



City of Newport
REQUEST FOR CITY COUNCIL ACTION

To: Mayor Jeanne-Marie Napolitano and Members of the Council
From: Joseph J. Nicholson, Jr., Esq., City Manager
Date: November 26, 2021
Subject: Public Hearing - Community Choice Aggregation Plan
Staff Presentation: Patricia Reynolds, Planning and Economic Development, Director

RECOMMENDATION:

Based on favorable public input and comment during the Public Hearing, the Council may make a motion to move forward as per the attached resolution. This motion would be to approve the Community Choice Aggregation plan as submitted, or revised as directed by Council, and direct the City's consultant, Good Energy LP, to submit the approved plan to the RI Public Utilities Commission (PUC) for review. (A second public hearing will be hosted by the PUC).

BACKGROUND AND FINDINGS:

The purpose of the Community Choice Aggregation (CCA) program is to offer rate payers another choice in their electricity supply that can provide more stable prices than last-resort service, save rate payers money, and support local renewable energy.

Energy aggregation programs have been authorized by the Rhode Island General Assembly and have been approved by the Public Utilities Commission in five (5) Rhode Island communities.

At the November 10, 2021 meeting, the City Council approved a revised authorizing resolution, Resolution No. 2021-85, and authorized the City's consultant, Good Energy, to move forward with scheduling the public hearing process for the adoption of the Community Choice Aggregation Plan.

In accordance with Rhode Island General Law 39-3-1.2, a notice of Public Hearing was published in a local newspaper and copies of the draft plan were made available for public review.

This public hearing is the beginning of the public outreach effort. In the 6 to 8 weeks prior to the launch of the program, there will be mailings, community presentations, press releases, social media posts, flyers and other efforts, as necessary. Participants may "opt-out" of the program prior to its launch and at any time after its launch.

After the Plan is approved by the PUC, the program will conduct a competitive bidding process to select an electricity supplier. If this plan is approved by the end of 2021, the City of Newport may have an opportunity to join with other municipalities to participate in a buying group in negotiating with electric suppliers. The municipalities currently in the process are Providence, Central Falls, Portsmouth, Barrington and South Kingstown.

PREVIOUS LEGISLATIVE ACTION

Resolution No. 2020-58 dated July 8, 2020
Resolution No. 2020-99 dated December 9, 2020
Resolution No. 2021-85 dated November 10, 2021

FISCAL IMPACT

Currently Budgeted (Acct # _____) Requires additional appropriation No Fiscal Impact

SUPPORTING DOCUMENTS

Resolution
Revised Draft CCA Plan

Finance Dept. Review: _____ Date By: _____ (if applicable)

THE CITY OF NEWPORT

RESOLUTION

**OF THE
COUNCIL**

No.

WHEREAS: the State of Rhode Island has authorized municipalities pursuant to Chapter 3, Section 1.2 of Title 39 of the General Laws of Rhode Island (the "Act"), to aggregate the retail electric load in their communities through the development and operation of Community Choice Aggregation (CCA) programs; and

WHEREAS: Council approved Resolution No. 2020-58 found that such a program is aligned with City Comprehensive Plan Goals, related climate policies, and has the potential to save Newport residents on their electricity supply costs; and

WHEREAS: the City Administration, the Energy and Environment Commission, and the City's consultant, Good Energy, LP, have provided regular updates to the full City Council regarding the development of the aggregation plan, the plan for public input and the requirement for a public hearing before final approval; and

WHEREAS: the Council, at its November 10, 2021 meeting, approved Resolution No. 2021-85, and authorized the City's consultant, Good Energy, LP, to move forward with scheduling the public hearing for the adoption of the Community Choice Aggregation Plan; and

WHEREAS: in accordance with Rhode Island General Law 39-3-1.2, a notice of Public Hearing was published in a local newspaper and copies of the draft plan were made available for public review. NOW THEREFORE BE IT

RESOLVED: based on favorable public input and comment made at the Public Hearing, the City Council supports moving to the next step of the program development, and approves the Community Choice Aggregation Plan as presented (or amended), and directs the City's Consultant, Good Energy, LP, to submit the approved plan to Public Utilities Commission (PUC) for review.

IN COUNCIL
READ AND PASSED

Laura C. Swistak
City Clerk

CITY OF NEWPORT COMMUNITY AGGREGATION PLAN

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I. OVERVIEW OF THE AGGREGATION PLAN

The following is the City of Newport's ("Municipality") Community Aggregation Program ("Program"), developed consistent with Section 1.2 of Chapter 39-3 of the RI General Laws. This plan was created through the following process:

1. Passage of authorizing resolution,
2. Signed agreement with Municipality's aggregation consultant,
3. Creation of a Draft Plan,
4. Public hearing on Draft Plan,
5. Response to public hearing,
6. Finalization of Plan, and
7. Submission of Final Plan to Public Utilities Commission.

See **Attachment 1** for details on these steps.

