

**DRAFT MINUTES OF JOINT SPECIAL MEETING OF THE
BURLINGTON ELECTRIC COMMISSION
AND
BURLINGTON CITY COUNCIL, TRANSPORTATION, ENERGY AND UTILITIES COMMITTEE**

Thursday, August 22, 2024 5:30 pm

The special joint meeting of the Burlington Electric Commission and the Burlington City Council, Transportation, Energy and Utilities Committee was convened at 5:36 pm on Thursday, August 22, 2024, at Burlington Electric Department at 585 Pine Street, Burlington, Vermont and virtually through Microsoft Teams.

Commissioners Moody, Bonn, Vota and Whitaker were present in person.
Councilors Barlow, Bergman, Litwin and Broderick were present in person.

Burlington Electric Department Staff members present at 585 Pine Street included Paul Alexander, Mike Kanarick, Darren Springer, Betsey Lesnikoski, Rodney Dollar and Elena Alexander. James Gibbons, present via Teams.

Public Attendees: Ashley Adams, Bob Atchinson, Bob Warrington, Elena Isabella Fasullo, Peter Duval, Pike Porter, Sean Morrissy, Peter McFarnum, Nick Persampieri, Greg Hancock, Steve, Nolan Rogers and Chris Gish.

1. Agenda

There were no changes to the agenda.

2. McNeil Emissions Reduction Assessment RFP and McNeil Forestry Assessment RFP discussion.

Commission Chair Moody invited General Manager Springer to state the reason for this special meeting. Mr. Springer outlined the two RFPs and presented all information outlining the following:

Background:

The Burlington Electric Department (BED) is Vermont's largest municipally owned electric utility serving over 21,000 customers. BED is the exclusive provider of electric service to the city of Burlington, an area of approximately 16 square miles, and the Burlington International Airport in South Burlington. As a public utility, BED is an expression of the community's energy desires and beliefs.

In 1990 Burlington voters approved an \$11.3 million bond to fund energy efficiency programs that supported successful activities through 2002. Since 2003, BED customers have been paying a small monthly charge that supports these continued "Energy Efficiency Utility" programs, which BED staff delivers on behalf of its customers under an Order of Appointment from Vermont's Public Utility Commission(PUC).

Burlington first experimented with wood chip generation by co-firing the Moran coal plant with wood in the 1970's. Following successful pilots there, the McNeil Generating Station ("McNeil"), a 50 megawatt wood-chip electric generating plant was built and started operating in 1984. The

McNeil plant is jointly owned by BED (50%), Green Mountain Power (31%), and Vermont Public Power Supply Authority (19%), collectively referred to as the Joint Owners. The Joint Owners made a \$12 million investment in a Regenerative Selective Catalytic Reduction (RSCR) system to significantly reduce NOX emissions in 2008. McNeil has been qualified as a renewable generator for purpose of selling renewable energy certificates (REC), including Connecticut Class 1 RECs. Unique among BED's renewable energy generators, McNeil is dispatchable and can store fuel on-site and run when prices are advantageous, with operations adjusted upwards or downwards based on market economics.

McNeil includes approximately 35 full time employee positions (FTE), including four professional licensed foresters who work to sustainably procure wood chips for the plant. Wood chips are delivered from Vermont and, via Swanton wood yard rail, upstate New York. McNeil's wood procurement contract requires that no wood be harvested solely for energy production, rather McNeil will accept wood residues (tops and limbs), diseased or damaged trees, and non-commercial wood left over from harvest operations. McNeil also accepts mill residues, and wood from the Waste Wood Yard operated to keep clean untreated wood from being landfilled. McNeil uses a very small volume of low-value roundwood, kept on-site for fuel security purposes. For more on McNeil and McNeil Forestry see www.burlingtonelectric.com/mcneil and <https://www.burlingtonelectric.com/forestry>.

With the purchase of the Winooski One Hydroelectric Facility in 2014 (a 7.4 megawatt plant located on the Winooski River), Burlington became the first city in the United States to source 100 percent of its electricity from renewable sources. BED, based on local and state policy objectives, does not contract for energy from nuclear or fossil fuel resources. Having achieved this renewable energy goal BED and the City announced in 2019 a strategic plan to make Burlington a "net zero energy (NZE)" and launched the NZE Roadmap (www.burlingtonelectric.com/nze). The NZE strategy is focused on reducing and eliminating fossil fuel use and associated greenhouse gas emissions in the thermal and ground transportation sectors.

