Pursuant to a notice duly filed with the Town Clerk, a meeting of the Municipal Light Board was held on Wednesday June 9, 2021, at 7:30AM, via a Zoom Webinar. Present were Board Members: Alice Kaufman (Chair), Wendy Rovelli, Gordon Brockway, Pamela Hill, and Brian Foulds. Also in attendance were David Wood; CMLP Director; Carole Hilton; CMLP Customer Service Administrator, Laura Scott; CMLP Power Supply and Rates Administrator, Jan Aceti; Conservation Coordinator, Matt Cummings; CMLP Financial Manager/Accountant, Joe Repoff; CMLP Assistant Director, Karin Farrow, CMLP Sr. Admin, Greg Marcinek; Telecom Director, Stephen Crane; Concord Town Manager; Terri Ackerman; Select Board liaison to The Light Board. Concord residents: Karlen Reed, David Allen, Gail Hire, Andy Puchrik, Pamela Dritt, Courtney Whalen, Mark Howell, Jim Terry, Scott Hopkinson, and V Carl.

A video recording can be found here https://youtu.be/PWGBcJxMC70. Time stamps are listed below.

Note definitions for acronyms used in these minutes:

- **AMI**: Advanced metering infrastructure
- **APPA**: American Public Power Association
- **CSR**: Customer Service Representatives
- **MLP**: Municipal Light Plants

**CALL TO ORDER (00:00:00)**

Ms. Kaufman called the meeting to order at 7:30 AM. Meeting recording posted to the Minuteman Media Website.

It was noted that the Zoom chat and Q&A functions would not be utilized during the meeting.

The order of Agenda items was changed (7 put before 6) so that the Broadband Network Update was heard before the discussion on Warrant Article 41.

**FUTURE MEETINGS and MINUTES (00:02:30)**


A majority of the Board members intend to attend the Town Meeting, allowing for any discussions/decisions that may be deemed necessary during the Town Meeting on June 13, 2021.

Ms. Rovelli moved to approve the Jan 13, 2021, and Feb 10, 2021 minutes submitted by Mr. Foulds. Ms. Hill provided the second and with a unanimous roll call vote, the minutes were approved.

A new slate of Board Officers will be elected during the July 14, 2021, Light Board Meeting. Ms. Rovelli and Mr. Foulds both expressed their willingness to accept the position of Board Chair.

Mr. Allen suggested that an alternative to limiting Board Meeting Minutes to major points and decisions made, as most of the Board Members were requesting, would be to format the minutes with an Executive Summary, providing the key punch points, followed by a detailed accounting of the meeting.

**DIRECTORS UPDATE (00:10:55)**
Energy Services

- Interest in the CMLP heating/cooling coaching service program continues to be strong, with coaching requests coming in at a rate of about one every 1 ½ days.
- Abode Energy Management has just hired two new coaches for the Concord Clean Comfort Program—both Concord residents. One is a replacement and the other is supported by the APPA grant we received.
- Applications for the joint CMLP/DOER solar rebate program have been very strong as that program winds down at the end of this month (June 30). CMLP stopped accepting applications on June 7th. If all MLP Solar Program applications submitted to CMLP so far are approved by the state, CMLP and DOER’s matching pledge money will be oversubscribed. As other participating MLPs have underutilized their programs, there is a possibility that DOER will allocate more money towards our pledge. There is no guarantee that all applications submitted will be funded. CMLP’s long-standing solar PV rebate program will continue even after the MLP Solar Rebate Program ends.

Substation 219

- CMLP has received commitment from the transformer manufacturer to making the necessary internal wiring repairs to the transformer, previously reported as having an issue, at Substation 219.
- Work is scheduled to commence on June 14th.
- The permits have been submitted to Eversource for the removal of the transformer from service.
- Repairs expected to take 3-4 days. Once completed the Substation will be returned to normal operations.

Annual DPU Report

- The annual DPU Report for CMLP has been submitted.

Worumbo (Formerly Brown Bear and formerly Miller Hydro) Hydro

- Contract was extended to November 2025

100% Non-Carbon Emitting Rate

- At the May 2021 Light Board meeting, the Board asked CMLP to answer two questions about the citizen proposal to create a 100% non-carbon emitting rate.
  1. How many customers would be likely to sign up for such a rate considering it will cost more than the regular R-1 or other rate?
  2. What would the cost be to implement such a new rate?

CMLP staff is currently working through these questions and will have an agenda item on this topic in the July meeting.

