Cape Light Compact  
Governing Board  
Executive Session Meeting Minutes  
Wednesday, July 13, 2016

The Cape Light Compact Governing Board met in Executive Session on Wednesday, June 13, 2016 in the Innovation Room, Open Cape Building, Barnstable County Complex, 3195 Main Street, Barnstable MA 02630 at 12:41 p.m.

Present Were:  
1. Joyce Flynn, Chair, Yarmouth  
2. Peter Cocolis, Treasurer, Chatham  
3. Ronald Zweig, Secretary, Falmouth  
4. Richard Toole, Member at Large, Oak Bluffs – by phone  
5. David Anthony, Barnstable  
6. Deane Keuch, Brewster at 12:54 pm  
7. Andrew Gottlieb, Mashpee  
8. Thomas Donegan, Provincetown  
9. Joshua Peters, Sandwich  
10. Joseph Buteau, Truro  
11. Richard Elkin, Wellfleet  
12. Sue Hruby, West Tisbury  
13. Sheila Lyons, Barnstable County at 1:32 pm

Absent Were:  
14. Paul Pimentel, Edgartown  
15. John Ally, Dukes County  
16. Chris Galazzi, Orleans  
17. Michael Hebert, Aquinnah  
18. Tim Carroll, Chilmark  
19. Fred Fenlon, Eastham  
20. Brad Crowell, Dennis  
21. Valerie Bell, Harwich  
22. Robert Schofield, Vice-Chair  
23. Tisbury - vacant

Members physically present: 12  
Members present by phone: 1

Legal Counsel  
Jeff Bernstein, Esq., BCK Law, PC

Staff Present:  
Maggie Downey, Administrator  
Austin Brandt, Power Supply Planner  
Phil Moffitt, Residential Manager  
Lindsay Henderson, Analyst  
Margaret Song, C&I Program Manager  
Linda Stella, Administrative Assistant

Executive Session  
At 12:41 p.m. Chr. Flynn moved that the Board enter into Executive Session Pursuant to M.G.L. Chapter 30A M.G.L. 30A, §21(a)(3) and §21(a)(10), to discuss the update on Compact and NGRID Agreement for Natural Gas Heated Homes, the Litigation strategy regarding Electric Distribution Companies and Interstate Natural Gas Pipeline Capacity Contracts, DPU 15-181, DPU 16-05 and DPU 16-07; and Litigation strategies related to Grid Modernization and Plans filed by Massachusetts Distribution Companies (DPU 15-120 and 15-122).  

I declare that an open session may have a detrimental effect on the Cape Light Compact’s litigating position and that disclosure of confidential and competitively-sensitive information will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy. The Governing Board would not return to Open Session at the conclusion of Executive Session.
Seconded by P. Cocolis and voted by roll call as follows:
1. P. Cocolis, Chatham – yes
2. R. Zweig, Falmouth – yes
3. R. Toole, Oak Bluffs – yes
4. J. Flynn, Yarmouth - yes

UPDATE ON COMPACT AND NGRID AGREEMENT FOR NATURAL GAS HEATED HOMES

M. Downey gave an overview of the Compact’s position to serve all electric customers on Cape Cod and Martha’s Vineyard regardless of fuel type. The Compact has provided weatherization measures and electric measures to all electric customers. She stated that in other territories the heating program administrator takes the lead. The Compact has been trying to reach an agreement with National Grid since January to serve the gas heat customers on the Cape, and that the Department of Public Utilities is expecting to see a final agreement between the two entities.

NGRID asserts that it has the exclusive right to serve residential gas heat customers on the Cape. The Agreement is intended to provide a pathway for administration of Home Energy Services to gas-heating customers on the Cape, since these customers are mutual customers of the Compact and National Grid.

Staff is requesting direction from the Board regarding the Agreement with National Grid. P. Moffitt presented the issues at hand to the Board for their guidance.

D. Keuch arrived at 12:54 pm.

M. Downey presented the pros and cons to the Board, and stated that the gas heated homes represent a big number of customers on the Cape, and that the Compact could lose if this ends up going to the Department of Public Utilities. The Compact offers a greater incentive for weatherization, and in the agreement, the Compact would not receive any benefits from paying the additional incentive. The Compact has proposed some options, which National Grid has rejected.

P. Cocolis asked why National Grid was not agreeable to the various options and M. Downey stated that it is because they believe that these are their customers. T. Donegan asked if the Compact could merge with the Lowell filing to become a gas aggregator and J. Bernstein said no, because these are different territories.

M. Downey stated that there is no law stating that the gas utility must serve gas heated homes, it has just been an agreement between the program administrators.

S. Lyons arrived at 1:32 pm.

LITIGATION STRATEGY DISCUSSION REGARDING ELECTRIC DISTRIBUTION COMPANIES AND INTERSTATE NATURAL GAS PIPELINE CAPACITY CONTRACTS, DPU 15-181, DPU 16-05 AND DPU 16-07
M. Downey gave a brief updated that the natural gas pipeline proceedings are moving forward and that the Compact is continuing to monitor.

LITIGATION STRATEGIES RELATED TO GRID MODERNIZATION AND PLANS FILED BY MASSACHUSETTS DISTRIBUTION COMPANIES (DPU 15-120 AND 15-122)
M. Downey stated that the Compact has submitted two sets of information requests. The Attorney General’s Office is the only other entity who is really asking questions of Eversource. Eversource has said that grid modernization is only available for basic service customers.

At 1:36 p.m., J. Flynn made a motion to leave Executive Session and return to Open Session, seconded by P. Cocolis, voted by roll call as follows:

1. P. Cocolis, Chatham – yes
2. R. Zweig, Falmouth – yes
3. R. Toole, Oak Bluffs – yes
4. J. Flynn, Yarmouth - yes

Respectfully submitted,
Linda Stella

**LIST OF DOCUMENTS & EXHIBITS**
- Meeting Notice/Agenda
- Presentation on NGRID Agreement