

**Renewable Energy Investments Board
Minutes - Regular Meeting
Monday, March 30, 2009**

A regular meeting of the **Renewable Energy Investments Board hereinafter referred to as “the Connecticut Clean Energy Fund Board”** (the “Board”) was held on March 30, 2009, at the office of the Connecticut Clean Energy Fund, 200 Corporate Place, Rocky Hill, CT.

1. Call to Order: Noting the presence of a quorum, Tim Bowles, Chairperson of the Board, called the meeting to order at 12:08 p.m. Board members participating: Tracy Babbidge representing the Commissioner of the Department of Environmental Protection; Tim Bowles; Scott DeVico (by phone), Emergency Management and Homeland Security; Norma Glover; Alan Greene; Kevin Hennessy (by phone); Bob Maddox (by phone); John Mengacci representing the Secretary of the Office of Policy and Management; Carol Muradian; John Olsen; Jerry Peters; and Jessie Stratton.

Absent: Mary Healey, Office of Consumer Counsel; and Patricia Wrice.

Staff and Adjunct Staff Attending: Lise Dondy, Dale Hedman, Dave Ljungquist, Peter Longo, Paul Michaud, Shelly Mondo, Emily Smith, and Bob Wall.

Others Attending: Richard Steeves, Office of Consumer Counsel.

2. Public Comments:

Mr. Bowles welcomed the public and requested that anyone speaking limit his/her comments to three minutes each or five minutes per organization.

Mr. Steven Orlonoski, a resident of Canterbury and the Secretary of Friends of the Quinebaug River, raised concerns with the amount of water that will be used from the Quinebaug River for the Plainfield Renewable Energy (“PRE”) project. He read excerpts from a story that appeared in the *Norwich Bulletin* in February 2009 expressing concerns with the PRE project. Mr. Orlonoski urged the Board not to provide such a large investment in the PRE project.

Mr. Noiseux, a resident of Canterbury, stated that the project backers have the resources to fund the defaulted loan obligations. He expressed concerns with ratepayers assuming liabilities that the developers agreed to pay. Mr. Noiseux noted that PRE has requested federal stimulus funding for a project that may have a protracted legal battle. He urged the Board not to provide additional funding to PRE.

Ms. Forrest, a resident of Sprague, discussed her reasons for opposing the PRE project. She noted the air pollution, diesel fuel pollution, traffic from the trucks, and toxic ash from the project that would need to be disposed. Ms. Forrest questioned how the

proposed project could be considered a clean energy project and urged the Board not to provide any more taxpayer funding.

Mr. Alton Orlonoski, a resident of Canterbury, indicated that he is opposed to the PRE project and questioned the ability of PRE to find sufficient supply to keep the project running 365 days a year.

Mr.[first name?] Huntington, a resident of Canterbury, expressed concern with the potential of utilizing polluted materials for the project and potential environmental concerns with the Quinebaug River.

Mr. Roger Smith from Clean Water Action raised concerns with PRE not working with Clean Water Action or the Friends of the Quinebaug River on air cooling and environmental concerns.

Mr. Smith read comments submitted in writing by Margaret Minor indicating environmental and pollution concerns with the PRE project. In the letter, Ms. Minor urged the Board to be cautious about going into executive session and urged the Board to discuss the issues in public session.

Ms. Robert Noiseux, expressed her opposition with utilizing additional taxpayer resources to fund the PRE project, especially when it appears the developers have sufficient funding to contribute to the project.

Mr. Dan Donovan reiterated PRE's interaction with some of the groups opposed to the project. He stated that the principals have already contributed a significant amount of funding to the project. Mr. Donovan noted that the PRE project is on the list of "shovel ready" projects, and he urged the Board to support the request for short-term financing to move the project forward quickly.

3. Approval of Minutes: Mr. Bowles asked the Board members to consider the minutes of the February 23, 2009 meeting.

Upon a motion made by Mr. Mengacci, seconded by Ms. Muradian, the Board voted in favor of adopting the minutes from the February 23, 2009 regular meeting as presented (Mr. Greene abstained from the vote).

4. Chairman's Report: Mr. Bowles mentioned that he attended the Northeast Sustainable Energy Association ("NESEA") Building Energy '09 conference in Boston. He mentioned some of the work being done to increase renewable energy and energy efficiency, which in turn will help to stimulate the economy. Mr. Bowles noted the importance of working together with Connecticut Innovations and the Department of Economic and Community Development to be proactive. He indicated that in accordance with the Joint Operating Procedures, a joint meeting will be scheduled with

the CCEF Executive Committee and CI Finance, Operations and Compensation Committee.

5. President's Report: Ms. Dondy noted that the Clean Energy Communities Award program was held at the New Haven Lawn Club on March 3, 2009 where ten new communities were honored. She reported on the Green Jobs Forum recently held and noted that a number of legislators participated in the event. Ms. Dondy mentioned that the CT Renewable Energy/Energy Efficiency Economy Baseline Study which was done in collaboration with the Energy Efficiency Fund is available on the CCEF Website. As indicated in the report, \$1,000,000 of subsidy provides between 11 and 39 direct job years. Ms. Dondy mentioned that a federal grant writer has been retained and will be helping CCEF to apply for the competitive federal funding. She indicated that CCEF has provided testimony to the legislature on a number of bills. Ms. Dondy mentioned that CCEF and the Energy Efficiency Fund are co-sponsoring a net-zero energy homeowners' contest. She noted that the long-term strategy report will shortly be finalized and provided to the legislature, and the update to the Comprehensive Plan will be filed with the DPUC by the end of the month.

