**Virginia Energy Purchasing Governmental Association (VEPGA)**

Quarterly Board Meeting

Henrico County Parks and Recreation

6800 Staples Mill Rd, Henrico, VA 23228

Thursday, November 14, 2024, at 10:00 a.m.

**DRAFT MINUTES**

Present were Board members: Steve Burr (Chair), Arlington County; John Lord (Vice Chair), Fairfax County Public Schools; Kevin Milsted, Prince William County; Trevor McPhail-Vuono, Virginia Beach Public Schools; Najib Salehi, Loudoun County; Michael Barancewicz, Loudoun County Public Schools; Julia Reynolds, Chesterfield County; Kirk Vizzier, City of Charlottesville; Dawn Oleksy, City of Richmond; Tanner Prime, Arlington County Public Schools and Mark Tschirhart, York County Public Schools, Jerry Spivey, City of Norfolk and Jennifer Rokasky, Prince William County Public Schools.

Lori Herrick-Borden, City of Virginia Beach called in virtually.

In addition, the following were present: Sam Hudson, Henrico County; Valerie Amor, City of Alexandria; Debra Maes, Fairfax County Public Schools; Keyara Johnson and Sandy Harrington, Virginia Municipal League (VML); VEPGA legal counsel Timothy McCormick of Christian and Barton and Cliona Robb and Catherine Chapman of Thompson McMullan.

Andrea Case, James City County and Jacob Janzen, Metropolitan Washington Airport Authority called in virtually.

1. **Call to Order**

Steve Burr called the meeting to order at 10:08 a.m. and called for a round of introductions which served as the roll call. He noted that the roll call established a quorum existed, and he then convened the quarterly Board meeting.

**II. Approval of Minutes**

The draft minutes of the August 8th, 2024, VEPGA Board meeting were distributed to Board members via email November 7th. Tanner Prime changed “the next” to “an upcoming” meeting, to reflect a job description will be available soon, rather than the next meeting.

John Lord moved the approval of the minutes, which was seconded by Trevor McPhail-Vuono. The motion was unanimously approved.

1. **Additions to the Agenda**

There were no further additions to the agenda, but the Membership Assessment Analysis section was moved after the Contract Updates section. Mr. Burr motioned the approval of the agenda. Mr. Lord seconded the motion. The motion was unanimously approved.

**IV. Legal and Contract Update**

1. **Contract Updates (closed session)**

John Lord made a motion to enter into a closed session to consult with legal counsel retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Virginia Code Section 2.2-3711.A.8, and regarding matters concerning the terms or scope of a public contract involving the expenditure of public funds, where discussion in open session would adversely impact the bargaining position or negotiating strategy of the public body, pursuant to VA Code Section 2.2-3711.A.29. Further, Mr. Lord moved that the VEPGA Board permit VEPGA member representatives who are not VEPGA Board members to attend the closed session, as their presence would reasonably aid the Board in its consideration of a topic that is a subject of the meeting, as allowed under VA Code Section 2.2-3712(F). The board unanimously approved, and the closed session began at 10:18 a.m.

The Board came out of closed session at 11:34 p.m. and John Lord certified that (1) only business matters lawfully exempted from open meeting requirements under these chapters and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting of the public body. Tanner Prime seconded the motion. All board members indicated agreement.

After the open meeting resumed, Mr. Burr summarized the actions taken during the closed session. While in closed session, the Board disclosed matters relating to the Board authorization of the negotiation team to continue with the proposal of a $20 million increase to base rates for the proposed one-year contract extension, to seek capacity costs currently estimated at $15 million deferred and treatment similar or the same as the SCC’s jurisdictional customers, and to seek any additional value beyond as feasible. Mr. Lord moved to approve. Mr. McPhail-Vuono seconded. The motion was unanimously approved.

**VI. Administrative and other matters**

1. **Member Assessment Analysis**

The Budget and Finance Committee, Mr. Lord, and Mr. McPhail-Vuono collaborated to determine which entities receive VEPGA rates, but do not have an ordinance approving the Joint Powers Association Agreement. After Kevin Smith finished his presentation on entities receiving VEPGA rates, Mr. Lord then made a motion that the board authorizes Vice Chair and associated committees to pursue non-members who are eligible to become members. Mr. McPhail-Vuono seconded. The motion was unanimously approved. Co-Chair Mr. Smith left the meeting.

**IV. Legal and Contract Update**

1. **Legislative and Regulatory Updates**
   * 1. **Legislative and Regulatory Memo Review**

Cliona Robb provided VEPGA members with a summary of the Energy Regulatory Development document that was provided to members for their review. Mr. Lord presented the comments for submission in PUR-2023-00210.

