

GSEP Working Group

Meeting Date: December 4, 2023 (held virtually)

Minutes

Final Minutes – Approved at January 19, 2024 Meeting

Attendees:

- Jamie Van Nostrand, Chair, Department of Public Utilities (“DPU”)
- Carol Pieper, Senior Counsel, Legal Division, DPU
- Senator Michael Barrett, Senate Chair, Joint Committee on Telecommunications, Utilities, and Energy
- Mary Gardner, Assistant Attorney General, Office of the Attorney General (“AGO”)
- Sharon Weber, Deputy Division Director, Air & Climate Programs, Department of Environmental Protection (“MassDEP”)
- Shevie Brown, Gas Policy Analyst, Department of Energy Resources
- Steve Woerner, President, National Grid
- Amy Smith, Director, Gas Division, National Grid
- Bill Akley, President, Eversource Energy
- Robert Hevert, President, Unitil
- Christopher Leblanc, Vice President, Gas Operations, Unitil
- Matt Campbell, Esq., Unitil
- Kristen Jardin, Director of Rates and Regulatory Affairs, Liberty
- R.J. Ritchie, Esq., Liberty
- Sue Kristjansson, President and Chief Operating Officer, Berkshire Gas
- Alex Soter, Esq., Berkshire Gas
- Ken Pleasant, Manager of Construction, Berkshire Gas
- Jenifer Bosco, Senior Attorney, National Consumer Law Center (“NCLC”)

- Pete Dion, General Manager, Wakefield Municipal Gas and Light Department
- John Buonopane, United Steelworkers, Local 12012 (“USW”)
- Nicole Horberg Decter, Attorney, USW
- Jerrold Oppenheim, LEAN
- Audrey Schulman, Co-Founder and Co-Executive Director, HEET
- Jonathan Buonocore, Research Scientist, Boston University School of Public Health
- Priya Gandbhir, Staff Attorney, Conservation Law Foundation (“CLF”)

Moderator – Carol Pieper, DPU – Welcome remarks. Noted that meeting is likely being recorded via Zoom by member of public. Took roll call. Noted that revised minutes from the last meeting along with the minutes for this meeting will be voted on at the next meeting.

Today’s meeting will focus on a discussion of the outline for the written report that everyone provided. I’ve compiled it into one document and will share my screen for the discussion. Before I share it, I want to give a little background. There were 19 members named to the working group. I received written responses from 14 members, and not everyone commented on each item. As we go through, you’ll see there’s not a simple majority in favor or against most proposals. Also due to Open Meeting Laws, I was unable to send this outline to the group prior to this meeting. As long as we make it through the whole document, I’ll be able to email it to the group after the meeting. For planning purposes, some members have asked for an opportunity to submit revisions or additional comments after today’s meeting. If you could send me any revisions or additional comments by Monday, January 8, I’ll incorporate them into the draft. We’ll then have a follow-up meeting on Friday, January 19th from 1-3.

For today’s meeting, first, I’m going to highlight two proposed changes that members withdrew. Then, we’re going to move to Part Two of the outline and discuss the broader conceptual issues. Then we’ll move back to Part One and discuss the proposed changes in order. Finally, LEAN and NCLC provided two additional proposals with their written comments, and we’ll discuss those.

The compiled outline is 73 pages long. To be able to get through the whole document, I’m going to present the group’s comments, but there won’t be time for everyone to reiterate what they’ve provided in writing.

I’m going to share my screen. The proposal: “eliminates reference to interim targets of not more than 6 years of 2 complete 3-year walking survey cycle” is withdrawn. It is on page 33. The proposal on page 42 regarding “leak-prone” meters is withdrawn.

Onto broader conceptual issues, page 67. The AGO proposes a phased end to accelerated cost recovery with termination on October 1, 2030. Over the next six years, the cost recovery would be reduced from 3% to 0%. NCLC supports ending the accelerated cost recovery on December 31, 2024. Does the AGO or NCLC want to give any comments.

Mary Gardner, AGO – I know I have been vocal about ending accelerated cost recovery. Accelerated cost recovery incentives overspending. We are hoping to propose a solution that is feasible and in line with climate goals.

Senator Barrett – This represents a compromise. I think it is a good middle ground. At this particular point, I want to raise the issue of who we're hearing from. I welcome one representative from each group. I have reservations about multiple folks. If we're going to hear from multiple representatives of a single vote. I think they should identify themselves with the appropriate disclaimer. Multiple folks from the same interest are being heard.

Carol Pieper, DPU – I think they could identify whether they are part of the working group or asked to be here by a working group member.

Senator Barrett – I think that is a good middle ground or compromise.

Jenifer Bosco, NCLC- NCLC supports the AGO's compromise.

Robert Hevert, Unitol – We view it as a risk mitigant. We do not think it is an incentive to overinvest as the AGO suggests. We see it as a way to ensure that our customers are not harmed. We fundamentally disagree with the premise.

Audrey Schulman, HEET – Can I state my opposition?

Carol Pieper, DPU - I am concerned about getting through all 73 pages.

Audrey Schulman – The utilities will still have to replace leak-prone infrastructure, which will have to be paid by gas customers. We will have stranded assets. Those will still be paid by the state. I am concerned about such infrastructure not meeting goals. Bill, would that be a true statement?

Bill Ackley, Eversource – GSEP was a way to have us meet the pace desired. The companies have this obligation to replace leak-prone infrastructure. It would still have a cost impact on customers.

Audrey Schulman, HEET – If GSEP goes away, no emissions saving at all. We will still have to replace pipe.

Senator Barrett – Speaking as an attorney and legislator, I take polite exception that accelerated cost recovery is required. What the state government did in 2014 can be amended, it is a policy call. We don't assume that the utilities will stop replacing leaking pipe, but they will have to find another way to cover costs. I am for the AGO's proposal. We have to pay for electric spending more. Natural gas spending has to come down. It's not a matter of going to \$0 but scaling down GSEP in a deliberately prudent way. It is an open question as to whether this will be adopted by legislature. We cannot spend this kind of money on natural gas if we're going to increase spending for electric infrastructure. Voters won't tolerate.

Carol Pieper, DPU – I am concerned we're not going to make it through if everyone wants to talk. Can we move on or do other people feel the need to talk? All comments can go in the report. We're not going to come to an agreement.

Nicole Horberg Decter, USW – GSEP is critically important to occupational and public safety. If you look back to 2014, there was a substantial risk of incidents occurring because there was not the same investment in repairing leak-prone pipe. A very tiny minority of replacement work across all of the gas companies, the steel workers do the repair work. From our perspective, to maintain and improve occupational and public safety, the GSEP is really critical. Thank you.

