



Town of Winchester

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Board of Selectmen Meeting
Wednesday, July 6, 2016

BUSDINESS

Docket Item G-3: Community Aggregation Plan – Opening of Comment Period

Supporting Documents:

G - 3: Procedure for Review by Residents;
Outline of the Aggregation Program;
Sample Announcement for Newspaper & Website

Petition and Supporting Documents for the
Town of Winchester Municipal Aggregation Plan

email from Susan McPhee outlining the process

Action Required:

G - 3:

PROCEDURE FOR REVIEW BY RESIDENTS

The Municipal Aggregation Law (MGL Chapter 164, Section 34(a)) requires that a municipal aggregation plan developed by a municipality be made available for review by its residents.

The Department of Public Utilities (DPU) requires a two (2) week period for public review of the aggregation plan.

A suggested procedure for providing a two (2) week period for review by residents of an aggregation plan by a municipality:

1. Read an Outline of the Aggregation Program at a public meeting or publish an announcement on the Town website or local newspaper. (Suggested outline attached).

Suggestions

1. At a meeting of the Board of Selectmen or other public meeting read a brief Outline of the Aggregation Program or publish an announcement on the Town website or local newspaper.
 2. Announce that the aggregation plan will be available for review in the municipal offices and on the Town website or other related website.
 3. Announce that there will be a two (2) week period to submit written comments from _____ to _____.
2. After the two (2) week period or coincident with the end of the two (2) week period, hold a public hearing at a meeting of the Board of Selectmen or other public meeting for oral or written comments concerning the aggregation plan.

Suggestions

1. At a meeting of the Board of Selectmen open a public hearing and request oral or written comments concerning the aggregation plan.
2. Any oral comments from the public should be recorded in the minutes and any written comments should be included as an addendum to the minutes. If there are no oral or written comments received from the public, that should be so stated in the minutes.
3. Close the public hearing period for oral or written comments concerning the municipal aggregation documents.

OUTLINE OF THE AGGREGATION PROGRAM

(To be read at a meeting of the Board of Selectmen, other public meeting and/or published as an announcement on the Town website or local newspaper, sample enclosed)

Municipalities are authorized by Massachusetts General Law Chapter 164, Section 134(a) to aggregate the electric load of its residents and businesses.

At our Town Meeting on _____ our residents voted to authorize the Board of Selectmen to research, develop and implement an aggregation program and enter into a contract with a competitive supplier of electricity.

The objectives of the aggregation program are to:

- lower the cost of electricity;
- gain longer term price stability; and
- offer more renewable energy options.

The Board of Selectmen has selected an aggregation consultant, Good Energy, L.P., to:

- develop the aggregation program;
- formulate and implement a public outreach and education program;
- guide the aggregation plan through a very strict and comprehensive review and approval process with the Department of Energy Resources (DOER) and the Department of Public Utilities (DPU);
- develop a Request for Proposals for a competitive electricity supplier;
- monitor and manage the aggregation program during the term of the competitive supplier contract; and
- develop and submit all required reports to the Board of Selectmen and DOER.

An important element of the process leading to approval of the aggregation program of a municipality by the DPU is to allow for review of the aggregation plan by residents. The aggregation plan is available for review at our municipal offices and on our website.

In order to comply with the law, residents will have a time period to submit written comments and a public meeting to offer oral comments.

The two (2) week period to submit written comments will be from _____ to _____

Oral comments can be offered at a public meeting that will be held on _____.

This public review period will be completed before the aggregation plan is submitted to the DPU for their review and approval.

SAMPLE ANNOUNCEMENT FOR TOWN WEBSITE OR LOCAL NEWSPAPER

AGGREGATION PLAN PUBLIC REVIEW PERIOD FROM

_____ TO _____

At our Town Meeting on _____ the residents voted to authorize the Board of Selectmen to research, develop and implement an aggregation program and enter into a contract with a competitive supplier of electricity.

The objectives of the aggregation program are to:

- lower the cost of electricity;
- gain longer term price stability; and
- offer more renewable energy options.

The aggregation plan will go through a very strict and comprehensive review and approval process with the Department of Energy Resources (DOER) and the Department of Public Utilities (DPU).

An important element of the process leading to approval of the aggregation plan of a municipality by the DPU is to allow for review of the aggregation plan by its residents. The aggregation plan is available for review at our municipal offices and on our website.

Please review the aggregation plan and submit any comments or questions in writing to the Board of Selectmen during the review period or attend a meeting of the Board of Selectmen during the review period to offer comments or questions orally.

This public review period will be completed before the aggregation plan is submitted to the DPU for their review and approval.

