**Sustainable Energy Utility Advisory Board (SEUAB) Regular Meeting**

**Tuesday, September 13, 2022**

**10:00 AM – 12:00 PM**

# Call to Order

Chair Bicky Corman called the meeting to order at 10:06 AM, September 13, 2022. Chair Bicky Corman called a quorum of the Sustainable Energy Utility Advisory Board (SEUAB or Board) at 10:07 AM. This was a Microsoft Teams video conference call meeting.

# Roll Call/Instructions

Roll call was taken at 10:02 AM and the following people were in attendance:

# Board Members

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| --- | --- | --- | --- |
| **Name** | **In Attendance?** | **FY 2022**  **Special Meetings**  **Attendance Record** | **FY 2022 Regular Meetings**  **Attendance Record** |
| Bicky Corman - Board Chair (Mayor’s Designee) | Yes | 2/2 | 12/13 |
| Marshall Duer-Balkind – Vice Chair (Councilmember Cheh) | Yes | 2/2 | 13/13 |
| Sandra Mattavous-Frye (or OPC proxy) | Yes | 2/2 | 13/13 |
| Cary Hinton (PSC) | Yes | 1/2 | 11/13 |
| Donna Cooper (Electric Company) | Yes | 2/2 | 12/13 |
| Eric Jones (Building Management) | Yes | 0/2 | 12/13 |
| Nina Dodge (Environment) | Yes | 2/2 | 13/13 |
| Jamal Lewis (Low-Income Community) | Yes | 2/2 | 9/11 |
| Mishal Thadani (Economic Development) | No | 1/1 | 7/11 |
| Sasha Srivastava (Renewable Energy) | Yes | 2/2 | 11/11 |
| Vacant (Building Construction) | N/A | N/A | N/A |
| Vacant (Council Chairperson Mendelson) | N/A | N/A | N/A |
| Vacant (Gas Utility) | N/A | N/A | N/A |

# Other Attendees: Dave Epley (DOEE), Ashlei Williams (DOEE), Brandon Bowles (DCSEU), Gary Decker (DC Green Bank), Dennis Jamouneau (Pepco), Jennifer Johnston (DOEE), Lance Loncke (DOEE), Patti Boyd (DCSEU), Rebecca Foster (VEIC), Benjamin Burdick (DCSEU), Sarah Kogel-Smucker (OPC), Andrea Harper (PHI), Crystal McDonald (DCSEU), Patti Boyd (DCSEU), Edward Brady (sub-contractor to peer consulting to DCSEU), Zoe Heller (DCSEU), Tamara Christopher (DCSEU), Angela Johnson (DCSEU), Nick Burger (DOEE), Hussain Karim (DOEE)

# Approval and Amendment of the Agenda

* Dave Epley (DOEE) led the discussion by asking if there were any changes to be made to the agenda.
* Vice Chair Marshall Duer-Balkind requested the Board reorganize the agenda items to discuss the *PEPCO Energy Efficiency and Demand Response (EEDR) Program (Formal Case 1160)* before the *Board Annual Report Progress Update*.
* Dave Epley (DOEE) mentioned that moving forward, the agenda will be distributed weeks in advance of the next Board meeting.
* Vice-chair Duer-Balkind moved to approve the agenda and was seconded by Chair Bicky Corman. All were in favor, and none were opposed.

# Introducing New DOEE & DCSEU Staff & Recruitment

* Dave Epley (DOEE) introduced Nick Burger, the new Energy Administration Deputy Director at DOEE.
* Nick Burger (DOEE) expressed how he was happy to join the team and looks forward to meeting everyone in person. Nick Burger mentioned that he came into the DOEE role from RAND Corporation as a Senior Economist and Director for Washington Office located in Pentagon City. He has been a District resident for 14 years living in Capital Hill and previously served as an ANC commissioner. Nick Burger highlighted how he looks forward to working with the Board.
* Dave Epley (DOEE) introduced Jennifer Johnston, the new DCSEU/DCSEUAB Program Analyst and mentioned that Jennifer Johnston had previously served on the Policy and Compliance Division at DOEE.
* Jennifer Johnston (DOEE) expressed her excitement for the new position. Jennifer Johnston highlighted that she was looking forward to working with everyone and hopes to reach out to each Board member individually to set-up time to connect and hear from them.

