



EXECUTIVE COMMITTEE MEETING MINUTES

Wednesday, December 1, 2021
Virtual Meeting: Zoom

Executive Committee Members Present: Greg Abbe, JoAnn Bodemer, Amy Boyd, Emmett Lyne, Maggie McCarey, Dennis Villanueva

Other Attendees: Emily Webb, Rachel Evans, Alyssa Vargas, Bill Graham, Dennis Pasqualino, Elliott Jacobson, Jerrold Oppenheim, Joe Dorfler, John Lanzi, Kathleen Lyons, Maggie Downey, Martjin Fleuren, Michele Buchanan, Paul Johnson, Rick Taglienti, Sarah McDaniel, Wesley Couture

1. Call to Order

McCarey, as Chair, called the meeting to order at 10:05 AM.

2. Executive Committee Updates and Business

December EEAC Schedule

Webb indicated the December Council meeting is scheduled for December 16th and would likely be truncated. Webb said the Consultant Team 2022 Workplan and Council data request process would be the primary agenda topics. McCarey said the meeting length would be determined once the December agenda is finalized.

Department of Public Utilities Procedural Schedule

Evans noted that Department of Public Utilities (DPU) hearings commence today, beginning with a virtual public hearing at 7:00 PM. Evans directed meeting participants to contact Jeff Leupold for additional information on DPU hearings. Evans said there are general and alternate track interveners, and the alternate track interveners have issued discovery. Evans added that the deadline for issuing questions passed, and the PAs have done a great job answering hundreds of questions within the five-day turnaround period. Evans said evidentiary hearings begin the week of December 6th and the DPU has issued a tentative schedule for briefs from intervening parties. Evans also noted that interested stakeholders can submit public comment. Evans said the briefs are scheduled for December 30th and reply briefs on January 7th, subject to changed based on the conclusion of evidentiary hearings.

3. Consultant Team Q3 Report and Q4 Workplan

Belliveau summarized Consultant Team (C-Team) Three-Year Plan and program implementation oversight activities in Q3 2021, which included deliverables on Plan review and development, greenhouse gas (GHG) emissions goals, and the Key Drivers Process. Belliveau also indicated the C-Team was on track to meet the allocated C-Team budget for 2021.

Lyne expressed appreciation for the C-Team and their expertise.

Johnson asked for the C-Team's assessment of program performance through Q3. Belliveau said spikes in Q4 performance typically occur in the third year of a Plan cycle, but there is evident underachievement in some C&I programs as shown through midterm modifications. Belliveau said the overall portfolio has decent performance, but Q4 results were not yet available. Given COVID-19 challenges, Belliveau said effort on behalf the program administrators (PAs) is evident, even though there will be underachievement in certain sectors such as Income Eligible. Belliveau said improving Income Eligible performance will be an early priority in the 2022 Workplan, especially as it relates to potential federal stimulus funding.

4. Proposed 2022 EEAC Meeting Dates

Webb reviewed the draft Executive Committee and Council meeting schedule for 2022, including proposed meeting topics for the January, February, and March Council meetings. Webb noted the meeting topics, dates, and locations are subject to change. McCarey was unsure of the plan for 2022, but said virtual meetings would persist for the foreseeable future. McCarey said the Executive Committee would be provided a full list of 2022 meeting topics for review in January.

Boyd indicated the April 20th meeting date might conflict with April Vacation.

5. Data Request Process

McCarey reviewed language from the revised Energy Efficiency Guidelines, which included guidance for the PAs and Council to determine a process for handling Council data requests that considers costs. McCarey indicated a description of this was not included in the Three-Year Plan, so the DPU issued discovery on the process. McCarey said the PAs and Department of Energy Resources (DOER) have been developing a draft for this process and plan to discuss it during the December Council meeting. McCarey said the Council should vote on the data request process to ensure full agreement.

Boyd asked how the PAs described the data request process in the 2022-2024 Plan or testimony. Lyne replied that the data request process was described as a work in progress between the PAs and Council. Lyne said DOER has been responsive and will develop a solid process to recommend to the Council, but there is pressure from the DPU to finalize it.

Johnson asked if the PAs have a document showing that RFPs for contractor services are required by the DPU. McCarey said they can follow up on this, as Lyne was also unsure. Johnson thought that Gundal said the DPU required an RFP for contractor services.

