



STATE OF RHODE ISLAND

## ENERGY EFFICIENCY & RESOURCE MANAGEMENT COUNCIL

### EERMC FULL COUNCIL MEETING MINUTES

Thursday, November 17, 2022

Full Council Meeting | 3:00 - 5:00 PM

Department of Administration Conference Room 2B, Providence, RI 02908 with additional audio/video participation available through Zoom.

**Members in Attendance:** Harry Oakley, Peter Gill Case, Brett Feldman, Kate Grant, Joe Garlick, Kurt Teichert, Chris Kearns, Bob Izzo, Tom Magliocchetti

**Others in Attendance:** Adrian Caesar, Sam Ross, Craig Johnson, Rachel Sholly, Steven Chybowski, Greg Ohadoma, Michael O'Brien Crayne, Toby Ast, Josh Kessler (virtual), William Owen (virtual), Nelson DiBiase (virtual), Fara Oyenuga (virtual)

**1. Call to Order**

Chairperson Oakley called the meeting to order at 3:08 p.m.

**2. Chair Report**

Chairperson Oakley provided an overview of the meeting agenda and provided instructions for making public comments. He reiterated a solicitation for nominations for the open council seats and volunteers for the branding and communications review committee. Chair Oakley and Vice chair Gill Case volunteered as two members of the review committee.

**3. Executive Director Report**

Interim Commissioner Kearns delivered an update on OER program progress and provided details on federal funding and timelines. He answered questions from the Council on potential program design and scope given the limited information currently available regarding implementation of the federal funds.

**4. Meeting Minutes – October 20, 2022**

Council Member Teichert motioned to approve the October 20<sup>th</sup> meeting minutes. Council Member Garlick seconded. All in favor, none opposed.

**5. Program Oversight (50 Minutes, 3:10 – 4:00 p.m.)**

- a. Regulatory Updates on the 2023 Energy Efficiency Plan Docket Proceedings (20 min, 3:10 – 3:30 p.m.)*

The Consultant Team shared updates on the regulatory process for the 2023 Energy Efficiency Plan including a review of the schedule, updates from the data requests,

and changes to the plan ahead of the December hearings. Mr. Ross noted use of the social cost of carbon (SCC) would be deferred to deliberations of the 3-Year Plan. The Consultant Team submitted pre-filed testimony on the Council's behalf. Mr. Johnson presented to the Council on the budget developments and Mr. Caesar presented on the Council's plan review testimony. Vice Chair Gill Case commended the Consultant Team on their work for the 2023 plan and its handling of the Council's position during this process which Chair Oakley echoed. Mr. Feldman shared additional context on the SCC outlook moving forward as well as budget deliberations.

- b. Presentation of 2022 Q3 Energy Efficiency Programming (30 min, 3:30 – 4:00 p.m.)*  
Rhode Island Energy (RIE) and the Consultant Team provided an update on the 2022 energy efficiency programming for the third quarter of the year. Mr. Caesar shared year-on-year comparison data for the commercial sector programs, highlighting the potential shortfalls for 2022 and the Council discussed the impact of the Covid-19 pandemic on the assessments. Mr. Johnson provided residential program comparisons, highlighting current proportions of energy savings sources and the need to monitor the distribution to prevent overreliance on particular technologies to meet overall goals. He also noted the lag in appliance replacements. Mr. Kessler provided context around the data requests RIE responded to regarding supply chain studies.

Mr. O'Brien Crayne presented RIE's highlights on residential, income-eligible, and C&I program findings, including efforts to improve performance on the appliance replacements and effort with the CAP agencies to assist that effort. He also discussed the code compliance initiative and the need to implement those enhancements effectively, and work with vendors to address supply chain concerns. Mr. O'Brien Crayne and Vice Chair Gill Case noted that more stringent codes will require training, but code compliance should not be considered a barrier given the incentives coming soon.

## **6. Council Business (40 Minutes, 4:00 – 4:50 p.m.)**

- a. Discussion and Potential Vote on Legal Services (10 min, 4:00 – 4:10 p.m.)*  
The Council reviewed the existing legal services contract and discussed opportunities to either extend existing services or going out to bid for services in 2023. Exercising the option to extend the current contract will use the second one-year extension provided in the original contract. Council discussed what the process to solicit a new RFP might entail. Vice Chair Gill Case motioned to execute the Council's contract option to effectuate a second and final 12-month extension to its current contract with Desautel Law to continue providing legal services to the EERMC. Further, to direct the Office of Energy Resources to work with OER's attorney and the Chair to execute this 12-month contract extension before April 30, 2023. Chair Oakley seconded the motion. All in favor, none opposed.
- b. Planning Discussion for the Council's Learning, Education, and Advancement Discussion (10 min, 4:10 – 4:20 p.m.)*  
Ms. Sholly from the Council's Consultant Team led a discussion to finalize topics and the agenda for the Council's fall Learning, Education, and Advancement Discussion (LEAD) meeting, and noted meeting materials would be circulated ahead of the session and physical copies would be available. Additionally, there would be a

virtual attendance option. Council discussed the facilitation of the MA-RI equity assessment.

*c. Overview of Market Potential Studies and Market Potential Study Data Refresh Proposal Recommendation and Vote (20 min, 4:20 – 4:40 p.m.)*

The Council's Consultant Team provided an overview of market potential studies to led by Mr. Ross, who also provided detail on the timing for the Council's recommendations to the Commission by March 1<sup>st</sup> and the potential to request an extension. Then, the Technical Review Committee shared the results of the scoring for the market potential study data refresh services and the Committee's recommendation for next steps. The Council discussed the vendor selection and future actions, centering around the vendor budget for the refresh, honing an effective scope to use in negotiating, and deliberating on the usefulness of the MPS refresh to the 3-Year Plan. Vice Chair Gill Case motioned to authorize the Council's Consultant Team and OER to negotiate with Dunsky on a modified scope of work, budget, and timeline in line with the Council's expectations and needs and to bring an updated scope of work and budget for consideration at the December Council meeting. Council Member Garlick seconded. All in favor, none opposed.

*d. Discussion and Potential Vote on the Council Meeting Calendar for 2023 (15 min, 4:40 – 4:55 p.m.)*

The Office of Energy Resources led a discussion regarding the Council's meeting schedule and logistics for 2023. Council Members raised the possibility of amending scheduled dates as needed in the future, and raised the question of remote attendance. Mr. Ross noted a request had been sent to the Council's legal counsel to clarify this, noting the in-person practices of other state agencies, and that the Council by-laws currently bar virtual votes. Vice Chair Gill Case motioned to approve the 2023 EERMC meeting calendar as presented and to direct OER to reserve meeting space and distribute calendar invites for the meeting dates to the Council as soon as possible. Chair Oakley seconded. All in favor, none opposed.

**7. Public Comment**

None.

**8. Adjournment**

Council Member Teichert motioned to adjourn the meeting. Vice Chair Gill Case seconded. All in favor, none opposed, and the meeting was adjourned at 5:01PM.