# SEUAB Check-in & Recruitment

* Chair Bicky Corman requested everyone on the Board continue to work together collaboratively and respectively. Chair Bicky Corman thank everyone for the efforts.
* Dave Epley (DOEE) highlighted the excitement surrounding the topics discussed during Board meetings and asks the Board to stay strategic in the discussions.
* Dave Epley (DOEE) asked the Board to provide recommendations on potential candidates to fill the open positions on the Board.
* Dave Epley (DOEE) introduced Rebecca Foster, CEO of Vermont Energy Investment Corporation (VEIC).
* Rebecca Foster (VEIC) provided a brief summary of her work experience highlighting her 20 years of experience in energy efficiency.
* Rebecca Foster (VEIC) provided the [link](https://dcseu-veic.icims.com/jobs/1351/managing-director%2c-dc-sustainability-energy-utility-%28dcseu%29/job) for the job posting of the next managing DCSEU Director. Rebecca Foster requested feedback on contacts and recommendations on potential new hires. Rebecca Foster provided her contact information and highlighted she travels to DC twice a month.
* Cary Hinton (PSC) requested the link to the job description so he could announce the opening of the DCSEU Director on social media and professional platforms.
* Sandra Mattavous-Frye (OPC) welcomed Rebecca Foster to the team and highlighted that she has worked with DCSEU since the organization’s inception and is interested in participating in the selection process of the next DCSEU managing Director. Sandra Mattavous-Frye requested the candidate be representative of the District and their needs.
* Vice-chair Duer-Balkind thanked Rebecca Foster for her efforts and askedwhat role the DCSEUAB could play in the hiring process.
* Rebecca Foster (VEIC) shared that she would need to think about the how DCSEUAB would be involved.
* Vice-chair Duer-Balkind offered the Board to be involved and the option of potentially signing an NDA if needed.
* Sarah Kogel-Smucker (OPC) highlighted that District employees may not be able to sign an NDA.
* Dr. Donna Cooper (Pepco) thanked Rebecca Foster and Brandon Bowles for attending. Dr. Donna Cooper emphasized the importance of DCSEU and Pepco coordination particularly as the Infrastructure Investment and Jobs Act (IIJA) is implemented.
* Nina Dodge welcomed Rebecca Foster and requested that the Board outline acronyms to edify those who are not familiar with them.
* Chair Bicky Corman highlighted that the job description for the DCSEU Director says that the candidate needs to align with VEIC’s mission. Chair Bicky Corman requested the job description include the importance on the candidate having local ties to the District.
* Rebecca Foster (VEIC) responded by stating that VEIC will ensure the candidate is representative of the District and the District goals.
* Dave Epley (DOEE) introduced Brandon Bowles, the interim Director of the DCSEU.
* Brandon Bowles (DCSEU) introduced himself and shared that he brings 20 years of operation experience with the last decade in the energy space working with utilities on interconnection issues and new technology. Brandon Bowles is committed to laying out the vision for the future and open to meeting with any members of the Board.
* Chair Bicky Corman welcomed Brandon Bowles.

# Discussion and Approval of the June and July Meeting Minutes

* Chair Bicky Corman provided a change to the June minutes:
  + Under Official Actions Taken by Board add *Discussion on whether the Board will participate in the providing comments in Formal Case 1167*.
* Dr. Donna Cooper (Pepco) suggested that the meeting minutes include proxy attendee names.
* Vice-chair Duer-Balkind requested the minutes keep track of when members join the Board (so the denominator in the number of meetings attended reflects how long they have been a Board member).
* Vice-chair Duer-Balkind called a motion to approve the June meeting minutes as amended and was seconded by Eric Jones. All were in favor, and none were opposed.
* Vice-chair Duer-Balkind provided a change to the July minutes:
  + Update 10,000 to *100,000* LMI residents (on the bottom of page 5).
* Chair Bicky Corman called a motion to approve the July meeting minutes as amended and Vice-chair Duer-Balkind seconded the motion. All were in favor, and none were opposed.

