MEETING MINUTES

Thursday, January 15, 2015
3:30 - 5:30 PM
Conference Room B
Department of Administration
One Capitol Hill, Providence, RI

Members Present: Abigail Anthony, Joe Cirillo, Dan Justynski, Jennifer Hutchinson, Michael McAteer, Joe Newsome, Chris Powell
Members Absent: Marsha Garcia, Julie Gill, Marion Gold, Paul Ryan
Consultants Present: Mike Guerard, Scudder Parker
OER Staff Present: Rachel Sholly
Others Present: Nick Corsetti, Rachel Henschel, Brigid Ryan, Belinda Wong

1. Call to Order

Vice Chair Chris Powell called the meeting to order at 3:36 PM.

2. Approval of December Meeting Minutes

Joe Newsome made a motion to approve the December meeting minutes as submitted. Abigail Anthony seconded and all approved.

3. Executive Director Report

Rachel Sholly provided the Executive Director report on behalf of Commissioner Marion Gold. Commissioner Gold met with members the Governor’s staff earlier today. Energy and energy efficiency are high on Governor Raimondo’s priority list, as she discussed during her recent Channel 10 interview. She is also very excited about the clean energy jobs report. Ms. Sholly explained that the Office of Energy Resources (OER) and CommerceRI have partnered to issue a request for proposals (RFP) to conduct an industry-wide clean jobs survey similar to what has been done in MA and VT. This will be different from National Grid’s jobs report in that it will be broader than energy efficiency program participation. Jeremy Newberger and Courtney Lane from National Grid have been on the planning calls and will work with the chosen consultant to ensure consistency between the two reports. The proposals were due today, three proposals were received and interviews will be conducted next week.
Ms. Sholly also reported that OER's George Sfinarolakis has been working closely with the RI Department of Transportation to implement an LED streetlight conversion pilot project. After questions about the streetlights bill and resulting work, Mike Guerard clarified that the tariff for LEDs, controls and schedules has been approved by the Public Utilities Commission (PUC). What was not approved was the metering tariff, so National Grid is currently developing metering pilot to inform that tariff. Grid is also finalizing the incentive levels that it will offer for LED conversions in 2015. Grid has allocated $280,000 in its 2015 Energy Efficiency Program Plan (EEPP) for all municipal LED conversions. Mr. Guerard pointed out that the amount needed is unknown and there is no consensus on what to expect. The group felt that this was a great showcase project for the state.

Ms. Sholly gave a brief overview of progress to date on the 2015 Regional Greenhouse Gas Initiative Allocation Plan. In 2014, proceeds totaled $9.2 million, compared to $7 million the year before. Allocation categories currently under consideration include energy efficiency, RI Public Energy Partnership, streetlights, delivered fuels, solarize expansion and municipal utilities. The OER plans to complete the plan and public comment process within the first quarter.

4. Executive Committee Report

Vote on EERMC Bylaws - The vote did not occur because the Council’s legal counsel still needs to review the document.

New Member Appointments - Ms. Sholly reviewed the list of recommendations to be submitted to the Governor’s office. Dan Justynski felt that a representative from the SEIU might not be the best fit as they are not connecting to the people who do energy work. Ms. Anthony and Mr. Powell recalled the Executive Committee deciding to submit multiple names per role. Ms. Sholly will bring these concerns to Commissioner Gold and respond to the Council via email. Mr. Guerard pointed out that Julie Gill is also stepping down, so the Council will need to identify an oil representative.

Ms. Anthony asked for an update on the Council’s legal RFP. Ms. Sholly reported that the RFP was posted early this month and has been distributed through the RI Bar Association’s Energy and Environment network. Proposals are due at the end of January.

5. Preliminary Results of 2014 Energy Efficiency Program Plan

Michael McAteer reported that, while the numbers have not yet been finalized, the results look good. Preliminary results indicate that National Grid has achieved 97% of its electric goals, including 93% in the commercial & industrial (C&I) sector and 106% in the residential sector, and 112% of its gas goals, including 98% C&I and 125% residential.

