



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENERGY RESOURCES
100 CAMBRIDGE STREET, SUITE 1020
BOSTON, MA 02114
Telephone: (617) 626-7300
Facsimile: (617) 727-0030

Richard K. Sullivan, Jr.
Secretary

Mark D. Sylvia
Commissioner

November 1, 2012

Mark D. Marini, Secretary
Department of Public Utilities
One South Station, Fifth Floor
Boston, Massachusetts 02110

Re: Statement from the Energy Efficiency Advisory Council regarding Second Statewide Three-Year Energy Efficiency Investment Plans, 2013-2015.

Dear Secretary Marini:

On behalf of the voting members of the Energy Efficiency Advisory Council ("Council") I am writing to inform the Department of Public Utilities ("Department") that the Council is in the process of its vigorous examination of the content of the above-referenced Three-Year Energy Efficiency Investment Plans ("EEIPs") for 2013-2015. While we are well aware of the statutory timeline for filing the statewide EEIPs by the Program Administrators ("PAs") on or before October 31, 2012, we are mindful of the considerable discussions and negotiations that have been on-going for the past several weeks, in good faith, to attain the energy savings and benefits for the ratepayers of the Commonwealth. The Council believes these endeavors represent best efforts to acquire "all available energy efficiency and demand reduction resources that are cost effective or less expensive than supply" consistent with M.G.L. c.25, § 21(b)(1).

With that mandate in mind, the Council issued its preliminary assessment of the PAs' second iteration of the EEIPs for 2013-2015, by way of a Council Resolution dated July 23, 2012, in fulfillment of M.G.L. c.25, § 21(c).

Since that official response of the Council, there has been continual dialogue between the DOER on behalf of the Council, the Attorney General, and the PAs, and we believe, a consensus view, in principle, has been achieved with regard to savings targets, savings goals, savings levels, budgets, benefits and performance incentives. However, this understanding between the PAs, the DOER on behalf of the Council, and the Attorney General, has not been presented to




the full voting membership of the Council for approval and comment. The Council had planned to vote on the EEIPs at the October 31, 2012 Council meeting. Unfortunately, that Council meeting was cancelled as a result of the state of emergency created by Hurricane Sandy.

In its stead and mindful of our obligations under the Open Meeting Law, we have rescheduled a meeting of the Council, at our earliest opportunity, to November 5, 2012. At that Council meeting, we anticipate a vote on a Council Resolution to approve the terms governing the aforementioned agreement in principle. Shortly thereafter, a subsequent meeting of the Council will be convened to render a more detailed assessment of the contents of the EEIPs, whose publication is currently in production, and accordingly has not been reviewed by the Council in final form. It is our desire, consistent with the spirit of M.G.L. c.25, § 21 (d)(1), to provide our assessment of the final EEIPs by way of a second Council Resolution, giving commentary on any unresolved issues that we might identify in the EEIPs submitted to the Department by the PAs on November 2, 2012, reflecting the two-day extension granted by the Department in recognition of the storm.

This is the roadmap we see for the Council over the course of the next two to three weeks, as we strive to provide meaningful guidance to the Department concerning these substantive and complex EEIPs for 2013-2015. On behalf of the Council, we are embarking on the next era in energy efficiency and its accompanying benefits for the Commonwealth.

Please feel free to contact me if you have any questions regarding our process forward.

Sincerely yours,



Mark Sylvania, Chair
Energy Efficiency Advisory Council

MS:siv