The purpose of this aggregation plan is to provide universal access to new electricity supply choices for the Municipality's residents and businesses with the goals of delivering price stability, cost savings, and an increase in the percentage of renewable energy. The Municipality's location at the end of Aquidneck Island leaves it exposed to fragile energy infrastructure, resulting in frequent power outages and culminating in a gas outage in January 2019. To that end, the municipality wishes to utilize the Program to support resiliency and sustainability through the use of renewable energy sources that can reduce the municipality's carbon footprint and expand renewable energy production. This plan details the process to implement the Program and its consequences.

Before implementation, the Plan will be reviewed and approved by the Rhode Island Public Utilities Commission ("Commission"). The Commission will ensure that the Program satisfies all statutory requirements. This Plan was developed to demonstrate that the Program of the Municipality satisfies all requirements necessary for the approval of the Commission.

II. CLASSES OF CONSUMERS THAT MAY PARTICIPATE.

II.A. APPLICABLE CLASSES

The aggregation program will be available for the residential, commercial and industrial classes of electricity consumers as defined by Municipality's electric distribution company, National Grid ("Applicable Classes"). The residential class is comprised of the rates A-16, A-60; the commercial class is comprised of rates C-06, G-02, S-05, S-06, S-10 and S-14; and the industrial class is comprised of B-32 and G-32.

II.B. UNIVERSAL ACCESS & EQUITABLE TREATMENT

It will provide universal access to consumers by guaranteeing that all consumers in the Applicable Classes will be included in the Program under equitable terms.

As required by the statute, there shall be equitable treatment of Applicable Classes within the Program. The Program makes four distinctions among groupings of consumers.

First, the Program will distinguish among enrolled Applicable Classes by soliciting separate pricing for each of those classes of electricity consumers as defined by the Municipality's electric distribution company.

Second, the Program will distinguish among enrolled consumers that receive each of the products identified in Section III. The Program will solicit separate pricing for each of the products.

Third, the Program will distinguish among enrolled Applicable Classes by the assignment of the standard product from the products identified in Section III.

Fourth, the Program will distinguish between consumers that join the program through an opt-out process and consumers that join through an opt-in process.

- Consumers that join through an opt-out process include the initial consumers and new consumers in the Municipality after the program start-date. Initial consumers are those consumers in applicable classes on Last Resort Service with National Grid that are automatically enrolled in the Program unless they choose to opt-out. All initial consumers will receive the contracted program pricing for their rate class. Among new consumers, the Program will distinguish between new residential and small commercial consumers, who will receive the contracted program pricing, and all other commercial and industrial consumers, who will receive pricing based on market prices at the time the consumer joins the Program.
- Consumers that join by opting-in include two types of consumers: a) consumers that did not become part of the Program initially because they were being served by a competitive supplier and then joined the Program; and b) consumers joining the Program after having previously opted out. Those consumers that were being served by a competitive supplier at program initiation but who later join the Program will be treated the same as new consumers – residential and small commercial consumers will receive the contracted program pricing and all other commercial and industrial consumers will pay a price based on the then-current market rates. All consumers that join the Program after having previously opted out will be offered a price based on then-current market rates rather than the standard contract price. This distinction is designed to limit any incentive for frequent switching back and forth between the aggregation program and Last Resort Service of National Grid.

All consumers will have the right to opt-out of the Program at any time with no charge.

III. PROGRAM ORGANIZATIONAL STRUCTURE

The following entities have a specific role in the development, implementation, operation and oversight of the Program:

- City Council: The Plan will be approved by the City Council, the legislative authority of the citizens of the Municipality, and overseen by the City Council or designee of the City Council. The City Council or designee(s) of the City Council will be responsible for making decisions and overseeing the administration of the Program with the assistance of the Aggregation Consultant. Prior to the receipt of bids from Competitive Suppliers, the designee(s) of the City Council shall be specifically authorized to enter into an Electric Service Agreement (“ESA”) under parameters specified by the City Council.

