

**Cape Light Compact JPE  
Governing Board  
Meeting Minutes  
Wednesday, February 10, 2021**

Pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020, the Cape Light Compact JPE Board of Directors met on Wednesday, February 10, 2021 at 2pm. The meeting was held through a Zoom videoconference for members of the Board with audio call-in available for members of the public.

**Participating Remotely Were:**

1. Forrest Filler, Aquinnah
2. David Anthony, Secretary/Executive Committee, Barnstable
3. Robert Schofield, Executive Committee, Bourne
4. Colin Odell, Executive Committee, Brewster
5. Peter Cocolis, Chatham
6. Timothy Carroll, Executive Committee, Chilmark
7. Brad Crowell, Dennis
8. Erik Peckar, Dukes County
9. Alan Strahler, Edgartown
10. Ronald Zweig, Falmouth
11. Richard Toole, Executive Committee, Oak Bluffs
12. Martin Culik, Chair/Executive Committee, Orleans
13. Nathaniel Mayo, Provincetown
14. Leanne Drake, Sandwich
15. Jay Grande, Tisbury Alternate
16. Bob Higgins-Steele, Truro Alternate
17. Richard Elkin, Executive Committee, Wellfleet
18. Sue Hruby, West Tisbury
19. Joyce Flynn, Vice Chair/Executive Committee, Yarmouth

**Absent Were:**

1. Fred Fenlon, Eastham
2. Valerie Bell, Harwich
3. Wayne Taylor, Mashpee
4. Kirk Metell, Tisbury
5. Jarrod Cabral, Truro

**Legal Counsel Participating Remotely:**

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

**Staff Participating Remotely:**

Austin Brandt, Senior Power Supply Planner  
Lindsay Henderson, Senior Analyst  
Maggie Downey, Administrator  
Melissa Allard, Senior Administrative Coordinator

**Public Participants:**

None.

Martin Culik called the meeting to order at 2:03 PM.

**PUBLIC COMMENT:**

There were no members of the public present, and no public comments were submitted to the Board in writing under the public comment guidelines.

**APPROVAL OF MINUTES:**

The Board considered the January 13, 2020 Open Session Meeting Minutes.

*Richard Elkin moved the Board to accept the minutes as amended and to release them as amended, seconded by Joyce Flynn.*

Forest	Filler	Aquinnah	Yes
David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Tim	Carroll	Chilmark	Yes
Erik	Peckar	Dukes County	Yes
Alan	Strahler	Edgartown	Yes
Ron	Zweig	Falmouth	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

**Colin Odell and Brad Crowell joined meeting at 2:08PM.**

**CHAIR REPORT:**

**1. Reminder to update Board member List**

Martin Culik reminded Board Members to send update contact information to Maggie Downey so she can put a contact list together for the Compact.

**John Grande joined meeting at 2:15PM.**

**ENERGY EFFICIENCY: DISCUSSION ON 2021 MAIN STREETS EFFORT:**

## **1. Update on 2021 Main Streets Effort, Lindsay Henderson**

Lindsay Henderson reviewed the 2021 Main Streets Update PowerPoint. Lindsay Henderson stated that the towns have been contacting her confirming their interest in participating in the Main Streets effort over the last couple of weeks. She stated that the Compact is aware that some towns do not have a defined Main Street, but she will figure out a way to make it work. She stated that the Compact is looking to help as many towns as possible. The Compact is looking to hold the events from mid-April through June, and then start up again the last week of August through October. The Compact is offering up to 100% incentive through at least June. She stated that letters and flyers would be sent to customers in the participating towns in advance of the events.

Lindsay Henderson reviewed the “Status of Town Interest” slide. She stated it needs to be updated since it was created on Monday. She asked that Board Members get back to her to confirm whether their town is interested. She stated that it would be helpful to have the town administration co-sign the letters that will go out to customers. She also stated that she will be asking participating towns to assist in marketing the event through their town website and/or email notices. She stated that she is working on a draft schedule that she will share soon.

Joyce Flynn asked if the incentives are up to 100% through June, are those participating in the fall at a disadvantage? Lindsay Henderson stated that right now it is only thought the end of June, but most likely it will be extended at least for the Main Streets effort. Richard Toole asked if the letter will be sent to the towns before they are sent to the customers. Lindsay Henderson answered yes, they will be sent to the towns first for their review and edits.

## **2. Demand Response Discussion and Potential Vote on Eligible Technologies, Austin Brandt**

Austin Brandt reviewed the Backup Generator Participation in ConnectedSolutions PowerPoint. Austin Brandt stated the reason that we are having this discussion is that in the summer of 2020 the Compact began implementing a Commercial Demand Response (DR) program and the question has come up several times on whether to allow fossil fuel (e.g., natural gas or diesel) backup generation to be able to participate in the program. He stated it is ultimately a policy decision and is seeking direction from the Board. He stated that his presentation will frame the issue and go over the various options. He also stated that there is not a staff recommendation and reiterated that staff is looking for direction from the Board.