# EM&V Report Update/Next Steps

* Dave Epley (DOEE) reminded the Board that they received the EM&V report in August and the Board has 90 days to complete the annual report after the EM&V report is released. Dave Epley mentioned the Board was two weeks behind schedule for compiling the annual report.
* Lance Lonke (DOEE) highlighted the EM&V report was received and posted on DOEE’s web page on August 17. Lance Lonke highlighted that the Board will need to complete their report by November 17.
* Vice-chair Duer-Balkind thanked DOEE and NMR for their consideration of the Board comments in the Evaluation, Measurement, and Verification (EM&V) report.

# Update on PEPCO EEDR Program (FC1160)

* Chair Bicky Corman highlighted the Board’s role is to review Pepco proposals before they are submitted to the PSC. Chair Bicky Corman inquired about Pepco’s next steps and the areas for potential overlap between Pepco’s EEDR programs and DCSEU.
* Dave Epley (DOEE) asked Casey Hinton (PSC) to weigh in.
* Casey Hinton (PSC) mentioned that the PSC cannot provide a timeline at this point and any information provided would be speculative.
* Chair Bicky Corman clarified by rewording her questions.
  + 1) What is the status of PSC’s review of the programs?
  + 2) What is the timeline for creating the working group moving forward?
* Sarah Kogel-Smucker (OPC) wanted to ensure the Board was working from the same place and highlighted that on September 12th, Pepco requested for reconsideration for Formal Case 1160 ([DCPSC E-Docket System](https://edocket.dcpsc.org/public/search/details/fc1160/92)). The reconsidered had a 5-day comment period leaving the deadline for feedback as Monday, September 19th.
* Lance Lonke (DOEE) requested an update from the Pepco team. After the Pepco team provides an update, he offered to share where the DCSEU was in Formal Case 1160.
* Nina Dodge requested Pepco keep their presentation to 10 minutes.
* Dr. Donna Cooper (Pepco) mentioned that the Pepco team received approval for 8 programs, however, their full portfolio was not approved. Pepco asked PSC for a reconsideration. Dr. Donna Cooper highlighted the key next step is coordinating with DCSEU and offered to do a deeper dive into the program to be offered. Out of the programs that have been approved, 30% will focus on LMI customers. Dr. Donna Cooper mentioned that the start date for these programs is January 1, 2023, and that the programs run on a 3-year cycle.
* Lance Lonke (DOEE) requested more detail on the reconsideration request.
* Dennis Jamouneau (Pepco) offered to provide clarification. The reconsideration was not about the program specifically. Dennis Jamouneau mentioned that the way the order was written, the PSC thought the Formal Case 1167 programs were part of Formal Case 1160 programs, which is not the case. Additionally, Pepco had some legal formalities included in the reconsideration.
* Vice-chair Duer-Balkind inquired about the January 1, 2023 start date. He asked if this was the date Pepco will release a request for proposals (RFP) or begin work? Does Pepco intend to move forward with the approved programs?
* Dennis Jamouneau (Pepco) mentioned that Pepco plans to move forward with the 8 programs as approved, however timing will be challenging. Based on conversations with the team, the programs will start January 1, but Pepo is determining what the launch will look like.
  + Dennis Jamouneau followed up his comment with a message in the chat window stating that on January 1, 2023 the *website would be available; the phone lines would be established and a customer would be able to call and schedule a QHEC. We'd begin to have our service providers recruiting customers*.
* Chair Bicky Corman asked for further clarification on the motion for reconsideration.
* Dennis Jamouneau (Pepco) highlighted that the programs proposed were filed in Formal Case 1160, however the PSC inaccurately assumed that the proposed programs were also part of Formal Case 1167. Meaning the PSC failed to review the appropriate programs in Formal Case 1160.
