



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### MEMORANDUM

TO: Cape Light Compact, JPE

FROM: Sarah A. Smegal, Hearing Officer

RE: Cape Light Compact JPE, D.P.U. 21-126 – CVEO Proposal

DATE: November 12, 2021

CC: Mark Marini, Secretary  
Service List – Cape Light Compact JPE, D.P.U. 21-126

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On November 5, 2021, the Department of Public Utilities (“Department”) issued a final Order denying the petition of the towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, Wellfleet, West Tisbury, and Yarmouth, and Dukes County, acting together as the Cape Light Compact JPE (“Compact”) for approval to implement a strategic electrification and energy optimization offering known as the “Cape and Vineyard Electrification Offering” (“CVEO”).<sup>1</sup> Cape Light Compact JPE, D.P.U. 20-40-A at 32 (November 5, 2021). The Department found that the manner of funding for the proposed CVEO was contrary to the laws of the Commonwealth and,

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<sup>1</sup> The Compact proposed to implement the CVEO as a mid-term modification to its 2019-2021 Three-Year Energy Efficiency Plan, which the Department approved in 2019-2021 Three-Year Energy Efficiency Plans, D.P.U. 18-110 through D.P.U. 18-119 (2019).

therefore, could not be approved as an enhancement to the Statewide Plan under G.L. c. 164, § 134.<sup>2</sup> D.P.U. 20-40-A at 20-24.

On November 1, 2021, the Compact filed a petition with the Department for approval of a Three-Year Energy Efficiency Plan for 2022 through 2024 (“Three-Year Plan”). The Department docketed this matter as D.P.U. 21-126. Pursuant to G.L. c. 164, § 134(b), the Compact proposes to offer certain enhancements to the Statewide Plan as part of its Three-Year Plan.<sup>3</sup> One such proposed enhancement is the CVEO, updated for the 2022-2024 Three-Year Plan term. Statewide Plan, Exh. 1, Appx. G.1, at 2.

Consistent with the Department’s findings in D.P.U. 20-40-A, the Compact shall update its Three-Year Plan filing to remove the proposed CVEO and associated budget. Specifically, the Compact shall update all applicable exhibits, including its energy efficiency data tables, benefit-cost ratio models, and bill impact calculations, to remove the proposed CVEO offering. As part of this update, the Compact may propose any necessary updates to accommodate its cold climate air source heat pump proposal outside of CVEO.

The revised filing should include a narrative with summary tables identifying the changes made to remove the proposed CVEO. The Compact shall submit the revised filing no later than close of business on Wednesday, November 17, 2021.

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<sup>2</sup> The Department found that the proposed CVEO also suffered from several other deficiencies that would prevent our approval. D.P.U. 20-40-A at 24-32.

<sup>3</sup> General Laws c. 164, § 134(b) provides that approved municipal aggregators “shall not be prohibited from proposing for certification an energy plan which is more specific, detailed, or comprehensive or which covers additional subject areas than any such state-wide conservation goals.”