Austin Brandt stated the Compact DR program is branded as the ConnectedSolutions program. He stated the Compact offers it to residential and commercial customers, but for this conversation he is focusing on commercial customers. The overall goal of these programs is to reduce rate payer costs by essentially reducing ISO-NE systemwide peak demand to reduce capacity costs. He stated there are two types of dispatch types. Target dispatch is where the Compact is calling events on select days of the summer where it may set the annual peak for the summer. Daily dispatch is where the Compact call events daily during peak hours in July and August.

Austin Brandt stated that commercial customers participate in ConnectedSolutions by reducing facility load when called upon during these target events. He stated many large commercial customers have behind-the-meter fossil fuel backup generators that could be used as a DR resource. Austin Brandt stated that staff is looking for direction from the board whether the Compact should allow emissions-compliant fossil fuel generator participation in commercial ConnectedSolutions programs. He stated that the Compact did not allow fossil fuel generators to participate in summer 2020 or winter 2020/21 in either targeted or daily dispatch. National Grid allows emissions-compliant fossil fuel generator participation in both dispatch programs.

Eversource and Unitil allow emissions-compliant fossil fuel generator participation in targeted dispatch, but not daily dispatch. He stated that the Department of Public Utilities (DPU) and Energy Efficiency Advisory Council (EEAC) have not taken a stance on this issue.

Austin Brandt reviewed the status of the ConnectedSolutions program. The Compact has approximately 1.8 MW summer commercial capacity currently enrolled. He stated that this is under what the Compact had planned in the 2019-2021 Energy Efficiency Plan. He stated that the Compact's curtailment service provider (CSP) partners are currently aware of 3.2 MW of natural gas generation interested in participating and there is likely more.

Austin Brandt reviewed the pros and cons of allowing emissions-compliant fossil fuel generator participation in commercial ConnectedSolutions programs. Generators could comprise a substantial portion of CLC DR portfolio if allowed.

Austin Brandt reviewed the policy options. The first option is that the Compact could continue disallowance of fossil fuel generators in Compact DR programs. Second option is to allow participation of fossil fuel generators in Targeted Dispatch only. Third option would be to allow only certain types of generators such as natural gas and combined heat and power, but not diesel. Option four is a combination of option two and three. Lastly, option five would be no limitation on generation participation.

Richard Elkin asked how long the Compact's commitment is. He asked if this is something that is reviewed every year. Austin Brandt stated that the Board can change its policy at its discretion. However, from an implementation perspective it makes things difficult when we allow participation in one year and then disallow it in the next because it leads to unhappy customers and lower participation. Peter Cocolis stated that he would not support option 5. He stated he would support option 4, but he is a little unsettled doing it and asked what would happen if we did not allow it. Austin Brandt stated that if the Compact does not allow fossil fuel generation then it would go with the status quo. Brad Crowell stated that knowing how many generators are in our territory may be useful in guiding this decision. He stated that the industry is moving towards storage and asked if the Compact could use this as a tool to get more people to adopt batteries. David Anthony asked if there a way to craft a program that in some way incentivizes battery storage but still recognizes traditional generators. Austin Brandt stated that that is the current case. The Compact's incentive rate for curtailment, which is what generators would fall under, is \$35 per kW performed and for commercial batteries it is \$100 per kW.

Sue Hruby asked if the Compact understands how many generators are in our territory and asked how many PA's are allowing them. Austin Brandt answered that the Compact is the only PA that is not allowing fossil fuel generation participation at all. He stated that he does not know how many installed generators there are. Colin Odell stated that it can be found on the Massachusetts DEP registration website. Austin Brandt stated that he will look into that and bring this information to the Board for the March meeting. Colin Odell stated that it is not easy to operate a dedicated emergency generator in a DR situation. These generators are typically run when there is no power. Austin Brandt stated that the generators the Compact would be looking at are ones that are relatively large units that are likely already participating in the ISO's capacity and energy market. Therefore, they would already have the infrastructure in place.

Richard Elkin asked if there is a way to only offer the option to existing fossil fuel generators and existing and new batteries. Austin Brandt stated that the goal of DR programs is to utilize existing resources and pay them to perform. He stated that the Board could choose to impose an installation cutoff date in order to participate, but he is not sure how the Compact would go about deciding that date or if it would be in best interest of the program. Colin Odell stated that it will be many years before batteries will be used to replace emergency generators for things like an elevator or a pump station. The incentives are not enticing enough to get a

customer to switch. He stated he does not believe that batteries and generators, for the foreseeable future, compete with each other.