- City Manager: The City Council delegates its authority to the City Manager for the proper execution of this Aggregation Plan consistent with applicable R.I. General Laws. The Manager shall provide, at least annually, reports to the City Council as to the Program's performance and propose any legislative amendments or resolutions that may be necessary, from time to time, to improve the plan. The City Manager shall provide direct management and oversight of the Program on behalf of the City. The City Manager, or designee, shall regularly meet with the Aggregation Consultant for the purpose of providing oversight of the Aggregation Program and shall make recommendations to the City Council on program changes.
- Aggregation Consultant: The Aggregation Consultant will manage certain aggregation activities under the direction of the City Council or designee of the City Council. Their responsibilities will include managing the supply procurement, developing and implementing the public education plan, interacting with National Grid and monitoring the supply contract. The Municipality has selected Good Energy, L.P. to provide these services.
- Competitive Supplier: The Competitive Supplier will provide power for the aggregation, provide consumer support including staffing a toll-free number for consumer questions, and fulfill other responsibilities as detailed in the Electricity Supply Agreement (ESA). The Competitive Supplier shall be required to enter into an individual ESA with the Municipality under terms deemed reasonable and appropriate for the City's constituents by the City Council.
- Buying Group: The Municipality may elect to join with other municipal aggregators in combining its load for purposes of soliciting bids from Competitive Suppliers. The purpose of the Buying Group is to allow municipal aggregators to capture the benefits of collective purchasing power while retaining full municipal autonomy. The Municipality shall be represented by the designee(s) of the City Council on the executive committee of the Buying Group. The Municipality, through its designee, as specifically authorized by the City Council, shall select a Competitive Supplier based on the needs of the Municipality and shall not be required to select the same terms or Competitive Supplier as other members of the Buying Group.
- Applicable Consumers: Applicable Consumers shall include consumers of electricity in the Applicable Classes within the geographic boundaries of the municipality who are (1) Last Resort Service consumers; (2) Last Resort Service consumers who have indicated that they do not want their contact information shared with competitive suppliers for marketing purposes; or (3) consumers receiving Last Resort Service plus an optional renewable energy product that allows concurrent enrollment in either Last Resort Service or competitive supply. The following consumers shall be excluded as Applicable Consumers: (1) Last Resort Service consumers who have asked that National Grid not enroll them in competitive supply; (2) Last Resort Service consumers enrolled in a green power product program that prohibits switching to a competitive supplier; and (3) consumers receiving competitive supply service.

Program intends to offer the following electricity supply products to consumers:

- Standard Product
 - The Standard product is expected to include 10 percentage points of renewable energy above the Renewable Energy Standard (RES) as required by the State of Rhode Island, with the exact amount to be determined. This product is intended to include as many renewable energy certificates (RECs) produced by new renewable energy sources in

Rhode Island as possible. The exact percentage of renewable energy to be included in the Standard product will be determined after the receipt of bids from competitive suppliers with a goal of maintaining rough cost parity with National Grid's Last Resort Service product. Including RECs from new, renewable energy sources enables customers to have a meaningful impact on the reduction of greenhouse gas emissions through the support of local renewable energy sources.

- Optional Products

- Basic. Some customers may feel that the amount of new, renewable energy required by the RES in Rhode Island includes sufficient amounts of RECs to fulfill their renewable energy objectives. This product offers the same amount of renewable energy as required by the RES in Rhode Island, which is also the same amount of renewable energy offered by National Grid's Last Resort Service product.
- Green 50%. For customers that want more electricity generated from new, renewable energy resources than is offered by the Standard product, though may not want to purchase RECs for 100% of their usage. The exact amount of renewable energy to be included with this product will be determined at a later date and will be the same for all customers choosing this option. If this product includes RECs in an amount other than 50% of a customer's metered consumption, the Program will rename the product to appropriately reflect the amount of RECs the product contains. This enables customers who chose this option to have a more meaningful impact on the reduction of greenhouse gas emissions without committing to REC purchases for 100% of their usage.
- Green 100%. For customers that want more electricity generated from new, renewable energy resources than is offered by the Standard product, this product offers up to a 100% renewable energy option. The exact amount of renewable energy to be included with this product will be determined at a later date and will be the same for all customers choosing this option. If this product includes RECs in an amount less than 100% of a customer's metered consumption, the Program will rename the product to appropriately reflect the amount of RECs the product contains. This enables customers who chose this option to have a more meaningful impact on the reduction of greenhouse gas emissions through the support of local renewable energy sources.

IV. PROGRAM OPERATIONS.

Following approval of the Plan by the Commission, the key operational steps will be (a) issue a Request for Proposals (RFP) for power supply and select a competitive supplier, (b) implement a public information program, including a 30-day opt-out period, and (c) enroll consumers and provide service, including quarterly notifications. The implementation of an aggregation requires extensive interaction between the Municipality, the Competitive Supplier, and National Grid.

IV.A. ISSUE AN RFP FOR POWER SUPPLY AND SELECT A COMPETITIVE SUPPLIER.

Power Supply

After the Commission approves the Plan, the next step is to procure a contract for power supply.

The Municipality will solicit bids from leading competitive suppliers, including those currently supplying aggregations in Massachusetts and other states. In seeking bids from competitive suppliers, the Municipality may solicit bids for its load individually or as part of a Buying Group with other municipal aggregators. The RFP will require that the supplier satisfy key threshold criteria, including:

- Licensed by the Commission.
- Strong financial background.
- Experience serving the competitive market or municipal aggregations in other states.
- Demonstrated ability, supported by references, to provide strong consumer service.

In addition, suppliers will be required to agree to the substantive terms and conditions of the ESA, including, for example, the requirement to:

- Provide all-requirements service at a fixed price.
- Allow consumers to exit the program at any time with no charge.
- Agree to specified consumer service standards.
- Comply with all requirements of the Commission and National Grid.

