

City of Keene
New Hampshire

AD HOC COMMUNITY POWER COMMITTEE
MEETING MINUTES

Wednesday, July 8, 2020

8:00 AM

Remote Meeting via Zoom

Members Present:

Chair Peter Hansel
Dr. Ann Shedd
Paul Roth
Councilor Mike Giacomo
Dan Belluscio
Jeff Titus

Staff Present:

Rhett Lamb, Assistant City Manager and
Community Development Director

Members Not Present:

1) Call to Order/Roll Call

Mr. Lamb called the meeting to order at 8:02 AM. He introduced himself and Mari Brunner, Planner, and said they would be sharing the responsibilities of staffing the group. He said that the committee's task is to help write a plan for Community Power. Mr. Lamb conducted roll call. Each committee member stated his or her location and whether anyone else was present in the room with them.

2) Election of Chair and Vice Chair

Mr. Lamb stated that the first order of business is to elect a Chair, and noted that a Vice Chair is not typically needed for an Ad Hoc committee. If a Vice Chair is needed later on they will handle it at that time. Dr. Shedd nominated Peter Hansel to be the Chair. Mr. Lamb asked Peter Hansel if he is willing to accept the nomination; Peter responded in the affirmative. Paul Roth seconded the nomination, which was approved unanimously by a roll call vote.

Chair Hansel read a statement regarding the authority of the committee to hold a remote meeting, pursuant to Executive Order #2020-04.

3) Adopt Rules of Procedure and Review of Laws Governing Public Meetings – City Attorney, Thomas Mullins

City Attorney Thomas Mullins reviewed NH RSA 91-A, the right to know law in NH. It has two major components, one of which relates to requirements for public meetings and public

participation in meetings. The other component relates to public access to governmental records. The law requires that a public body meet certain requirements for meetings, such as posting public notice of the meeting at least 24 hours in advance. The notice must be published in a couple of different places and include the location of where the meeting is going to take place. During the COVID-19 State of Emergency, meetings can take place remotely as long as they meet certain provisions, such as providing public access to participate in the meeting by phone.

Mr. Mullins explained that, in order for the public body to conduct any business, there has to be a quorum of the public body present at the meeting. Motions must be seconded and votes taken by roll call. He referred to the Rules of Procedure that were provided to each member prior to the meeting. A proposal is on the table to adopt these Rules of Procedure at this meeting.

Other requirements with respect to the operation of the meeting is that all business of the body is supposed to happen in a public context. Also included in the packets are the conflict of interest materials, a handout on public meetings to summarize previous discussion and the text of RSA 91-A.

Chair Hansel asked if there are any questions and if the committee wants to adopt the rules now.

Dr. Shedd made a motion to adopt the Rules of Procedure as presented in the agenda packet. Mr. Roth seconded the motion. The motion passed unanimously by a roll call vote.

Mr. Mullins exited the meeting.

Elizabeth Dragon, City Manager addressed the committee. She welcomed the group and thanked everyone for volunteering to serve on the committee. She stated that the City is excited about this opportunity to save the taxpayers' dollars while also moving the City towards its energy goals. She noted that Community Power is one of the only ways to reach the City's green energy goals. She said she will be following along with the committee's work and will be available at any time to answer questions.

4) Anticipated Project Timeline

Mr. Lamb addressed the draft timeline included in the agenda packet. He explained the objective of this committee is the preparation of a Community Power Plan, which is what the timeline is built around. There are several key components to the timeline:

1. The first is establishing this committee and holding these initial meetings.
2. The next significant component is to issue a request for proposals for a community power consultant. Staff has already prepared a RFP which is currently under review. Using City processes and purchasing guidelines and requirements, the City could issue the RFP in the 2nd or 3rd week in July. At roughly the same time the City will create a proposal review committee, usually 3 to 4 staff people that would be charged with evaluating, ranking and making a recommendation to City Council.

