

*****DRAFT*****
MINUTES OF REGULAR MEETING
BURLINGTON ELECTRIC COMMISSION

Wednesday, January 12, 2022, 5:30 pm

The regular meeting of the Burlington Electric Commission was convened at 5:30 pm on Wednesday, January 12, 2022 via Microsoft Teams Video Meeting.

Channel 17 was present via Microsoft Teams Video to record this meeting.

Commissioners Chagnon, Herendeen, Moody, Stebbins, and Whitaker participated via Microsoft Teams.

Staff members present included Darren Springer, Paul Alexander, James Gibbons, Mike Kanarick, Munir Kasti, Laurie Lemieux (Board Clerk), Paul Pikna, and Emily Stebbins-Wheelock.

1. Agenda

There were no changes to the Agenda.

2. December 8, 2021 Meeting Minutes

Commissioner Moody made a motion to approve the minutes of the December 8, 2021 Commission Meeting; the motion was seconded by Commissioner Herendeen.

The Board Clerk, Laurie Lemieux, conducted a roll call vote by calling on the following Commissioners:

Commissioner Chagnon. Aye
Commissioner Herendeen. Aye
Commissioner Moody. Aye
Commissioner Stebbins. Aye
Commissioner Whitaker.

Results: 4 Ayes with 0 Nays, the motion carries. Commissioner Whitaker arrived after the vote was taken.

3. Public Forum

Mr. Gary Causer, Ms. Sheryl Green, and Mr. Don Schramm were present for the meeting.

Ms. Green, a resident of Burlington Co-housing explained that the Burlington Co-housing is a 32-unit housing development located off East Avenue. Mr. Green stated that she expressed her concerns at the 2021 January Commission Meeting and is present tonight to follow-up and perhaps help make changes.

Presently, six EV owners and one plug-in hybrid electric vehicle (PHEV) owner all have access to the full software, and each activates the charging of their own vehicle via a phone application or the software itself. The chargers run off the development's common meter, which covers all the electric use on the site with the exception of individual use within each apartment and townhouse. For the past year, Co-housing has worked out the car charging billing among themselves, which runs approximately \$0.17 per kWh.

Ms. Green stated that they appreciate the EV incentives BED has offered but noticed that residential charger owners have benefited in terms of BED rate reduction incentives, whereas common meter charging owners have not. The Co-housing common meter rate falls under the small general (SG) service plan restrictions, which state that energy consumption cannot exceed 3,000 kWh per month or equal to an average of 100 kWh per day for any three consecutive months during the previous 12 months. The billing period ended December 21 and they have gone over at 3108 kWh and as of today they have used 2663 kWh and still have 9 days to go. Ms. Green stated that at this point they have stopped using the car chargers.

Ms. Green asked if the charging portion of the meter could be separated, at least for three months.

Recently Ms. Green has been working with Brian Reilly, Jake Yanulavich, and Casey Lamont to try to find a solution but have not found something that will work.

Mr. Schramm stated it would help if the 3000 kWh could be bumped up. For example we just installed energy recovery ventilators (ERV's) and although they don't use a lot of power they are adding to the usage. Mr. Schramm stated that with the extraordinary help from Brian Reilly and other members of the BED team we have bought heat pumps, using BED incentives. This year we have 5 units that have volunteered to use heat pumps for their main heating source and the Burlington co-housing has agreed to reimburse these residents for the electric costs.

Mr. Schramm and Ms. Green stated that the Burlington Co-housing is doing their part in reducing their carbon footprint and is asking for some assistance on how to remedy this issue with the EV charging.

Mr. Gibbons stated that BED does have some flexibility with incentives, but we do not have any flexibility on changing electric rates. In most states if the municipal utility wanted to change its electric rates, they could do so, in Vermont we need the approval from the state. The process to alter rate structures is a long process and would require the approval of the Public Utility Commission (PUC) in advance before it could be implemented.

