	\$ 38,038	
A2c - Residential Lighting	\$ 22,165	\$ 26,709	\$ 33,957	\$ 36,483	\$ 37,862	\$ 157,176	
A3 - Residential Hard-to-Measure	\$ 126,515	\$ 58,035	\$ 23,163	\$ 6,843	\$ -	\$ 214,555	
A3a - Residential Statewide Marketing	\$ -	\$ 48,863	\$ -	\$ -	\$ -	\$ 48,863	
A3b - Residential Statewide Database	\$ 5	\$ -	\$ -	\$ -	\$ -	\$ 5	
A3c - Residential DOER Assessment	\$ 114,662	\$ -	\$ -	\$ -	\$ -	\$ 114,662	
A3d - Residential EEAC Consultants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
A3e - Residential Sponsorships & Subscriptions	\$ 866	\$ 4,758	\$ -	\$ -	\$ -	\$ 5,625	
A3f - Residential HEAT Loan	\$ 10,982	\$ 3,019	\$ 23,163	\$ 6,829	\$ -	\$ 43,993	
A3g - Residential Workforce Development	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
A3h - Residential R&D and Demonstration	\$ -	\$ -	\$ -	\$ 13	\$ -	\$ 13	
A3i - Residential Education	\$ -	\$ 1,395	\$ -	\$ -	\$ -	\$ 1,395	
B - Low-Income	\$ 67,935	\$ 16,010	\$ -	\$ 6,052	\$ 9,943	\$ 99,941	
B1 - Low-Income Whole House	\$ 38,348	\$ 5,183	\$ -	\$ 6,052	\$ 9,943	\$ 59,526	
B1a - Low-Income Single Family Retrofit	\$ 26,593	\$ 3,584	\$ -	\$ 4,197	\$ 5,802	\$ 40,186	
B1b - Low-Income Multi-Family Retrofit	\$ 11,755	\$ 1,589	\$ -	\$ 1,855	\$ 4,141	\$ 19,340	
B2 - Low-Income Hard-to-Measure	\$ 29,587	\$ 10,827	\$ -	\$ -	\$ -	\$ 40,414	
B2a - Low-Income Statewide Marketing	\$ -	\$ 9,901	\$ -	\$ -	\$ -	\$ 9,901	
B2b - Low-Income Statewide Database	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
B2c - Low-Income DOER Assessment	\$ 29,381	\$ -	\$ -	\$ -	\$ -	\$ 29,381	
B2d - Low-Income Energy Affordability Network	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
B2e - Low-Income Sponsorships & Subscriptions	\$ 206	\$ 926	\$ -	\$ -	\$ -	\$ 1,133	
C - Commercial & Industrial	\$ 235,590	\$ 52,650	\$ 328,290	\$ 164,089	\$ 32,175	\$ 812,794	
C1 - C&I New Construction	\$ 18,646	\$ 2,132	\$ 92,887	\$ 43,734	\$ 6,808	\$ 164,208	
C1a - C&I New Buildings & Major Renovations	\$ 11,874	\$ 1,358	\$ 58,035	\$ 37,635	\$ 3,882	\$ 112,803	
C1b - C&I Initial Purchase & End of Useful Life	\$ 6,773	\$ 775	\$ 34,832	\$ 6,099	\$ 2,927	\$ 51,405	
C2 - C&I Retrofit	\$ 123,635	\$ 14,401	\$ 235,402	\$ 118,495	\$ 25,367	\$ 517,301	
C2a - C&I Existing Building Retrofit	\$ 35,778	\$ 4,092	\$ 115,434	\$ 35,655	\$ 7,333	\$ 198,292	
C2b - C&I Small Business	\$ 60,680	\$ 7,201	\$ 111,269	\$ 61,662	\$ 12,700	\$ 253,512	
C2c - C&I Multifamily Retrofit	\$ 8,366	\$ 957	\$ -	\$ 5,928	\$ 1,642	\$ 16,892	
C2d - C&I Upstream Lighting	\$ 18,811	\$ 2,151	\$ 8,700	\$ 15,251	\$ 3,692	\$ 48,605	
C3 - C&I Hard-to-Measure	\$ 93,309	\$ 36,116	\$ -	\$ 1,860	\$ -	\$ 131,285	
C3a - C&I Statewide Marketing	\$ -	\$ 32,912	\$ -	\$ -	\$ -	\$ 32,912	
C3b - C&I Statewide Database	\$ 5	\$ -	\$ -	\$ -	\$ -	\$ 5	
C3c - C&I DOER Assessment	\$ 91,978	\$ -	\$ -	\$ -	\$ -	\$ 91,978	
C3d - C&I EEAC Consultants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
C3e - C&I Sponsorships & Subscriptions	\$ 1,325	\$ 3,205	\$ -	\$ -	\$ -	\$ 4,530	
C3f - C&I Workforce Development	\$ -	\$ -	\$ -	\$ 1,844	\$ -	\$ 1,844	
C3g - C&I R&D and Demonstration	\$ -	\$ -	\$ -	\$ 16	\$ -	\$ 16	
<b>GRAND TOTAL</b>	<b>\$ 640,224</b>	<b>\$ 188,923</b>	<b>\$ 669,476</b>	<b>\$ 376,184</b>	<b>\$ 153,068</b>	<b>\$ 2,027,876</b>	