The Municipality will solicit price bids from suppliers that meet the threshold criteria and agree to the terms and conditions of the ESA. The Municipality will request bids for a variety of term lengths (e.g. 12, 24, 36 or 48 months) and for power from different sources and locations. Prior to delivery of the bids, the City Council shall provide authorization to its designee(s) to select a bid and enter into an ESA based upon parameters the City Council deems appropriate for its constituents. In consultation with its Aggregation Consultant, the designee(s) of the Municipality will evaluate the bid results including price, location, term and source. Whether the Municipality conducts an individual solicitation or participates in a solicitation with a Buying Group, at the conclusion of the bidding process it will select a price, term and supplier appropriate for its constituents. Participation in the Buying Group shall not require the Municipality to select the same price, locations, terms or supplier as other members of the Buying Group. If none of the bids is satisfactory, the Municipality will reject all bids and repeat the solicitation for bids as often as needed until market conditions yield a price that is acceptable. The Municipality will only accept a bid that enables it to launch the aggregation with a price, terms and characteristics that meet the criteria set by their municipal officials.

Renewable Energy

In addition to soliciting bids for power supply that meet the required Rhode Island RES obligation, the Municipality intends to solicit bids for a supply of additional new renewable energy resources, as defined in Section 5 of Chapter 39-26 of RI General Laws, for its optional products as described above. The City Council, or their designee, will determine the appropriate percentage of additional renewable energy and where it will be sourced from to be included with the products based upon their assessment of market conditions and what would be in the best interest of consumers at the time of the power supply solicitation.

The Municipality will require bidders to identify the technology, vintage, and location of the renewable generators that will be meeting the renewable energy requirements for each of its products. It will also require that the renewable energy sources be created and recorded in the New England Power Pool Generation Information System (NE-GIS) or be certified by a third party. The Municipality may provide consumers with renewable generation source information through a variety of vehicles including the program web site, content disclosure labels and the consumer notification letter.

IV.B. IMPLEMENT PUBLIC EDUCATION CAMPAIGN.

Once a winning supplier is selected, the Municipality will implement a public education program.

The delivery of a comprehensive and professional public education and outreach plan and associated materials are crucial to ensuring understanding of, acceptance of and participation in the aggregation. The Municipality has already begun to build enthusiasm for and understanding of the aggregation through community-wide events and presentations. As a result, the Municipality anticipates a high level of awareness about the aggregation by the time the supply contract is signed.

The public education component for program launch consists of two components: 1) Initial outreach and education and 2) Consumer notification letter. The information will be made available in multiple languages where appropriate.

1. Initial Outreach and Education: This will be conducted prior to arrival of the consumer notification letter and will continue throughout the opt-out period. This effort will include information about the goals of the Program, the basic terms and conditions including renewable energy components and the opt-out notification. This effort will include a wide range of in-person events, traditional and social media, Web and printed materials. The attached Education and Outreach Plan (**Attachment 2**) describes in detail the Municipality's anticipated initial outreach efforts and timeline.

2. Consumer Notification Letter: In addition to the broad-based education initiatives, a consumer notification letter will be mailed to every Applicable Consumer on Last Resort Service with National Grid. The notice will be a direct communication of the Municipality, and it will be sent in an envelope clearly marked as containing time-sensitive information related to the program. The notice will: (1) introduce and describe the program; (2) inform consumers of their right to opt-out and that they will be automatically enrolled if they do not exercise that right; (3) explain how to opt-out before program launch and how to opt-out after program launch; and (4) prominently state all program charges and compare the price and primary terms of Municipality's competitive supply to the price and terms of the current Last Resort Service offering provided by National Grid. The notice will indicate that because of market changes and differing terms, the Program cannot guarantee savings compared to Last Resort Service over the full term of the Program. The competitive supplier shall bear all expenses regarding the consumer notification letter. See **Attachment 3** for sample Consumer Notification Letter, Reply Card and Envelope.

The consumer notification letter will include an opt-out reply card and envelope. Consumers will have 33 days from the date of the mailing to return the reply card if they wish to opt out of the Program and the opt-out notice shall identify the return date by which the reply envelope must be mailed and postmarked. The competitive supplier shall allow an additional 3 days from the return date for receipt of the opt-out replies before initiating automatic enrollments in the Program. This timeline is designed to provide Applicable Consumers with a full 30 days to consider whether to opt-out of the program before launch. The notice will be designed by the aggregation consultant and the Municipality and printed and mailed by the competitive supplier, who will process the opt-out replies. The competitive supplier will provide a pre-stamped envelope for return of the opt-out reply card in order to protect consumer privacy.

The attached Education and Outreach Plan Detail (**Attachment 2**) describes in detail the Municipality's anticipated initial outreach efforts, timeline and provides sample consumer notification letter, reply card

and envelope.

IV.C. ENROLL CONSUMERS AND PROVIDE SERVICE

After the completion of the opt-out period, the competitive supplier will enroll into the Program all Applicable Consumers on Last Resort Service with National Grid who did not opt-out. All enrollments and other transactions between the competitive supplier and National Grid will be conducted in compliance with the relevant provisions of Commission regulations, Terms and Conditions for Municipal Aggregators, and the protocols of the Electronic Business Transactions Working Group.