Rachel Henschel reported that the Toray combine heat and power (CHP) unit has been operational since September, but full commissioning has not been complete. Because of this and the contract and the rules in the 2014 EEPP, Toray only received 80% of its incentive; Grid wants to ensure it is operating properly before sending the remaining 20%. Grid typically likes to have savings and dollars flow in the same year, but it decided to claim 90% of savings and hold 10% for 2015. The large C&I sales team ramped up significantly to pull in the remaining savings and make up for that 10%, so Grid will get very close to 100% of its goal. All electric savings are performing as anticipated; the thermal side is still being assessed. Mr. Powell suggested that National Grid present an update to the Council on how the system is working later in the year.
Mr. Guerard pointed out that the 97% achieved to date is 97% of an electric goal that is much higher than what was put in the 3-Year Plan. Toray brought the goal from 190,000 MWh to 250,000 MWh, which is over 3% of savings. This is a tremendous success story.

Mr. Powell felt that additional clarification was needed on the calculation of benefits, especially environmental. Ms. Henschel explained that Grid incorporates both the MWh what they are not buying, including a massive negative benefit due to the added gas load. Ms. Anthony pointed out that the added gas load makes it harder for them to meet their gas efficiency goals. Mr. Parker added that CHP has always been treated differently than energy efficiency measures. Mr. McAteer said that this should be a follow-up item for National Grid.

6. Policy & Planning Issues

PUC Approval of 2015 Energy Efficiency Program Plan - The group discussed the need to better convey the value of behavioral programs, particularly Home Energy Reports. Ms. Henschel said that National Grid would do its part to educate the PUC and felt that the Council could look at opportunities to engage with the PUC as well. Ms. Anthony reported that the Council and the OER have been invited to brief the Commissioners on this and other topics. Mr. Parker added that it is important to convey that Rhode Island’s energy mix is being impacted by the energy efficiency programs – that efficiency is a resource acquisition strategy. The Consultant Team is working to compile this information into a presentation.

Mr. Newsome asked about communicating the rate increase to the public. Ms. Anthony felt that it is less important that people understand why the price went up and more important that they understand that the best thing they can do right now to address the rate increase is energy efficiency. This led to a lengthy discussion on rates, energy supply and markets.

2015 Annual Report to the General Assembly – Ms. Sholly reviewed a draft timeline for the production of the Annual Report, which is being led by the OER. Mr. Parker reminded the Council that as part of this report, policy recommendations need to be developed.

Financing Study - Dunsky is coming back on January 29th for a third and final meeting with the steering group. Results will be presented at the February meeting.

7. Other Business

There was no other business.

8. Public Comment

There was no public comment.

9. Adjournment

Mr. Newsome made a motion to adjourn. Mr. Justynski seconded and all approved. The meeting was adjourned at 5:13 PM.

Next Meeting: Thursday, February 12th; 3:30-5:30 PM; Director’s Conference Room
1. Note all data is preliminary and subject to true-up in quarterly and annual reports.
2. All data reflect actuals through 11/30/2014.
3. In the 2014 Plan, the kW goal for Home Energy Reports was miscalculated. If the goal were consistent with the actual kW/kWh in 2014, it would have been approximately 5,255 kW. This makes the total Residential Plan kW goal 11,325 and % of goal would be at 89%.
### National Grid Gas Data Dashboard - As of November 30, 2014

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<tr>
<th></th>
<th>Total $000 Spend</th>
<th>Total MMBtu</th>
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<tbody>
<tr>
<td></td>
<td>YTD</td>
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<td>C&amp;I</td>
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<tr>
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<td>$21,687</td>
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1. Note all data is preliminary and subject to true-up in quarterly and annual reports.
2. All data reflect actuals through 11/30/2014

![Bar Chart](image-url)
THE BY-LAWS
of the
RHODE ISLAND ENERGY EFFICIENCY AND RESOURCE MANAGEMENT COUNCIL

Adopted xxxxx, xx, xxxx
Pursuant to RIGL §42-140.1-6(b)
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<th>Page(s)</th>
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Article I -The Council

Section 1. Name: The Rhode Island Energy Efficiency and Resource Management Council – hereinafter referred to as “the EERMC” or “the Council” – is authorized, created, and established pursuant to Rhode Island General Law (RIGL) §42-140.1.