as Percent



FOR 2016 11

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	% USED
-----							
120 CAPE LIGHT COMPACT							
-----							
8074 CAPE LIGHT COMPACT OPERTG FUND							
-----							
8074 5100	CLC OPERTG FD-SALARIES						
	0.00	194,586.00	184,957.69	7,066.83	0.00	9,628.31	95.1%*
8074 5213	CLC OPERTG FD-TELEPHONES						
	0.00	3,000.00	102.48	0.00	207.52	2,690.00	10.3%
8074 5220	CLC OPERTG FD-UTILITIES						
	0.00	4,500.00	2,982.18	0.00	0.00	1,517.82	66.3%
8074 5233	CLC OPERTG FD-AUDIT/ACCTG SVCS						
	0.00	32,900.00	11,000.00	0.00	0.00	21,900.00	33.4%
8074 5235	CLC OPERTG FD-LEGAL SERVICES						
	0.00	299,375.00	147,173.42	0.00	0.00	152,201.58	49.2%
8074 5238	CLC OPERTG FD-IT COUNTY SUPPRT						
	0.00	8,750.00	8,098.98	0.00	0.00	651.02	92.6%*
8074 5239	CLC OPERTG FD-CONTRACTUAL						
	0.00	65,000.00	37,725.73	0.00	18,826.25	8,448.02	87.0%
8074 5244	CLC OPERATG FD-PROFESS DEVELOP						
	0.00	5,000.00	1,160.00	0.00	0.00	3,840.00	23.2%
8074 5270	CLC OPERATG FD-CUSTO/MAIN-CNTY						
	0.00	9,226.00	9,226.00	0.00	0.00	0.00	100.0%*
8074 5281	CLC OPERTG FD-OUTSTATE TRAVEL						
	0.00	6,000.00	2,101.75	0.00	0.00	3,898.25	35.0%
8074 5282	CLC OPERTG FD-IN STATE TRAVEL						
	0.00	16,000.00	14,420.93	0.00	348.75	1,230.32	92.3%*
8074 5291	CLC OPERTG FD-ADVERTISING						
	0.00	38,561.00	32,893.70	5,042.00	4,886.90	780.40	98.0%*
8074 5293	CLC OPER-OUTRCH/MARKETG CONTRC						
	0.00	76,520.75	72,237.75	625.00	1,875.00	2,408.00	96.9%*
8074 5294	CLC OPERTG FD-FREIGHT/SHIPPG						
	0.00	250.00	35.14	0.00	0.00	214.86	14.1%
8074 5295	CLC OPERTG FD-PRINTG/COPYG						
	0.00	10,627.30	6,739.36	437.50	3,777.90	110.04	99.0%*
8074 5298	CLC OPERTG-LED ST LIGHTS-CONTR						
	0.00	12,944.25	0.00	0.00	0.00	12,944.25	.0%
8074 5320	CLC OPERTG FD-FOOD SUPPLIES						
	0.00	500.00	195.20	0.00	252.69	52.11	89.6%
8074 5361	CLC OPERTG FD-POSTAGE						
	0.00	13,851.52	7,170.87	0.00	4,794.37	1,886.28	86.4%
8074 5399	CLC OPERTG FD-SUPPLIES						
	0.00	2,000.00	636.07	0.00	0.00	1,363.93	31.8%