BED currently sources electric power locally, and from New England and adjoining states and territories, with a strong preference for generation closest to Burlington. BED recognizes carbon accounting for energy production from wood/bio-based resources is more complex than other resources, and that there are various ways to look at emissions including lifecycle (such as done by National Renewable Energy Laboratory), at the stack, and based on wood source using the debt and dividend approach. Through this RFP and recognizing the commitment Burlington and BED have to addressing the climate emergency, BED endeavors to learn more about how to reduce the environmental footprint of McNeil, including reduction in stack greenhouse gas emissions and other greenhouse gas emissions, while retaining the energy production benefits from the plant. BED recognizes the Joint Owners ultimately have decisional authority, not BED or Burlington unilaterally, as it relates to the McNeil plant.

Current Data and Documents

For the benefit of respondents, below are several relevant documents or prior studies related to the McNeil Generating Station:

- November 2023 District Energy City Council Resolution ("Resolution") (specifically review lines 126-165 for context on this RFP) - <https://burlingtonvt.portal.civicclerk.com/event/6667/files/attachment/2027>
- 2022 VEIC analysis on lifecycle greenhouse gas emissions at McNeil - <https://www.burlingtonelectric.com/wp-content/uploads/VEIC-Final-Memo-toBED-LCA-of-GHG-emissions-4.29.22-.pdf>
- 2023 Economic Analysis by Innovative Natural Resource Solutions (a "refresh" of a similar study from 2020 performed at the request of the Vermont Department of Public Service) - <https://www.burlingtonelectric.com/wpcontent/uploads/McNeil-Economic->

[Impact-26-June-2023.pdf](#)

- 2023 Carbon and Forestry Analysis by Innovative Natural Resource Solutions - <https://www.burlingtonelectric.com/wp-content/uploads/McNeil-Carbon-6.2023.pdf>
- 2023 City Council Transportation, Energy and Utilities (TEUC) Forum on McNeil - <https://www.cctv.org/watch-tv/programs/burlington-transportation-energyand-utilities-committee-mcneil-symposium>
- 2023 First Environment Carbon Score GREET analysis for proposed district energy system at McNeil - <https://www.burlingtonelectric.com/wpcontent/uploads/CI-Model-Letter-Report-draft-ver-3.pdf>

Emissions Assessment and Reduction Analysis For McNeil

RFP Objectives/Scope of Work

The RFP objectives are outlined in the Resolution linked to above and the scope of work is as follows:

- Analyzing the impacts, both negative and positive, of the current wood chip based energy production at McNeil;
- Analyzing opportunities to reduce stack-related carbon dioxide emissions and other greenhouse gas emissions from McNeil;
- Analyze the opportunity to repower McNeil, including with different fuels that would significantly reduce greenhouse gas emissions at the stack as bridge to a period where wind, solar and storage can reliably and affordably meet the needs of Burlington ratepayers, including low and moderate-income ratepayers;
- Analyzing technologies that would significantly reduce greenhouse gas emissions in the future, including more efficient combustion;
- Analyzing the possible utilization of the McNeil Site for additional energy needs including energy storage and/or thermal energy provision;
- Analyzing the opportunities for expansion of innovative partnerships at McNeil such as the UVM solar research center newly located at the McNeil site; and
- Analyzing the scale and types of renewable energy generation and energy storage needed if McNeil was not in service and Burlington still needed lowest-carbon emissions renewable generation that is both reliable and affordable particularly for low and moderate-income ratepayers. Factors to consider and include as the above analysis is conducted, again based on the Resolution, include:
 - Ensuring consideration of the need for reliable and cost-effective electric and thermal power for the City now and into the future;
 - Considering how any changes at McNeil might impact the ISO-New England system reliance on fossil fuels for generation;
 - Including carbon accounting, timeframes, and assessment of the comparative practicality and cost and rate impacts over the short, medium and long term to Burlington electric and heating customers of any proposed alternatives;
 - Understanding any changes in BED's power cost risk stability and risk profile of considered alternatives.

BED is looking to select a well-qualified firm to conduct this analysis and deliver a written report that will help shape future energy initiatives at McNeil.

