



BRPC

Berkshire Regional Planning Commission

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REGIONAL ISSUES COMMITTEE – Meeting Minutes

Wednesday, September 27, 2023

via Zoom

I. Call to Order

The meeting was called to order at 4:03 pm by Tom Matuszko. The meeting was recorded.

Committee Members Present

Malcolm Fick, BRPC Chair, ex-officio; Alternate from Great Barrington

Andrew Groff, Williamstown (non-Commission member)

Kyle Hanlon, North Adams

Sheila Irvin, Delegate from Pittsfield

Kent Lew, Washington (non-Commission member)

Christine Rasmussen, Alternate from Stockbridge

Eleanor Tillinghast, Mount Washington (non-Commission member)

BRPC Staff Present

Tom Matuszko, Executive Director, Interim Chair of Regional Issues Committee

CJ Hoss, Community Planning Program Manager

Sherdyl Fernandez-Aubert, Environment and Energy Planner

Ken Walto, Project Specialist

Guests/Public Present

James McGrath, City of Pittsfield

Denise Allard, Colonial Power

Mark Cappadona, Colonial Power

Tom M. acknowledged the Committee members and other individuals referenced above as present at the meeting. An introduction of the role of the Regional Issues Committee was provided to the guests in attendance.

II. Approval of July 26, 2023 Meeting Minutes

Tom M. read the agenda item and requested a motion on the item. Sheila I. made a motion to accept the minutes. Christine R. seconded. Christine mentioned one typo in the minutes that requires correction. No committee members had any further comment. The motion passed as follows:

Sheila I. - Yes

Christine R. - Yes

Eleanor T. - Yes

Kent L. - Yes

Andrew G. - Yes

III. Municipal Aggregation – Draft Department of Public Utilities Guidelines

Tom M. asked a representative of Colonial Power to provide an overview. Denise A. began providing an overview of aggregation, dating back to the de-regulation of energy in 1997.

An overview of the process for a community entering the municipal aggregation was provided to the group. This was followed by how communities work through negotiations that lead to a municipal program, as well as the program options that are potentially available.

Eleanor T. asked for a clarification of how programs work for those living in the communities. Denise A. explained community members are automatically enrolled, but that community members can opt-out to remain with their current provider.

Tom M. referenced that the cost savings to residents can be significant. Denise A. responded that they are constantly monitoring pricing and able to help communities lock in at low costs vs. how the utility companies operate, which is typically not flexible.

Eleanor T. asked for clarification on billing. Denise A. responded that delivery cost is always locked in by the utility, but the supply option is where potential savings is derived from. Discussion ensued regarding how billing and repairs with the utility companies work.

Mark C. provided an overview of Colonial Power's history, how they came to be, and communities they are currently working with in the Berkshires. Colonial currently serves 17 communities with municipal aggregation programs in the Berkshires.

Eleanor T. requested materials related to municipal aggregation programs and the cost savings over time. Mark C. offered to send over a history of savings, and proceeded to explain the savings over time has been significant given the historic low pandemic rates that communities locked in for three years.

Discussion ensued regarding the technical nature of Colonial Power's relationship with municipalities and energy companies, as well as the types of options that can be made available to residents related to use of renewable energy.

Tom M. transitioned the discussion to the proposed DPU guidelines. Mark C. introduced the topic and referred to the changes as disingenuous to enrolling communities in municipal aggregation. The Department of Public Utilities is attempting to tie an expedited review to specific aggregation choices that limits the ability to make decisions that are best for the municipality. Colonial's position is to keep the legislation as is and require the Department of Public Utilities to perform their duties as currently laid out in the legislation. Colonial also does not agree with the idea that municipalities need to retain outside legal counsel to review contracts and plans, when Colonial has already been retained by a community and has legal counsel for this purpose. Denise A. added that DPU has slid into overreach of the existing regulations with lagging decision timelines.

Tom M. asked for clarification on how the current process works. Denise A. responded there are current rules based on the existing statute which allows flexibility for communities to make the decision that is best for the municipality. Colonial generally stated in their opinion, there is no need for the proposed guidelines.

Kent L. shared that in a recent meeting involving municipal officials hosted by the Lt. Governor's office, frustration was shared over the existing state of municipal aggregation and the difficulty in getting new programs approved.

Tom M. transitioned into a discussion led by Sherdyl FA. based on draft comments prepared by staff. Sherdyl began providing an overview of the focus of the draft comments, which largely mirrored the earlier discussion with Colonial Power. Discussion ensued regarding some of the specific requirements and understanding what the DPU is actually proposing vs. the current process.

Discussion ensued regarding language in the letter, with a preference for stronger explicit

language that proposed changes are unnecessary.

The Committee continued reviewing the letter with staff and proposed clarifying text and formatting changes for easier tracking by DPU staff, as well as overarching messaging that the changes appear unnecessary given the current success of the program.

Tom M. stated staff would make edits to the letter and circulate to the Committee for individual comments in order to turn around for submission to the Executive Committee to approve the letter on October 5, 2023.

Sheila I. made a motion to recommend the Executive Committee submit comments to the Department of Public Utilities related to the discussion of proposed guidelines. Kent L. seconded the motion. The Committee approved the motion unanimously by roll call vote.

IV. Developing Topic List for Future Consideration

Eleanor T. raised concern related to the potential consolidation of permitting of renewable energy and transmission projects at the state level, removing authority from localities. Eleanor T. suggested we review this shortly in order to prepare ourselves to respond to the state, especially given previous concerns related to large scale solar development in the Berkshires.

V. Seek Nomination and Election of Regional Issues Vice Chair

Tom M. discussed why he has been the acting Chair of the Committee and that the Committee has not had a Vice-Chair. The discussion introduced the plan to appoint Christine R. as the Chair of the Regional Issues Committee, which is not intended to be taken up until November. In the meantime, if appointed as Vice-Chair, Christine R. could oversee the October meeting.

Eleanor T. made a motion to elect Christine R. as Vice-Chair. Sheila I. seconded the motion. The Committee approved the motion unanimously by roll call vote.

VI. Next Committee Meeting Date – October 25, 2023 at 4pm

VII. Adjournment

Kent L. made a motion to adjourn, Eleanor T. seconded. The meeting was adjourned at 5:20 p.m. after a unanimous roll call vote.