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ATTORNEYS AT LAW

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The firm has attorneys also admitted  
to practice in District of Columbia,  
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**CONFIDENTIAL AND PRIVILEGED  
ATTORNEY/CLIENT COMMUNICATION**

To: Margaret T. Downey, Compact Administrator  
From: BCK Law, P.C.  
Date: May 6, 2016  
Re: Cape Light Compact Legal Services Budget for Fiscal Year 2017

This memorandum provides the Cape Light Compact (the "Compact") with a description of the legal services to be rendered by BCK Law, P.C. ("BCK") for all fiscal year 2017 ("FY 2017") matters known to us at this time that will be billed to the Compact's Operational Fund. A description for each matter is set forth below. The total budget estimate for these FY 2017 services is \$232,019.<sup>1</sup> Our budget estimate is based on information known to us now and the one thing that is certain is that there will be developments that none of us can foresee at present that may require legal services that we have not planned for or, conversely, that may result in a decrease in the budget as events unfold.

1. Net Metering/Distributed Generation and Related Proceedings

Description of legal services: Routine representation of the Compact in regulatory proceedings before the Department of Public Utilities ("DPU") regarding net metering of renewable energy facilities in Massachusetts (e.g., participation in technical sessions, attendance at working group meetings, filing of comments, etc.). Ongoing dockets include DPU 11-11, DPU 11-75 and DPU 15-32.

2. DPU 15-120/DPU 15-122 (National Grid and Eversource Grid Modification Plans)

Description of legal services: General docket monitoring and client communications regarding review of filings by parties to the proceeding. Prepare and issue discovery on behalf of the Compact. Prepare pre-filed testimony for the Compact's witnesses and responses to discovery

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<sup>1</sup> Our estimate does not include expert witness or consulting fees for regulatory litigation and rulemaking matters nor does it include the cost of any appeal of any matter.

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requests. Preparation of Compact witnesses for evidentiary hearings and attendance at evidentiary hearings. Review of discovery, hearing transcripts and preparation and filing of legal briefs for the Compact.

3. DPU 15-181 and DPU 16-05 (Electric Distribution Company Gas Contracts)

Description of legal services: General docket monitoring and client communications regarding review of filings by parties to the proceeding. Attend meetings or conference calls with the Office of the Attorney General and other parties, as requested, regarding the matters of first impression before the DPU in this docket. Review of discovery and preparation and filing of legal briefs for the Compact.

4. DPU 16-06 (National Grid Non-Wires Alternative)

Description of legal services: General docket monitoring and client communications regarding review of filings by parties to the proceeding. Attendance at evidentiary hearings, as requested. Review of discovery and preparation and filing of legal briefs for the Compact.

5. Power Supply (Regulatory)

Description of legal services: Routine representation of the Compact in regulatory proceedings before the DPU regarding ratepayer advocacy, basic service pricing, competitive power supply matters and long-term utility contracting (ongoing dockets include DPU 14-140 (investigation into initiatives to improve the retail electric competitive supply market); and DPU 15-40 (investigation into the provision of Basic Service). Services also include monitoring and participation in the proposed rulemaking by the Office of the Attorney General to revise 940 C.M.R. §19.00 (consumer protection regulations) and monitoring of proceedings as requested by the Compact from time to time.

6. Power Supply (Contract and Competitive Electric Supplier Issues)

Description of legal services: BCK will assist the Compact in its dealings with competitive electric suppliers providing service to the Compact aggregation. Tasks include negotiating amendments to the competitive supply agreement and assisting in the Compact's review of price terms and conditions. BCK will also participate in strategy meetings or calls with the Compact and/or its consultants to explore alternative structures for providing power supply to the Compact aggregation.

7. Power Supply (Municipal Supply Procurement)

Description of legal services: BCK will assist the Compact in its procurement of a competitive power supplier to serve the municipal electric load of the Compact's members. Tasks include negotiating a form of competitive supply agreement with potential bidders and assisting in the Compact's review of price bids. BCK will also participate in strategy meetings or calls with the Compact and/or its consultants.