Once consumers are enrolled, the Program will provide all-requirements power supply service. The Program will also provide ongoing consumer service, maintain the Program web site, and process new consumer enrollments, ongoing opt-outs, opt-back-ins, and consumer selections of optional products. Prior to the expiration of the initial ESA, the Municipality intends to solicit a new power supply agreement.

Finally, the Public Education & Outreach Plan Detail (**Attachment 2**) has detail on the ongoing education and outreach efforts during program operation.

V. PROGRAM FUNDING.

All of the costs of the Program will be funded through the ESA.

The primary cost will be the charges of the competitive supplier for the power supply. These charges will be established through the competitive solicitation for a supplier.

The administrative costs of the Program will be funded through a per kilowatt-hour aggregation fee that will be paid by the competitive supplier to the Aggregation Consultant, as specified in the ESA. This aggregation fee will cover the services of the Aggregation Consultant, including developing the aggregation plan, managing the Commission's approval process, managing the supply procurement, developing and implementing the public education plan, providing consumer support, interacting with National Grid, monitoring the supply contract, and providing ongoing reports. This charge has been set at \$0.001 per kilowatt-hour.

VI. RATE SETTING AND COST ALLOCATION AMONG PARTICIPANTS.

As described above, the power supply charges of the aggregation program will be set through a competitive bidding process and will include the aggregation fee and applicable taxes pursuant to the ESA. Prices, terms, and conditions may differ among consumer classes, which classes will be the same as the Last Resort Service consumer classes of National Grid. The frequency of price changes will be determined through the competitive bid process. The Municipality expects to solicit bids for a number of different contract terms. Prices may change as specified in the winning bid and consumers will be notified of price changes through media releases and postings on the aggregation web site.

If there is a change in law that results in a direct, material increase in costs during the term of the ESA, the Municipality and the competitive supplier will negotiate a potential change in the program price. At

least 30 days prior to the implementation of any such change, the Municipality will notify consumers of the change in price by issuing a media release and posting a notice in municipal offices and on the program website.

The Program affects only the electricity supply charges of the consumers. Delivery charges will be unchanged and will continue to be charged by National Grid in accordance with tariffs approved by the Commission.

Participants in the aggregation will receive one bill from National Grid that includes both the power supply charge of the Competitive Supplier and the delivery charge of National Grid. Any applicable taxes will be billed as part of the Program's power supply charge.

As described above, the Program's electricity supply charges will be set through a competitive bidding process and will include the aggregation fee. Prices, terms, and conditions will vary by product and may differ among customer classes. For each customer class, prices will be fixed for periods at least as long as the Last Resort service price period for the class. When prices change, the Municipality will notify consumers by issuing a media release and posting a notice on the Municipality website.

VII. ENTERING AND TERMINATING AGREEMENTS.

The process for entering, modifying, enforcing, and terminating all agreements associated with the Plan will comply with the municipal charter and ordinances, federal and state law and regulations, and the provisions of the relevant agreement.

The Municipality plans to use the same process described in Section IV(a) of this Plan to solicit bids and enter into any subsequent ESAs with the assistance of its then-current aggregation consultant. Consumers will be notified of subsequent ESAs. The transfer of consumers from the existing supplier to the new supplier will be coordinated with National Grid using established EDI protocols.

VIII. RIGHTS AND RESPONSIBILITIES OF PROGRAM PARTICIPANTS.

All participants will have the right to opt-out of the Program at any time without charge. They may exercise this right by any of the following: 1) calling the 800 number of the Competitive Supplier; 2) contacting National Grid and asking to be returned to Last Resort Service; or 3) enrolling with another competitive supplier.

All participants will have available to them the consumer protection provisions of laws and regulations of Rhode Island, including the right to question billing and service quality practices. Consumers will be able to ask questions of and register complaints with the Municipality, the Aggregation Consultant, the Competitive Supplier, National Grid and the Commission. As appropriate, the Municipality and the Aggregation Consultant will direct consumer complaints to the Competitive Supplier, National Grid or the Commission.

Participants will continue to be responsible for paying their bills and for providing access to metering and other equipment necessary to carry out utility operations. Participants are responsible for requesting any exemption from the collection of any applicable taxes and must provide appropriate documentation of such exemption to the Competitive Supplier.

IX. EXTENSION OR TERMINATION OF PROGRAM

Prior to the end of the term of the initial ESA, the Municipality intends to solicit bids for a new supply agreement and plans to continue the program with the same or new competitive supplier.

Although the Municipality is not contemplating a termination date, the program could be terminated upon the termination or expiration of the ESA without any extension, renewal, or negotiation of a subsequent supply contract, or upon the decision of the City Council or designee of the City Council to dissolve the program effective on the end date of any outstanding ESA. In the event of termination, enrolled consumers would return to the Last Resort Service of National Grid, unless they choose an alternative competitive supplier. The Municipality will notify consumers of a planned termination of the program.

The Municipality will notify National Grid of the planned termination or extension of the Program. In particular, the Municipality will provide National Grid notice: (1) 90 days prior to a planned termination of the program; (2) 90 days prior to the end of the anticipated term of the ESA; and (3) four business-days after the successful negotiation of a new electric service agreement. The Municipality will also provide notice to the Public Utilities Commission 90 days prior to a planned termination, which notice shall include copies of all media releases, City Hall and website postings and other communications the Municipality intends to provide consumers regarding the termination of the Program and the return of participants to Last Resort Service.