* Chair Corman asked if these programs were created in coordination with the DCSEU. Chair Corman also mentioned that one of the reconsiderations was for the application of the societal cost test of 2.0. Chair Corman highlighted that the societal cost test is an important tool to measure the impact and the DCSEU implements a societal cost test as well. Chairman Corman also stated that the 5-day turnaround period for comments is very fast and stated that it would be helpful if there were more notice given to Board members.
* Dennis Jamouneau (Pepco) offered to provide some clarification on the motion to reconsider societal cost test. The underlying order from Fall 2020 required a societal cost test of 1.0 during the first, second, and third year of implementation with a societal cost test score of 1.0 on the third year of implementation. The PSC had a societal cost test of 2.0 before the programs were implemented to be used as screening criteria. In Pepco’s view, the 2.0 requirement is different from what the working group agreed to.
* Chair Corman asked whether these changes were a house keeping matter or a substantive matter. Chairman Corman highlighted that a 5-day turn around period is very fast to provide feedback on a substantive matter. Chairman Corman asked if the group could put a system in place where the Board and the DCSEU is given more notice.
* Nina Dodge recommended the Board hear from OPC.
* Sandra Mattavous-Frye (OPC) highlighted that the OPC is actively involved in Formal Case 1160 and asked Sarah Kogel-Smucker to share internal thoughts. Sandra Mattavous-Frye mentioned that the PSC will be filing a response and that the 5-day comment period is a rule that cannot be changed.
* Sarah Kogel-Smucker (OPC) mentioned that she read the motion earlier in the day. Sarah Kogel-Smucker mentioned that although she needs more time to absorb the information, she objects that the societal cost test is a housekeeping matter. OPC raised concerns with the cost effectiveness of the programs (particularly benchmarking). Sarah Kogel-Smucker encouraged attendees to review the motion for reconsideration to determine whether the societal cost test is in fact a housekeeping matter.
* Chair Corman mentioned she is concerned that there is not coordination happening between Pepco and DCSEU. Chairman Corman requested a meeting with DCSEU to understand if the Board needs to provide comment.
* Vice-chair Duer-Balkind said he would be interested in joining a conversation and that the 5-day comment period is fixed.
* Sarah Kogel-Smucker (OPC) stated that although the 5-day comment period is fixed, if comments are provided close to the deadline, you can ask the PSC to accept feedback.
* Cary Hinton (PSC) offered to reach out to the PSC General Counsel to learn if late filed comments will be accepted on the motion such that we ensure there is an opportunity for the staff counsel to review and consider what the Board files.
* Chair Corman requested a discussion offline to determine whether the Board or DCSEU needs to provide comments to Formal Case 1160.
* Cary Hinton (PSC) would like confirmation within the next day or so whether feedback will be coming from the Board.
* Chair Corman requested a meeting with Brandon Bowles and Vice-chair Duer-Balkind.
* Brandon Bowles (DCSEU) mentioned that his team is actively reviewing the motion and is open to meeting with members of the Board. Based on a high-level review, DCSEU does not have any concerns with the motion.
* Lance Lonke (DOEE) reviewed the Pepco programs and DCSEU provided a summary on how the programs will affect the DCSEU. There are some implementation issues that need to be addressed through the Technical Issues Working Group. DOEE volunteered to lead the Technical Issues Group and right now DOEE’s attorneys are reaching out to see who the participants would be. DOEE and DCSEU have met with Pepco staff to understand the TRM (technical reference manual).
* Vice-chair Duer-Balkind mentioned that the Board would like to have a member join the Technical Issues Working Group.
* Lance Lonke (DOEE) would like to start this Technical Issues Group as soon as possible considering the programs will launch in January.
* Nina Dodge motioned that the Board determine who will participate in the Technical Issues Working Group via email and seconded by Chair Bicky Corman. All were in favor, and none were opposed.