Personnel

- The 3rd CSR has successfully been recruited and is scheduled to start July 6.
- The recruitment for Line workers was launched and currently there are fifteen applicants.
On Monday, June 7th CMLP executed phase IV of our re-staffing plan with non-essential services employees returning to working in the office.

**End of Directors Update**

Responses to questions asked after the Directors Update:

- No interruption in service is anticipated while the transformer is being repaired.
- The CMLP building is expected to re-open to the public June 14, 2021.

**Advanced Meter Infrastructure Project Update (00:20:20)**

provided by Ms. Scott and Ms. Hilton Project progressing as planned. Project deliverables:

- Summary of the Utilities goals, systems & applications due in beginning of June
- Business wide system benefits quantification study due in July
- Determination of the optimum hardware/software deployment strategy in August
- Development of the RFP specification/procurement documents and evaluation criteria in September.

The release of the RFP would then be in the Sept-Oct timeframe making the process on track with the original proposed timeframe.

Ms. Hilton added that concurrent with the work on the RFP a communication plan addressing both internal needs as well as external needs is being worked on. A system architecture diagraming is also being worked on.

Ms. Scott added that the Board should be able to review the deliverables from the consultant once they are delivered.

CMLP Staff will determine the best way they make the information as transparent to the public as possible. Creating a webpage for the project was suggested.
Mr. Wood explained that the report shown represented the 6/8/21 receivables aging. Shut offs are scheduled to start next month. The focus now is on those accounts in the 90-day column (represents all amounts that are 90 or more days past due).

(30:00) Ms. Hilton added that communications on the availability of assistance/payment plans has been going out on bill and via bill inserts for the past couple of months. 8 customers so far have opted for a payment plan (up to 12 months to catch up). Due to the economic effect of COVID, a budget plan is being offered to commercial customers (up to 6 months to catch up). The CSRs have also started to reach out to past due customers via phone calls and emails. Efforts have resulted in a steady decline in the past due balances. Disconnects will resume on July 6 (the State moratorium on disconnects with will be lifted on July 1) for those customers with balance of $100 or more in the 90-day column. The moratorium on charging late fees to Commercial Customers remains in effect until 1/2022.

Broadband Network Services Update (00:38:32)
Mr. Marcinek (Telecom Director) reported that during the pandemic installations had been suspended with the exceptions of education, medical, first responders and new residents. The suspension was lifted on May 3, 2021. The waitlist list for installations is now under review to determine the most expedient/effective way to address the backlog (approximately 420 requests). About 30% of those surveyed during the pandemic regarding a continued interest in installation after the moratorium was lifted were no longer interested, so actual backlog is being estimated in the 375-400 range. The backlog is being looked at first in order received along with the efficiency of being able to address multiple requests in the same area. Outside assistance to concentrate on bringing fiber from the street to the outside of the home may be utilized.
It is anticipated that it will take about 8 months to clear the backlog.

A project with the Carlisle Police Radio and Carlisle Middle School was just completed. Additionally Broadband will be involved in the upcoming State emergency Plan. The network design is also being reviewed for its ability to support continued growth.

Mr. Wood added that, due to the extent of the backlog caused by that pandemic, it would be a necessary added expense that was not covered by the Budget. Additional staffing is not deemed necessary or financially appropriate at this time based on the number of customers. The current budget does include the expense for the two open positions (a Network Engineer and Tech position) for which the recruitment process will be started in the near future. In the past, the business model did not intend to support offering of additional services and is not being considered at this time.

Mr. Crane added that one of the uses that was available under the American Recovery Plan Act is broadband infrastructure. The current projection is that that Town will receive ~$5.6M and have until 2024 to utilize the funds and an allocation for Broadband is being considered.

(55:33) Ms. Scott commented that the achievable rate of broadband installations was not the only factor to be considered, but the economic upfront capital expenditure also needs to be a factor. Mr. Crane pointed out the need to bear in mind that Concord Broadband is a business.

It was agreed that Broadband would become a regular Light Board Agenda topic.

Ms. Dritt asked about plans for service at Concord Green, the possibility of distributing “we’re going to be in your neighborhood” notices prior to installations and requested that citizens be able to see the other participants during the zoom meeting.
Mr. Howell asked that the video function be turned on for the meeting and that pre-meeting packets that included minutes that were being approved be available to the public. He went on to offer his opinion on what were the key points of considerations for the growth and development of Broadband.

**Review of Warrant Article 41 (01:09:29)**

This is a continuation of the discussion from the previous meeting. A revised version of the article is available (on the Town Website under meeting materials) with the notable differences being that in most instances the words Town Manager had been changed to Select Board.