Section 2. Authority: The EERMC shall its powers and duties pursuant to RIGL §42-140.1-5.

Section 3. Purposes and General Powers and Duties: Pursuant to RIGL §42-140.1-3, the purposes of the EERMC are:

(1) Evaluate and make recommendations, including, but not limited to, plans and programs, with regard to the optimization of energy efficiency, energy conservation, energy resource development; and the development of a plan for least-cost procurement for Rhode Island; and
(2) Provide consistent, comprehensive, informed and publicly accountable stake-holder involvement in energy efficiency, energy conservation, and energy resource management; and
(3) Monitor and evaluate the effectiveness of programs to achieve energy efficiency, energy conservation, and diversification of energy resources; and
(4) Promote public understanding of energy issues and of ways in which energy efficiency, energy conservation, and energy resource diversification and management can be effectuated.

Pursuant to RIGL §42-140.1-5, the EERMC shall have the power to:

(1) Develop and recommend for implementation plans, programs and standards for energy conservation, energy efficiency, and diversification of energy resources.
(2) Monitor and evaluate plans and programs for energy conservation, energy efficiency and diversification of energy resources; in order to effectuate such evaluations the council may request audits, including performance audits, of any program for energy conservation, energy efficiency or diversification of energy resources, that is established pursuant to Rhode Island law or is administered by a state agency, a request for an audit of any program operative pursuant to an order or decision of the public utilities commission shall be made to the commission; the council may make findings and recommendations with regard to changes, modification or continuation of any programs which it has authority to monitor or evaluate.
(3) Submit to the joint committee on energy an annual report on/or before April 15 of each year, commencing in 2008, regarding the activities of the council, its assessment of energy issues, the status of system reliability, energy efficiency and conservation procurement and its recommendations regarding any improvements which might be necessary or desirable.
(4) Participate in proceedings of the public utilities commission that pertain to the purposes of the council, including but not limited to proceedings regarding least-cost procurement as provided for in § 39-1-27.7.
(5) Advise electric distribution companies with regard to implementation of least cost procurement.
(6) Advise the commission of energy resources, and recommend policies, standards, strategies, plans, programs, and procedures with regard to functions of the office of energy resources including but not limited to plans, strategies, and programs to:
a. implement cost-effective energy conservation and energy efficiency programs;
b. promote the development of eligible renewable energy resources for Rhode Island;
c. foster distributed generation of electricity and demand response;
d. assist low-income households in meeting energy needs; and
e. coordinate the use of funds, resources, and programs from diverse resources to achieve the purposes of the office.

(7) Consider such other matters as it may deem appropriate to the fulfillment of its purposes, and may advise the governor, the general assembly, other parties, and the public with regard to matters pertaining to its purposes and duties, which advice may include findings and recommendations.

The EERMC has additional general powers, pursuant to RIGL §42-140.1-6, which include:

(1) To make any studies of conditions, activities, or problems related to the state's energy needs, usage, and supplies to carry out its responsibilities.
(2) To adopt amend bylaws, to establish committees, to elect and/or appoint officers and agents, and to engage consultants and professional services as necessary and appropriate to fulfill its purposes.
(3) To accept and administer grants from the federal government and from other sources, public or private, for the carrying out of any of its functions, which loans or grants shall not be expended for other than the purposes for which provided.
(4) To work with the appropriate federal, regional, and state agencies, and private entities.
(5) To apply for, accept and expend allocations, grants and bequests of funds, for the purpose of carrying out the lawful responsibilities of the council.

Section 4. Seal: The seal shall include the words "State of Rhode Island Energy Efficiency & Resource Management Council" positioned around a graphical representation of the sun, land, and sea.

Section 5. Office: The administrative office of the Council shall be located at the offices of its executive director at the Rhode Island Office of Energy Resources, One Capitol Hill – 4th Floor, Providence, Rhode Island 02908.

Section 6. Fiscal/Program Year: The fiscal/program year of the Council shall be on calendar year basis beginning on the first day of January and ending on the thirty-first day of December.