Mr. Gibbons stated that as of July 1 BED received approval to change the electric vehicle rates and the Department did change the SG and LG rates. As of that time charging under our electric vehicle charging rate is no longer used for the calculation of the 3000 kWh cutover. This required changes to BED's internal billing and also how to receive data from your charger. At the time we are unable to see into the Burlington Cohousing chargers in a way the Department needs to build a rate. The BED team has been working with the manufacturer to find a solution.

Mr. Gibbons stated that the team will continue to work on this issue and will provide the data the Department is requesting from NLX, the tariff language for the SG, and the tariff that would be approve for the charging use.

Commissioner Stebbins asked Ms. Green to email in a few weeks to let us know if any progress has been made so the Commission can keep abreast of this issue.

Mr. Gary Causer stated that he is attending the meeting to hear the update on the Street Lighting Policy.

Mr. Causer stated that he is trying to live with the amount of lighting that has come into the neighborhood in the past couple of years. Mr. Causer lives on the corner of Richardson Terrace and Lyman Street. Richardson Terrace has just been reworked and if you count the light fixtures on Flynn Avenue, there are 18 fixtures and, between Flynn Avenue and Home Avenue there are 18 fixtures. It's a lot of light. Mr. Causer stated that this is his neighborhood and he's lived here a long time and in his opinion it doesn't seem like the best use of limited resources. It seems excessive.

Mr. Causer stated that Andy Elliston and Enis Sehovic have been very receptive, and he is not questioning their work but the standards we are trying to bring the City up to. Mr. Causer is looking forward to Mr. Elliston's presentation.

Commissioner Stebbins asked the members of before the Commissioners Corner the Commission if they were amendable to moving Agenda Item #7 to immediately follow the Public Form item, so Mr. Causer does not have to wait for the presentation. The Commission agreed to move the presentation to immediately follow the Public Forum.

Street Lighting Standards

Mr. Elliston stated that BED has been tasked by the City Council with the responsibility of lighting the accepted city streets of Burlington. This policy was first adopted by the Commission in 2014 and has been updated in 2017 and 2020 and also approved by the Commission.

This policy is followed when installing standard street lighting poles and fixtures and making decisions about the location of decorative poles, fixtures, and banners attached to poles.

The Department is aware of the dark sky goals and ensures that energy efficiency is a high priority and all street lighting in the City is designed to conform to the Illuminating Engineering Society

(IES) recommendations. Fixtures are modeled using a road template and light levels on the street and sidewalks. During this evaluation the Department chooses a fixture that is energy efficient and provides adequate lighting on the street and sidewalk while minimizing light spilling beyond the sidewalks.

The IES recommended lighting levels are determined by the classification of the street. There are three different classifications. These classifications are provided to BED by the Department of Public Works:

- Major (highest lighting levels)
- Collector
- Local (lowest lighting levels)

BED maintains a street lighting capital plan that includes:

- List of streets where lighting will be upgraded, or new lights will be installed to meet IES lighting level recommendations.
- Driven by projects specified by BED, City/State projects, and customer requests.
- If a fixture fails on a street that does not meet IES lighting recommendations, the fixture is replaced with an equivalent LED fixture.

If BED is designing a system rebuild/upgrade project, BED evaluates lighting levels and brings the street to IES recommendations if it does not currently meet them. This may include replacing fixtures on existing poles or adding new poles and fixtures.

When a customer contacts BED with a concern regarding street lighting levels (either excessive or insufficient), BED investigates by performing a lighting study. If the lighting study finds the lighting level on the street is below IES recommendations, the street is added to BED's street lighting capital plan and upgrades are implemented as budget allows. If the lighting study finds that the lighting level meets the IES recommendations, BED informs the customer that the lighting is adequate and meets IES recommendations. If the lighting study finds that the lighting level could be reduced and still meet IES recommendations by replacing fixtures with lower light output fixtures, BED adds the project to the street lighting capital plan and implements as budget allows.

Commissioner Stebbins stated that when reviewing the Street Light Policy the Commission kept balancing the consideration of safety as compared to dark sky goals and not having light pollution.