Mary Gardner, AGO – Just to quickly make a comment, because I do agree, we're probably not going to change too many hearts and minds with this conversation given the parties represented here. But to emphasize how moderate our proposal is, GSEP was intended to last for 20 years. We've had 10 years of accelerated cost recovery at a rate that was higher than what it was intended by the statute initially, and our proposal allows it to continue for another six years at a decreasing rate over those six years. So that's still 16 out of 20 years of what you said was intended. So, it truly is a moderate proposal, but something that we are not in favor of expanding accelerated cost recovery to include new forms of energy. And that's not because we don't support that that type of investment, we do think that it is worthwhile to think about other ways to incentivize that type of infrastructure from being built, but we see accelerated cost recovery as something that has not been as effective as intended and has had an enormous cost burden on the ratepayers and something that we need to quite frankly eliminate as soon as feasibly possible. If GSEP goes away, the gas companies continue to repair the gas leaks, which they are legally required to do. The recovery happens through the base rate cases, which does allow for more accountability and transparency. That is what is best for the ratepayers.

Audrey Schulman, HEET – So I utterly agree that there's been a hell of a lot of money spent on this. It has certainly made things safer, but it has run counter to the state's emissions mandate, which is partly why we're meeting here today. And so, my question is and Pete, I'm going to throw it to you this time, if the accelerated cost recovery stopped, would the federal law still mandate that leak-prone infrastructure had to be replaced and had replaced by new gas pipes? So that we were putting in the next 50 years of investing into more gas infrastructure, which is a net zero and counter Commission mandates? Would customers still have to pick up the cost? I want to make sure that is clear to everybody.

Pete Dion, Wakefield Municipal – If that was to me, I would say yes, we're still going to have to upgrade the pipe because there's no path for it to go away. I think the one place I disagree with Senator Barrett was that when he said that the ratepayers are not going to want to pay for both gas infrastructure and electric infrastructure over the next 20 years. The reality is they're still going to have to pay for both. Whether GSEP is eliminated or not. Because, and I think the Attorney General's Office agrees, the fact is it still is going to have to be replaced and it might just go back to the old rules. Just to be clear, as Wakefield Municipal Gas and Light, we're not part of GSEP. We fund our gas replacement in a different way as muni, we don't have a cost recovery on our rate base. We pay for it as we go. However, I guess my question of the gas companies, is there a date that is short of the 20 years but a year or two longer than the 2030 that

the Attorney General's Office has proposed that would be a reasonable compromise in the middle that could still achieve a high percentage of the goals?

Senator Barrett – I don't know if I'm next, but I just want to speak respectfully to Audrey's and to Pete's points. Of course, we're talking here about moderating costs, not zeroing them out. Consumers are going to pay for both gas and electric infrastructure, just as they do now. It's all a matter of whether we can introduce a degree of moderation to the costs that you're asking my constituents to pay. I know that there are many families that can't afford to pay at an accelerated rate for both. Now we are as a practical matter going to accelerate our spending on electric infrastructure because we've got to accommodate a modernized grid. It follows that we have to scale down accelerated expenditures on gas and we still have to maintain safety. We've invested for the last 10 years at an accelerated pace and that's great. We've addressed the leakiest and most dangerous infrastructure on a prioritized basis for a decade. Now is the time to prudently scale back because of course. There's a balance to be struck. You need to keep people safe. You also need to keep household budgets within reasonable range. I think the Attorney General is trying to strike a balance here. I would hope that all of us appreciate that there's a balance to be struck, even though it's against our immediate financial self-interest and we'd love to continue this stuff until 2037, which is what several utilities predict. There is financial risk in terms of driving families beyond the point where they can stay in Massachusetts and there is an infrastructure risk here. The question is where to set the balance. I think the Attorney General has done a very credible job here.

Jonathan Buonocore, Boston University School of Public Health – In making decisions about what infrastructure is included in cost recovery, should we be thinking about the compatibility of that infrastructure with the Global Warming Solutions Act? If we're going to be putting in gas pipeline in the ground that's going to last 40 to 60 years, that's going to be in operation until 2080. If methane gas is floating through that and being combusted at the end of the pipe, I'm pretty sure that's not compatible with the Global Warming Solutions Act. I realize that the other option is to put pipe in the ground and then rip it up in the year 2049 or replace it with something clean. I don't know what the cost implications of that would be in the year 2049. I just wonder whether we should be thinking about that at this point in time?

Carol Pieper, DPU – In Part One of the outline we have language in there about non-pipe alternatives, which we will be discussing. This discussion is about terminating the GSEP.

Audrey Schulman, HEET – It would be lovely to have a method of figuring out how much money would go towards new gas pipe infrastructure with accelerated cost recovery and without it over time. Because if it's not going to save any money in the future, if we're still going to be installing and paying for new gas pipes that will live for the next 40 to 60 years, but it's going to come out in a different way, a little slower, then that's my problem. That's my question and I do not have the expertise to figure that out. I wonder if there is any way to do that?

Carol Pieper, DPU – I don't think we're going to come to agreement on this topic. But this will be in the outline, and we can all look at it, discuss it, and revise our edits if we want to. Can I move on or do people still want to talk about this topic?

Priya Gandbhir, CLF – I see NEGWA/USW, HEET, and PowerOptions submitted statements in opposition to the Attorney General’s proposal. Are there additional written statements in opposition?

Carol Pieper, DPU – Yes, there are additional statements in opposition.

Priya Gandbhir, CLF – Also for the next topics, can we look through all the statements in support and in opposition of a proposal before discussing it? So people can refrain from rehashing what they’ve already written.

Carol Pieper, DPU - That’s a good idea. Moving on to the next topic, which is HEET’s proposal to redefine a gas company’s obligation to continue to serve an existing customer in a manner that would enable natural gas service to be replaced with substitute heat or energy service (e.g., networked geothermal or electrification). It is basically expanding the definition of who is covered by the gas system expansion. Yes, Senator Barrett.

Senator Barrett – Thank you very much. Here, I’m delighted to say I’m halfway in agreement with my friend, Audrey Schulman. I have a problem though with this particular proposed definition because it’s biased against the individual heat pump as I read it. You wouldn’t want to limit or expand the obligation to serve to include only utility scale operations. As I understand it, a gas utility is obligated to extend the service line to my individual house if service is generally available in the area and I insist upon it. We want to make sure that we don’t widen this anti-competitive provision, which currently provides competitive advantage only to one way of staying warm, to just one other way of staying warm, something that’s utility scale. Both provisions would have anti-competitive effects when so many of my constituents are using Plan C, which is the individual heat pump.