Request for Proposals:

BED is requesting proposals for an Emissions Assessment and Reduction Analysis for McNeil from a third-party firm that has the analytical capability and energy/environmental expertise to produce

such a Report. As noted in the Resolution, the firm shall have experience analyzing emissions reduction and renewable energy technologies.

As noted in the Resolution, BED has provided this RFP for review to the Burlington Electric Light Commission, TEUC and City Council prior to issuance. Each entity's meetings included public comment. The McNeil Joint Owners have also been consulted prior to issuance. The scope of work/contract for a selected respondent is also subject to review by the Commission, TEUC and Council, and again subject to consultation by the Joint Owners.

Proposals should be no more than eight pages (not including appendices) and include, in addition to information on analytical capabilities, experience on renewable energy generation alternatives, analyzing energy/efficiency and economic and greenhouse gas emissions reduction scenarios from power plants (with specific preference for experience analyzing wood generators), and relevant expertise of the organization and the key staff for this project (including projected staff hours), address the criteria below.

Forestry Assessment and Analysis For McNeil

RFP Objectives/Scope of Work

The RFP objectives are outlined in the Resolution linked to above and the scope of work is as follows:

- Assessing the number and volume of whole trees procured for fuel at McNeil compared to limbs/ends/residues procured for fuel at McNeil;
- Assessing for whole trees, what portion were low-value roundwood and diseased or damaged trees;
- Providing quantitative and qualitative assessment of afforestation/deforestation outcomes in areas where wood is harvested for McNeil and the market factors that affect such outcomes;
- Providing assessment of current wood chip procurement and forestry management practices at McNeil and offer BED ideas for further improvement including reviewing the Harvest Guidelines in Appendix A and suggested audit areas for confirmation. BED is looking to select a well-qualified firm to conduct this analysis and deliver a written report that will help shape future forestry practices at McNeil.

Request for Proposals:

BED is requesting proposals for a Forestry Assessment and Analysis for McNeil from a third-party firm that has the analytical capability and sustainable forestry practice expertise to produce such a Report.

Proposals should be no more than eight pages (not including appendices) and include, in addition to information on analytical capabilities, experience on conducting forestry practice audits or assessments, analyzing carbon accounting outcomes for forestry practices and experience with economics/markets for wood products, and relevant expertise of the organization and the key staff for this project (including projected staff hours), address the criteria below.

Proposals will be reviewed using the following **RFP Evaluation Criteria:**

- Has the necessary analytical capabilities to conduct energy/environmental/economic analyses to provide BED and Burlington with analysis of emission reduction opportunities and economic and energy impacts of such opportunities;
- Has a sufficient understanding of renewable energy generation to credibly examine alternatives for repowering the McNeil station.
- Has conducted relevant work in the past for municipal or state governments or utilities;
- Demonstrates the ability to take complex data and information and provide it in a way that is useful, and transparent, for a variety of audiences including

policymakers, regulators, BED staff, and the general public;

- Outline of a project plan that meets BED's targeted timeline for an interim report (end of 2024) and final report (by Spring 2025);
- Demonstrates relevant experience presenting similar materials to policymakers, regulators, and the general public;
- Has other relevant expertise in utility and power sector analysis.
- Understanding of electric utility business and financial structures, as well as general utility rate economics.

Confidentiality Requirements:

If portions of the submitted proposal are to remain confidential, information must be included clearly describing which portions of the package the proposer considers confidential along with justification as to why the information would be considered confidential under Vermont Access to Public Records law (see Public Records Section below) and PUC rules. BED is subject to public disclosure laws, so any RFP responses including proprietary/confidential materials should have those materials clearly marked and , and include specific justifications as to why the identified materials must remain confidential. In the event the proposer requests that part or parts of the submitted proposal remain confidential, a second copy of the proposal with all confidential portions redacted must be provided.

Selection Process:

During the evaluation process, BED reserves the right, where it may serve its best interest, to request additional information or clarifications. BED also reserves the right to terminate the process following RFP response review if no viable responses are received.

BED recognizes that this request is unique in scope, and that further clarity is likely to be required as various options are developed/explored. Interested parties are urged to make responses as detailed as possible, while identifying areas where further detail is required or risks may exist. Questions should be directed to BED Purchasing, and responses to any such requests/questions will be made available to all interested parties.

