

**Efficiency Maine Trust  
Board Meeting Minutes  
June 27, 2012**

**Trust Board Members - Present**

<b>Naomi Mermin</b>	<b>Ken Fletcher</b>
<b>Al Hodsdon</b>	<b>John Rohman</b>
<b>Doug Smith</b>	<b>Adam Lee</b>

**Efficiency Maine Trust Staff:**

- Michael Stoddard
- Peter Roehrig
- Rick Meinking
- Elizabeth Crabtree
- Dana Fischer
- Ian Burnes
- Paul Badeau

**Partial List of Other Attendees:**

- Steve Hambric
- Dylan Voorhees
- Beth Nagusky
- Tony Buxton

**1.0 Approve Draft Agenda and Minutes**

Naomi Mermin called the meeting to order at 10:40A.M.

**ACTION:** Upon a motion duly made (Mr. Smith) and seconded (Mr. Hodsdon) the Board voted unanimously to approve the agenda for this meeting.

**ACTION:** Upon a motion duly made (Mr. Hodsdon) and seconded (Mr. Lee) the Board voted unanimously to approve the minutes from the May 2012 board meeting.

**2.0 Public Comment**

Tony Buxton of the Industrial Energy Consumers Group (IECG) complimented Staff for the compromise solution for the allocation of RGGI funds in the FY2013 budget proposal, suggesting that it amounted to a reasonable way to proceed and in compliance with the law.

Mr. Smith asked if Mr. Buxton's comments pertain only to the RGGI funds, which Mr. Buxton confirmed. Mr. Fletcher suggested that the Trust may be well served to provide

some clarifying explanation to the Legislature about how the RGGI fund allocation was arrived at.

Mr. Voorhees commented that the “biggest bang for the buck” should continue to be made a priority, as it has in recent program years, but suggested that the Trust should apply this approach sector by sector given the need within each customer class. Mr. Voorhees added that statutes are not intended to spell out every detail about how the law or policy will be implemented, and noted that such function is typically served by rules and the interpretation of those rules are employed by Staff. Ms. Nagusky commented that she saw legal merit in comments of IECG as it related to the legislative intent.

### **3.0 Executive Director Report**

Michael Stoddard, Efficiency Maine’s Executive Director, commented that the last quarter of RGGI auction proceeds was recently completed and came in above projections. Mr. Rohman asked for the range for that auction. Mr. Burnes responded that the proceeds amount to \$1.3 million.

Mr. Stoddard reported that a group of Staff and Board members (Fletcher, Smith and Poole) had met with the Governor’s Energy Advisory Team and conducted a “field trip” to various energy projects in the Bangor/Orono area.

Mr. Stoddard discussed the PACE Loan program and progress of driving demand through various marketing channels. Mr. Stoddard then turned to the Trust’s low-income, electrically heated multifamily program, and pointed to Staff’s intent to complete 1,000 units by the end of this calendar year, with 900 audits already completed, and 200 units already completed.

### **4.0 Working Reports**

#### **1. Finance Committee Meeting**

**ACTION:** Upon a motion duly made (Ms. Mermin) and seconded (Mr. Smith), the Board voted unanimously in favor of the motion to approve the allocation of RGGI revenues for FY 2013 consistent with the revised memo to the Board of Trustees.

Mr. Fletcher offered his opinion that this is a good plan moving forward. Mr. Hodsdon asked Mr. Buxton if he was comfortable with this allocation of RGGI funds, to which Mr. Buxton responded in the affirmative. Ms. Mermin voiced her concern about the potential lack of equity in serving all customer classes who have paid in to the fund, and indicated the desire for a formal legal opinion from Attorney General’s Office. Mr. Rohman agreed with Ms. Mermin and suggested that this would help to avoid having the Board to continually revisit this matter. Mr. Smith commented that the framing of the question to the AG was of great importance. Mr. Fletcher suggested that the fundamental question in his mind is, when the RGGI Statute was enacted by Legislature, whether there was intent to divide resources by customer classes.