Carol Pieper, DPU – I’m scrolling through so people can see the statements in opposition. I know it’s a lot to read. National Grid and Unifil also have oppositions.

Okay, onto the next proposal. I’m not clear who proposed it. The proposal is: “If section 145 is amended to require (1) consideration of a non-gas pipe alternative, and (2) a determination by the LDC that such alternative is ‘infeasible or not cost-effective,’ what costs are included in such cost-effectiveness analysis?” I think we should discuss this proposal when we get to Part One of the outline because in that part, we discuss non-gas pipe alternative and whether it’s infeasible or not cost effective.

Moving onto Part One, back to the beginning of the outline. The first proposal is by Senator Barrett. The proposal is to change “replacement” in the title of the section to a more inclusive term, such as ‘measure,’ ‘act,’ or ‘action.’ The proposal is supported by LEAN, NCLC, CLF, HEET, PowerOptions. HEET suggests “measure” as a more inclusive term. The Attorney General abstained. The proposal is opposed by NEGWA/USW and the gas companies. Any discussion of this one?

[No one raises their hands.]

Carol Pieper, DPU – The next proposal is the addition of “repair” and “retirement. Some members proposed that repair or retirement be added in six different spots. Most members agreed on this proposal, but NEGWA/USW objected to “retirement” and the companies objected to repair. To clarify, the GSEP statute, as currently written, includes “replacement” or “an improvement,” and the DPU has always interpreted “improvement” to include a repair. If you go back to the very first GSEP orders we issued in 2014, we used the word “repair” and the 2022 Clean Energy Act specifically added “advanced leak repair.” For National Grid’s and NSTAR’s 2023 GSEPs, the DPU approved several advanced leak repair projects. I don’t understand the companies’ objection to this proposal. The DPU has also approved retirements in GSEP and GREC orders. Could someone from the companies explain why the objection?

Bill Akley, Eversource – I think it’s the broader concern about the decisions that are made day in and day out about what’s the best path based on a host of different parameters. Again to your point we have deployed repair techniques and have gotten authority and approval based on using those techniques versus replacement. I think that’s a unique application versus the broader repairing that often could lead to applicable coding piece of pipe that you’re battling against and make repairs and see the acceleration where you then deem replacement required. So, it’s just that fine line that we’re trying to highlight. I agree repair today is very valuable and want to retain that ability for us to make that decision where it makes sense and where the conditions are right versus the kind of broader repair can always be used as the alternative.

Carol Pieper, DPU – Any other comments?

Christopher Leblanc, Unifit – We opposed term “repair.” We look at repair as a short-term mechanism to extend the length of the pipe. Repair is not going to indefinitely extend the life of that pipe. It’s going to have to be replaced eventually. Repair is an option for extending the life of the pipe for a period of time.

Senator Barrett – I just want to make a brief response. I think it is important for legislators to codify best practice. It’s clear that the best practice here is evolved to include both repairs and retirements at times and that’s DPU policy. To resolve ambiguities in the future, because there will be different DPUs, different governors, different attorneys general in the future, the Legislature would like to codify best practice and capture it in this fashion and that’s the point of my recommended change.

Carol Pieper, DPU – The next proposals are additional considerations in determining eligible infrastructure replacements. The first proposal is to add minimization of stranded assets tying into the greenhouse gas emissions requirements. It is proposed by the EEA agencies. It is supported by CLF, HEET, and PowerOptions and opposed by the NEGWA/USW and the gas companies. Yes, Priya?

Priya Gandbhir, CLF – I have a general point on the formatting of outline. I’ve noticed that throughout the outline it “HEET/PowerOptions,” but under the legislation that created this working group, those represent two separate interests. Same for LEAN and NCLC. Whereas NEGWA and USW are both supposed to be the Union. I think we need to make sure that it’s clear in the report that LEAN, NCLC, HEET and PowerOptions are separate interests.

Carol Pieper, DPU – I put things in the outline as people provided them and if they were provided with the dash or a slash, I put a slash in. I didn't think it was my judgment call to separate out when people submitted joint comments.

Senator Barrett – I want to reinforce Priya on this point. We don't want comments noted in the final record here of non-working group members.

Carol Pieper, DPU – These comments are from working group members. No non-working group members sent me anything.

Senator Barrett – Good to know. Thank you very much.

Priya Gandbhir, CLF – I would encourage HEET, NCLC and LEAN to voice if they want to be acknowledged separately. If I was reading the report, I would assume that LEAN/NCLC were one entity.

Carol Pieper, DPU – The report, on the very first page, will list the members of the working group.

Audrey Schulman, HEET - We can do that edit. Thank you, Priya. It's a great one.

Jenifer Bosco, NCLC – We'll do the same.

Carol Pieper, DPU – So on the next proposal, did anyone have any comments on stranded assets?

[No one raised their hands.]

Carol Pieper, DPU – The next proposal is system security by Senator Barrett. It is supported by HEET and PowerOptions and opposed by NEGWA/USW and the companies.

Audrey Schulman, HEET – I think John Buonopane had a comment on the prior proposal.

John Buonopane, USW – I wanted to clarify something from the last discussion. We put in NEGWA "slash" USW. I'm the labor representative for the working group, but those comments are from me. I just want to make sure that was clear.

Carol Pieper, DPU - Yes. In the report, I put in the footnote that you sent that makes clear that you represent USW and NEGWA.

Senator Barrett – I'm confused. I thought Priya's point was that we should separate out the two labor organizations.

Carol Pieper, DPU – There's only one.

Senator Barrett – But if there's only one, then there shouldn't be two entities mentioned at all. It should be limited to just the one, so that people do not double count as they're scrolling through the comments, right? There's one entity that's legitimately on the working group, so one entity should be associated with these comments.

Carol Pieper, DPU – We have a footnote explaining that, but we can clarify that.

Senator Barrett – Yeah, a footnote doesn't cut it for somebody who's a casual reader.

Carol Pieper, DPU - We'll clarify that.

Senator Barrett – Okay

Carol Pieper, DPU – System security. Consumer protections. Senator Barrett had proposed all of them. The same people support them and oppose them throughout. I'll leave the part of the outline up on the screen.