# Board Annual Report Progress Update

* Vice-chair Duer-Balkind shared his screen and mentioned how he distributed a working draft of the annual report which included an outline of the sections and assignments with progress to date. Vice-chair Duer-Balkind thanked Chair Bicky Corman for compiling the executive summary. Vice-chair Duer-Balkind mentioned that the peak demand and leveraging sections have been drafted. Vice-chair Duer-Balkind shared that he added tables to the peak demand section per request of Nina Dodge who had submitted the peak demand section draft.
* Vice-chair Duer-Balkind reminded the Board that the deadline for completion is November 17.
* Chair Bicky Corman encouraged the Board to work on their sections for the next Board meeting discussion and suggested the Board have another meeting in October to draft the report. She mentioned that historically a lot of the discussion is focused on the Executive Summary. Chair Bicky Corman thanked Nina Dodge and Vice-chair Duer-Balkind for providing their drafts.
* Vice-chair Duer-Balkind asked the Board if the timeline for drafts by the next Board meeting is acceptable.
* Sandra Mattavous-Frye (OPC) requested to meet with Jamal Lewis to discuss their section of the annual report.
* Lance Lonke (DOEE) requested the Board finalize what areas they would like the DCSEU to draft.
* Vice-chair Duer-Balkind asked DCSEU if they plan to make updates to their strategic plan.
* Rebecca Foster (VEIC) confirmed there will not be substantive changes to the strategic plan.
* Chair Bicky Corman mentioned the Board asked DCSEU to prepare a strategic plan and thanked DCSEU and team for compiling.
* Vice-chair Duer-Balkind asked if the DCSEU had the bandwidth to compile the sections of the annual report.
* Dave Epley (DOEE) suggests DOEE and DCSEU discuss their bandwidth and get back to the Board.
* Chair Bicky Corman suggested the Board meets October 18.
* Lance Lonke (DOEE) believes the DCSEU and DOEE can meet the October 11 deadline.
* Chair Bicky Corman mentioned that the DOEE and DCSEU summary should be concise.
* Vice-chair Duer-Balkind foresees the report to be concise. The last Board report was 67 pages and this year the Board has a goal of reducing those numbers.
* Brendan Bowles (DCSEU) asked what fiscal year the report will be focused on.
* Vice-chair Duer-Balkind highlighted the early sections are to cover FY21 into FY22. The introduction and executive summary will focus on past (FY21-FY22) and future (FY23).
* Dave Epley (DOEE) suggested Jennifer Johnston meet with Vice-chair Duer-Balkind to discuss compiling the report.
* Vice-chair Duer-Balkind stated that an extra meeting in late October will be needed in order to approve the report at the November Board meeting.

# Update on DCSEU-Relevant PSC Formal Cases

* Dave Epley (DOEE) opened the floor to the DOEE team.
* Chair Bicky Corman mentioned that Pepco submitted 5 plans for grid modernization.
* Nina Dodge noted that on Formal Case 1167 it is a case that is not typical. There might be ways for the Board to provide some sort of filing and provide comments outside of the strict framework.
* Hussain Karim (DOEE) said the Board is not a party in Formal Case 1167 and cannot petition to be a party.
* Sarah Kogel-Smucker mentioned that the PSC did a request for briefs due September 27th on whether the PSC can mandate electrification. Other than the briefing, data requests and comments can be filed. Next steps in the proceeding are unclear.
* Nina Dodge noted that DOEE is very involved with Formal Case 1167.
* Sandra Mattavous-Frye (OPC) stated that the DCSEU is not a party, but DOEE is a party however, unsure if DOEE can represent DCSEU. The Board could provide a public comment.
* Nina Dodge moved that Chair Bicky Corman query the general counsel of the PSC in October to determine the role the Board and DCSEU can play in providing feedback for Formal Case 1167 and filings moving forward. Nina Dodge motioned and was seconded by Chair Bicky Corman. All were in favor, and none were opposed.
* Vice-chair Duer-Balkind requests that the Board be informed of what filings are coming down the line so the Board can provide feedback as needed.
* Nina Dodge suggested the creation of a subcommittee to track the PSC Formal Cases and requests OPC to compile.
* Sarah Kogel-Smucker stated that she did not believe a subcommittee is needed. She suggested that when the agenda is being developed to send in an upcoming deadline that the Board should be aware of.
* Nina Dodge agreed with the suggestion.
* Chair Bicky Corman added that a description of the filing and whether it is relevant to the Board would be helpful to include.