3. Moving on to August, the consultant proposals will be submitted to the City. The proposal review committee would meet and review applications and possibly do interviews. A recommendation to City Council would be made by the end of August.
4. After another Community Power Committee meeting, there is a date of September 10th set, the staff review committee would present their recommendations to the City Council Finance, Organization and Personnel Committee to recommend the hiring of a Community Power Consultant. If that goes successfully, City Council would vote on a recommendation for a contract with that consultant on September 17th.
5. By late September or early October, the selected consultant would be on board and helping to prepare the Community Power Plan. The Consultant would attend committee meetings and present their information that they have prepared to date at each one of the meetings.
6. In November, the committee would seek feedback on a draft plan. One of the key elements of the Community Power Plan process is getting public input and the public meetings and how we would promote this idea to the community. Recognizing that public input is a key component on the plan itself, even before we start talking to power providers, we need to make sure the public is on board with this process.
7. A public meeting would be held in the month of December. We chose December because there are other really significant projects that are being run out of the Community Development Department in the fall. This includes our land use code update project and preparing the energy plan which is the work of the Energy and Climate Committee. All of these projects are coming due sometime around the November, December or January time frame.
8. With the public meeting process completed, we would move towards submitting a final Community Power Plan to City Council in the 3rd week of January with a vote following shortly after.

Chair Hansel asked if there were any questions from the members. Dr. Shedd would like to clarify that the RFP is going out to energy brokers. Mr. Lamb stated that in most cases, these companies are both qualified to prepare these Community Powers Plans and be the energy broker on behalf of the City. Effectively, it is a two-part contract where in the initial phase of the contract, the responsibility of the consultant is to prepare that Community Power Plan and work towards its adoption. The second phase of the contract would then be to be the broker for the preparation for the contract with an energy supplier. That consultant would also end up being the administrative end of the Community Power Program, so yes, they are brokers in addition to being the consultant who helps prepare the plan and administer the program.

Chair Hansel asked if there is anyone who knows of cases where the broker and consultant are different entities. Ms. Brunner stated that every community that she has reached out to has hired one entity to handle everything as a full service back office. There is a group in NH called Community Power NH that is working on a different sort of model with a joint back office. She thinks they would be hiring a broker just to provide broker services but others would provide the back office services. That model is being explored right now.

Mr. Lamb commented that Keene is in conversation with other communities in NH that are also taking the track that the City is. Londonderry is a community that has pursued this already. They already hired a consulting service and are moving toward a community power plan. It is also the model that we are watching out of MA under separate statutory authority. Where one consultant is used for both aspects of preparation and contracting.

Chair Hansel asked if there were any other questions. Dr. Shedd commented her concern is that it is not until October that this committee discusses local goals to include in the plan. She hopes that between now and October this committee will be able have some discussion around the goals that are evolving out of the renewable energy plan that the ECC is working on so that they will be ready to assure that two are in alignment. Not only in the terms of near term goals but also in terms of long term goals.

5) **Meeting Schedule**

The group agreed that regular, monthly meetings will be scheduled for the first Friday of each month. Ms. Brunner will send out a committee schedule through the end of the calendar year.

6) **Community Power Program Overview**

Mr. Lamb commented that the route Keene is taking has created an opportunity to really change the way electricity is bought and paid for and to influence the market for electricity in a way that has the potential to create an opportunity for more renewables and manage costs for citizens. So much of what we do around energy in the City of Keene is to influence people's choices, to make sure they have options, to make sure the opportunity is there to make a choice that is economical for them and has the benefit of renewable or green energy to meet those renewable goals. To be able to give better options to individuals to where they could actually save money by making a greener choice – that's a game changer with the respect to the potential for a higher percentage of renewables leading to that 100% goal in 2030. Mr. Lamb said that the first step in this is to bring the consultant on board so that we have very clear steps in preparing this Community Power Plan.

Ms. Brunner referred to the article on page 25 of the packet. She stated that the City is currently working with a fellow from the UNH Sustainability Institute, Carly Peruccio. Ms. Peruccio has recently done a lot of work putting together some background information on Community Power. Her background is in audio producing. She created an audio explainer on community power. Ms. Peruccio also interviewed Carole Collins from the city of Greenfield, MA. Over a period of 5 years, Greenfield saved over 1 million dollars with Community Power. Once all of that is up and live on the website, Ms. Brunner will send out the link to those materials. These should be available in about a week.

Chair Hansel commented that a concern – and an opportunity – is that the City of Keene is charting new territory in the state if NH. He said that staff mentioned some experiences with MA, which is a totally different regulatory environment. Hopefully the City can get out in front and set some standards in NH and rely on Clean Energy NH and others to help us navigate that. That will be a good question for our consultants to make sure they are very familiar with NH environment.