Senator Barrett – Since I proposed this, just the word of explanation. The same phrasing without a definition is already included in the so-called road map bill, Chapter 179 of the Acts of 2022 where we gave DPU as a six-part charge, affordability and reliability. These traditional responsibilities are among the six, but so are new responsibilities like system security and reductions in greenhouse gas emissions. All we're doing here is proposing to echo the language the Legislature already found acceptable. Of course, over time, adjudicatory bodies will provide meaning to the terms and some nuances to terms, but it's perfectly as a matter of drafting to start with the key word itself.

Carol Pieper, DPU – We have about 5-6 pages on “income equity.” That's the same reason and the same people supporting and opposing. The proposal is consideration of reduction in greenhouse emissions to comply with chapter 21N. This proposal comes up three times throughout the outline. The EEA agencies had proposed it to acknowledge that the GSEP should not be inconsistent with the applicable statewide GHG limits. The proposal is supported by LEAN, NCLC, CLF, HEET, and PowerOptions, and National Grid with clarification. It is opposed by NEGWA/USW, Eversource, Liberty, and Unitil.

Matt Campbell, Unitil –I just wanted to make a quick clarification. The outline indicates that Unitil opposes the proposal. We don't so much oppose it as just wanted to clarify that the DPU has already included Chapter 21N in its standard of review for GSEP. So as a practical matter, this proposed revision is probably unnecessary and just a formality. However, we don't oppose including it on principle.

Carol Pieper, DPU –I think that's where Senator Barrett said sometimes it makes sense to codify things that have been DPU practice, which I think is what we were attempting to do in proposing it. Next proposal is replacing “lost and accounted for” with “emissions.” This proposal comes up three times. It was proposed by the EEA agencies and the gas companies. As Sharon Webber, I think, explained at one of the meetings, lost and unaccounted for gas includes theft, meter error, billing cycle adjustments, damaged pipes. We wanted to fine tune it and just use emissions. The gas companies propose to change it to “associated methane emissions” instead of “emissions.” So that would be one change.

Matt Campbell, Unitil – LAUF is basically a lousy measurement of emissions because it includes a whole bunch of other things beyond just gas leaks. That's why we're certainly on board with removing “lost and accounted for” from the statute.

Carol Pieper, DPU – HEET and PowerOptions support that proposal and the Union was in opposition. The next proposal is no increase in pipeline capacity by HEET. It is supported by NCLC and CLF and opposed by the Union and the gas companies. Any discussion needed on this one?

[No one raised their hands.]

Carol Pieper, DPU – The next proposal, which I’m sure will raise discussion, is may include non-pipe alternative. HEET had suggested changing that to “non-gas pipe alternatives” since these are after all pipes that could supply heating and cooling to customers with water, not gas. NEGWA/USW opposes the proposal and LEAN and NCLC supports it. Any discussion needed on the proposal?

Audrey Schulman, HEET – Can I just ask a procedural question? Yes. So, we’re going to get these over 70 pages of your report and we will be able to make edits?

Carol Pieper, DPU – Yes, in red line.

Audrey Schulman, HEET – We won’t be able to see all those edits again before the next meeting because I just want to make sure that we have time to sort through the edits and be thoughtful in our responses.

Carol Pieper, DPU – Open Meeting Law is sometimes not the best tool, but that’s what it requires.

Audrey Schulman, HEET – I totally understand and I would never want to get in the way of open meeting law. I wonder if you can post it on the GSEP working group website?

Carol Pieper, DPU – No

Audrey Schulman, HEET – That that makes it harder for all of us to be thoughtful. I wonder if there is a way around that.

Carol Pieper, DPU – I appreciate that. I’ll ask Mary Gardiner from the AGO if she has an idea of something we could do, but all my research of Open Meeting Law says that we cannot post the outline until all members have reviewed and discussed it.

Mary Gardner, AGO – I can ask one of my colleagues who’s been working with open meeting law a lot longer than I have and hopefully get back to Carol and maybe we can figure something out for the group, but we’ll just have to see.

Carol Pieper, DPU – Thank you, Mary. Any other discussions on the non-pipe or non-gas pipe alternatives?

[No hands raised.]

Carol Pieper, DPU – LEAN and NCLC proposed “may include ‘non-pipe alternatives’ with preference for locations in the environmental justice communities” supported by Eversource, Liberty, National Grid and Unitil with clarification. I’ll scroll down so everyone can read their statements.

Senator Barrett – I’m sorry. Could you explain that one again? I was distracted by activity on the Senate floor.

Carol Pieper, DPU – So it’s basically non-pipe alternatives. It’s including that language, but then it’s saying with a preference towards EJ communities.

Senator Barrett – That certainly is a good idea. There is a problem with the formal definition of environmental justice population in current state law. The formal definition effectively identifies most of my very wealthy district as an EJ place on a par with Lawrence and Chelsea, so we want to be careful not to embrace the current definition of environmental justice population, because that would incline spending toward the wealthiest suburbs of Massachusetts in MetroWest, as well as towards community low-income communities. We wouldn’t want to endorse the formal EJ Statute as it’s written because so many wealthy towns would be on a par with poor ones. It’s a quirk in the in the law that has that result, but it but it does have that result.

Jenifer Bosco, NCLC – Thanks and you know, I agree with Senator Barrett’s points, and I think the clarification that we had suggested was instead of “EJ communities” was “communities with environmental justice concerns,” which I know might just sound like wordsmithing but that maybe the way to prioritize communities with active environment justice concerns and not necessarily wealthy suburban communities. I don’t know if that made it into the outline.

Senator Barrett - Let me make one other suggestion here, because again, you’re talking about weirdness in the current statute. There is a kind of systemic bias in the current EJ Statute against rural Massachusetts, which tends to be often low income but not demographically diverse. You might want to simply use the word “low-income” to make sure that we support low-income urban communities, which are the ones we tend to think about the most, and low-income rural places that the definition of “environmental justice population” structurally discriminates against because of the demographic tests involved there.

Carol Pieper, DPU – OK. HEET had comment about the designation of EJ Community as a rough statistical proxy to Senator Barrett’s concern. The next proposal is HEET and PowerOption’s “requires consideration of ‘non-gas pipe alternative,’ and a finding that such alternative is infeasible or not cost-effective.”

Jonathan Buonocore, Boston University School of Public Health – This was related to the previous comment on the last proposal. I was just wondering if there is the ability to consider whether the federal Justice40 designations could be used.

Senator Barrett –Jonathan, that is much better. That does manage to screen out a lot of the wealthy places that the state definition includes, so that’s a definite improvement.

