

**Cape Light Compact JPE
Governing Board and Executive Committee
Open Session Meeting Minutes
Wednesday, January 10, 2018**

The Cape Light Compact JPE Board of Directors and Executive Committee met on Wednesday, January 10, 2018 in the Martha's Vineyard Conference Room at the Cape Light Compact JPE Offices at 261 Whites Path, Yarmouth MA 02664 at 1:00PM.

Present Were:

1. Joyce Flynn, Chair, Yarmouth
2. David Anthony, Secretary, Barnstable
3. Robert Schofield, Executive Committee, Bourne
4. Peter Cocolis, Executive Committee, Chatham
5. Richard Toole, Executive Committee, Oak Bluffs
6. Thomas Donegan, Executive Committee, Provincetown
7. Valerie Bell, Harwich
8. Martin Culik, Orleans
9. Colin Odell, Brewster
10. Richard Elkin, Wellfleet
11. ChristiAne Mason, Wellfleet Alternate
12. Paul Pimentel, Edgartown
13. Brad Crowell, Dennis
14. Tim Carroll, Chilmark – by phone
15. Ronald Zweig, Vice-Chair, Falmouth – by phone
16. Sue Hruby, West Tisbury – by phone, joined the meeting at 1:41
17. Jay Grande, Tisbury – by phone, joined the meeting at 1:15
18. Fred Fenlon, Eastham, joined the meeting at 1:45
19. Robert Hannemann, Duke's County, joined the meeting at 2:18

Absent Were:

20. Jarrod Cabral, Truro
21. Michael Hebert, Aquinnah
22. Vacant - Sandwich
23. Wayne Taylor, Mashpee

Members/Alternates

Physically present: 15

Members present by phone: 4

Legal Counsel

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

Rebecca Zachas, Esq., BCK Law, P.C. – by phone

Staff Present

Greg Abbe, Senior C&I Senior Analyst

Austin Brandt, Senior Power Supply Planner

Maggie Downey, Administrator

Lindsay Henderson, Analyst and Marketing
Briana Kane, Planning and Evaluation Manager
Margaret Song, C&I Program Manager

CONSULTANT

Kevin Galligan, Galligan Energy Consulting Inc.

PUBLIC PRESENT

Peter Doyle, Barnstable

Joyce Flynn called the meeting to order at 1:06. Joyce Flynn recognized Jay Grande of Tisbury, Ronald Zweig of Falmouth, and Sue Hruby of West Tisbury, who were all remotely participating because physical attendance at the meeting would be unreasonably difficult.

Open Session Vote on entry into Executive Session pursuant to M.G.L. c. 30A §§21(a)(3) to discuss matters below, to return to open session:

1. Regulatory litigation strategy. DPU 17-05, 2017 Eversource Rate Case
2. Update on Regulatory Litigation and discussion of strategy related to the Compact’s Aggregation Plan, DPU 14-69, and the Compact’s Request for an Advisory Ruling DPU 17-95

Joyce Flynn at 1:08 moved to enter into Executive Session pursuant to MGL Chapter 30A §21(a) 3 to discuss strategy with respect to pending regulatory litigation relative to DPU 17-05, the Eversource Rate Case and to provide an update on regulatory litigation and discussion of strategy related to the Compact’s Aggregation Plan, DPU 14-69, and the Compact’s request for an Advisory Ruling, DPU 17-95.

The recordkeeper of today’s executive session, shall be Compact staff. The Executive Session meeting minutes shall be presented to the Compact’s Secretary for review and approval.

I declare that an open session may have a detrimental effect on the Cape Light Compact’s litigating position. The Governing Board will return to Open Session at the conclusion of Executive Session. Seconded by Peter Cocolis.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Robert	Hannemann	Dukes County	Not present for this vote
Fred	Fenlon	Eastham	Not present for this vote
Paul	Pimentel	Edgartown	Yes
Ron	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes

Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Jay	Grande	Tisbury	Not present for this vote
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Not present for this vote
Joyce	Flynn	Yarmouth	Yes

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

At 3:00 PM, Joyce Flynn asked for a motion to end executive session, moved by Robert Schofield, seconded by Bob Crowell.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Robert	Hannemann	Dukes County	Abstained
Fred	Fenlon	Eastham	Abstained
Paul	Pimentel	Edgartown	Yes
Ron	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Jay	Grande	Tisbury	Abstained
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Abstained
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (14 – 0 – 4)

PUBLIC COMMENT

There were no members of the public present.