Mr. Lamb thinks that a key component in all of this will be the public outreach that we do, both in terms of gaining input and making sure that we find a way to explain this idea in a way that folks can understand reasonably. That's a key aspect of what this consultant is going to do for us. He encouraged committee members to check out the Community Power website that Mari mentioned as soon as it goes public. He thinks the audio explainer is a really interesting way to do outreach that's a little different and will hopefully gain the trust and interest of folks who want to look at their electricity purchases differently.

Chair Hansel asked if there are any other comments. He noted that one thing he knows will come up in the process is how and if we are going to coordinate with the communities around us and with the County in general.

Ms. Brunner commented that she thinks that is definitely a question for this committee to consider. The Committee talked about how NH and MA are a little bit different. One of the key ways that NH's law is exciting is it allows municipalities to partner with any other local jurisdiction, including municipalities and counties. The City could for example join with Sullivan County or The Town of Peterborough or the Town of Harrisville. It allows for a lot of flexibility that way. One thing to keep in mind is that each individual community that decides to participate does have to create their own Community Power Plan. There is also a difference in the way the program gets adopted. The City of Keene is fortunate to have a city government structure that allows us to be more flexible in the terms of timing of getting a program up and running. With the towns, they have to approve this program at town meetings. One of the goals the Energy and Climate Committee (ECC) has talked about is creating this Community Power Plan and getting a program launched that other communities could then choose to join. Each of those individual communities would still have to create their own plan and approve at their town meetings before they could join.

Chair Hansel said this gives him a little more information. This now raises the issue in regards to our time frame. If we intend to have this whole process approved by the City Council in late January/early February, that probably does not give towns the opportunity to piggyback off Keene's program for this year. It would probably be another year before they could present to their town meeting.

Ms. Brunner agreed but said that she is unsure of the schedule for other towns. If they are proactive and were already working on it right now, maybe they could join in 2021. It would be difficult with the City not having the program details figured out first.

Chair Hansel asked if there are any other questions or comments.

Mr. Roth stated that he would want to task the consultant with providing an option for other communities to join the program as part of the deliverable. He would like to have an option down the road to have other people join using a process or contract that we could hold them to.

Mr. Lamb stated that is a good point. That would be something to include in the CPP itself to investigate. In terms of the contract, most of the contracts with a power provider are going to be on a 2-3 year basis. It would be unlikely that we would be bringing another partner on board in the middle of that contract. But there is no reason why the CPP itself can't make recommendation with respect to being open to collaborating with the County or with other towns.

Mr. Roth also stated that in his experience with contracts, mostly with hospitals, there is a vehicle where you can add on accounts and remove accounts. This is a little more complicated than a hospital, but that might be an option. There might be a model that's out there somewhere.

Mr. Lamb stated that would be a great addition. We can definitely plug that in to the RFP.

Dr. Shedd commented that the ECC has talked about the fact that most of the commercial customers for electricity in NH are already on competitive energy supply. The HB 286 definitely excludes customers who are already on competitive supply. But as their contracts reach their end point, she would like there to be a mechanism specified for how customers, even within Keene, can become part of the contract with the CPP program. It's going to be important to specify.

7) **Draft Community Power Consultant RFP**

Ms. Brunner referred everyone to page 18 of the packet where the RFP Scope of Services starts. She mentioned that the draft that was shared with the committee is an earlier draft of the RFP, which is currently being reviewed by various people including the City Attorney. This is a slightly outdated draft but all of the major components are there. She asked for feedback on the scope of services, and asked if anything is missing or should be included. She said she already made a note to make sure the consultant is familiar with NH's regulatory environment as well as making sure the consultant is considering how the other communities can join this program.

Chair Hansel asked if any members have comments.

Dr. Shedd said that, if the City is looking to increase Keene's share of renewables in the mix above the 19% or 20% that is the current renewable portfolio standard, then "renewable energy" will need to be defined. She said that the ECC has been discussing potential definitions, and the most recent one that was brought to the committee was shared by member Cary Gaunt, Director of Sustainability for KSC. The definition she shared is from the Association for the

Advancement of Sustainability in Higher Education, an academic consortium working on sustainability. Their definition is quite specific. She said it would be important, as Cary pointed out, to align the City's definition of renewable with that of other major businesses and organizations.

Chair Hansel commented that is a good point and he is not sure that is addressed in this scope of work, and asked whether it should be specifically addressed.