Mr. Alexander stated that safety is of the utmost importance. If there is an accident or if a pedestrian has been hit, the first question from the Burlington Police Department and the attorney representing the client will always be about the lighting standards at the time of the accident. So there is a safety factor that needs to be balanced. As long as BED is withing those specification we are fine.

Mr. Causer asked if the department could revisit some of these lighting projects and double check some of the lighting standards to see if they might exceed the IES recommendation.

Commissioner Herendeen stated that the term is “recommended” lighting level and perhaps more research is needed. Commissioner Herendeen’s sense is that this issue is being brought up in places all over the country.

Mr. Kasti agreed with Commissioner Herendeen that the department needs to do some more research and figure out what is going on outside of Burlington and outside of Vermont. Mr. Kasti suggested that we get in touch with IES to see if they have anything more specific related to the lighting of residential streets that would allow us to lower the light levels. Mr. Kasti also suggested that it may be time to reconvene the lighting committee.

Mr. Springer stated that he would advise including Mr. Bill Ellis as our longstanding BED attorney as he has PUC and regulatory experience along with the City Attorney’s office. Also I know our Engineering Team is currently reviewing everything within the IES standards to look at what flexibility we may have and if we are able to do things in a different way to address some of the concerns. We are interested in looking at these issues and also staying within a standard that can protect the City and BED from a liability standpoint.

Commissioner Stebbins asked Mr. Kasti and Mr. Elliston what a reasonable timeframe would be to report back of their findings. Mr. Elliston stated that he would meet with the Engineering Team and get back to the Commission in the next few days regarding a timeframe.

Mr. Causer thanked Mr. Elliston and the Commission for their time.

4. Commissioners’ Corner

There were no questions or comments.

5. GM Update

Mr. Springer stated that we have a new Finance Director and IT Director starting next week and we have successfully recruited for additional IT staff positions.

BED continues to work remotely where possible and we have created rotations and safety procedures to limit exposure for on-site employees. Masking is now required in all BED facilities when two or more people are in a room together, and we’ve ordered KN95 masks for all employees coming on-site. All City Council and Commission meetings are now remote, with just one person hosting in-person in case members of the public join in-person.

With the reimbursement resolution now passed by the City Council following recommendation from the Commission we are putting revenue bond funds to work. We are now able to get

reimbursement for work that takes place under the revenue bond. We will make a concerted effort to document the revenue bond projects that are happening by sharing highlights and updates through a variety of media to make sure the community is aware of how we are putting those resources to work. We also anticipate having an official announcement later this month on our 2022 incentives and are making some changes to boost certain programs, all made possible in part by the revenue bond.

We have meetings with UVM and UVMC in January, as we look to wrap up Phase 3. We also anticipate knowing more about the status of the federal appropriations with Congress looking at a February expiration of the current Continuing Resolution.

The Department has kicked off the budget season for FY23. As of now, one of the things to be prepared for is to have a permanent low income discounted electric rate option in FY23. In FY22, funded with ARPA funds from the City, we were able to offer a temporary energy assistance program which offsets the current rate increase for qualified customers.

Mr. Springer stated that we are excited that BED was successful in our grant application to VLITE, in partnership with Champlain Housing Trust and CarShare Vermont, with funds supporting adding two new Chevy Bolts to the CarShare fleet in Burlington, and dedicated charging downtown and near The Family Room in the Old North End.

We have engaged Synapse again in 2022 to update our roadmap and give us the latest emissions and fossil fuel use data for 2021. One of the things we will be looking at is as the economy reopened for much of the year, how did that impact us in terms of emissions, how did this impact our uptake in incentives. We hope to have some results in the spring.

We anticipated having an update on the Moran Frame Project, but the information was not ready for this evening. It is our hope to present this at the next meeting.

Mr. Springer stated that Chris Burns and Jen Green have been working with the Department of Permitting and Inspections, along with our colleagues at VGS on developing the rental weatherization standards. This ordinance is now fully enacted, and we have the first cohort of buildings that are going to comply, which are the 90,000 BTU per sq. ft. per year or higher buildings. Those are going to go through the compliance process and start getting into the queue for weatherization. We now have a schedule that's been adopted to move through the various cohorts through the year 2025. Once this process is complete, all those buildings in the effected energy use categories will be weatherized or in the queue to be weatherized.

