

**ELECTRIC SUBCOMMITTEE**  
**Meeting of Wednesday, July 10, 2019**  
**Town Manager's Conference Room | 25 Green Street**

A meeting of the Electric Subcommittee was held on Wednesday, June 12, 2019 at 7:00pm at the Ipswich Town Hall in the Town Manager's Conference Room.

With a quorum present, Mr. Engel called the meeting to order at 7:05pm.

Subcommittee Members present: James Engel; Nishan Mootafian; Michael Schaaf

Staff present: Jon Blair; Jeff Civitarese; Dylan Lewellyn

Also present: Kerry Mackin, Select Board; Eileen Page, Recording Secretary;

Not present: William Craft; Whitney Hatch; Ray Leczynski; Edward Rauscher

Abbreviations Used: MLP, Municipal Light Plant; REC, Renewable Energy Certificate; MMWEC, Massachusetts Municipal Wholesale Electric Company; ELD, Electric Light Department; MMA, Massachusetts Municipal Association

**Citizen Queries**

None.

**Approval of Minutes**

a. June 12, 2019

Without a quorum suitable for voting, the vote was pushed to the next meeting.

**Reconsideration of H.2863, an Act Relative to Greenhouse Gas Emissions Standards for MLPs**

Mr. Blair presented to the Subcommittee that H.2863 is a piece of legislation designed to force utility companies to act in response to climate change, and push themselves to "Green the Grid." While there have been several discussions regarding how to bring Municipal Light Plants (MLPs) into compliance, this bill represents the first formal action. The bill is based heavily on the Green Energy Standard, but recognizes some important distinctions such as Local Control, which would allow Alternative Compliance Payments to remain local in a municipality's conservation fund, versus being paid to the Commonwealth. Mr. Blair noted that the standards set forth in this bill do not necessarily have to be the same standards to which Ipswich holds itself; rather, they are standards that all 41 MLPs in the Commonwealth must adhere to.

Mr. Schaaf stated that he has serious concerns about the legislation as it is currently structured, and believes it has serious deficiencies. He worries that it will provide more relief to lower-performing MLPs, rather than a commitment to standards. He stated his concerns as follows:

1. The bill allows MLPs to double-count Renewable Energy Certificates (RECs);
2. The bill exempts MLPs from adhering to the Global Warming Solutions Act;
3. The bill imposes standards that allow MLPs to delay reporting until 2030;
4. The bill outlines standards so low that not a single MLP would need to improve their department, because they would already be up to code;
5. Alternative Compliance Payments are simply a system of making payment to yourself, and replacing one source of funding with another. Thus, they do not hold MLPs to any level of accountability;
6. Mr. Schaaf worries that lower-performing MLPs would not effectively self-police;
7. Nothing guarantees that all MLPs will strive to exceed the bill's minimum standards, as Ipswich would, and
8. The bill does not provide long-term guidance for Ipswich or other MLPs.

Overall, Mr. Schaaf does not believe that this legislation should pass, and does not believe that the Ipswich ELD should support it.

Mr. Mootafian asked if Mr. Schaaf is opposed to H.2863 as a whole, or if there are parts of it that he would like to see tightened. Mr. Schaaf stated that there are major portions of the bill he would like to see strengthened, and that he is not opposed to MLP-specific legislation so long as it is consistent with the goals of the Commonwealth.

Mr. Engel asked if Ipswich's opposition should be expressed through the Municipal Electric Association of Massachusetts (MEAM), but Mr. Blair does not believe that would be the most efficient way to express concerns, as MEAM does not meet very often, and the bill is already in hearings with sponsors and cosigners. He also noted that the Massachusetts Municipal Wholesale Electric Company (MMWEC) recently sent an email to participants with a pre-written letter asking for the endorsement of Electric Commissioners on the bill, and that the letter be forwarded to the municipalities' representatives.

Mr. Schaaf stated that he sensed that the Subcommittee members in attendance were not generally in favor of the legislation as it is currently written. Mr. Engel agreed, stating that whatever action is taken should communicate that the Ipswich ELD does support MLP legislation, but not H.2863 as it is written.