Submittal and Timeline:

All RFP's must be submitted through our RFP portal website by 5:00 PM EST, October 30th, 2024. All RFP's are date and time sensitive and we cannot accept any submissions after the specified date and time. Please do not email the RFP to anyone at BED. If you do, such action will cause your submission to be invalid, and your response will not be accepted. BED will contact those entities to whom BED, following consultation laid out in the Resolution with the Burlington Electric Commission, TEUC and City Council, would like to extend a formal invitation and provide a program agreement for BED and the selected partner to sign.

Amendment or Cancellation of RFP:

BED reserves the right to amend or cancel this RFP at any time if the best interest of BED requires such action. BED also reserves the right to award all or a part of the RFP to any or several contractors or whatever is in the best interest of BED.

Proposal Modifications:

No additions or changes to any vendor's proposal will be allowed after the proposal due date unless such modification is specifically requested by BED.

Proposal Expenses:

BED assumes no liability for payment of any expenses incurred by any vendor in responding to this

RFP.

Acceptance or Rejection of Proposals:

BED reserves the right to accept or reject any or all proposals submitted for consideration in whole or in part; and to waive technical defects, irregularities or omissions, if in its sole judgment, the best interests of BED will be served. BED further reserves the right to accept a proposal for a contract other than that with the lowest cost, and to negotiate separately with any source whatsoever in any manner necessary to serve the best interests of BED. BED also reserves the right to award all or partial parts of the RFP to any or several contractors that are in the best interest of BED.

Ownership of Proposals:

All proposals submitted in response to this RFP shall become the sole property of BED.

Oral Agreements and Arrangements:

Any alleged oral agreement or arrangement made by a vendor with BED or any BED employee will be disregarded in any BED proposal evaluation or associated award.

Vendor Presentation of Supporting Evidence/Surety:

Vendors must be prepared to provide any evidence of experience, performance ability, and/or financial surety that BED deems necessary to fully establish the performance capabilities represented in their proposals.

Vendor Misrepresentation or Default:

BED reserves the right to reject the proposal of any vendor and void any award resulting from this RFP to a vendor who materially misrepresents any product or defaults on any BED contract.

Erroneous Awards:

BED reserves the right to correct inaccurate awards resulting from its clerical errors.

Public Records:

Due regard will be given for the protection of proprietary information contained in all proposals received; however, vendors should be aware that all materials associated with the procurement are subject to the terms of the Vermont Access to Public Records Act (1 V.S.A. Chapter 5, Subchapter 3) and all rules, regulations and interpretations resulting from, and any other applicable rules, regulations or judicial decisions regarding access to the records of government. It will not be sufficient for vendors to merely state generally that the proposal is proprietary in nature and not therefore subject to release to third parties. Those particular pages or sections which a vendor believes to be proprietary and of a trade secret nature must be specifically identified as such and must be separated from other sections or pages of their proposal. Convincing explanation and rationale sufficient to justify each exemption from release consistent with Section 316 of Title 1 of the Vermont Statutes Annotated must accompany the proposal. The rationale and explanation must be stated in terms of the prospective harm to the competitive position of the vendor that would result if the material were to be released and the reasons why the materials are legally exempt from release pursuant to the above cited statute. Between a vendor and BED, the final administrative authority to release or exempt any or all material so identified, rests with BED. All such materials should be submitted in a separate sealed envelope and marked "CONFIDENTIAL" and as noted above, non-confidential/redacted versions of any such documents must be provided as well. It shall be the responsibility of any submitter seeking to maintain confidentiality to do so at their sole expense.

Offer of Gratuities:

The vendor warrants, represents and certifies that no elected or appointed official or employee of BED has or will benefit financially or materially from this procurement. Any Contract and/or award arising from this RFP may be terminated by BED if it is determined that gratuities of any kind were either offered to, or received by any of the aforementioned officials or employees from the vendor, the vendor's agent of the vendor's employees.

Collusion:

By responding, the vendors implicitly state that the proposal is not made in conjunction with any competing vendor submitting a separate response to this RFP and that it is in all respects fair and without collusion or fraud.