Bodemer emphasized that contractors need fair wages since they are critical to program success. Bodemer suggested that contractor pricing should be a priority topic for the PAs. Bodemer urged the PAs to put forth genuine effort to create a reasonable solution, and offered support from the Attorney General's Office. McCarey agreed on the importance of the contractor pricing issue.

Johnson asked again whether the DPU mandates that contractor services are solicited through RFPs. Gundal said the language in guiding legislation has suggested that all aspects of PA business require competitive RFP processes to the greatest extent possible. Lyne said this language for competitive procurement is in the Green Communities Act. Gundal indicated that all PAs support Bodemer and McCarey's comments, as the PAs want to encourage a healthy ecosystem for all businesses and contractors within the balance of the Green Communities Act. Gundal the said PAs are willing to work with contractors on pricing, but the PAs are responsible for prudence on expenditures paid. Gundal noted that the PAs need approval for recovery of all expenses and this consideration is important. McCarey reiterated that substantive discussion cannot occur, but DOER would distribute the home performance contractor letter.

Boyd wanted to confirm there would be a proposed Council data request process to review prior to the December 16th Council meeting. McCarey confirmed a draft proposal would be shared.

6. Mass Save Program Update – Implementation Efforts During COVID-19

Lyne indicated that the DPU was notified of three contractors testing positive for COVID in November, but there were no indications of transmissions to customers. Lyne added that the PAs have investigated federal contractor mandates with respect to vaccinations and safety protocols, and the PAs will likely synchronize on complying with federal guidance. Lyne anticipated this would result in a full vaccination requirement by February 2022. Gundal clarified that only contractors and subcontractors with direct utility contracts would be subject to vaccination requirements.

Bodemer asked what kind of masks contractors are wearing. Lyne said they could review the updated protocols since guidance on masks were changed.

Johnson thanked Lyne for following up on this question about vaccinations. Lyne said they would provide more updates as time went on, and all PAs are still navigating program implementation during COVID-19.

7. December EEAC Meeting –Agenda Finalization

McCarey noted the December Council meeting would include a presentation on the 2022 C-Team Workplan and a review and vote on the Council Data Request Process. McCarey confirmed the meeting would be held Thursday, December 16th.

McCarey proposed truncating the December Council meeting given the DPU hearings and short agenda. McCarey also suggested adding an update on contractor pricing and proposed changes for 2022.

Evans announced that information for Councilors need to be shared during Council meetings or provided to the Council Chair for circulation per Open Meeting Law.

Bodemer agreed that there should be an update on the contractor pricing during the December Council meeting. Abbe and Boyd also agreed.

Abbe asked if a summary of DPU proceedings could be provided during the December Council meeting to get a sense of what Three-Year Plan components might get removed. McCarey said the December Council meeting will likely be a day after the last hearing, but a summary of primary information request topics could be provided. Abbe said this would be helpful.

Boyd agreed a summary of key information request topics would be helpful, and proposed adding Council Priorities for 2022 into the January Council meeting agenda. McCarey responded that the Council can discuss draft 2022 priorities in January.

Johnson supported discussion contractor pricing during the December 16th Council meeting. In response to Evans' guidance on Council information sharing, Johnson indicated that he felt that the information he shared did not violate law. Johnson was glad a C&I Working Group presentation would be included in January, and hoped discussion would include C&I Working Group membership. Johnson also requested to be included in the C&I Working Group. Johnson offered to summarize research on third-party program administration in the January Council meeting. Evans clarified that the Council and Executive Committee are subject to Open Meeting Law and different quorum counts, so that needed to be considered whenever sharing information. Evans added that the annual Housekeeping Memo advises Councilors on their position and where they should seek additional information.

8. January EEAC Meeting – Draft Agenda Topics

McCarey said the January Council meeting agenda would be finalized during the January Executive Committee meeting. McCarey said there would be discussion on a proposal for the C&I Working Group structure and members in January. Johnson asked how membership would be determined. McCarey said DOER and the PAs are thinking through the structure of the C&I Working Group since it will be jointly managed. Johnson wanted third-party implementation to be discussed within the C&I Working Group as soon as possible.

9. Adjournment

McCarey, as Chair, adjourned the meeting at 11:03 AM.