Joyce Flynn asked if the Compact, in the long term, has an interest in working with many small customers opposed to a few large customers. Austin Brandt answered yes. On the residential side and small business, the Compact has a Wi-Fi thermostat program which targets residential and commercial load. The Compact is actively studying incorporating other connected home devices into our platform to be able to ask customers to curtail those. Erik Peckar stated that the islands are looking to be to be 100% renewable by 2040. With those measures in place and thinking about these programs he would support option one - not allowing fossil fuel generation to participate in the Compact's DR program. Austin Brandt stated that Erik Peckar raised a good point and that is why this has been brought to the Board. He stated that he wants to re-emphasize that the Compact would be focusing on the large commercial customers and institutional customers that are going to have the types of generation and interest to participate.

Martin Culik looked for sense of Board on whether they would like to decide today on what option or think on it and discuss at next Board Meeting. Sense of Board is to wait and continue discussion at the March meeting.

### **ADMINISTRATOR'S REPORT:**

#### **1. Scheduling Town Updates with Boards of Selectmen**

Maggie Downey stated that she is working with Melissa Allard to schedule meetings with each town's Select Board to give an update on the Compact's activities. She stated that she will let the Board Members know when each of their town's meetings are scheduled so they can join if available. Martin Culik stated that he believes that having Board Members get more involved to be important. He stated that Board Members could attend their Select Board meeting once a quarter to give a few updates under public comment. Richard Toole agrees that it is a good idea. Sense of the Board is they are willing to attend their Select Board meeting and speak to the bullet points prepared by staff. Maggie Downey stated that she will have this available in April and will send the bullet points to each Board Member but will leave it up to them on whether they present them to their towns.

#### **2. Rural Energy Savings Programs (RESP) Loan Update**

Maggie Downey stated that she reached out for an update on the RESP Loan application. Due to change in the administration and staff out due to COVID illness, they are behind and have not reviewed the Compact's application. She stated that she set a reminder in another month if she has not heard to reach out again.

#### **3. 2022-2024 Energy Efficiency Plan Update**

Maggie Downey stated that the Compact is getting ready to file its first draft of the 2022-2024 Energy Efficiency Plan on April 30<sup>th</sup>. She stated that staff will be presenting at the next two Board meetings any new programs that are being proposed statewide. At the April meeting there will be an outline of the budget and savings. It will be refined throughout 2021. There will be a final Board vote in October before the final filing to the DPU on October 31, 2021.

#### **4. Monthly Operating and Energy Efficiency Budgets**

Maggie Downey stated the operating and energy efficiency budgets are in the Board packet. She stated they are in there for their informational purposes. She is working with Megan Terrio on the format for quarterly reports.

**Open Session Vote on entry into Executive Session pursuant to M.G.L. c. 30A §§21(a) (10) to discuss matters below, to return to open session:**

*Martin Culik at 3:30PM moved to enter into Executive Session pursuant to M.G.L. c. 30A §21(a)(3) and (10) to (1) review and approve executive session minutes which contain discussions regarding pending or imminent regulatory litigation and trade secrets and confidential, competitively-sensitive or other proprietary power supply information related to a proposed Low-Income Community Solar project (when the release of the discussion would have a detrimental effect on the Compact’s negotiating position); and (2) to discuss pending or imminent regulatory litigation and trade secrets and confidential, competitively-sensitive or other proprietary power supply information related to a proposed Low-Income Community Solar project, not to return to open session thereafter. Seconded by Richard Elkin.*

Forest	Filler	Aquinnah	Yes
David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Tim	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Erik	Peckar	Dukes County	Yes
Alan	Strahler	Edgartown	Yes
Ron	Zweig	Falmouth	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
John	Grande	Tisbury	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

*Motion carried in the affirmative (18-0-0)*

**ADJOURNMENT:**

*Motion to adjourn made at 3:40PM moved by Robert Schofield, seconded by Tim Carroll.*

Forest	Filler	Aquinnah	Yes
David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Tim	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Erik	Peckar	Dukes County	Yes
Alan	Strahler	Edgartown	Yes

Ron	Zweig	Falmouth	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
John	Grande	Tisbury	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

*Motion carried in the affirmative (18-0-0)*

Respectfully submitted,

Melissa Allard

**LIST OF DOCUMENTS AND EXHIBITS:**

- Meeting Notice/Agenda
- January 13, 2020 Draft Meeting Minutes
- 2020 Operating Budget
- 2020 Energy Efficiency Budget
- 2021 Main Streets PowerPoint
- Backup Generator Participation in ConnectedSolutions PowerPoint