Carol Pieper, DPU - OK. Moving onto HEET and PowerOptions’ non-gas pipe alternative proposal. In the proposal statement, you’ll see that in the compiled red line the intent was lost. The text should be “shall be a non-gas pipe alternative unless demonstrated by a gas company to be not feasible or not cost-effective.” So instead of requiring consideration, it must be a non-gas pipe alternative. The proposal is supported by NCLC and CLF and opposed by NEGWA/USW and the gas companies.

Audrey Schulman, HEET –I’ll just add that that this proposal would do sort of judo flip so that all of GSEP would go towards non-gas pipe alternatives. Moving all that money in the future toward a very efficient system to decarbonize buildings and making sure the money is not misspent while improving our safety and reducing our emissions. Thanks.

Carol Pieper, DPU – The next proposal is adding a definition of non-pipe alternatives. It is proposed by EEA agencies, HEET, and the gas companies. The proposal includes the reference to G.L. c, § 147A. HEET says this definition is not what they suggested. Eversource, Liberty, and National Grid support the inclusion of the reference to § 147A. I think there’s support for this. There’s just disagreement on what the actual definition should be. And it is supported by PowerOptions and opposed by Unitil and NEGWA/USW.

The next proposal is including non-emitting renewable thermal infrastructure projects. It is proposed by the EEA agencies and HEET. It is supported by NCLC, CLF, and PowerOptions and opposed NEGWA/USW and the gas companies. These are all very similar areas with needing agreement on terminology.

OK, the next proposal is “plan.” It was added to say can be in conjunction with an electric distribution company. Senator Barrett had proposed it. The proposal is supported by LEAN, NCLC, CLF, HEAT, and PowerOptions and it opposed by NEGWA/USW and the gas companies.

Senator Barrett –This actually is for the purposes of clarity. There needs to be a distinction in general in the GSEP, whether it’s the current one or the next one, between a plan and a project. The two words do not mean precisely the same thing. A plan can encompass many projects. At the moment, the terms are used imprecisely and interchangeable. What the proposal is here, just as a matter of clarity, is that we draw the distinction between a more comprehensive plan and a discrete project. Again, the definitions are something that can be supplied over time. Although in this particular case, the administrative agencies are pretty capable of distinguishing between a plan and a discrete project, and what we would do here is just make sure that the one term is not used interchangeably for the other.

Carol Pieper, DPU – I note that the Attorney General abstained from this proposal until there’s clarification of the practicalities of a gas filing plans in conjunction with an electric distribution company.

Mary Gardner, AGO – Well, I was wondering if I could post that as a question to one of the gas companies. I think our question is basic. What does filing plans in conjunction with the electric distribution companies mean? What would that look like?

Carol Pieper, DPU - Anybody from the gas companies?

Amy Smith, National Grid – We don’t know what that would look like right now. At National Grid, more than half of our gas customers are served by a different company’s electric system, and so we would have to file plans in conjunction with multiple other electric companies and our own electric company. Our thought on this wasn’t necessarily oppose or support, but we need a lot more discussion about this in the context of DPU 20-80 or whatever else may come out of the

Grid Modernization Advisory Council process. It seems a bit out of scope or premature at this time to suggest that we should amend the GSEP law because there needs to be a lot of discussion about what this would look like and then we could probably comment more effectively on it.

Senator Barrett –A brief counterpoint, though, Mary that goes to your question. I’ve looked for signs of significant commitment in a number of quarters to joint electric and natural gas planning there because of course if we anticipate a transition from gas to electricity, we do need joint planning and we are blessed. It’s an advantage that a lot of the rest of the country doesn’t have with the fact that our major utilities do both, which actually will facilitate planning. But here’s the problem. Nobody’s owning the need for joint planning in this respect. The electric sector modernization plans reviewed by the Grid Modernization Advisory Council are very light on joint sector planning of this kind by the utilities. Joint planning is the weakest part substantively of these, sometimes very impressive, exercises by the electric companies. So if we don’t include some measures or some language here we’re going to continue to discover, I fear, that nobody owns the need to coordinate the gas side of the house and the electric side of the house. I would like us to err in the direction of including language like this, not only within the GSEP Statute, but in several other places in Massachusetts law, because if we don’t we’re going to find that the job doesn’t get done.

Audrey Schulman, HEET – Because if we have a goal right now, what we need is a plan. I totally agree with Chair Barrett.

Carol Pieper, DPU – The next proposal is “requires consideration of ‘all reasonable alternatives to natural gas.’” LEAN and NCLC made this proposal, and then they provide an amendment to the proposal in the written comments, which was to “require consideration of ‘all reasonable non-combusting alternatives to natural gas.’” The proposal is supported by the Attorney General and opposed by NEGWA/USW and the gas companies.

Mary Gardner, AGO – Just to clarify our position on this. I said previously we’re not open to accelerated cost recovery for alternative forms of energy or expanding the definition of what infrastructure is eligible for cost recovery, but something that we think would be a positive change to the GSEP for the six years that we envision it continuing is having some additional requirements that the gas companies are expected to consider before they go in and do a full scale replacement of natural gas infrastructure. We think that considering alternatives, considering decommissioning, and reporting on emissions to a greater extent would all be positive changes for the duration of the program.

Carol Pieper, DPU – The next proposal is “analysis must include consideration of emissions reductions, reliability, safety, resilience, customer cost, public health and other benefits and risks.” It is proposed by LEAN and NCLC and proposed for consistency with Chapter 21N. This is another of the Chapter 21N proposals; I said there were three of them. This is the second of the three. This proposal is supported by the Attorney General and CLF and opposed by NEGWA/USW and the gas companies.

The next proposal is “requires consideration of targeted decommissioning of the gas system, based on independent assessment of costs and benefits of decommissioning.” It is proposed by

LEAN and NCLC. It is supported by CLF and opposed by NEGWA/USW and the gas companies. Any comments on that one?

Mary Gardner, AGO – We have a question, which is the only reason we didn't support the proposal. What does "independent assessment" mean? Who is doing the independent assessment?

Carol Pieper, DPU – I believe that is why some of the gas companies objected to the proposal. They didn't understand what the term "independent assessment" meant.

Mary Gardner, AGO – If it just said "assessment" that would make sense to us and we would support the proposal.

Priya Gandbhir, CLF – I'd assume there would be some type of like request for proposal to contract with like a third-party assessor, but I'm not sure if that's what LEAN and NCLC were thinking.

Jenifer Bosco, NCLC – Yeah, I was thinking along those lines that you just described.