Contract Provisions:

The contract to be entered into between BED and the successful proposer shall contain negotiated provisions based on the specific requirements set forth in this RFP and the successful proposer's treatment thereof as contained in this proposal, as well as general BED contract provisions. The final award of this contract will be subject to your firm's execution of such a contract and the contract's execution by BED and the issuance of a formal Purchase Order (P.O.) by BED's Purchasing Office. Proposals should include an acknowledgment that the standard provisions included in BED contracts are comprehended by your firm.

**BURLINGTON ELECTRIC DEPARTMENT (B.E.D.)
MINIMUM INSURANCE REQUIREMENTS: TYPE 1A**

Contractor's Order

1.1 Contractor shall purchase and maintain insurance coverage for not less than the following limits:

COVERAGE MINIMUM LIMIT

a. Professional Liability:

Professional Services

\$1,000,000 each claim \$1,000,000 in aggregate

b. Commercial General Liability:

Bodily Injury and Property Damage \$500,000 each occurrence \$500,000 in aggregate

c. Automobile Liability:

Bodily Injury and Property Damage \$500,000 combined single limit

d. Workers' Compensation and Employers Liability:

WC: Statutory coverage EL: \$100,000 each accident \$100,000 each employee \$500,000 policy limit

e. Cyber Liability:

Each Claim/Event Aggregate limit \$2,000,000 each claim \$2,000,000 each event

1.2 Contractor shall purchase and maintain such comprehensive general liability and other insurance as set forth above which will provide protection from claims arising from the result of Contractor's performance and furnishing of services outlined in the awarded Purchase Order and/or Contract, whether it is performed or furnished by Contractor or by anyone directly or indirectly employed by the Contractor to perform or furnish any of the work outlined in the Purchase Order and/or Contract. The Contractor shall hold B.E.D. harmless for any and all damages/claims (including but not limited to bodily/personal injury, property damage, loss of income, business interruption, or wrongful death), while performing or as a result of, work assigned/related to the awarded contract.

1.3 Contractor shall provide B.E.D. with a certificate of insurance for coverages set forth above which shall not be subject to cancellation without at least thirty (30) days advance written notice to

B.E.D. Such evidence of insurance shall be received at B.E.D. before the commencement of work, or Purchase Order and/or Contract is awarded, whichever is sooner, and such insurance shall be maintained throughout the duration of awarded contract. Forward certificate of insurance to Burlington Electric Department, 585 Pine St., Burlington, VT 05401, Attention: Director of Purchasing & Facilities.

1.4 Any claim in excess of limits set forth above or which are not covered by the Contractor's comprehensive general liability, automobile liability, or worker's compensation insurance are the sole responsibility of the Contractor.

1.5 B.E.D. and/or any affiliated or subsidiary companies shall be recognized as additional insureds with respect to insurance. Coverage provided by the contractor shall be primary to any other valid and collectible insurance available with respect to B.E.D. as additional insured.

Termination:

The contract to be entered into between BED and the successful proposer shall contain the following provisions dealing with termination. If the Contractor fails to fulfill any of the terms of the agreement on time, BED shall have the right to terminate the said agreement immediately and award a new contract to another Proposer and the Contractor may be responsible for damages and for additional costs incurred in relending the contract.

Disclaimer:

BED is not liable for any costs incurred by proposers in the preparation of proposals or for any work performed prior to the approval of an executed contract.

Notification of Selection:

Upon selection, BED and the successful proposer will negotiate a contract. The selected proposal in whole or in part as well as content from this RFP may be incorporated into and made a part of the final contract. Should negotiations fail to result in agreement within two weeks from the commencement of negotiations, BED reserves the right to terminate negotiations and select another proposal, issue a new RFP, or take other action consistent with the best interest of BED. By issuing this RFP, BED is not obligated to award a contract.

Delivery of Proposals:

There will be no formal RFP opening. As noted above, all RFPs are to be submitted through our RFP portal website only.

RFP Opening:

All Proposals will be opened only in the presences of BED personnel. There will be no formal RFP opening. All information in the RFPs will not be released until award by BED and acceptance by the winning contractor. If you would like to receive the RFP overview results after the award, you may do so only in writing to our Purchasing Department. If you would like to review the RFPs that were submitted, you must submit a letter to our Purchasing Department requesting a meeting to review the file.