* + 1. **PBR Proceedings**

Prior to the Board meeting, Mr. Lord’s comments to be filed in PUR-20223-00210 were sent via email. Tanner Prime motioned for Mr. Lord to provide comments on behalf of VEPGA in the 2023 and 2024 Performance Base Rate cases by their respective due dates reflecting VEPGA’s key perspectives including customer service metrics and need for reduced ROE mechanism in the design. Najib Salehi seconded. The motion was unanimously approved.

Ms. Robb noted the SCC is holding a technical conference on data center load in December, which could be significant in the treatment of data center load compared who non-data center load. The SCC extended Rate Schedule MBR to the end of 2026, instead of approving Dominion’s request to make it permanent. Ms. Robb highlighted Loudoun County Supervisor Mike Turner’s White Paper, which covers a new utility paradigm suggestion and Loudoun’s favor of data centers.

A few days before Dominion filed its initial 2024 IRP filing, the SCC motioned for more information in Dominion’s 2023 IRP filing due to increase of load growth and PJM’s July 2024 capacity prices.

Ms. Robb highlighted CEUR has frequently been having subgroup meetings about renewable facility permitting. On November 22nd, CEUR will have a public meeting at the General Assembly about IRP reform.

On November 7th, the SCC denied a petition to suspend Dominion’s net energy metering interconnection parameters and directed Dominion file evidence to support its requirement of dark transfer trip for distribution interconnections. Ms. Robb highlighted the importance of participation in APCo’s net energy petition since that will influence Dominion’s net energy petition.

Ms. Robb informed the board Dominion filed their first Rider SMR and a petition to update Rider OSW.

**V. Committee updates**

1. **Budget and Finance Committee**

As Co-Chairs Kevin Milstead and Kevin Smith were absent, Mr. Burr let the Board know the next Budget and Finance Committee meeting will be held on Monday, January 13th, 2025, in Prince William County. A budget update will be available for the next board meeting February 2025.

1. **Joint Action Committee**

JAC Co-Chair, Trevor McPhail-Vuono highlighted a couple topics from the last quarterly meeting. He reported that Dominion took 19 months to reduce estimated bills to pre-COVID levels, net metering is not fully operational yet, and key account portal updates are still in progress. Mr. McPhail-Vuono stated Schedule C should be open for negotiation for the next contract. He highlighted those who have close to or net zero buildings will be penalized by being charged $3.01 per kWh at maximum draw, but contract dollar minimums will override Schedule C.

Mr. McPhail-Vuono stated Dominion’s residential customers’ bills have been redesigned and soon will VEPGA members’ bills. The redesigned bills present data in a different format, such as rider consolidation and energy usage. The new bill formatting introduces concerns for inaccurately verified bills. The JAC will meet with Dominion biweekly to test out the new design.

Mr. Burr stated Dominion is contractually obligated to provide rate schedule analyses every 14 months. Many Board members discussed the challenges in receiving the analyses in general and timely.

1. **Education and Events Committee**

Education and Events Committee co-chair, Dawn Oleksy asked for any feedback for the quarterly newsletter. There was a discussion on measuring outreach, which Mr. Burr suggested VML has electronic mailing software that could assist. Co-Chair Julia Reynolds reported there was a high turnout for the Charge SMART webinar held on November 5th. In January, a webinar about the effects of record high PJM prices on VEPGA members’ energy bills will be held.

* + 1. Annual Meeting

After discussion ensued, Michael Barancewicz moved to set May 15th, 2025, as the Annual Meeting date, with May 14th as the quarterly board meeting date as the preferred dates, with flexibility for alternatives dates during that week. Ms. Reynolds seconded. The motion was unanimously approved.

1. **Membership Engagement Committee**

Membership Engagement Committee co-chair, Mr. Barancewicz requested feedback about a survey measuring Dominion’s customer service to be used during the contract negotiation period. He stated the Membership Engagement Committee has been invited to VSPMA first meeting in Southwest Virginia.

**VI. Administrative and other matters**

1. **Electronic Meeting Policy**

Prior to the board meeting, the handout, *VEPGAElectronic Participation Policy draft 11.1.24*, was provided, detailing how electronic meetings should be handled according to FOIA. Mr. Burr asked the board members to review the policy, with plans to present a revised draft at the February board meeting.

1. **2025 Meeting Schedule**

Mr. Burr motioned for the board to approve the other quarterly Board meetings to be held at Henrico Rec and Parks as follows: February 20th, August 21st, and November 20th. Ms. Oleksy seconded. The motion was unanimously approved.

**VII. Adjournment**

Mr. Burr adjourned the quarterly Board meeting at 3:10pm.