# Legislative Updates

* Hussain Karim (DOEE) mentioned that there are several bills before council: the **Local Solar Expansion Amendment Act of 2022**which would amend the District’s renewable portfolio standards to raise the local solar carveout from 10% to 15% by 2041 and **DC’s Building Energy Performance Standards CREF Amendment Act of 2022.** There will be a committee hearing on both bills on October 3.
* Dave Epley (DOEE) highlighted the Greener Government Buildings Amendment Act of 2022 which requires all major new or substantially improved government buildings to comply with net zero energy design principles. This bill will also hold a public hearing early October.
* Dave Epley (DOEE) mentioned the Clean Energy DC Building Code Amendment Act of 2021 which requires most new and substantially renovated buildings to meet a net-zero-energy standard by 2026. A second bill, Climate Commitment Act of 2021, requires the District to reduce its greenhouse gas emissions to 60% below 2006 levels by 2030 and to achieve carbon neutrality by 2045 (moved from the 2050 timeline).
* Vice-chair Duer-Balkind noted that these new goals put DC in alignment with Maryland and Virginia climate goals. Vice-chair Duer-Balkind also mentioned he had been reviewing solar carve out and BEPS and offered to meet with folks offline.
* Chair Bicky Corman highlighted that Director Wells was opposed to these laws (**Local Solar Expansion Amendment Act of 2022**and **DC’s Building Energy Performance Standards CREF Amendment Act of 2022)** and would like to figure out DCSEU’s and DOEE’s position.
* Vice-chair Duer-Balkind mentioned the **Building Energy Performance Standards CREF Amendment Act of 2022** is structured in a way with unintended consequences.
* Hussain Karim (DOEE) noted that DOEE will be receiving FY23 grant funding for storage distribution for $600,000.

# Additional Discussion (Bike Rack)

* How to incentivize the DCSEU to support projects in design stage for new construction and major renovations (suggested by Nina Dodge)

# Future Agenda Items

* Formal Case 1160 – Pepco to provide a more in-depth presentation on the programs
* Board Annual Report Progress Update
* Update on DCSEU-Relevant PSC Formal Cases
* Hearings and Bills before Council

# Actions Taken by the Board

* Approval of the June and July minutes
* Approval to nominate a Board member to attend the Technical Issues Working Group via email
* Approval for Chair Bicky Corman to query the PSC general counsel in October to determine the role the Board and DCSEU can play in providing feedback for Formal Case 1167 and filings moving forward.

# Adjournment

* Vice Chair Duer-Balkind adjourned the meeting at 12:04 PM.

# Acronyms used during this meeting

* ANC - Advisory Neighborhood Commission
* NDA - Nondisclosure Agreement
* IIJA - Infrastructure Investment and Jobs Act
* LMI - Low-to-Moderate Income
* RFP – Request for Proposals
* TRM - Technical Reference manual
* QHEC - Quick Home Energy Check-up
* CREF - Community Renewable Energy Facility
* DCSEU - District of Columbia Sustainability Energy Utility
* DOEE - Department of Energy and Environment
* EM&V - Evaluation, Measurement, and Verification
* OPC - Office of the People’s Counsel
* PSC - Public Service Commission
* VEIC - Vermont Energy Investment Corporation

*Minutes prepared by Jennifer Johnston, DOEE*