APPROVAL OF MINUTES

The Board considered the December 13, 2017 Meeting Minutes.

Martin Culik moved the board to accept the minutes, seconded by Colin Odell.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes

Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Robert	Hannemann	Dukes County	Yes
Fred	Fenlon	Eastham	Yes
Paul	Pimentel	Edgartown	Yes
Ron	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Jay	Grande	Tisbury	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (18 – 0 – 0)

CHAIRMAN’S REPORT

The Board discussed closing the nominations hearing no new nominations.

Tom Donegan moved the Board to close nominations, seconded by Robert Schofield.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Robert	Hannemann	Dukes County	Yes
Fred	Fenlon	Eastham	Yes
Paul	Pimentel	Edgartown	Yes
Ron	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Jay	Grande	Tisbury	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (18 – 0 – 0)

1. Elections for 2018 Officers and Executive Committee Members

Motion to accept nominations the slate of nominations as presented

- Joyce Flynn, Chair, Yarmouth
- Ronald Zweig, Vice-Chair.
- David Anthony, Secretary, Barnstable
- Robert Schofield, Executive Committee, Bourne
- Peter Cocolis, Executive Committee, Chatham
- Richard Toole, Executive Committee, Oak Bluffs
- Thomas Donegan, Executive Committee, Provincetown
- Tammy Glivinski, Treasurer
- Joanne Nelson, Business Officer

Moved by Robert Schofield, seconded by Martin Culik.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Robert	Hannemann	Dukes County	Yes
Fred	Fenlon	Eastham	Yes
Paul	Pimentel	Edgartown	Yes
Ron	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Jay	Grande	Tisbury	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (18 – 0 – 0)

FISCAL REPORT, PETER COCOLIS

Peter Cocolis reviewed the Operational Budget handout and noted 2017 would be finalized in February 2018. Peter Cocolis also reviewed the Energy Efficiency budget handout, again noting that the expenditures were through November and would be finalized in February 2018.

MEETING PROTOCOLS UPDATE, TOM DONEGAN

Joyce Flynn asked to move this to February’s meeting.

ADMINISTRATOR'S REPORT:

1. Discussion and Potential Vote on Aggregation Plan Amendments

Maggie Downey indicated the changes were for the limited purpose of updating the sections of the plan that address the organizational structure of the program and its operations and removes and replaces all references to the prior inter-governmental agreement and Barnstable County. No changes to the enrollment process were included at this time. Jeffrey Bernstein indicated pages 2, 3, 7, and 8 are 90+% of the changes. David Anthony asked about the members and Dukes County and the status of Dukes County as a member. Thomas Donegan asked if this was the compliance filing with the ruling. Jeffrey Bernstein indicated this filing was to address changes to JPE but did not change customer enrollment. Thomas Donegan asked if the auditor could be added to the org chart under the Board. Maggie Downey indicated that would not be consistent with the current structure of the JPE. Richard Elkin asked to have the footnote explained on page 14.

Motion made by Robert Schofield to vote to approve the proposed revisions to the Cape Light Compact's Aggregation Plan, seconded by Martin Culik.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Robert	Hannemann	Dukes County	Yes
Fred	Fenlon	Eastham	Yes
Paul	Pimentel	Edgartown	Yes
Ron	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Jay	Grande	Tisbury	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (18 – 0 – 0)

Aggregation Plan: New Customer Enrollment Language

Motion made by Martin Culik to vote to authorize the Compact Administrator to file the following change to the Compact's Aggregation Plan on January 29, 2018 should the DPU not issue a stay in response to the Compact's appeal or separate judicial stay is not issued, seconded by Robert Schofield.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes

Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Robert	Hannemann	Dukes County	Yes
Fred	Fenlon	Eastham	Yes
Paul	Pimentel	Edgartown	Yes
Ron	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Jay	Grande	Tisbury	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (18 – 0 – 0)

2. Overview and Discussion of Compact Operating Budget Legal Expenses

Maggie Downey indicated that the legal expenses discussion would be continued to the February Board Meeting.