Right to Submit a Proposal on BED Projects:

Any contractor that is in a good standing with all city departments within the City of Burlington, Vermont may submit a proposal for work described above. If a contractor is found to owe funds or has been removed from any RFP lists within any city department, its RFP will not be considered. Contractor must comply with all provisions as outlined in this RFP in order to be considered.

BED Rights:

BED reserves the right to accept or reject any or all proposals received in response to this RFP or to take other action consistent with the best interest of BED. BED reserves the right to negotiate separately with any source to serve the best interest of BED. Exceptions to this RFP shall be by written notification on the awarded P.O. to be binding. All submitted bids become the property of BED. After the award of the contract to the successful bidder, all bids are open for public viewing.

Councilor Bergman questioned why the harvest guidelines were referenced in the RFP and not the Resolution. Mr. Springer explained that the harvest guidelines were referenced as an appendix in the forestry resolution. This was done so third parties can compare and confirm current practices are following the existing guidelines.

Commissioner Vota questioned if the reporting timeframe was adequate. Mr. Springer stated that the time frames listed in the resolution are aggressive but are flexible. The goal was to have the initial reporting done by the end of calendar year, followed by an interim report with the final report completed by spring of 2025.

Commissioner Vota asked if the program agreement to be signed by BED and the selected partner is part of the contracting process and asked for more information on how that works. Mr. Springer explained that once the RFP has been presented to the Full City Council for review, responses have been viewed and an appropriate vendor is selected, the scope of work is then presented to the same bodies for review and approval. Making it clear to the chosen vendor that more approvals will need to happen after their scope of work is presented. Once approved, the program agreements would be signed for work completion.

Commissioner Whitaker suggested setting up an advisory committee to include different stake holders who would work directly with the consultant on findings, data and progress. Mr. Springer stated that the resolution states that BED, TEUC, BED Commission and City Council would update stakeholders via meetings or convenings as the process moves forward. These would include opportunities for public input.

Commissioner Whitaker asked Mr. Springer if the plan is to include any of the public comments in the RFP. Mr. Springer stated that all public comments will be reviewed and considered. Comments or changes that modify the current terms and conditions will not be added but if there are areas that were missed, yes, BED would want to capture those.

Commissioner Whitaker asked if the consultant panel selection will include a variety of folks. Mr. Springer explained that the panel selection was not called for in the resolution. Mr. Springer confirmed that all process would include the consultant's scope of work ideas prior to submitting for the final approval.

Councilor Chair Barlow asked how BED is going to engage with the consultant communities than might respond to the RFPs and will they be advertised? Mr. Springer confirmed that yes it will be posted on the public website and in communication with existing vendors of this nature. BED will look to vendors and associations that are familiar with this scope of work and welcomes any and all consultants that can provide useful feedback.

3. Public Forum

Commission Chair Moody invited the public who were present to comment:

Peter MacKalsten from Burlington stated that he opposes the long-term operation of the McNeil Plant and would like to see BED pursue solar options.

Nick Persampieri from Burlington submitted written comments (Exhibit A) attached hereto. Mr. Persampieri would like to see a feasibility study to consider whether the McNeil Plant should continue to operate or replace it with alternatives prior to spending money on other studies or non-critical plant improvements. Mr. Persampieri thinks that the resolution is broad enough to encompass the feasibility study and would like to see this completed prior to the other two studies or at least concurrently with them. If the two RFPs are approved today, Mr. Persampieri would like to see the modifications he made including his two main concerns of, referring to the conclusions of the studies as well as making the studies be fuel neutral to include all fuel options.

Greg Hancock from Burlington stated that he is opposed to the McNeil Plant continuing to operate and thinks that these studies are a waste of time, energy and money and does not support them. Mr. Hancock received the highest electric bill ever and attributes that to the McNeil Plant losing money.

Steve Goodkind resident of Burlington wanted to share 3 points. One, Mr. Goodkind agrees with Commissioner Whitaker on defining the RFPs. Who will be reviewing it and who has the final say in the approval process. Defining that will help the consultants better understand what we are asking of them. Two, Mr. Goodkind agreed with Mr. Persampieri on getting all the studies done and completed at the same time rather than one after another. Third, Mr. Goodkind would like to see the public process really laid out and made clear from the beginning, not negotiated later.