Carol Pieper, DPU – The next one is "identification of leak prone pipes and prioritization as follows." And then there's a list of items that would be added and consistent with the statutory health and safety objectives of this working group. The first one is "immediate and significant health and safety concerns," which is proposed by LEAN and NCLC. It is supported by the Attorney General and CLF and opposed by NEGWA/USW, HEET, and the gas companies.

The next item proposed to be added is "moderate health and safety concerns," which is proposed by LEAN and NCLC. The same groups support and oppose it, except the Attorney General is withholding support until there is clarification of what moderate health and safety concerns means. Did you want to speak to that Jenifer?

Jenifer Bosco, NCLC – I think that's an area where we would need to call on public health experts to help with the definitions of those.

Carol Pieper, DPU – The next one of these proposed to be added is "the impact on vulnerable populations." That proposal is supported by the Attorney General and CLF and opposed by NEGWA/USW, HEET, and the gas companies. I'm going to scroll through these comments fast because they are similar to the objections made to the previous proposal.

Audrey Schulman, HEET – In terms of our objection to that, we assume that there is already federal and state law having to do with that and that therefore it would be a conflict. Is that true? Is there any way we can have a discussion at some point to figure out if that is true.

Carol Pieper, DPU - I don't know if it's true or not.

Senator Barrett – What is the question for which we're supposed to ponder and answer? I'm sorry.

Audrey Schulman, HEET – Do these proposals regarding health and safety concerns and the impact on vulnerable populations conflict with federal or state law? My assumption is there is

already a lot of those mandates in both federal and state law and adding that proposal to the GSEP statute might create conflict. But I am not a lawyer, so I am making an assumption. Does anybody know?

Jonathan Buonocore, Boston University School of Public Health – I was just going to say for the previous proposal there's no sort of generally accepted threshold of how high of a risk is considered for public health concerns since that's really like a value judgment based on what other people care about. In a lot of other kind of enabling legislation for public health, it's up to the policy itself to determine how bad is bad, and then it's up to other folks figure out how to implement that. For the reauthorization for Pipeline and Hazardous Materials Safety Administration, I can't remember whether it's proposals I read but there were definitions for what's considered high hazard areas based on population density around the leak.

Priya Gandbhir, CLF - I think that it may just be better to err on the side of being more inclusive because it's more likely that the Legislature will remove parts of our report when they're agreeing on what to include in GSEP provisions.

Senator Barrett – In response to Audrey's point, because the term does doesn't come with quantitative metrics it would not create a conflict. It would be up to policymakers to reconcile multiple views if in fact they have to accommodate multiple definitions or multiple views, but that's the kinds of things that administrative agencies do all the time—they supply meaning to general legislative language, whether it's federal or state. I mean specificity is always better if you could do it, but flagging this issue for the Legislature is, on balance, useful and it certainly doesn't gum up our adherence to different federal legislation, if it exists. Because we're making a values statement.

Carol Pieper, DPU – The next proposal is phasing out GSEP filings after December 31, 2024. We already discussed this proposal; it was in Part Two. The next proposal is “reference to ‘unneeded’ natural gas infrastructure.” HEET and PowerOptions support this proposal. NEGWA/USW and the gas companies object and basically say it's impossible to define and is outside the scope of the statutory mandate.

Senator Barrett – If we add this language, it is a statutory mandate. We're giving it meaning, but specificity would then be supplied through court cases and through administrative agencies. That's the way specificity is supplied to legislative language all the time.

Carol Pieper, DPU – On this proposal, the AGO withheld support until this clarification of what “unneeded natural gas infrastructure” means.

The next proposal is “adds the purposes of promoting public safety, system reliability, system security, consumer protection and income equity.” This list is duplicative of what was above, and it just moves the list down to the next section of the statute, so we don't need to discuss that.

The next proposal is “eliminate references to lost and unaccounted for natural gas,” which we've already discussed.

The next proposal is “adds reference to reducing GHG emissions to achieve limits and sublimits established in Chapter 21N.” We’ve already discussed some of these because they show up in different sections of the statute numerous times.

The next proposal is “annual targets for subsequent 10 years required.” The proposal changes the plan horizon from five years to 10 years. AGO, CLF, HEET and, PowerOptions support the proposal and NEGWA/USW and the gas companies oppose it.

The next proposal is “must include subtargets for replacements, repairs, and retirement.” AGO and CLF support the proposal. NEGWA/USW and the gas companies oppose it. And part of this was also concern about the use of the word retirement and repairs.

The next proposal is “eliminates reference to interim targets of not more than 6 years, of 2 complete 3-year walking survey cycles.” This proposal has been retracted.

The next proposal is “‘repair’ and ‘retire’ in addition to ‘replace,’” which we already discussed. The next one is “require consideration of improved public safety.” Now we’re getting to the proposals that are duplicative,” so I am going to scroll down. I don’t think we discussed requires considerations of advances equity.” Is that correct? This was Senator Barrett’s proposal.

Senator Barrett – Yeah, it could be. We used the term in our first ever legislative charge to the DPU and here we’re echoing it. I think the DPU and other administrative agencies will supply meaning to the term equity as court cases proceed and as administrative hearings proceed. The Legislature’s job is always to set the general parameters and to assume that there’s going to be nuance added over time by different administrative decisions.

Carol Pieper, DPU – The next one is “requires considerations of schedule not inconsistent with GHG emissions limits and sublimits in Chapter 21N and Commonwealth’s emissions strategies,” which we’ve discussed already. The next one is the EEA agencies propose that “the gas companies update their targets annually.” Instead of “may,” “shall be required to.” AGO, CLF, and NEGWA/USW support the proposal. The gas companies oppose it. HEET commented that it would be better to have the gas companies update their plans, rather than the targets.

The next proposal is “includes ‘repair’ in addition to ‘replace.’” We’ve discussed that. The next one proposal is withdrawn. The next one is “requires alignment with GHG emissions limits in Chapter 21N,” so that’s duplicative. The next one is EEA agencies had proposed to include “comparison of eligible infrastructure repair and replacement between EJ populations and non-EJ populations.” We previously discussed how the EJ definition may not be appropriate and that it may be better to use something else.

Senator Barrett –Because the definition of environmental justice population includes almost all the wealthiest towns in the state, which thankfully are demographically diverse, we would want to be careful that the control group, non-EJ communities to EJ communities, are the appropriate focuses of our worries.

Carol Pieper, DPU – That the comparison is appropriate?