In the event of the termination of the Program, it is the responsibility and requirement of the Competitive Supplier to return the enrolled consumers to Last Resort Service of National Grid in accordance with the then applicable EDI rules and procedures.

ATTACHMENT 1: HISTORICAL OVERVIEW - PLAN DEVELOPMENT

1. Passage of authorizing resolution

Municipality passed an authorizing resolution on June 24, 2020. A copy of the resolution is reproduced below:

2. Signed agreement with Municipality's aggregation consultant

Following a competitive bidding process, the Municipality awarded a consulting contract to Good Energy L.P. at its meeting on December 9, 2020.

3. Creation of a Draft Plan

From January to April 2021, the City & Good Energy developed a plan with input from the Newport Energy & Environment Commission (NEEC).

4. Public hearing on Draft Plan

Municipality held a public hearing on Month Day, Year to review and take comments on the draft plan. Municipality made the draft plan available for public review from Month Day, Year to Month Day, Year. During this time the draft plan was available for review at [location of hardcopy] and [location of electronic posting].

Prior to the hearing, Municipality published a notice of the hearing in [insert newspaper name] on Month Day Year and again on Month Day Year.

5. Response to public hearing

Municipality reviewed comments made at the public hearing, which are logged in the Municipal Councils' records for the meeting. Based on the comments, Municipality [either: made the following substantive changes to the draft plan or elected not to make any substantive changes].

6. Finalization of Plan

The finalized Plan was presented to the City Council which voted to approve the plan on Month Day, Year.

7. Submission of Final Plan to Public Utilities Commission

Municipality submitted the finalized plan to the Public Utilities Commission on Month Day, Year to seek the required regulatory approval.

ATTACHMENT 2: EDUCATION & OUTREACH PLAN DETAIL

2-I. PROGRAM OPERATIONS: IMPLEMENT PUBLIC EDUCATION CAMPAIGN

2-I.A. INITIAL OUTREACH AND EDUCATION MECHANISMS

The initial outreach and education will provide a description of the Program for Applicable Consumers and will be conducted via traditional print and TV channels, social media, a dedicated website, public presentations and personal communications to inform Applicable Consumers about the Program and will include a toll-free number. This effort will provide specific information about the Program and increase public awareness of the goals of the Program and the opt-out notification process.

If any Program materials were to reference cost savings for any part of the program this would also include a notice that the Municipality cannot guarantee that the Program will provide consumers with prices lower than the distribution utilities' Last Resort Service rate over the full term of any supply contract entered into by the Municipality.

The Program's outreach will connect with both English and Spanish-speaking populations. Spanish-language versions will be produced and/or translations offered for education and outreach materials as appropriate.

Media Outreach: Prior to the launch of the Program, media outreach will be initiated through local cable television shows, newspapers and social media to provide greater public education and to describe the Program, the opt-out process, the website and the toll-free telephone number. Outreach will include public service announcements (PSAs), scheduling interviews of Program spokespersons with local media outlets and securing a positive media presence.

A news release will be distributed to help achieve the aforementioned goals. Follow-up news releases will update the media on the status of the progress of the Program.

Notices and Public Postings: Brochures/flyers will be distributed in Municipal Offices describing the Program, the opt-out process and the toll-free telephone number will further reinforce the Program's details. Brochures/flyers will be placed in public buildings (i.e. library, Senior Center, etc.) which will create the necessary repetition of messages required to motivate consumer action and build awareness and understanding.

Consumer Service Center: The Program will maintain a toll-free telephone number to address Applicable Consumer's questions regarding the Program, deregulation, the opt-out process, price information and other issues Applicable Consumers may raise.

Website: All information regarding the Program will be posted on the Program's website, which is linked to the website of the Municipality. The Program website will have links to the website of the Local Distribution Company, the Public Utilities Commission and the Competitive Supplier.

Public Presentations: The Program will provide presentations to municipal officials and to interested community groups. Several public presentations are expected as detailed in the timeline and preliminary marketing plan below.

2-I.B. CONSUMER NOTIFICATION LETTER

The consumer notification letter will be sent via standard mail to the billing address of each Applicable Consumer on Last Resort Service. The notification envelope will be clearly marked as containing time sensitive information related to the Program. The notification will contain a letter describing the Program as detailed in Section IV.B of the aggregation plan.

A sample consumer notification letter, reply card and envelope are included in **Attachment 3**.