Ms. Brunner stated that the first major task of the consultant would be to work with the committee to define what the local goals of a Community Program are for Keene. This could be the area where the committee articulates what the goals should be in terms of what type of energy we are trying to get and what's included within the definition of renewable. She said that another option with Community Power is you can offer a default option, for example, an option that has 50% renewable energy. You can also give people a 2nd option that they would have to choose to elect which could increase the percentage of renewables or have more green renewable sources that are considered to be the most environmentally beneficial. There's a lot of opportunity and flexibility with this law to craft a program that meets local goals. A big role for this committee will be to define what those goals are.

Mr. Belluscio referred to an earlier discussion about commercial accounts that already have a competitive energy supplier in place and therefore will not be a part of this program. Once their contracts with competitive energy suppliers expire, they could then join. How does the RFP address who is included or might not be included at the start of this? He asked if there is a summary that analyzes the current electricity load in Keene. He said it will be important to know what percentage of Keene's load is actually going to be available for this option and how many customers have contracts that would preclude them from joining initially, and how many might be able to join later.

Chair Hansel commented that this raises a good question about what kind of information we can get from our power provider, Eversource, on that type of breakdown of energy users in the city.

Ms. Brunner stated that this issue is currently being discussed at the legislative level as well as in the Public Utility Commission (PUC) rulemaking process. The consultant would consider everybody who is currently on the default Eversource supply to be part of the City's electricity load. The customers on default supply would automatically be opted into this program and would be given an opportunity to opt out before the program launches. They would be allowed to opt out at any time during the program without any penalties or fees. On the flip side, anyone who's not on Eversource's default energy supply would not be automatically opted in, but could choose to opt in without any penalties or fees. It is a matter of who would be opted in by default. The goal of the consultant would be to get that information. The City would work with them on that so they can provide a good estimate based on who is on the default supply, of who would most likely be getting energy from this program.

Chair Hansel commented that with his experience with Filtrine, if your facility currently has a solar installation and you want to get the net metering benefit from that solar installation you cannot have a 3rd party contract. You would have to go directly with the default energy.

Ms. Brunner stated that her understanding is that anyone that has solar or is part of the Electric Assistance Program can still participate in the Community Power Program. The City would just have to define how net metering would work within our specific program.

Mr. Roth pointed out that the people that have already chosen a 3rd party would automatically be opted out. So, it would be part of the consultant's job to make it easy for them to opt in. The strategy would be that all those 3rd parties be encouraged to opt in and be part of the opening deliverable.

Mr. Lamb commented he thinks that is a great idea. The more we can do in advance of going out for procurement, the better. Part of the attraction to an energy provider is the amount of electricity in this contract. The more we could partner with businesses that are currently on their own 3rd party contracts, to bring them into this system, the more attractive it might be in the marketplace to get a better price.

Councilor Giacomo brought up Ms. Brunner's comment about different levels of renewables that would be potentially possible and creating multiple different tiers that people could opt into. The whole point of this is to get a better rate and to allow us down the road to transition to this 100% green goal. Is there anything stopping us from putting a requirement into this in which the default be the higher percentage renewables? He said he feels like it's going to be a lot harder to pull back from that and then try to increase the price afterwards vs. negotiating with the higher portfolio to begin with. He said the program could include an option for people to opt down to a cheaper option.

Ms. Brunner said Councilor Giacomo brings up a great point. She said it would probably be best to start out with trying to offer the greenest option possible while still offering savings. She brought up the example of Greenfield again. Their default option is 100% renewable and that is still less expensive than the default option offered by the utility. There is an option to opt up to 100% local renewable energy. Other communities have an option to opt down to a cheaper option. There's a lot of flexibility here. The key here, depending when the consultant goes out to bid, is that Keene could potentially offer a 100% renewable option that would still be cheaper than the default Eversource supply. We should look into this. Councilor Giacomo stated that we are serious about this goal for 100% renewables so let's have that be the default if possible.

Chair Hansel agreed. He asked if there are any other comments, and said committee members could email feedback to either Ms. Brunner or Mr. Lamb.

8) New Business

Ms. Brunner stated that this agenda item is an opportunity if any committee members have specific topics they would like to add to the next meeting's agenda. She said committee members can speak up now or email staff or the chair after the meeting. Mr. Lamb added that members can contact the Chair directly if there are items they want to see added to the next month's agenda.

9) **Next Meeting**

The next meeting is scheduled for Friday, August 7th at 8:00 AM.

There being no further business, Chair Hansel adjourned the meeting at 9:16 AM.

Respectfully submitted by,
Amanda Burdick, Minute Taker

Reviewed and edited by Mari Brunner, Planner