

Resolution Regarding EEAC Consultant Contract and Budget for 2010

Adopted February 9, 2010

The Energy Efficiency Advisory Council has enjoyed a productive first full year and believes that a strong working relationship has been developed between the Optimal Energy consultant team, Council members and PA representatives. Through the work of the full EEAC including its consultants, aggressive, achievable plans were constructed by PA's and were filed and approved by the DPU, and every statutory and regulatory deadline was met.

Recognizing the need to exercise fiscal restraint and prudence, and that the primary focus of consultant activities in 2010 will be upon program implementation, the Budget Committee and the consultants have negotiated an annual budget significantly reduced from the actual level of effort provided to the Council in 2009. The Council's budget committee, consisting of DOER, the Attorney General's office, and Environment Northeast, has reviewed and discussed the attached Optimal Energy 2010 Budget and Workplan and Scope of Work.

In recognition that the Optimal team fulfilled expectations in 2009, the EEAC, on the recommendation of the EEAC Budget Committee, resolves the following:

1. Renew the Optimal Energy consulting contract from February 23, 2009 to December 31, 2010, with a further EEAC option to renew the contract for an additional 12-months for calendar year 2011. The determination concerning the renewal for a third year will be made by the EEAC upon a recommendation from the EEAC budget committee, prior to or at the October EEAC meeting.
2. Approve a budget for calendar 2010 in the amount of \$1.5 million, as detailed in the attachments to this resolution. Optimal expenditures during the year will be reviewed by the Budget Committee on a quarterly basis to ensure they are on track.
3. Direct DOER to execute a contract amendment with Optimal extending the contract to cover the period from February 23, 2009 to December 31, 2010 as noted above, and to request DPU approval of the EEAC budget for 2010 in the amount of \$1.5 million¹.

¹ Note: on December 29, 2009, DOER requested DPU approval of the maximum allowable EEAC budget of \$4.1 million as a placeholder, to be modified once the Council determined the final budget.