

Light Commission January 10, 2023 meeting minutes

To: Light Commission: Commissioners
Light Department: J. Kowalik, General Manager, M. Barrett, Business Manager
From: Jean-Jacques Yarmoff, Secretary
Date: January 25, 2023
Re: Commission Meeting January 10, 2022

A quorum being present, Light Commission Chair Mike Hull opened the meeting at 4:03 pm, the meeting being held both in person and with remote access available to the public. A recording of the meeting is made available to the public at the following [link](#).

Participated in meeting:

Commissioners: Hull, Frechette, Smith, Wolf and Yarmoff participated in person.
Light Department: General Manager Joe Kowalik.

Bad Debts Year 2021

Vote #2023-01 At the request of the Financial Manager Matt Barrett, a motion to charge off the bad debts for 2021 for a total amount of \$79,821.23 was introduced, moved by Commissioner Yarmoff, seconded by Commissioner Frechette. **Unanimous.**

MEAM By-laws

Municipal Electric Association of Massachusetts is the trade group that represents the Municipal Light Plants of the Commonwealth and lobby on Beacon Hill for policies affecting the MLPs. Commissioner Wolf has participated in meetings with commissioners of other MLPs to discuss possible changes to the MEAM by-laws as commissioners have found difficult to participate in meetings or have been blocked from giving input. Commissioner Wolf circulated a memo proposing that the Light Commission support the proposed changes to the MEAM By-Laws to have broader representation of Light Commission alongside Managers of Municipal Light Plants. MEAM's meeting to revise the bylaws will take place next week, January 18 in person, a position by the Commission on this proposal would be welcome at this meeting. The Hingham Board and commissioners from the Wakefield and Wellesley Boards have endorsed these changes. The memo is attached below the minutes.

Vote #2023-02 Commissioner Wolf proposed a motion to support the memo. Commissioner Frechette seconded the motion. **Unanimous.**

Executive Session. Chair Mike Hull proposed a motion to go to Executive Session Motion to go to Executive Session to discuss trade secrets or confidential or proprietary information regarding activities of a governmental body as energy supplier, municipal aggregator or energy cooperative, if an Open Session will adversely affect conducting business relative to other entities making, selling or distributing energy as well as to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel, General Manager Joe Kowalik. Not to return to Open Session. Seconded by Commissioner Yarmoff.

Lisa Wolf: Yes, Simon Frechette: Yes, Adam Smith: Yes, Jean-Jacques Yarmoff: Yes, Mike Hull: Yes.
Executive Session started at 4:18 pm.

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Thank you for the opportunity to comment on the proposed revision of MEAM's by-laws.

We are appreciative of the role that MEAM plays in maintaining communications and relationships among MLPs in Massachusetts, and we recognize the importance of MEAM as a forum for discussing policy matters which impact MLPs' future. We are also cognizant of MEAM's role in representing public power in the legislative and regulatory arenas.

We make some suggestions here about how MEAM's by-laws might be revised to provide clarity about how MLPs are represented in MEAM, and how light commissioners might play a role in the future.

We have suggestions in four areas.

MEMBERSHIP: Clarification of who is entitled to vote at meetings.

The by-laws currently list those who are allowed to represent Active Members at meetings, including light commissioners, general managers, and those with similar roles.

What the by-laws don't do is clarify who is to cast the vote on behalf of the Active Member if there is more than one eligible person from an Active Member attending the meeting. In the past this has caused some confusion for commissioners who attend. Also, if there is only a commissioner attending the meeting from a given Active Member (as has happened at least once this year) that commissioner doesn't really have the right to vote without the authorization of the majority of their board, which has the effect of disenfranchising that Member on an occasion like that.

Our suggestion provides a way for Members to designate their authorized representatives, so as to avoid confusion in the future.

LEGISLATIVE/REGULATORY COMMITTEE: MLPs' policy boards must have a role in proposing policy changes at the state level.

This committee serves as a first stop for generating MEAM's approach to legislative and regulatory changes.

Some of the issues addressed by this committee are clearly related to operations – an example would be the bill related to mutual aid.

But some of what this committee has proposed in the past clearly ventures into the policy area. An example would be the bill filed by Rep. Golden on MEAM's behalf creating an entirely new regulatory regime for MLPs for meeting the Commonwealth's carbon-reduction goals, which ultimately was included in the Next Generation Roadmap Act.

Some light boards had the opportunity to review this bill, but only after it had been submitted to Rep. Golden with a request to file. Many light boards never heard about the filing of this bill at all.

As we move into a future where widespread electrification and efforts to reduce carbon consumption are going to feature as prominently for us as our original purpose of “affordable, reliable electricity,” policy questions on how to do this will arise both at the local and state level. Board members are increasingly turning our attention to these issues.

Proposals about how MLPs should be regulated by the state are policy matters. Policy is the province of MEAM’s members’ policy boards. Not only should the elected boards be consulted about policy proposals for legislation or regulation, but MEAM’s proposals are weakened when the boards are not consulted or involved. Light commissioners often have strong relations with our state-level elected officials, and commissioners would be able to lobby for MEAM’s priorities ourselves, which would increase the chances of success. But for policy proposals to truly represent what Massachusetts public power wants, they must have the involvement of the policy boards.

Ideally, all such policy proposals coming from MEAM would be given attention by the elected boards before they are submitted to legislative or regulatory bodies. In our opinion, weighing in on policy matters is our role. We would like to see some progress in this direction at least.

What we propose as a first step is that the Legislative/Regulatory Committee’s members should be at least half commissioners, or officials with equivalent policy roles. Because most designated representatives of the member systems are likely, as always, to be the GMs, we suggest that members of this particular committee can be people other than the official designee – and that they each have a vote on the committee, although their system would still be represented by their official designee in the full body.

COMMITTEES: how are they appointed?

We are confused about how the committees are formed. The by-laws contain no language on how committees are appointed, which seems like an important oversight. In our draft, we just flag this as an area that needs clarification. We don’t have a proposal; we would just like to know how it is to be done.

COMMUNICATIONS: MEAM should communicate directly with all light commissioners.

We have been told (repeatedly) that it is the General Managers’ responsibility to keep light board members updated on MEAM activities. When we consider all that goes on in the GM’s day, and the multitude of responsibilities vying for GMs’ attention, we are not surprised that sometimes this doesn’t happen in the way that MEAM believes it should. In fact, there are some light board members who don’t even know MEAM exists.

We have suggested an added section in the by-laws on communications with members. We propose that we relieve GMs of this responsibility and instead ask MEAM to communicate with the elected board members directly. Every communication should go both to the GM and to the individual members of the boards. This would be a tremendous first step in alerting board members to what MEAM is doing, so each board can decide for itself how much and what kind of involvement it wishes to have.

Virtual meeting options and 30 days' notice on meetings will make it easier for commissioners to participate. Unlike GMs, commissioners aren't paid to attend MEAM meetings, and most have other jobs which make participation harder. We would like it to be easier.

Thank you for considering our suggestions. They are offered in a spirit of cooperation and a desire to see MEAM represent public power in Massachusetts in the most powerful way possible.

We look forward to participating further in this discussion.

Jennifer Kalley, Wakefield Light Commissioner
Laura Burns, Hingham Light Commissioner
Ellen Korpi, Wellesley Light Commissioner