Mr. Blair asked if the Subcommittee might consider H.2863 as a partial solution to current situation of having no imposed standards. He suggested that the bill, if passed, might be helpful in tightening standards later on. Mr. Schaaf disagreed, saying that he would rather see no enforced standards right now, and come back to the table in a few years with a stronger bill.

Charlotte Kahn (39 Spring Street) stated that she does not agree with the term "Local Control," as the Light Commissioners of the 41 municipalities were not shown the proposed legislation before it was filed. She stated that she has reported extensively on the bill for the *Ipswich Chronicle* and spoke to Representative Bradford Hill, who became a cosigner before he knew that the Ipswich ELD had not yet seen the material. She believes the entire process undermines the relationship between MEAM and MLPs, and believes that Representative Bruce Tarr will be instrumental in stopping H.2863.

Carolyn Britt (1 Shagbark Woods) stated that the Alternative Compliance Payments are a disincentive to MLPs. She also stated she believes this piece of legislature was brought about because of resent state-wide issues regarding utilities, and perhaps the Commonwealth felt the need to impose authority over MLPs.

Kerry Mackin (Select Board) stated that she attended an MMA Energy and Environmental Policy Subcommittee meeting, and although the bill was on the agenda to be discussed, it did not get covered. She suggested that it may be worth to have the Ipswich Electric Subcommittee attend a meeting and raise their concerns about the bill.

*Vote: Mr. Engel moved that it be communicated to the Electric Commissioners, MEAM, and Representatives Bruce Tarr and Bradford Hill that the Ipswich Electric Subcommittee is not in support of H.2863 as it is currently written, and would like to table the legislation, but would favor, support, and participate in a well-written legislation that recognizes the unique capacity of MLPs. Mr. Schaaf seconded. The motion carried unanimously.*

It was decided that Mr. Engel and Mr. Schaaf will draft a letter to be distributed among the entities mention in the motion. At Mr. Mootafian's request, Mr. Blair and Mr. Schaaf will present their concerns at the July 15 Select Board meeting.

## **New Business**

### **BERKSHIRE WIND**

Berkshire Wind will be coming online this month. There will be a ribbon cutting ceremony on July 26 in the Berkshires, which all of the Subcommittee members will be invited to.

### **BAREFOOT SOLAR PROJECT**

Mr. Blair received an estimated wholesale price of \$0.08, but Steve Smith (MMWEC) is still working on getting the Town a firm proposal from the project developers. While there is not a formal meeting scheduled for the month of August, Mr. Blair would like to convene the Subcommittee to discuss and address concerns relating to become the sole investor of the project.

## WIND 2

Mr. Blair has been working extensively with Christopher Pollart at KP Law to begin formal legal proceedings against the owners of Wind 2. Mr. Pollart is putting together the first of several letters informing the company that the ELD will be taking legal action.

## BUILDING MORATORIUM

Mr. Blair noted that there has been some discussion between Town Hall and the Select Board regarding a potential building moratorium, and a memorandum was distributed that outline the ELD's inability to handle new developments coming online. Mr. Blair stated that the ELD serves the customers and should remain objective in the debate, however, he would like to clarify with the Board that the department is not at a tipping point with their power resources. Mr. Mootafian encouraged Mr. Blair to speak to the Select Board and provide factual information about the department's capabilities.

## SEABROOK NUCLEAR POWER

Kerry Mackin (Select Board) stated that she attended a presentation in Newburyport regarding the Seabrook Nuclear Power Plant, during which the core message promoted was "Seabrook is not safe." She believes the Town should begin considering an exit strategy from its involvement with the plant. Mr. Engel reminded the Subcommittee that the Town cannot simply walk away from the plant, as it is a partial owner. The shares would have to be sold in order to exit. He would also like the discussion to take place with unbiased professionals.

## Saturday, August 17 Facility Tour

In lieu of a formal August meeting, the Subcommittee members, Select Board, and Representatives Bruce Tarr and Bradford Hill are invited to tour the ELD facilities.

*Vote: Mr. Schaaf moved to adjourn, and Mr. Engel seconded. The motion carried unanimously.*

The Electric Subcommittee adjourned at 8:55pm.