Section 7. Nondiscrimination: The members, officers, employees, service-providers and other persons or organizations selected and/or served by and for the Council shall be treated and considered entirely on a nondiscriminatory basis with regard to sex, marital status, sexual preference, race, religion, disability, national origin or age, except as applicable to federal or state mandated eligibility criteria for specific programs or services.
Article II - Council Membership

Section 1. Composition of the Council: The membership of the Council shall be governed by RIGL §42-140.1-4. The Council shall consist of thirteen (13) members appointed by the governor with the advice and consent of the senate.

A. Nine (9) members shall be voting members, and the governor shall give due consideration to appointing persons with knowledge of:
1. energy regulation and law;
2. large commercial/industrial users;
3. small commercial/industrial users;
4. residential users;
5. low income users;
6. environmental issues pertaining to energy;
7. energy design and codes;
8. energy efficiency education and employment tracking; and
9. municipal energy users.

B. Four (4) members shall be ex-officio, non-voting members, representing:
1. an electric distribution entity;
2. a gas distribution entity;
3. fuel oil or heating fuel industry; and
4. the commissioner of the office of energy resources.

C. From the nine (9) voting members, the governor shall appoint one person to be chairperson of the council and one person to be vice chairperson of the council.

D. The commissioner of the office of energy resources shall be the executive secretary and executive director of the council.

Section 2. Term of Office: Pursuant to RIGL §42-140.1-4(b), with the exception of the commissioner of the office of energy resources, Members of the council shall be appointed for a term of five (5) years and may be reappointed.

Section 3. Vacancies: Pursuant to RIGL §42-140.1-4(d), A vacancy other than by expiration shall be filled in the manner of the original appointment but only for the unexpired portion of the term. The appointing authority shall have the power to remove its appointee for just cause.

Section 4. Resignations: A member may resign at any time by submitting written notice to the Governor and Chairperson. The resignation shall take effect at the time specified in such notice, and unless otherwise specified in such notice, and acceptance shall not be necessary to make it effective.

Section 5. Removal: The Executive Committee of the Council may recommend to the Governor the removal of any member who (a) fails to attend at least two-thirds (2/3) of the regularly scheduled meetings of the Council during a twelve (12) month period, (b) fails to attend three (3) consecutive meetings of the Council or (c) fails to perform his/her duties in a manner consistent with the Council’s mission and/or these by-laws; and/or any authorizing or companion legislation pertinent to the Council.
Section 6. **Prohibition of Compensation of Members:** Pursuant to RIGL §42-140.1-4(e), the members of the council shall not be compensated for their service but shall be reimbursed for their actual expenses necessarily incurred in the performance of their duties. The provisions of this section shall not apply to the executive secretary/executive director.

**Article III - Officers**

Section 1. **Number and Title:** Pursuant to RIGL §42-140.1-4(a), the governor shall appoint one person to be chairperson of the council and one person to be vice chairperson of the council.

Section 2. **Duties of the Chairperson:** The Chairperson of the Council shall:

A. Preside at all meetings of the Council, if present;
B. Execute instruments, as authorized by the Council, in the name of the Council;
C. Call special meetings of the Council, or reschedule a regular meeting of the Council;
D. Appoint ad-hoc committees, workgroups or task forces to assist the Council;
E. Appoint Chairpersons of committees;
F. Appoint members of the Council to committees;
G. Be an ex-officio member of all committees, and shall be Chairperson of the Executive Committee; and
H. Exercise and perform such other powers and duties as may from time to time be assigned by the Governor, or the Council, or prescribed by these by-laws; and, in general, to perform all the duties incident to the office of the Chairperson.

Section 3. **Duties of the Vice-Chairperson:** The Vice-Chairperson shall, in the absence of the Chairperson, perform all the duties of the Chairperson, and, when so acting, shall have all the powers of, and be subject to all the restrictions, upon the Chairperson. The Vice-Chairperson shall also have such other powers, and perform such other duties, as, from time to time, may be prescribed by the Chairperson, Council, or these by-laws.

Section 4. **Executive Director:** The commissioner of the office of energy resources shall be the executive secretary and executive director of the council.