Nolan Rogers from Burlington would like to see battery storage as an additional grid resource and would like to see these batteries used in conjunction with McNeil as a start to try and phase out the McNeil Plant. Mr. Rogers would like to see the studies include battery storage and the benefits it could have to reduce the carbon footprint.

Chris Gish a resident of Burlington shared that he would like to see the McNeil Plant retired. Mr. Gish would like to see an independent financial and environmental feasibility study done on the McNeil Plant prior to doing any other study. Mr. Gish provided a study packet (Exhibit B) attached hereto. Mr. Gish is concerned with rate increases that he states are due to the McNeil Plant losing money.

Commission Chair Moody invited the public who were attending via Teams to share their comments:

Bob Warrington of Burlington shared that BED should not be burning wood any longer and would like to see a feasibility study done on the McNeil Plant.

Peter Duval a resident of Underhill, a Green Mountain Power customer stated that the public bodies have failed in doing their jobs and thinks the McNeil Plant should be shut down because it hurts all rate payers. Mr. Duval would like to know how the cuts are monitored outside of Vermont and explain where the woodchips are coming from as well as if the forestry studies include the non-harvested areas. Mr. Duval would also like to know why BED has not considered selling the McNeil Plant and wants to find out what the plant is worth if it were to go up for sale.

Elena Isabella Fasullo from Burlington asked for the City to commission an independent third party financial and environmental feasibility study on the McNeil Plant as well as a analyzing the

possibility of retiring the McNeil Plant. Ms. Fasullo also requested a study on alternative energy sources for Burlington's portfolio. Wanting these studies done prior to the district energy steampipe to the hospital or any other repairs to the McNeil Plant.

Pike Porter submitted a redline of the RFPs including proposed changes he would like to see, (Exhibit C) attached hereto. Mr. Porter also stated that he would like to see an independent financial and environmental feasibility study done on the McNeil Plant prior to doing any other studies. Mr. Porter would like language added to the RFPs that includes other energy sources such as hydro, nuclear, grid power and fossil fuels will be considered.

Ashley Adams of Burlington wants the McNeil Plant shut down immediately to eliminate pollution the plant is putting into the environment. Closing the plant would also save the rate payers millions of dollars. Continuing to invest money in the largest stationary source of climate pollution in the state in defiance of science is climate denialism. Continuing to invest money into a plant that is bleeding red ink is a scandal. Ms. Adams wants to see an independent third party study to retire the McNeil Plant, analyzing the financial viability of the plant, investigate low carbon cost competitive alternatives for Burlington's energy portfolio before more money is put into the plant. The RFP process should be directed by TEUC with public input on the contractors considered, including their qualifications, client list to prevent biased. Ms. Adams wants the public to know that BED lobbied city councilors to vote for the steam pipe to the hospital knowing about it's financial losses and without considering other lower carbon and lower cost alternatives for Burlington's portfolio. BED continues to pedal the myth that EPA recorded carbon pollution from McNeil does not contribute to the climate crisis. BED cannot be relied on to perform an independent study based on past false claims listed on their website. Ms. Adams would like the committee to consider Mr. Persampieri's RFP mark ups as well as edits made by Pike Porter and Chris Gish.

Bob Atchinson, an engineer and energy coordinator for the town of Plainfield. Mr. Atchinson believes in the climate change in our own backyards, evidenced by the bridges that have been wiped out due to flooding. It is time to make a change and shut down the McNeil Plant. Battery storage seems to be a more viable source seeing as the infrastructure is already in place.

David Webster submitted a written Testimonial (Exhibit D) attached hereto.

Commission Chair Moody opened the floor for the councilors and commissioners to discuss, Councilor Bergman wanted to share that he supports these two studies presented. This includes a cost effective study to obtain the information we need. Councilor Bergman stated that he did agree with Mr. Persampieri on the fact that everything should be very well outlined, particularly the comment on the exercise of independent judgement should be included in the RFPs. The language pertaining to bridge measures and hydro should also be included in the studies as well. Councilor Bergman does agree that an economic feasibility study should be included if the resolution will allow for it. Maybe not included in these RFPs but at least plans for this study in upcoming TEUC and BED Commission meetings.

Councilor Marek Broadrick stated that he does not support moving forward with these studies and agrees on the need more information first. that would be included in the proposed feasibility study.

Commission Chair Moody confirmed there were no other comments from the Commissioners or Councilors and opened the floor to General Manager Springer for comments.