D.P.U. 16 - _____

PETITION

AND SUPPORTING DOCUMENTS

FOR THE

TOWN OF WINCHESTER

MUNICIPAL AGGREGATION PLAN

AGGREGATION DOCUMENTS

1. Petition

Attachments

1. Historical Overview

Exhibits

- A. Certified Vote to Pursue Municipal Aggregation
- B. Energy-Related Services Agreement
- C. Department of Energy Resources (DOER) Consultation Letter
- D. Certified Vote to Approve the Aggregation Plan
- E. Documentation of Opportunity for Public Review and Comment

2. Aggregation Plan

Exhibits

- A. Customer Enrollment, Opt-Out and Opt-In Procedures
- B. Sample Customer Notification Letter and Opt-Out Card

3. Public Outreach and Education Plan

Exhibit

- A. Sample of Available Media Outlets

4. Electric Services Agreement

**THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES**

_____))
Town of Winchester Municipal Aggregation Plan) D.P.U. 16-____
_____))

PETITION FOR APPROVAL OF MUNICIPAL AGGREGATION PLAN

The Town of Winchester (“Municipality”) respectfully petitions the Department of Public Utilities (“Department”), pursuant to G.L. Chapter 164, Section 134(a), for approval of its Municipal Aggregation Plan. In support of this Petition, the Municipality states the following:

1. The goals of the community electricity municipal aggregation program (the “Program”) are to bring the benefits of competitive choice of electric supplier, longer-term price stability than provided by the local utility, lower cost power and more renewable energy options to the residents and businesses of the Municipality. Under the program the Municipality will have the opportunity to provide a portion of renewable or green power through renewable energy certificates (“RECs”). The program will employ a procurement process designed to maximize savings and will provide a full set of consumer protections, including the right for any customer to opt out of the program at any time at no charge.

2. The Municipality formally initiated the process to develop an aggregation plan through a vote of the Town Meeting. The vote and the actions of the Municipality preceding and following this vote for approval are outlined in the Historical Overview. (Attachment 1)

3. The Municipality seeks the Department’s approval of its Municipal Aggregation Plan (“Plan”) (Attachment 2) that describes the key features, structure and operation of the aggregation program and explains how the Plan meets the statutory requirements.

4. A Public Outreach and Education Plan has been formulated to ensure that residents and businesses are fully informed about the important aspects of the Plan to enable them to make intelligent decisions concerning participation in the Program. (Attachment 3)

5. The Plan and the associated form of Electric Services Agreement (“ESA”) (Attachment 4) ensure that the program complies with all requirements of G L. Chapter 164, Section 134(a), including providing universal access, a reliable power supply and the equitable treatment of all customer classes.

6. The Municipality consulted with the Department of Energy Resources (“DOER”) and sought the input of the Local Distribution Company (“LDC”) in the development of the Plan.

7. The Municipality is a member of the Metropolitan Area Planning Council (“MAPC”). Although Municipalities are not required to follow the competitive bidding process of G.L. Chapter 30B when entering into a contract for energy-related services, the MAPC issued a Request for Proposals for Community Choice Aggregation Consulting Services on behalf of its member municipalities. The MAPC selected Good Energy L.P. as its green municipal aggregation consultant through an open and competitive process.

8. The Municipality respectfully requests that the Department conduct an expeditious review of this petition to allow the Municipality to proceed with implementation to maximize benefits for eligible consumers. Municipal aggregators are required to conduct their business openly and with full public participation. The Municipality requests a streamlined process, including a public hearing, discovery, and an opportunity for interested persons to submit written comments.

9. The Municipality also respectfully requests a waiver, both for itself and for its competitive supplier, from the requirement to mail a quarterly information disclosure label to every customer. The requirement for quarterly distribution of the disclosure label is specified in 220 C.M.R. § 11.06(4)(c). The Department has determined that for municipal aggregators, the distribution would normally be made

by individual mailings to customers. City of Marlborough, D.T.E. 06-102, at 24. The Department, however, may grant an exception to any provision of 220 C.M.R. 11.00 for good cause shown. 220 C.M.R. Section 11.08. In support of its request for waiver, the Municipality states that quarterly mailings would be burdensome and expensive, raising the supply price for customers. The Municipality will employ an alternative disclosure strategy, including press releases, public service announcements on local access cable television, postings at Municipality buildings and postings on the program website, that will provide the required information to customers as effectively as quarterly mailings. The Department has granted similar waivers to other municipal aggregators using equivalent disclosure strategies. Cape Light Compact, D.T.E. 00-47, at 28; City of Marlborough, D.T.E. 06-102, at 24; Town of Lanesborough, D.P.U. 11-27, at 23; Town of Ashland, D.P.U. 11-28, at 22; Town of Lunenburg, D.P.U. 11-32, at 22; Town of Lancaster, D.P.U. 12-39, at 23; City of Lowell, D.P.U. 12-124, at 51; Town of Ashby, D.P.U. 12-94, at 37; Town of Natick, D.P.U. 13-131, at 29; Town of Greenfield, D.P.U. 13-183, at 27.

WHEREFORE, the Petitioner hereby respectfully requests that the Department:

1. Adopt a streamlined review and approval process;
2. Approve the Aggregation Plan of the Municipality;
3. Approve the request of the Municipality for a waiver of the requirement of 220 C.M.R Section 11.06(4)(c) to mail the quarterly disclosure label; and
4. Provide such other and further relief as may be necessary or appropriate.

Respectfully submitted,

TOWN OF WINCHESTER

By Attorney for Good Energy, L.P.

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Dated: _____, 2016