Section 5. **Duties of the Executive Director:** The Executive Director shall be responsible for:

A. Informing the Council of pertinent local, statewide, regional, and national developments in the field of energy efficiency, renewable energy, and other energy-related matters;
B. Seeing that all orders and resolutions of the Council are effected;
C. Keep and maintain all of the Council’s minutes, financial records, and other reports in hard copy or electronically, and maintain the Council’s public website; and
D. Other duties and responsibilities as assigned and/or required.
Article IV - Committees

Section 1. **Executive Committee:** The Council shall have an Executive Committee comprised of officers and any other members designated by the Council. Only voting members listed in Article II, Section 1A shall have the ability to vote in the Executive Committee; any other designated individuals may participate at the invitation of the Chairperson, but may not vote.

The Committee shall be responsible for:
A. Establishing and reviewing Council member performance standards and codes of conduct consistent with mission of the Council;
B. Evaluating the performance of members annually;
C. Reviewing these by-laws annually and recommend changes to the full Council;
D. The recruitment of potential members and education of existing members;
E. Developing and recommending annual budgets to the full Council;
F. Developing the agendas for meetings of the Council; and
G. Exercising any of the powers and authority of the Council that the Council may delegate to the Committee, subject to the control of the Council, except the power to amend or repeal these by-laws and any matter required by law to be exercised by the Council.

Section 2. **Other Committees:** The Council may create other committees that shall have, and may exercise, such powers as shall be conferred or authorized by resolution of the Council. Such other committees will have such name or names as may be determined from time to time by resolution adopted by the voting members of the Council. The Council, by such affirmative vote, shall have power, at any time, to change the powers, and to dispose of, any such committee.

Section 3. **Task Forces and Other Non-Member Committees:** The Council may recommend to the Chairperson the creation of one or more ad-hoc committees, work groups or task forces, solely to make recommendations to the Council, which may consist of one or more persons who may but need not be Council members. No such task force or committee shall have or exercise any of the authority of the Council in the management of the affairs of the Council.

Section 4. **Committee Meetings:** At all Council committee meetings, the majority of the membership of said committee shall, at any meeting, constitute a quorum for the transaction of business. Each committee will comply with RIGL §42-46, Open Meetings, accessible to the general public, keep regular minutes of its proceedings and report the same to the Council when required.

Article V – Council Meetings

Section 1. **Meetings:** The Council shall meet monthly at a place, date and time to be designated by the Chairperson. The meetings shall be open, accessible to the general public, and keep regular minutes of its proceedings and report the same to the Council when required in accordance with RIGL §42-46, Open Meetings.

Section 2. **Notice of Meetings:** Notice of all meetings shall be given to any member either in writing, personally, by telephone, by facsimile or email to his or her house or office either
directly or by leaving a message. Notice of any meeting of the Council shall be sent to each Council member not less than seven (7) days before the meeting; this may be waived, consistent with the Open Meetings Law and other applicable provisions, if circumstances warrant.

Section 3. Specification of Business: Notice of any meeting of the Council shall specify the place, the day, and the hour of the meeting, and, where practicable, an agenda of the business to be conducted at said meeting. In the case of a special meeting, the notice shall contain the general nature of the business to be transacted.

Section 4. Notice of Cancelled Meeting: When a scheduled Council meeting is cancelled, notice of the cancellation shall be given consistent with Section 2 of this Section.

Section 5. Special Meetings: The Chairperson of the Council, a majority of the members of the Council, or a majority of the Executive Committee shall have the authority to call a special meeting of the Council.

Section 6. Quorum: Pursuant to RIGL §42-140.1-4(c), a simple majority of the total number of voting members shall constitute a quorum. If, however, such quorum shall not be present at any meeting, the members shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present.

Section 7. Voting: Each voting member shall be entitled to one vote. Voting by proxy, by mail or any other means where the member is not in attendance is not permitted.