Mr. Springer provided comments on the following points:

- BED is in full agreement on the use of battery storage and has been pursuing these options as part of this analysis. Burlington has been a little slower in moving toward battery storage due to the non-multi-day outages where people do not have a generator that could be replaced with battery storage. In the past, BED investigated pricing, which did not prove to be cost effective. Variables have changed since then and pricing has continued to become more favorable which will provide more options. The McNeil Plant could be an option as a host for utility scale battery storage in the future.
- Mr. Springer agreed with Mr. Goodkind on expectations for public engagement for the consultants and will work that scope of work into the language.
- Around the economics and timing of the Integrated Resource Plan Docket, BED's deadline to layout the facts and findings for the rebuttal testimony is due October 11th, 2024. BED is currently serving discovery on the interveners experts and learning from them what their viewpoints are. Just a reminder that BED is only a 50% owner of McNeil so when referring to ownership, be cognizant of that. There, there are also value streams that Burlington ratepayers receive that are not accounted for in a simple profit and loss statement about the plant. BED is a distribution utility company, being one resource among a number of resources and there are value streams outside of that profit and loss statement that need to be taken into account during these studies.
- BED's financial performance as an entity is strong and is performing strongly for rate payers. BED has avoided the double- and triple-digit rate increases that some utilities have seen in our region who rely on natural gas and rely on the market and are not protected.
- BED does not support moving to fossil fuels or nuclear. BED just signed a 1.5-year contract for new hydro in Connecticut and will continue looking for ways to utilize hydro power as our portfolio.
- BED wants and is relying on the third-party consultant to exercise independent judgement. They will be paid to share their analysis and BED will make it very clear in the RFPs.
- Stack emissions fall under the General Managers study. BED has researched ways to reduce stack emissions:
 - woodchip dryer
 - district energy could make the plant more efficient
 - a plan that is not yet shareable at this point but as soon as it is, it will be part of the November report. This plan will include innovations and creativity for immediate and future needs. BED supports reducing emissions at the stack and will continue to provide ideas on ways to improve that.

Commissioner Vota had a point of order, asking Councilor Bergman if he suggested making an amendment the language around the analyst being an independent and the bridge fuels. Councilor Berman confirmed that he did not ask for an amendment to the language. Mr. Springer confirmed that the RFPs would include language to make sure the following edits and additions are included:

- Add provision that makes it clear that the 3rd party is expected to exercise independent judgement.
- Add hydro to the list of wind, solar and battery storage.
- Add that the consultant will be expected to participate in relevant public processes for the interim and final report.
- Add bridge measure and hydro to line 139.
- Add language stating that the studies are not uniformly agreed upon, resulting in

different opinions.

Mr. Springer will make these edits and additions that will be presented to the Full Council on September 9, 2024, where Councilor Bergman will have a chance to review them.

Commissioner Whitaker presented the motion for the Burlington Electric Commission, "I move that the Burlington Electric Commission approves and recommends to the City Council the 2 RFPs related to Forestry and the McNeil emissions reduction to include additions and edits as stated in this meeting.". Commissioner Vota seconded the motion. Hearing no discussions on the motion, the commission moved to a vote. Commissioners Moody, Whittaker and Bonn all voted yes. Motion passed.

Councilor Bergman presented the motion for the Burlington City Council, Transportation, Energy and Utility Committee, "I move that the Burlington City Council, Transportation, Energy and Utility Committee approves and recommends to the Full City Council the 2 RFPs related to Forestry and the McNeil emissions reduction to include additions and edits as stated in this meeting.". Councilor Litwin seconded the motion. Hearing no discussions on the motion, the committee moved to a vote. Councilors Barlow, Bergman and Litwin voted yes. Councilor Broderick voted no. Motion passed.

Commissioner Whitaker made the motion to adjourn; the motion was seconded by Councilor Barlow. All in favor of the motion to adjourn; Commissioners Moody, Whitaker, and Vota, voted all in favor. Councilors Barlow, Bergman, Litwin and Broderick all voted, all in favor, the motion to adjourn passes.

The meeting of the Burlington Electric Commission and Burlington City Council, Transportation, Energy and Utility Committee adjourned at 6.53p.m.

Attest:

Elena Alexander, Board Clerk