

MINUTES OF THE SPECIAL MEETING OF THE
JOINT LEGISLATIVE COMMITTEE OF THE
BOARDS OF DIRECTORS OF
CONNECTICUT MUNICIPAL ELECTRIC ENERGY COOPERATIVE
AND
CONNECTICUT TRANSMISSION MUNICIPAL ELECTRIC ENERGY COOPERATIVE

May 21, 2019

A Special Meeting of the Joint Legislative Committee of the Boards of Directors of Connecticut Municipal Electric Energy Cooperative (“CMEEC”) and Connecticut Transmission Municipal Electric Energy Cooperative (“CTMEEC” or “Transco”) was held on Tuesday, May 21, 2019 at 2:00 p.m. at the offices of CMEEC, 30 Stott Avenue, Norwich, CT and via telephone.

The meeting was legally noticed in compliance with Connecticut State law and all proceedings and actions hereafter recorded occurred during the publicly open portions of the meeting.

The following Committee Members participated:

Bozrah Light and Power: Ralph Winslow
Jewett City Department of Public Utilities: Louis Demicco (via telephone)
Groton Utilities: Keith Hedrick (via telephone); Mark Oefinger (via telephone)
South Norwalk SNEW: David Westmoreland (via telephone)
East Norwalk TTD: Debora Goldstein (via telephone)

The following CMEEC staff participated:

Robin Kipnis, CMEEC General Counsel
Scott Whittier, CMEEC Director of Enabling Services
Margaret Job, CMEEC Executive Assistant/Paralegal

Other participants:

Timothy Shea, Brown Rudnick (via telephone)

Ms. Job recorded.

Chair Goldstein called the meeting to order at 2:00 p.m. noting it was a Special Meeting. The participants were asked to speak their names so everyone would know who was at the meeting in person and on the telephone. She confirmed with everyone on the phone that they could hear the proceedings.

(A) Public Attendance Comment Period

There was no public comment made.

(B) Approval of the Minutes of the February 21, 2019 Special Meeting of the Joint Legislative Committee

A motion was made by Committee Member Mark Oefinger, seconded by Committee Member Ralph Winslow to approve the Minutes of the February 21, 2019 Special Meeting of the Joint Legislative Committee.

Motion passed unanimously.

(C) Legislative Update on Legislation Impacting CMEEC and Possible Action

Chair Goldstein requested that Timothy Shea provide an overview of the legislation currently before the legislature that will have potential impact on CMEEC.

Mr. Shea provided an overview of Substitute Bill No. 961, An Act Concerning the Audit of Municipal Electric Energy Cooperatives by the Auditors of Public Accounts, the Municipal Electric Consumer Advocate and Recommendations from a Municipal Electric Energy Cooperative Forensic Examination. He discussed portions of the bill that would have potential impact on CMEEC. He discussed the language of the original Bill No. 961 and provided review of the testimony provided by certain members of the Board and others at a public hearing held in March. He explained that the bill got voted out of committee however portions of it remained. He stated that the bill left in the Municipal Electric Consumer Advocate raise in salary to seventy thousand dollars for the first six years and fifty thousand for each year after. The bill also provides for up to thirty thousand dollars for consultants of the MECA. He stated that the bill also provides for an audit to be conducted by the State of Connecticut Office of Public Accounts. He stated that the bill requires a forensic examination be conducted on CMEEC and any recommendations shall be incorporated for corrective actions into its operations.

Upon inquiry by Ms. Kipnis, Mr. Shea confirmed that the fiscal analysis by the Connecticut Office of Fiscal Analysis will be revised on amendment if the bill gets passed.

Chair Goldstein inquired if there would be any further testimony regarding the impact of the bill on the rate payer. She opined that the increase in salary and the consultant fees allowed to be spent by the MECA would affect the rate payer. Mr. Shea responded that the MECA is not unique to CMEEC. He stated that the Hartford Metropolitan District Commission (MDC) also has a MECA. He also added that the MDC MECA did not request additional salary.

Chair Goldstein inquired if CMEEC would make a final statement as a result of amended Bill No. 961. Mr. Shea stated he didn't think that was necessary as is evidenced by this first raised bill to the amendment which is the result of testimony provided at the public hearing in March.

Discussion followed with respect to Amendment Number 7718 to Senate Bill No. 25, An Act Restoring Electoral Privileges to Felony Convicts who are on Parole. Chair Goldstein

noted that this amendment provides that board members incurring legal defense fees must pay them back if said board member is found to be guilty or makes a plea. Mr. Shea explained that amendments may be made to any Connecticut bill that remotely addresses the subject matter of an amendment. He stated that this amendment is very similar to the original language of a provision in House Bill 961, adding that both the CMEEC bylaws and Connecticut corporation statutes already address this.

Ms. Kipnis agreed that this amendment to the bill mandating that if a board member is convicted that individual would be required to repay any advanced legal defense fees already resides in the CMEEC bylaws and in non-profit state statutes. However, she pointed out that this amendment adds that if a board member enters a plea, they would also have to repay all advanced legal defense fees. She opined that this addition of the entry of a plea would encourage someone convicted to go to a full trial which could ultimately cost the rate payers more. She added that as a Board member, your ability to be indemnified is carved out.

Discussion followed with respect to what the CMEEC bylaws and state statute already address with respect to repayment of advanced defense legal fees versus the new language of this amendment. The amendment adds a person entering a plea agreement will also be required to repay advanced defense legal fees. As it stands now, neither the CMEEC bylaws nor the state non-profit corporation statutes address the addition of entering a plea agreement. The addition of the plea language to this amendment could encourage those convicted to go to full trial which could ultimately cost the rate payers more.

Discussion commenced with respect to the letter received by Senator Heather Somers, addressed to Michael Lane, requesting copies of documents identified in the Cohn Reznick Forensic Examination. Ms. Kipnis stated that she will be responding to that letter as she would any other FOI. Chair Goldstein inquired if it would be prudent for Ms. Kipnis and Mr. Lane to provide a memo from this Committee that CMEEC has addressed the recommendations identified in the Forensic Examination. Ms. Kipnis agreed that could be done.

There being no further business to come before this Committee, Chair Goldstein entertained a motion to adjourn.

A motion was made by Committee Member Oefinger, seconded by Committee Member Keith Hedrick to adjourn the meeting.

Motion passed unanimously.

The meeting was adjourned at 2:34 p.m.