6. FY22 November Financials

Ms. Stebbins-Wheelock stated that we are very excited to be welcoming Emily Byrne as our Finance Director. Ms. Byrne comes with a lot of great experience in public budgeting and public administration at the State of Vermont. Also, we welcome Erica Ferland as our new IT Director and

she comes with 20 years of experience in networking and system administration, along with team management. We have also filled two of the three current vacancies in the IT Department, so the team will be close to full strength.

Ms. Stebbins-Wheelock stated that she participated in a kick-off call last week with the City our debt advisors, and the City Bond Counsel regarding the revenue bond schedule. This call was to go over the process for issuance and the timeline. At this time we are targeting March 31 for issuance. We will be bringing to the Commission for recommendation to the Board of Finance and City Council a resolution at your February meeting. This resolution is to authorize the Chief Administrative Officer of the City and the General Manager of Burlington Electric to issue the bonds. This resolution is very similar to those that the Commission and City Council have adopted for past revenue bond issuance.

Ms. Stebbins-Wheelock presented the November financials:

The Department has a net income of \$1.06M compared to a budgeted net income of \$999K.

On the revenue side, sales to customers were unfavorable to budget by \$123K. Residential sales were up \$12K, and commercial sales were down \$137K. Other revenues were down \$68K.

Power Supply expenses were down \$268K, and operating expenses were down \$210K. Other income was \$273K under budget for November, mostly due to customer contributions not arriving as planned. For FY22 year-to-date, the Department ended the month with a negative variance of \$553K.

As of November, the Department has spent 23% of the FY22 capital budget and has an operating cash balance of \$11.4M, or 138 days cash on hand. The debt service coverage ratio is 4.53, and the adjusted debt service coverage ratio is 1.18.

Commissioner Whitaker stated that the Department had a lot of problems in arrearages and asked if that problem has mostly gone away as it wasn't showing up in the financials.

Ms. Stebbins-Wheelock stated that a part of the Center for Innovation monthly report, a chart is included that highlights the arrearages. The Vermont Emergency Rental Assistance Program (VRAP) has had an effect and arrearages were down approximately 3% in November and 2% in December. The arrearages over 60 days is still approximately \$1M and where you see this is not in revenues because we have booked the revenues, delivered the electricity, and sent the bill. It shows in the cash receipts which impact our cash balance.

Mr. Springer stated that we do have the \$1.3M in ARPA funds from the City. We are continuing to have our Customer Care Team work with customers to take advantage of the state funds as much as possible. In the spring the department will be looking at whether it is time to reinstate disconnect for nonpayment as BED has gone well beyond the PUC moratorium period. We want to get through the winter but will probably join the other utilities and will work in coordination with the Water Department to reinstate the disconnect at that time. We will then use that ARPA fund to try to clear

the remaining balance of COVID arrearages as much as possible.

7. Commissioners' Check-In

Commissioner Herendeen asked how long it will take to put 10 kWh into a car using a slow charge and a fast charge.

Mr. Springer stated that it depends on the car, but if you are using a level one charger and you were trying to get 10 kWh, it might take around 6-7 hours. If you are using a level two charger with a 60-70W battery, it might take 1-2 hours.

Commissioner Moody made a motion to adjourn; the motion was seconded by Commissioner Chagnon.

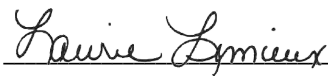
The Board Clerk, Laurie Lemieux, conducted a roll call vote by calling on the following Commissioners:

Commissioner Chagnon. Aye
Commissioner Herendeen. Aye
Commissioner Moody. Aye
Commissioner Stebbins. Aye
Commissioner Whitaker. Aye

Results: 5 Ayes with 0 Nays, the motion carries.

The meeting of the Burlington Electric Commission adjourned at 7:19 p.m.

Attest:



Laurie Lemieux, Board Clerk