Article 41 (see Addendum A below) is a citizen petition requesting that a citizen committee be established to determine the strategic goals and direction for Concord’s Broadband by eliciting the support and input from certain segments of the population i.e., the business community, the real estate community in addition to those members appointed to the committee.

Ms. Hire (originator of the petition) stated that the Committee would complete its charge by the next Town Meeting and clarified the goal of the committee was to recommend appropriate solutions for:

- Expediting installation
- Exploring the barriers to subscription growth
- Investigation of opportunities for expanding fiber-to-home and fiber-to-business

Ms. Hill’s comments and concerns included governance, a concern that that the committee was redundant if the goals were really within the purview of the Light Plant, and what is the role of CMLP staff if they are supporting the committee.

Mr. Crane opined that there was not currently a gap in governance to attain the goals outlined, but if the public decided that there was a need, he would work hard to support the committee, and take their recommendations very seriously.

Mr. Wood opined that at this time the Committee was unnecessary, as actions were already underway to achieve the goals outlined.

Mr. Brockway stated he was on board with getting feedback from the community but that creating a committee was unnecessary.

Ms. Rovelli in agreement with the concept that a new committee can bring new ideas and expertise but as written, the petition centers around things that are already being addressed by CMLP and the Light Board.

Mr. Foulds voiced his support of the Article, looking at it as “fresh eyes”.

Ms. Kaufman suggested that the solution could be found by bringing in an outside consultant as opposed to a citizen’s committee.

Ms. Hill opined that no matter what the outcome, the petition has brought the issue to everyone’s attention and generated meaningful discussion.

Mr. Howell acknowledged that citizen input had been helpful during the design of the initial Broadband system and the committee would be helpful in determining how to complete the build to Concord.
citizens.

Ms. Reed said the PEG Access Committee is in support of this article and sees it as a way to get more resources on the issues.

Mr. Hopkinson sees the committee as a way to leverage additional expertise to address a variety of technical and non-technical problems.

Mr. Allen stated that the Light Board was the entity already in place with the responsibility to address the goals outlined, but that it was time to tap into the expertise available in town to look at how to get the last 5% of the town broadband access.

Ms. Dritt opined that the committee was not likely to suggest actions that would harm the business and is more likely to provide timely and valuable input while offering a community wide opportunity for community wide citizen input.

Mr. Foulds moved to support Article 41 as written. The motion was not seconded.

Mr. Brockway moved to take no action on Article 31, Ms. Rovelli second the motion.

Roll call vote: Mr. Foulds – against, Mr. Brockway – in favor, Ms. Rovelli – in favor, Ms. Hill – in favor, and Ms. Kaufman – in favor. With a 4 to 1 in favor the motion of no action passed.

At Town Meeting Ms. Kaufman will present a 1-minute statement on the Board decision to vote to take no action on the Article.

(2:03:07) Article 31 update
At the last meeting the Board had voted in support of Article 31. There being no change with respect to the exemption for affordable housing, further discussion was unnecessary.

Ms. Rovelli moved to adjourn the meeting. Mr. Foulds second the motion and with a unanimous roll call vote, the meeting was adjourned at 9:35AM.

Respectfully submitted
Brian Foulds, Clerk
Addendum A: Article 41 as printed in the Town Meeting Materials:

**ARTICLE 41: CITIZEN PETITION**

**FIBER/BROADBAND STUDY COMMITTEE**

**Motion**: Ms. Hire moves that the Town take affirmative action on Article 41 as printed in the Town Meeting Materials, with changes in the language of the article as printed in the Warrant highlighted:

“To determine whether The Town will vote to urge the Town Manager to increase the availability of municipal fiber optic telecommunications service. To assist in this task, the Town Manager Select Board shall appoint a Fiber Broadband Completion Committee with the following charge: Study and recommend appropriate solutions, including possible funding, for,

(a) expediting the installation of fiber-optic telecommunications utility service on the remaining 5% of Town property streets that lacks such service;

(b) exploring barriers to Concord Light Broadband subscription growth; and

(c) investigating opportunities for expanding fiber-to-the-home and to fiber-to-the-business.

The Committee shall write a Report with findings and recommendations to the Town Manager and the Select Board by a date no later than one month prior to the deadline for Draft Warrant Articles for 2022 Annual Town Meeting.

The Committee shall be comprised of no fewer than 5 and no more than 7 members, including: one member of the Concord Municipal Light Board, chosen by the Light Board; one member qualified to represent the business consumers of fiber-based utility services; one member qualified to represent the real estate community; and at least two additional at-large members chosen by the Town Manager Select Board. The Committee shall elect its own chair and clerk. The Committee shall seek creative, forward-thinking solutions that acknowledge the existing roles and responsibilities of the Town Manager and staff of the Concord Municipal Light Plant in providing broadband services via the Town’s fiber optic network.