Ms. Mermin asked the Finance Committee to decide whether or not to have the Attorney General's Office provide a legal interpretation of the change in funding allocation.

Mr. Buxton suggested that the Board should allow Staff to explore whether or not the proper course would be to ask for an AG opinion or not and added that the AG's opinion has no binding effect and recommended instead to seek out the PUC's opinion since the issue is more squarely within their purview. Mr. Fletcher indicated that this suggestion maybe the most expeditious. Ms. Mermin commented that receiving a legal opinion by the AG's Office would give her comfort. Mr. Smith noted that the comments of Messrs. Fletcher and Buxton were helpful and that the matter was already referred to the Finance Committee and no decisions need to be made until then.

**ACTION:** Upon a motion duly made (Ms. Mermin) and seconded (Mr. Rohman) the Board voted unanimously to approve the allocation of RGGI revenues contained in the FY 2013 budget consistent with the Revised Allocation among customer sectors recommended in this memo and to use the RGGI funds for programs or projects that seek electric savings, provided that cost-effective collateral opportunities to save fossil fuel at the site of, and at the same time with, an electric efficiency measure, are eligible for such funding and may not, in the aggregate, cost the Trust in excess of 15% of the RGGI funds per annum.

**ACTION:** Upon a motion duly made and seconded, the Board voted unanimously to authorize the continued expenditure of FY 2012 encumbered contracts; to authorize the continued expenditure of FY 2012 project budgets that had unexpended amounts as of June 30, 2012; to authorize the continued expenditure of federal grant funds within the terms of a direct federal grant award or a memorandum of understanding between the Trust and the Governor's Energy Office as the prime recipient of the federal grant award; to authorize the Executive Director to transfer budgeted amounts between programs, projects and/or objects of expense as necessary during FY 2013; and, to authorize the Executive Director to make final adjustments to the authorized FY 2013 budget once the final revenues, expenditures and encumbrances for FY 2012 have been reported, audited, and accepted.

The Finance Committee also reported that Staff was putting forth a request for approval of a sole source contract to purchase radio spots for the purpose of promoting PACE and PowerSaver Loans during the summer and early fall.

Mr. Fletcher asked if the Staff is going to produce the ads. Mr. Stoddard clarified that professional talent at the radio stations will produce the ads at no additional cost. Mr. Fletcher asked if marketing firms have previously charge us a fee for this service? Mr. Stoddard confirmed that this is correct. Mr. Fletcher asked how we arrived at these projected costs and whether there is a way to negotiate and how do we know we got the best price that we get? Mr. Stoddard explained that Staff has compared them with past prices and prices at other stations. Mr. Fletcher asked if we have any

obligations with radio service providers to spend the amounts allocated? Mr. Stoddard explained that Staff does not have any obligation and that these are just potential amounts that can be used for media buys.

**ACTION:** Upon a motion duly made (Ms. Mermin) and seconded (Mr. Hodsdon) the Board voted unanimously to approve Staff's budget request for radio advertising to promote the Trust's home energy loan marketing effort.

## **5.0 Presentation**

### **1. Multifamily Program Presentation**

Mr. Meinking provided a presentation on the evaluation of his ARRA funded Multifamily Pilot Program. Mr. Rohman asked for a number of anticipated project partners. TRC commented that they are anticipating 15-20 partners. Mr. Hodsdon asked about the age of buildings to be completed. TRC confirmed that there is a great variety of building age.

## **6.0 New Business**

No new business.

## **7.0 Next Meeting Agenda**

**ACTION:** The Board set the date to meet next on July 25, 2012 at 9:30 a.m.

## **8.0 Adjournment**

**ACTION:** Upon a motion duly made (Mr. Smith) and seconded (Mr. Lee) the Board voted unanimously to adjourn at 11:56 a.m.