8. Legislation

Description of legal services: Routine monitoring and tracking of state and federal legislation. Activities include analysis and summary of legislation, discussions with State House staff, discussions with Administration officials and drafting of legislation.

9. BCY Green Habitat Project

Description of legal services: As requested, negotiate and finalize agreements with Habitat for Humanity and Habitat homeowners related to the Compact's pre-purchase of SRECs from solar photovoltaic systems on Habitat homes on the Cape & Vineyard.

10. General

Description of legal services: Attend Compact meetings; advise the Compact on municipal law issues (general compliance with open meeting law issues and G.L. c. 268A), provide guidance on organizational and authority matters as requested, including potential amendments to the Compact's Inter-Governmental Agreement, Administrative Services Agreement and other miscellaneous matters.

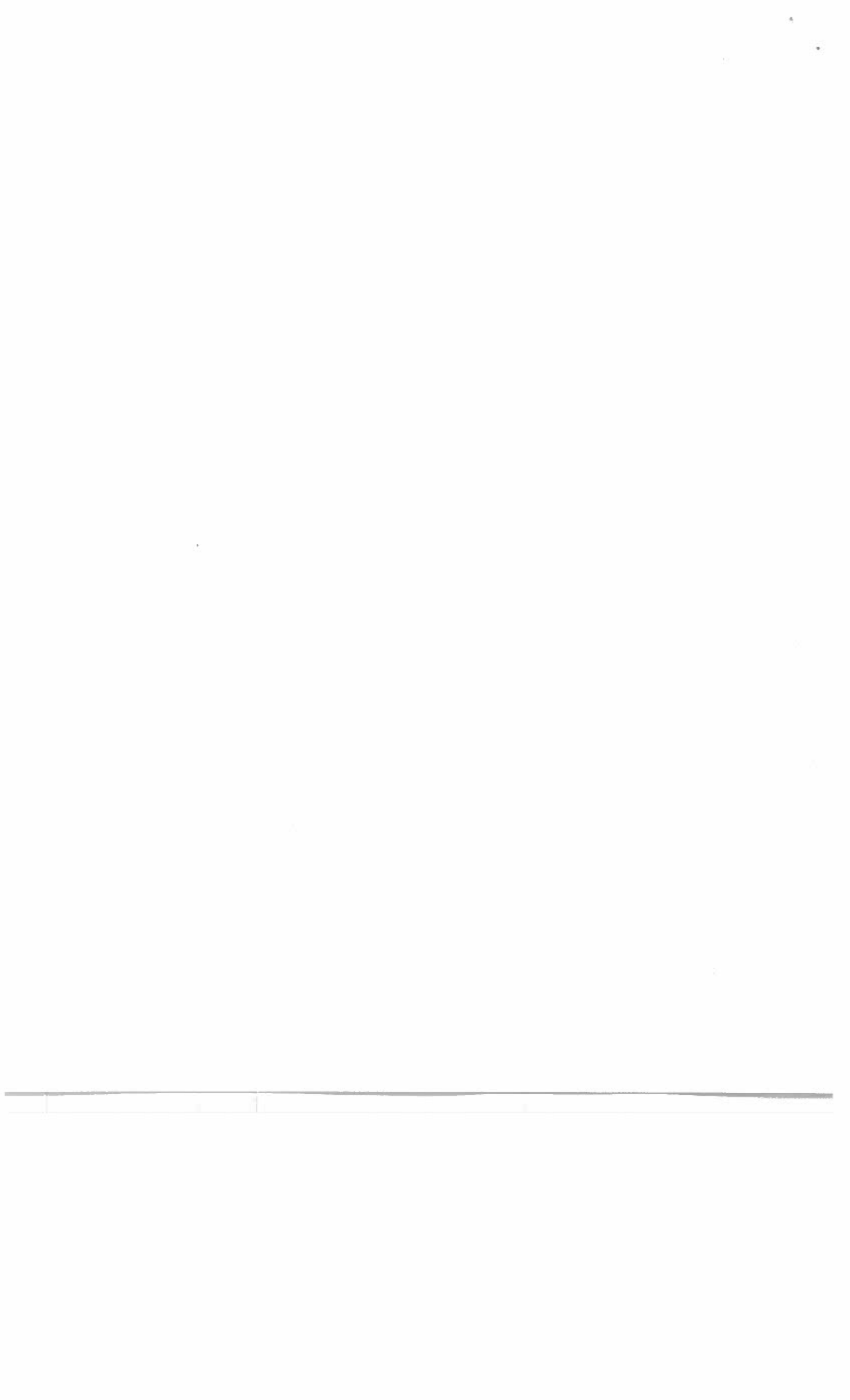
11. Special Legal Services

Description of legal services: Respond to Public Records Law requests, Open Meeting Law complaints, information requests from the Office of the Inspector General and other such issues. These services also include assistance responding to appeals of Public Records Law determinations.

12. Direct Expenses (this does not include outside consulting costs)

Description of direct expenses: Travel (mileage), filing fees, copying, legal research database charges, messenger, postage and any other expense not listed but incurred.

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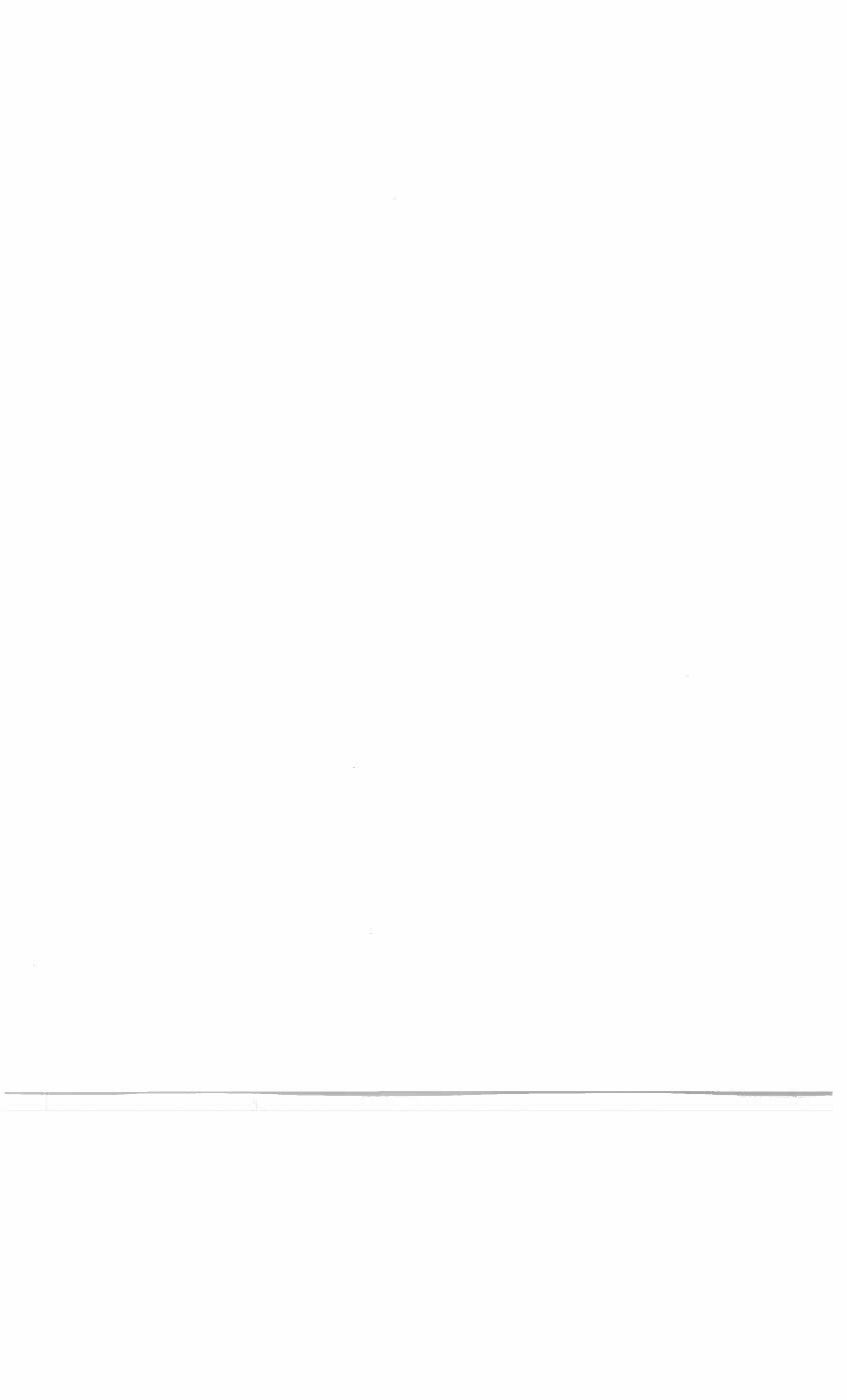