Section 8. Executive Session: The Council, upon an affirmative vote of a majority of its members, may vote to go into executive session, and hold a meeting closed to the public. At the discretion of the Council, such executive session may also be closed to the Executive Director. The vote of each Council member on the question of holding a meeting closed to the public, and the reasons for holding such a meeting, shall be recorded and entered in the minutes of the meeting. A meeting or executive session so closed to the public shall be limited to the following matters:

A. Sessions pertaining to litigation, or work sessions pertaining to the same;
B. Any discussions or considerations related to the contracting of energy consulting services or other contracted services wherein advance public information would be detrimental to the interest of the public; and
C. Any and all matters which may be contained in RIGL §42-46-5, or any amendment thereof.

Section 9. Conflict of Interest: Council members shall not engage in any conduct resulting in a real, potential, or apparent conflict of interest. A conflict of interest may arise when any action by a Council member or staff, whether isolated, recurring, or continuous, is to the direct financial advantage of a Council member or staff and their family defined as a spouse and dependent children as well as any person related to such Council member or staff whether by blood, marriage or adoption. Council members shall not participate in the selection, evaluation, choice, or management of a proposal, application or contract, covered by state and/or federal funds, if a real, potential, or apparent conflict of interest would be involved. Such a conflict of interest would arise when any Council member or staff or any member of their family, or an
organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm/organization selected for a contract.

The attendance of any member at a meeting of the Council or committee, in which the member has an interest, shall be counted in determining the presence of a quorum and shall not prohibit the Council or committee from authorizing, approving or ratifying a contract or award made by an affirmative vote of the Council or committee. However, the member shall recuse from any discussion and shall abstain from voting on any matter in which the member has interest.

Council members shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, sub-recipients, parties of project contractors, or entities associated with such.

**Article VI - Amendments to By-Laws**

**Section 1. Amendments:** These by-laws shall not be amended except by a two-thirds (2/3) affirmative vote of the members constituting the Council at a properly called and noticed Council meeting. No vote to amend the by-laws shall be taken unless notice, in writing, and a copy of the proposed changes, has been given to the Council membership at least two (2) weeks prior to the Council meeting at which the vote on said amendment is to be taken.

**Article VII - Parliamentary Authority and Other Operating Procedures**

**Section 1. Parliamentary Procedure:** Roberts Rules of Order shall govern the proceedings of Council meetings, insofar as they are not inconsistent with these by-laws. These rules may be relaxed at the discretion of the Chairperson, in view of the nature of the discussion, should there be no objection from the membership.

**Section 2. Roll Call Vote:** The Chairperson, at his/her discretion, may request a roll call vote. A request for a roll call vote by any member is subject to a majority vote of the Council.
## DOT Highway Streetlights LED Conversion Project

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<th># of Lights</th>
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<th>Consumption After (kWh)</th>
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<th>Project Cost</th>
<th>Annual Savings</th>
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<td><strong>Phase II</strong></td>
<td>1,559</td>
<td>2,416,332</td>
<td>877,174</td>
<td>64%</td>
<td>$1,274,351</td>
<td>$230,874</td>
<td>5.52</td>
</tr>
<tr>
<td><strong>All DOT</strong></td>
<td>7,394</td>
<td>11,034,499</td>
<td>4,023,153</td>
<td>64%</td>
<td>$6,043,971</td>
<td>$1,051,702</td>
<td>5.75</td>
</tr>
</tbody>
</table>

* The payback period is before incentives. After incentives, the payback period is less than 1.5 years.

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Dec 2015 @ I-295 (Exit 7): LED versus High Pressure Sodium (HPS).

**Phase I – Pilot – Complete**

- National Grid Incentive: $62,941
- OER Incentive: $50,000
- DOT Cost (on-bill): $12,941
- **Total Project Cost**: $125,882

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![LED vs HPS Image](image-url)
Impact of Efficiency Investments on RI Supply Requirements

Total Electricity Purchased

Total Savings Realized and Projected

GWh


0 1K 2K 3K 4K 5K 6K 7K 8K
Projected Total Electricity Purchased
Projected Total Electricity Purchased
Rhode Island Supply Requirements (GWh) With Efficiency and Annual Incremental Net GWh Savings, at generation

2011 Forecast of 2017 Sales: 8,549 GWh

Total Electricity Purchased

Total Electricity Purchased