2-I.C. TIMELINE AND PRELIMINARY MARKETING PLAN

The preliminary marketing plan identifies the steps the Municipality may take to inform the community about the Program using the initial education and outreach mechanisms and consumer notification letter. The schedule is designed to work towards the date when the consumer notification letters (CNL) will arrive in consumer mailboxes:

From estimated date Consumer Notification Letter arrives in consumer mailboxes		
Action	Days before	Days after
Website launch	60	Ongoing
Work with local media resources	60	30
Active social media outreach	30	30
In person presentations	30	30
Distribute marketing materials	30	30
Consumer help line	30	Ongoing
Mail postcard to all Applicable Consumers	15	
Consumer notification letter arrives to all Applicable Consumers	0	

The Aggregation Consultant will lead all aspects of the outreach and education outlined below, unless instructed otherwise by the Municipality. The Aggregation Consultant will coordinate with the Municipality for direction on and approval of all materials and messaging.

Translation: The Program’s outreach will connect with both English and Spanish-speaking populations. Spanish-language versions will be produced and/or translations offered for education and outreach materials as appropriate.

Consumer Website Launch

- **CNL -60.** Once launched, website is maintained for the entire duration of program.
- **Website:** The Program will develop and manage an informational website with features that include program details, an online savings calculator and enrollment, opt-up and opt-out forms for the convenience of Applicable Consumers.

Work with All Local Media Resources:

- **CNL -60 through CNL +30**

- **Press Releases:** Develop press releases to send to:
 - Newport Daily News
 - Newport This Week
 - What's Up Newp
 - WADK

The Program will prepare municipal staff or volunteers for interviews that may result from press releases.

Set Up Consumer Help Line

- **CNL -30.** Once set up, the consumer help line will remain in effect for the entire program.
- **Aggregation Consultant & Supplier Help Lines:** Set consumer help lines with the competitive supplier and Aggregation Consultant to answer consumer inquiries.

Social Media outreach, In-person Presentations and Flyers and Other Collateral

- **CNL -30 through CNL +30:**

- **Social Media:** Boost all traditional media coverage on social media platforms, with the goal of driving traffic to the Program's dedicated website. In concert with the Municipality's communication leads, develop a campaign of planned social media posts, timed to coincide with important milestones in order to keep ratepayers informed, particularly those that may not interact with traditional media on a regular basis. The Program will draft content and graphics to accompany the posts, to be posted by Municipality staff on official accounts.

Municipal social media accounts to use are:

- Official Municipality accounts
- Municipality will connect with "Local Groups" listed in "In-Person Presentations" to ask if they can use their social media platforms to promote awareness of the program, too.

The Program will monitor various social media channels for relevant conversations and questions about the program. Draft responses to comments and questions and utilize social media as a critical tool in engaging with members of the community.

The Program will identify key social media influencers in the Municipality, including lawmakers, advocates and reporters, develop a spreadsheet of the social media handles/accounts and reach out to them to keep them informed about the aggregation program.

- **In-person presentations**
 - **Local Groups:** Connect with local groups and associations to see if representatives of the Municipality can participate in an upcoming meeting or offer to host a dedicated event. Seek their assistance in identifying how to best connect with consumers with limited-English capabilities or disabilities that may prevent them from accessing Program information.

The Program will coordinate with the Newport Energy & Environment Commission for assistance with outreach to local groups.

Examples of Newport-specific associations include:

- Neighborhood associations
 - Discover Newport
 - Newport Chamber of Commerce
 - Newport Housing Authority
 - CCRI
 - Salve Regina University
 - Edward King Senior Center
- **Municipal Council Meetings:** Present or provide materials for the Council meetings and any constituent meeting they may have.
- **Distribute flyers and collateral:** Many groups may have a natural interest in promoting awareness about the program and can be provided with electronic and hard-copy materials with reference information for the program.

Example groups include: Elected officials and all “Local Groups” listed above.

Distribute to key locations such as Public Library, Municipal Offices and [insert any other locations]

Mail Post Card to All Applicable Consumers

- **CNL -15**
- **Post card:** The Program will mail a postcard to all Applicable Consumer prior to the Consumer Notification Letter. The postcard establishes that there is a community-sponsored aggregation program and increases the likelihood that recipient engages with the more detailed Consumer Notification Letter.

Consumer Notification Letter Arrives in Mailboxes

- **CNL 0**
- **30-day opt-out period begins**

2-II. PROGRAM OPERATIONS: ONGOING OUTREACH AND EDUCATION

The Program intends to continue outreach and education for consumers after enrollment in the aggregation program, particularly with respect to changes in offerings and prices, which will be posted on the Program website that is linked to the website of the Municipality. The types of information the Municipality expects to communicate through the continuing education efforts include: revisions to programs and prices; responses to frequently asked questions; Program goals and performance; rights and procedures for Program participants; contact information for consumer inquiries and details regarding the Program’s electric supply and renewable attributes. In addition to the websites, outreach and education may also be provided through: bilingual public service announcements; bilingual interviews with local media outlets; bilingual news releases in local media; notices in newspapers; public postings in municipal offices and other public buildings (i.e. library, Senior Center, etc.) where residents may meet for municipal events; presentations to municipal officials and interested community groups; and information

disclosure labels posted quarterly on the Program website.

