

**CLEAN ENERGY ADVISORY BOARD
Policy and Regulatory Committee**

Draft Meeting Minutes

Wednesday, March 16, 2022

11:00am- 1:00pm

Meeting Location:

Electric Cooperatives Association

4201 Dominion Blvd. #101

Glen Allen, VA 23060

****This was an in-person meeting and open to the public. ****

CEAB website hosted at energy.virginia.gov, direct link [here](#).

Roll Call and Introductions

Clean Energy Advisory Board's Policy and Regulatory Committee:

Committee Members Present: William Reisinger, Sam Brumberg, KC Bleile, Will Cleveland

Absent: Sarah Nerette

Board Members Present: Katharine Bond

Virginia Energy Staff: Carrie Hearne (in-person), Devyn Keller (in-person)

Office of Attorney General: Grant Kronenberg (in-person)

Meeting called to order at 11:02 a.m. Those present introduced themselves.

Review of Previous Minutes

It was properly moved and seconded that the Committee approve the meeting minutes from the November meeting without amendment. The motion passed unanimously.

Committee Discussion

Legislative Update

Discussion of SB625: The bill was carried by Sen. Barbara Favola and did not pass out of a subcommittee in the House after passing the Senate unanimously. It would have modified the Clean Energy Advisory Board's (CEAB) statute to 1) put operations of the incentive programs squarely under the Department of Energy (Virginia Energy), and 2) modify the hard-coded 12% energy efficiency measure.

Funding for the Program: House budget reduces Governor Northam's budget proposal from \$30 million to \$0 and the Senate budget reduces it to \$10 million. The CEAB's role will be to review proposals and decide whether to approve them within 30 days. It is feasible that budget language could be amended to reflect parts of SB625. Logistics for going through the review process will need to be determined if and when there is funding allocated to the Fund and if the statute remains unchanged.

Electric Utility Communications Regarding Net Energy Metering, Solar Leases, and Certificates of Public Convenience and Necessity

At the last meeting, the Committee authorized Committee Chair Sam Brumberg to send letters to the investor-owned utilities and authorized Will Cleveland to send a similar letter to the Association of Electric Cooperatives. These letters were sent out on December 15th. The packet given to each present member has a copy of the responsive letter from the Cooperatives. The Chair explained that lawyers at the Cooperatives and the investor-owned utilities were not comfortable giving legal opinions for third parties. The Committee discussed and agreed that the logical next step would be to seek an opinion from the Attorney General. The Chair of the CEAB may ask for an opinion pursuant to the relevant statute.

The Committee reviewed a draft of the letter to the Attorney General and provided feedback. The Committee decided it would like a response by June 1st, added language to the draft letter explaining the need and benefit of a response (including the CEAB's mission), and made a few other minor edits. The Committee discussed whether there is a need to send the OAG a prior notice that this letter will be coming. Grant Kronenberg, Counsel for the CEAB, will look into the proper procedure for submitting this letter to the Attorney General.

Upon a motion properly made and seconded, the Committee directed the Chair to make any appropriate changes to the letter as discussed, to finalize this letter following feedback from CEAB Counsel, and to transmit it to the Chair of the Board. The motion carried unanimously.

Other Topics of Interest

Discussion proceeded regarding legislation that expanded power purchase agreements (PPAs) for residential customers during this General Assembly session. A bill to expand shared solar in Appalachian Power Company territory got converted to a study but didn't expand it. A similar study regarding shared solar will be conducted for the Cooperatives. There was also a bill for electric cooperatives allowing local boards to authorize the use of residential and nonresidential PPAs as well as to raise NEM systemwide caps. Sam Brumberg will keep us informed and the VMDAEC website, nem.vmdaec.com, will eventually have a chart with the status of those provisions at the Co-ops.

April 18th full CEAB meeting may be in Wise County, VA in the afternoon, so members should start considering lodging for that Monday night. Carrie Hearne will be sending out an email to the CEAB to ensure there would be a quorum in that location. If so, it would most likely be held at the Mountain Empire Community College or Virginia Energy Big Stone Gap office. Virginia Energy will send follow up information and gather a status on quorum. This decision stems from the focus on Southwest Virginia of the Request for Proposals for residential solar financing and installation partners for low- and -moderate income Virginians pilot program.

Next Steps

All discussed in the prior block of time. It was resolved that the Committee would meet again in June.

Public Comment

No additional comments were given.

Schedule of Next Meeting

June 6th, 12-2 pm, Virginia-Maryland-Delaware Association of Electric Cooperatives location.

Meeting adjourned at 12:12pm.