Cape Light Compact Power Supply Reserve Fund Balance as of 4/29/16  
 Projected Cape Light Compact Power Supply Reserve Fund Balance as of 6/30/16  
 Projected FY17 Operational Adiler Revenue as of 6/30/17

\$ 945,739.56  
 \$ 1,015,739.56 (\$70K of Operational Adder)  
 \$ 840,000.00

**Cape Light Compact Fiscal Year 2017 (July 1, 2016 - June 30, 2017) Proposed Operating Budget**

Item	FY 16	Proposed FY17	
Salaries	\$ 218,086.00	\$ 194,500.00	Power Supply 100%, Maggie 70% CLC Admin. Asst. 25%, Lindsay 10%
Salary Reserve	\$ -	\$ 6,000.00	
Auditor	\$ 40,000.00	\$ 40,000.00	
Legal	\$ 317,575.00	\$ 233,019.00	
Contractual	\$ 86,566.00	\$ 65,000.00	DPU Proceedings (15-181, 15-122-Grid Mod)
Outreach/Marketing Contractor	\$ 63,365.00	\$ 36,000.00	
Food	\$ 500.00	\$ 500.00	
Supplies	\$ 2,000.00	\$ 2,000.00	
Telephone	\$ 3,000.00	\$ 3,000.00	
IT County Support	\$ 8,750.00	\$ 8,750.00	25% of County Services
Finance County Support	\$ 4,000.00	\$ 5,000.00	25% of County Services
Rent County	\$ 17,500.00	\$ 21,174.23	25% of County Services
Custodial/Maintenance County	\$ 9,226.00	\$ 9,789.00	25% of County Services
Utilities County	\$ 4,500.00	\$ 5,200.00	25% of County Services
Travel Out-of-state	\$ 6,000.00	\$ 6,000.00	
Travel In-state	\$ 16,000.00	\$ 16,000.00	
Advertising - power supply	\$ 55,561.00	\$ 45,100.00	
Shipping	\$ 250.00	\$ 250.00	
Postage	\$ 13,852.00	\$ 13,852.00	
Sponsorships (formerly Association Dues)	\$ 20,000.00	\$ 30,000.00	Roundtable, Living Local, NECA, PTI, Rotary Show (1/2 events)
Subscriptions	\$ 2,500.00	\$ 4,000.00	
Printing	\$ 10,627.00	\$ 12,000.00	
Public Officials Insurance	\$ 10,000.00	\$ 10,000.00	
Bank Fees	\$ -	\$ 500.00	
Health Insurance	\$ 33,557.00	\$ 36,913.00	
Retirement	\$ 45,481.00	\$ 55,000.00	
Medicare	\$ 3,217.00	\$ 3,800.00	
Equipment Rental	\$ 10,000.00	\$ 10,000.00	
Professional Development		\$ 5,000.00	
LED Streetlight Reserve	\$ 15,000.00		
<b>Subtotal CLC Operating Budget</b>	<b>\$ 1,017,113.00</b>	<b>\$ 878,347.23</b>	



## Amendment #1025 to H.4200

### Amendment to Promote Transparency in Municipal Aggregator Reporting

Mr. Hunt of Sandwich moves to amend the bill by adding the following section:

"SECTION XXXX. Chapter 40 of the General Laws is hereby amended by adding, after section 4K, the following new section:-

Section 4L. Any group of municipalities acting together to aggregate the electric load of interested electricity consumers within its boundaries for the transaction of any lawful business associated with the purchase of energy or energy related services to retail customers shall report annually to member municipalities on accurate and comprehensive records of services performed, costs incurred, and reimbursements and contributions received relating to the purchase of energy or energy related services to retail customers."

Additional Cosponsors
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Timothy R. Whelan
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