ATTACHMENT 3: CONSUMER NOTIFICATION LETTER, REPLY CARD & ENVELOPE

ATTACHMENT 4: GOOD ENERGY SERVICES AGREEMENT

THE CITY OF NEWPORT

RESOLUTION

**OF THE
COUNCIL**

No. 2021-85

WHEREAS: the State of Rhode Island has authorized municipalities pursuant to Chapter 3, Section 1.2 of Title 39 of the General Laws of Rhode Island (the "Act"), to aggregate the retail electric load in their communities through the development and operation of Community Choice Aggregation (CCA) programs; and

WHEREAS: this Council via Resolution No. 2020-58 found that such a program is aligned with City Comprehensive Plan Goals, related climate policies, and to potentially save Newport residents on their electricity supply costs; and

WHEREAS: Council amended that resolution during debate to remove a provision allowing such a program to be done as an opt-out program; and

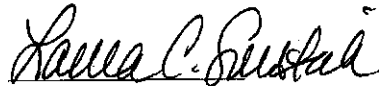
WHEREAS: an opt-out aggregation program provides specific advantages for Newport as it increases the City's bulk purchasing power for the supply of electricity and establishes a degree of certainty for program participation, which will result in more competitive bids from competitive suppliers; and

WHEREAS: based upon recommendation of the Energy Environment Commission, the Planning Department, the City Manager, and the City's CCA Consultant, Good Energy, the Council believes that an opt-out program is necessary to achieve the City's goals and to establish an effective program; NOW THEREFORE BE IT

RESOLVED: that the City Council requests the City Administration work with the Energy and Environment Commission to develop a CCA plan for the City of Newport that meets the goals established in Resolution No. 2020-58, AND BE IT FURTHER

RESOLVED: that the City Council requests that the City Administration work with the Energy and Environment Commission to develop a CCA plan under which all eligible customers would be enrolled in the program unless such customers opt-out of the program consistent with the requirements of the Act.

IN COUNCIL
READ AND PASSED
NOVEMBER 10, 2021



Laura C. Swistak
City Clerk

THE CITY OF NEWPORT

RESOLUTION

**OF THE
COUNCIL**

No. 2020-99

WHEREAS: the City of Newport issued RFP #21-005 soliciting proposals develop a community aggregation plan and administer a community aggregation program; and

WHEREAS: two (2) proposals were received and evaluated in response to RFP #21-005; and

WHEREAS: award has been recommended to Good Energy, LP as the most responsive proposal, meeting all specifications in the proposal.

NOW THEREFORE, BE IT RESOLVED: the City of Newport shall award the contract for RFP No. 21-005, to Good Energy, LP and the Mayor is authorized to execute a contract on behalf of the City, subject to favorable review by the City Solicitor.

IN COUNCIL
READ AND PASSED
DECEMBER 9, 2020



Laura C. Swistak
City Clerk

THE CITY OF NEWPORT

RESOLUTION
OF THE
COUNCIL
No.2020-58

- WHEREAS: The State of Rhode Island has authorized municipalities, pursuant to Chapter 3, Section 1.2 of Title 39 of the General Laws of Rhode Island (the "Act"), to aggregate the retail electric load in their communities through the development and operation of Community Choice Aggregation (CCA) programs; AND
- WHEREAS: this initiative aligns closely with Newport's Comprehensive Plan Goals EN-1 and EN-2, Policies ED-3.6, EN-1.2, EN-3.1, and EN-3.2, and Actions EN-1A, EN-1C, and EN-3B; AND
- WHEREAS: CCA programs offer the ability to provide cost stability and savings, both directly and through a more diverse and resilient energy system, and offers the advantages of joining with other municipalities and bargaining collectively with electric suppliers; AND
- WHEREAS: these savings can be invested to benefit program participants; AND
- WHEREAS: Newport's future faces an existential threat from climate change and sea-level rise; AND
- WHEREAS: the City of Newport is situated to benefit from working in conjunction with our sister communities, both from their experience and the potential of increasing our collective bulk purchasing power, AND
- WHEREAS: the City of Newport may review and consider the City of Providence's competitive bidding for CCA consulting services, including their Request for Proposals, responses received, and other information the City of Providence has made available; AND
- WHEREAS: other Rhode Island communities of Providence, Central Falls, South Kingstown and Barrington have enacted enabling resolutions and are in the process of developing and approving CCA programs; NOW THEREFORE BE IT

RESOLVED: that the City Council requests the City Administration to work with the Energy and Environment Commission to develop a plan to aggregate the retail electric loads within the City through a CCA program in accordance with the Act, AND BE IT FURTHER

RESOLVED: that the City Council requests the City Administration to work with the Energy and Environment Commission to seek outside consulting services as needed to assist the City in the creation and operation of an aggregation plan and CCA program, AND BE IT FURTHER

RESOLVED: that the City Administration and the Energy and Environment Commission shall provide regular updates to the full City Council regarding the development and administration of the aggregation plan and CCA program, featuring a plan for public input and a public hearing before final approval.

SUSAN TAYLOR
ANGELA MCCALLA

IN COUNCIL
READ AND PASSED
JULY 8, 2020


LAURA C. SWISTAK
CITY CLERK