6. Project Committee Report:

Mr. Peters, Chairperson of the Projects Committee, provided the Projects Committee report. He reported that the Projects Committee approved a 98.21 kW PV project at the Independent Day School, Middlefield. Mr. Peters mentioned that the Projects Subcommittee discussed the impacts of the federal tax credit on CCEF's incentive level and noted that staff is pursuing legislative remedies to address sub-metering issues.

7. Legislative Update:

Ms. Smith provided an update on legislation that may affect CCEF. She reiterated that testimony is being provided on bills about the electric distribution companies' involvement with the generation of renewable energy. Ms. Smith reported on the Green Jobs Forum that was held last week. A bill tracking summary will be sent to the Board members in the near future.

8. Regulatory Update:

Attorney Michaud reported on legal and regulatory matters affecting the CCEF. He informed the board that the CCEF's standard grant contracts under the on-site renewable distributed generation program have been revised to include language regarding the CCEF's retention of federal renewable energy certificates, in addition to state renewable energy certificates. Attorney Michaud informed the board that in response to the written exceptions and oral arguments provided by the CCEF and other parties, the DPUC issued a second draft decision essentially reversing its prior conclusion not to approve most of the projects recommended by the CCEF. The second draft decision concludes that all of projects recommended by the CCEF under Round 3 of Project 150 satisfy the statutory requirements and that Electricity Purchase

Agreements will be issued to all five of the projects recommended by the CCEF. Attorney Michaud indicated that the DPUC shall issue a final decision on or about April 7, 2009. Attorney Michaud also informed the board regarding the Integrated Resource Plan for 2009. He indicated that the CCEF submitted written comments as well as oral testimony opposing Electric Distribution Company ownership of renewables based on the best interests of ratepayers.

9. Proposed Probationary Process for Eligible Solar Installers:

Mr. Ljungquist discussed the recommendation to revise the “Eligible Installer” qualifications for the PV Program. He explained that the proposed changes in the eligibility requirements will provide an opportunity to individuals and companies that lack the experience to be considered as a qualified installer. At the suggestion of the Board, the language about the “provisional qualified installer” and inspections will be amended to provide more clarity. The Board expressed no objection with the recommended change in the process for eligible solar installers. The changes will be posted on the CCEF website.

10. Loan Request by Plainfield Renewable Energy:

Mr. Bowles invited Attorney Boucher from Halloran & Sage, CCEF’s outside board counsel, to provide advice on how to proceed with discussing the request for additional funding by Plainfield Renewable Energy, LLC (“PRE”). Attorney Boucher explained the two step process for proceeding. In accordance with the CI/CCEF Joint Operating Procedures, the Board must first approve, by an affirmative vote of 2/3 of the members present, the consideration of the request as a “strategic award” prior to considering the request for funding on its merits. Attorney Boucher discussed the criteria for making a determination that the request should be considered a “strategic award.” He noted that PRE and CCEF executed a confidentiality agreement to protect certain information and documents from public disclosure pursuant to Connecticut’s Freedom of Information Act. Should it become necessary to discuss the confidential information, the Board can go into executive session. Attorney Boucher explained the procedure for discussion of information in both open and executive session.

Upon a motion made by Mr. Mengacci, seconded by Mr. Peters, the Board voted unanimously in favor of going into executive session at 1:18 p.m. to discuss confidential information related to the Plainfield Renewable Energy project. Ms. Dondy, Mr. Hedman, Mr. Longo, Attorney Michaud and Attorney Boucher were invited to remain during the executive session. (Mr. Maddox did not participate during the executive session).

The executive session ended at 2:23 p.m., and the regular meeting was immediately reconvened.

Mr. Bowles asked the Board to consider whether the request for funding by PRE should be considered a “strategic award” in accordance with the CI/CCEF Joint Operating Procedures. Due to a lack of a motion to consider the PRE funding request under the strategic award procedure, no action was taken.

11. Resolution to Support Governor’s Letter to Department of Energy:

Ms. Stratton discussed her proposed resolution in support of the Governor’s letter to the U.S. Department of Energy about the assurances necessary to receive federal funding from the American Recovery and Reinvestment Act and the appropriation of funding between CCEF and the Energy Efficiency Fund. A recommendation was made to send a letter to the Governor rather than adopt a formal resolution. Mr. Maddox rejoined the meeting at this time. After discussion, it appeared that a majority of the members were in support of the resolution subject to confirmation by the board at the next board meeting.

Upon a motion made by Ms. Stratton, seconded by Mrs. Glover, the Board voted in favor of adopting a resolution in favor of the Governor’s certification to the Department of Energy (Mr. Olsen was opposed to the resolution noting that he felt it was more appropriate to send a letter, and Mr. Mengacci abstained. Mrs. Glover abstained from the vote, noting that she could not vote in favor given that the proposed resolution was not presented to the Board for consideration in advance and that the staff did not have a chance to review and comment on the resolution. Ms. Babbidge was not present for the vote).

12. Other Business:

There was no other business to discuss.

13. Adjournment: Upon a motion made by Mr. Mengacci, seconded by Ms. Glover, the Board members voted in favor of adjourning the March 30, 2009, meeting at 2:42 p.m.

Respectfully submitted,

Timothy Bowles, Chairman

Norma Glover, Secretary