Senator Barrett – We want to make sure that the EJ communities that we’re contrasting with the control group do not consist of the wealthy as well as the low-income. We want both the both poles of the comparison to be the ones that I think we would all hope for.

Jonathan Buonocore, Boston University School of Public Health - Yeah, I’d just like to propose again that we at least consider comparing the Justice40 communities to the non-Justice40 communities since that seems to have allayed the concerns previously about not capturing communities that are intended to be compared. And Justice40 is based on an executive order.

Senator Barrett – Yeah, I like that.

Audrey Schulman, HEET – Is there any detail that would be needed to be added, aside from the Justice40 component, to make sure that gas utilities could do this in an easy way and in a way that everybody could trust? Because you know some of the time there is that problem.

Jonathan Buonocore, Boston University School of Public Health - To the extent that the more data that can be made public available, the more that will improve the transparency of that process. There’s a whole variety of ways that could be done. It doesn’t need to be street-level mapping of like where leaks are there. Things could be aggregated at the census block or tract level to look at known leaks, measured leaks, pipes that are judged to be leak prone, maps of pipes by material, and maps of pipes by age. That kind of data could be made public, and that would really enhance the transparency and maybe build on the analysis that gets done. Alternatively, there could be a way to have a third party, could be an academic institution, work with this data to do that analysis. There are there are methods around to secure customer data and patient data that could easily be applied here.

Carol Pieper, DPU – The next proposal is “requires comparison of GHG emissions reductions from eligible infrastructure repair and replacement with other investment alternatives.” Similar to HEET’s proposal discussed earlier, but a little different. The proposal is supported by AGO, LEAN, NCLC, CLF, and PowerOptions. It is opposed by the Union and the gas companies.

The next proposal is “requires evaluation to support the selection by the gas company of a non-pipe alternatives.” It is proposed by National Grid. It is supported by HEET, PowerOptions, Liberty, and Unitil.

Audrey Schulman, HEET – I’ll just say quickly that we support it. We prefer if its reversed. That the assumption is that first you go to non-gas pipe alternative and only if that is considered not feasible or not economic that you go to the other option.

Carol Pieper, DPU – That was what we discussed above, right?

Audrey Schulman, HEET – Okay.

Carol Pieper, DPU – We already discussed this next one, “includes ‘repairing’ and ‘retiring, in addition to ‘removing’ leak-prone infrastructure.” This next proposal assumes that the GSEP is not ending. The EEA agencies propose that we eliminate target end date of 20 years from filing of initial plan and change it to a “reasonable target end date.” The proposal is opposed by many

people for reasons mostly as discussed. LEAN and NCLC wanted additional information before choosing a position. Did you have specific questions on it you wanted to ask?

Jenifer Bosco, NCLC – Not at this time.

Carol Pieper, DPU – The next proposal is to change the requirement to file a summary from every five years to annually beginning October 2023, which has passed. The proposal is supported by AGO, CLF, NEGWA/USW, HEET, and PowerOptions. It is opposed by the gas companies because it's already required.

Audrey Schulman, HEET – It would be lovely if all leak-prone gas infrastructure data was made available in the same way that it is for the next five years of GSEP projects because then we'd all have the information we need—municipalities, the state, residents, etc.—to know where the transition potentially is about to happen or whether they're going to get a new gas pipe on their street as happened to me last year.

Carol Pieper, DPU – The next proposal is the DPU must require gas company to file an updated long-term timeline. This was proposed by HEET. I'm not sure, I understand the proposal. Audrey, does it relate to the revenue cap?

Audrey Schulman, HEET –As I understood this, if the revenue cap was changed, DPU must require a gas company to file an updated long-term timeline. That's my memory of the red lines. My suggestion was that if that revenue cap was altered, it's going to have a huge impact on the timeline, so the timeline should be updated.

Carol Pieper, DPU – I see what you're saying.

Audrey Schulman, HEET – Hopefully that's clear. Thank you.

Carol Pieper, DPU – Then the next proposal is lost and unaccounted for gas. We've already discussed that. The next one is the inclusion of Chapter 21N, which we've already discussed. The next one is proposed by Eversource. The proposal is “improves gas system resiliency through diversification of supply options.” It is supported by NEGWA/USW, HEET, National Grid, and Unitil. It is opposed by AGO. Any comments on this one? Yes, Mary.

Mary Gardner, AGO – I would love to hear an explanation by someone who does support it. I would love to hear from Audrey or someone else.

Audrey Schulman, HEET – I want to apologize. I did not mean to support the proposal unless there was the change to “improves gas system resiliency through non-combusting sources of renewable energy.” Diversification of supply options sounds like renewable, natural gas, and hydrogen, which of course would increase costs for customers and not do anything about leak prone infrastructure or improve safety or even potentially emissions. Apologies if that was confusing.

Carol Pieper, DPU – When I sent the report out, if I have misrepresented anybody's comments, please edit them, and let me know. The next proposal is “adds reference to ‘emission

reductions.”” Emission reductions should be added as a consideration in the DPU’s acceptance of the GSEPs. The proposal is supported by AGO, LEAN, NCLC, and CLF.

Audrey Schulman, HEET – Sorry, Mary, did that answer your question?

Mary Gardner, AGO – It was helpful understanding your perspective and I think I’ll be able to understand the gas companies’ perspective when I read the report. But I don’t foresee that changing AGO changing its view on that.

Carol Pieper, DPU – With this proposal a lot of parties supported it with clarification. Eversource National Grid, and Unitil point out that they already reported emission reduction information to the DPU. The proposal is opposed by NEGWA/USW and Liberty for the reason that it’s already reported.

The next proposal is repair and retirement, which we’ve discussed.

Eversource and Unitil propose to include “consideration of enabling ‘the safe and reliable interconnection, distribution, and metering of low-carbon fuel resources.’” It is supported by Liberty, National Grid, and NEGWA/USW. It is opposed by AGO and HEET.

The next proposal is changing the cap on the annual review requirement. It is proposed by Eversource, Liberty, National Grid, and Unitil. It is opposed by the AGO as discussed in Part Two where the AGO has the cap lowering annually. HEET had a comment, but it was not clear if it was supporting or opposing the proposal.

Audrey Schulman, HEET – Yeah, I was supporting the idea of a change in revenue requirements such that it’s not a 3% cap, but instead goes towards a customer affordability test because that’s the intent that the bills for the customers don’t get too high. Instead, we start installing non-gas pipe alternative, which are projected to have lower customer bills than gas, then it’s possible that the gas companies can spend even more money than before on capital expenditures while lowering customer energy bills and meeting our emissions mandates. That’s what I was trying to get across.