Additional updates from the Compact Administrator:

Maggie Downey asked for new W-9's for each Board Member. The Storm Assistance Heating System Handout was reviewed with the Board. Additionally, on January 16th, the auditors will be in the offices to discuss OPEB and more details will be sent out once received from the auditors.

3. Discussion on CLC Board Member Email Accounts

Maggie Downey indicated that counsel wanted to make the Board aware about concerns using their own emails (particularly under the Public Records Law) and the ability to use your CLC specific emails. Sense of the Board is to have a unique Cape Light Compact email address. Staff will come back to board with a proposal for review.

POWER SUPPLY STRATEGY DISCUSSION, AUSTIN BRANDT

Austin Brandt reviewed the Power Supply Strategy presentation and asked what if any changes would the Board wish to see to the Power Supply program; continue with the current program, purchase renewable power, or a combination of the two.

Maggie Downey asked the Board to start with policy question first “Do we want to have a lower rate than utility Basic Service?”. Richard Elkin asked for a ballpark number, if we currently pay 1 mil over, what happens if we pay 2 mil, 3 mil, 4 mil. Paul Pimentel indicated that he had to take into account his personal desire vs. advocating for the towns and its customers. Towns and customers would most likely choose to stay lower than Basic Service. Thomas Donegan indicated there is a push for green with competitive supply. Valerie Bell

mentioned that the bottom line is price, so it is fine line to allow for some green to support renewable, but not have customers walk away from the Compact because of price. The people she has talked with are happy with the current program, and if we move too far away from that price point, customers might walk away. Austin Brandt indicated the Board should consider what customers' threshold was, 1 cent per kWh can do a lot in advancing renewable options but would be a significant price increase. Richard Elkin asked how much the added cost for more green was, and how much do we allow ourselves to hedge into the future? Richard Toole indicated this truly is a balancing act and while he would pay more, others won't and he doesn't want to lose customers. Peter Cocolis stated we are in a position now where we don't know what is going to happen with the DPU. Chatham residents like that we are 100% green and that we are advocating for them. Rob Hannemann asked as we go into a new contract with a supplier, is it possible to specify no coal? Austin Brandt indicated that unless we are willing to purchase from specific generating sources, our electricity will come from the ISO NE generating mix we have discussed previously. Jeffrey Bernstein indicated that Brookline has a 25% RPS at 11.098 cents. Maggie Downey asked the Board how they feel about carbon free nuclear, not from Pilgrim. The sense of the Board was not to support nuclear. Colin Odell asked about soft green and more aggressive green, do we give customers multiple green options?

Brad Crowell left the meeting at 4:30.

Robert Schofield brought up our prior offering of 100% green and 50% green and basic. He believes we should continue on the same path currently taken, and the same vain to keep customers. Martin Culik asked about stakeholder meetings and if they were discussing Power Supply. Maggie Downey indicated the stakeholder meetings were to discuss energy efficiency.

Richard Toole left the meeting at 4:32.

ENERGY EFFICIENCY: C&I PROGRAM UPDATE ON CUSTOMER DIRECTED OPTION, GREG ABBE

Greg Abbe reviewed the Customer Directed Option PowerPoint.

MA STATE ETHICS AND OPEN MEETING LAW TRAINING, JEFF BERNSTEIN

Moved to the February meeting

ADJOURNMENT

Motion to adjourn made at 4:45 moved by Robert Schofield, seconded by Peter Cocolis.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Left the call
Brad	Crowell	Dennis	left
Robert	Hannemann	Dukes County	Yes
Fred	Fenlon	Eastham	Yes
Paul	Pimentel	Edgartown	Yes
Ron	Zweig	Falmouth	Left the call
Valerie	Bell	Harwich	Yes

Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	left
Thomas	Donegan	Provincetown	Yes
Jay	Grande	Tisbury	Left the call
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Left the call
Joyce	Flynn	Yarmouth	Yes

The Board then voted unanimously by a show of hands as there were no remote participants at the time of this vote in favor to adjourn.

Motion carried in the affirmative. (12 – 0 – 0)

Respectfully submitted,

Briana C. Kane

LIST OF DOCUMENTS AND EXHIBITS:

- Meeting Notice / Agenda
- December 13, 2017 Meeting Minutes
- Operations budget
- Storm Assistance Heating System Handout
- Power Supply Discussion
- Customer Directed Option (CDO)