—Or take any other action relative thereto.”

**Narrative**: The Fiber Optic network is an extraordinarily valuable asset to the Town. It is capable of supporting economic vitality, sustainability and resilience goals.

The Fiber Optic network began in 2014 with small steps, at the urging of then-Town Manager Chris Whelan. Goals were purposefully conservative, such as needing to be competitive and earn a return. The slow approach ensured that taxpayers and rate payers would not be harmed. Today, fiber provides fast, reliable broadband internet to over 1,700 subscribers, supports emergency communications in Concord and Carlisle, is operationally self-sustaining, and even helped CMLP avoid an operating loss in 2020.

It is time to shift the dialogue to the options and capabilities that such a system can provide. A Fiber Broadband Completion Committee (FBCC) can re-visit strategy on behalf of the community. A recent GIS data analysis found the 7% of residential parcels without Fiber Broadband access, either by under-ground or overhead cable, represent 22% of individual addresses. Residents in affordable housing, condominiums, or apartments have limited power to effect connectivity.
addresses. Residents in affordable housing, condominiums, or apartments have limited power to effect connectivity.

Why do we need a study committee? Investment priorities should be set by the investors, namely, the citizen owners of the system.

- Expertise from the community can augment CMLP's limited resources for planning, which have been hampered by staffing and COVID.
- Like a child who is growing up, the fiber system's stage of financial and technical maturity calls for a new strategic plan for the next phase and beyond.

**Speed:** The FBCC can more quickly evaluate and recommend:
  - Ways to pursue grants or other programs for low income, such as through the Federal Communication Commission
  - Investments to increase availability for multi-dwelling units
  - Targets for funding expensive, underground capital improvements
  - Intra-departmental financial policies and disc retionary expenditures, such as PILOF (payments in lieu of franchise) transfers to the PEG (Public Education Government) Access Fund

Why do we need to do it now? The FBCC would recommend next steps before next year's Town Meeting.

- **Time-sensitive opportunities:** COVID-19 recovery funds, and proposed broadband infrastructure investments. If we start preparing, we will be in a better position to take advantage should those opportunities arise.
- **Need:** With more residents working and studying from home, we should aim for 100% fiber access and ensure no residents or businesses are left behind.
- **Competition:** Commercial telecommunication interests are actively marketing other, less sustainable and less desirable options: densely sited 5G antennas, "over the air devices" on homes and buildings, and subscription and installation fees paid to out-of-town businesses.

**Recommendations: The Select Board Recommends No Action on Article 41**
The Select Board appreciates the significant value of Concord’s Broadband infrastructure and agrees that all residents and businesses should have the opportunity to connect to our fiber optic network. However, this is a costly endeavor and the Town Manager has requested one year to work with staff to develop a plan to address issues, possible solutions, and financing for completion of its implementation.

**The PEG Access Advisory Committee recommends affirmative action on 2021 Article 41.**
The PEG Access Advisory Committee reviewed Article 41, which proposes to create a Fiber/Broadband Study Committee, at our May 6, 2021 meeting. After an extensive discussion with the Article’s sponsor, Gail Hire, about the purpose and merits of the Article, the PAAC voted to support this Article and recommends affirmative action at Town Meeting.
The purpose of this Article is to create a task force that will study why the Town of Concord has not yet made its fiber-based broadband available to 100% of the Town. The committee will report its findings and offer recommendations before the 2022 Town Meeting. As we heard during the May 11 Enterprise Public Hearing, the broadband/Telecom Fund is now financially solid. Now is the time to push for 100% completion.

Broadband is an essential service, as we have seen during this COVID experience, yet not all of our citizens are able to get this service because of various barriers. Part of the charge of the PEG Access Advisory Committee is to "promote quality telecommunication services that reflect the interests and concerns of Concord residents." It is in this capacity that our PEG committee recommends a "yes" vote on Article 41 because Concord residents and businesses need access to fiber-based broadband.

The new committee will explore the barriers to broadband adoption in a targeted, focused effort. This will provide the Light Board, the Select Board, and the Town Manager with information needed to form rational policy decisions on laying fiber to homes and businesses in Concord.

We therefore recommend affirmative action on Article 41 and the creation of a fiber/broadband study committee.

_Prepared by Karlen Reed, PEG Access Advisory Committee Chair
May 17, 2021_