Carol Pieper, DPU – Okay. Section (g), rate changes. There had been no changes proposed. LEAN and NCLC proposed a change when they provided written comments to support the addition of affordability protections for low-income consumers into the GSEP statute. They outlined several ways in which to do that. I’ll let you all read the comment. Yes, Jerry?

Jerrold Oppenheim, LEAN – First, I thought we raised this earlier and I’m not quite sure how it got lost in the back and forth. This is really fundamental. The proposal would protect customers from what, for example, could be today, would they have 40% increase in heating bills going from natural gas to electric air-source heat. That’s economically impossible for the low-income customer. It’s such a difficult problem, which the solution is almost certainly beyond the ability of the DPU alone. There will probably have to be a legislative solution to this problem.

Carol Pieper, DPU – When I send out the revised report, people can give their written comments on the proposal. The next proposal is requiring the DPU to promulgate rules and

regulations that include a performance-based financial incentive. It is proposed by HEET and supported by CLF, PowerOptions and Eversource, as well as Liberty and National Grid with clarification. It is opposed by AGO, LEAN, NCLC, and NEGWA/USW.

Audrey Schulman, HEET – So, since we’re so quiet, I’m just going to ask another question. Would AGO potentially consider supporting this proposal if there were incentives and disincentives associated with the performance-based rate making?

Mary Gardner, AGO – Sorry, could you repeat the question?

Audrey Schulman, HEET – I wondered if AGO would consider supporting performance-based rate making if it came with both an incentive and a disincentive. An incentive to reduce emissions, meet safety requirements, etc. A disincentive for not doing that, so that it would never increase the cost for ratepayers.

Mary Gardner, AGO– At this stage, I’m not sure I can. It would be helpful if you sent me a little bit more information about it in an email that I could take to our bureau chief and develop a more formulated opinion.

Carol Pieper, DPU – I should mention like NCLC and LEAN have been working together, members can email each other. They just can’t email everyone on the GSEP Working Group. If Mary and Audrey want to communicate, that is not a violation of Open Meeting Law. It’s when you email the entire group or a simple majority with an opinion that it becomes a violation.

The next proposal is by HEET, and it is to develop standards to inform a decision by a gas company whether to retire gas infrastructure, replace with non-emitting thermal energy infrastructure, repair the gas infrastructure, or replace the gas infrastructure with new gas infrastructure. It is supported by CLF and PowerOptions. It is opposed by AGO, NEGWA/USW, and the gas companies. AGO states that this proposal conflicts with its proposal to phase out GSEP over a period of six years.

The next proposal is by HEET, and it requires standards to be adjusted annually for the first 10 years. It is supported by CLF and PowerOptions. It is opposed by NEGWA/USW and the gas companies. Any comments on that?

Jenifer Bosco, NCLC – I think Jerry might have been trying to make a comment?

Jerrold Oppenheim, LEAN – No, not right now. Thanks.

Carol Pieper, DPU – The next proposal is also by HEET, and it requires annual audits to ensure compliance. It is supported by CLF and PowerOptions. It is opposed by NEGWA/USW and the gas companies.

Priya Gandbhir, CLF – Is AGO abstaining on this one and the last one because of the six-year thing?

Mary Gardner, AGO – Yes. We didn’t want to oppose for that reason because if the Legislature decided to maintain accelerated cost recovery in perpetuity, we don’t want to say we’re opposed to changing standards or other things that make it safer or less expensive.

Carol Pieper, DPU – The proposal is failure to comply precludes recovery of the cost of eligible infrastructure investment. This is proposal is from HEET. It is supported by NCLC and CLF, although NCLC proposes the following amendment: “Failure to comply with adopted standards shall be a factor in the Department’s evaluation of the prudence of the utility’s investment and ability to recover costs associated with said investment.” This ties into the standards that would be proposed above.

Now I’m going to go to the last page of the outline which is NCLC’s additional proposal. We’ve discussed all of Part Two. NCLC proposes: “The DPU should be directed to establish a planning docket to address depreciation of gas utility infrastructure. In addition to the cost recovery available through GSEP, gas utilities have also sought approval from the DPU to further accelerate recovery via accelerated depreciation.” They’re basically looking for a planning docket to address their concerns. We have 10 minutes left if anybody wants to talk about it, but I will also put this in the outline so people can submit comments about it. Anything else?

Priya Gandbhir, CLF – Can you just restate the deadlines?

Carol Pieper, DPU – The revisions should be submitted to me by Monday, January 8. Our follow up meeting will be Friday, January 19, from 1:00 pm to 3:00 pm.

Priya Gandbhir, CLF – You’re going to send this document to us?

Carol Pieper, DPU – I’m going to send it to you as soon as we hang up and I’m not going to make any of the changes we’ve discussed. I’m going to let members make their own changes to things.

Priya Gandbhir, CLF – Great. Thank you.

Carol Pieper, DPU – Yes, Sue?

Sue Kristjansson, Berkshire Gas – I just want to say Carol, bravo for getting us through this entire document today and to everyone on the call that we made it through in this short time frame.

Carol Pieper, DPU - Thank you.

Senator Barrett – Great work, Carol. I didn’t think it was possible.

Mary Gardner, AGO – I echo that. I wanted to make sure that I understand the Open Meeting Law question. What was Audrey’s vision for a more efficient process? Just so I know what to ask my colleague.

Carol Pieper, DPU – I think she had asked if we could post the outline when I get all the comments and compile them. My understanding is that you can’t post it on the website until the members have discussed it.

Mary Gardner, AGO – Okay

Audrey Schulman, HEET – I'm just looking for a way to make sure that all of us have the time to look through it beforehand and organize our thoughts so that we can use these meetings in the most productive way.

Mary Gardner, AGO – Okay, thank you very much.

Jerrold Oppenheim, LEAN – My follow-up question to that is that could you not post or circulate the document that we just went through?

Carol Pieper, DPU – I'm going to email that to you as soon as we hang up.

Jerrold Oppenheim, LEAN – Okay, that'll that at least will be helpful. Thank you.

Senator Barrett - Carol, again, when is the next meeting of this working group?

Carol Pieper, DPU – Friday, January 19, from 1:00 pm to 3:00 pm.

Senator Barrett – Thank you.

Audrey Schulman, HEET – Is that the final meeting?

Carol Pieper, DPU – I believe so since we are supposed to have a report done by the end of January.

[Meeting Concluded]