

Needham Power Choice Municipal Aggregation Plan

August 9, 2024

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I. INTRODUCTION

Needham Power Choice is a municipal aggregation program. The Town of Needham developed the program to bring the benefits of renewable energy and electricity choice to its residents and businesses and to help the Town achieve its sustainability goals.

II. DEFINITIONS

Annual Report – means the report that the Town shall file annually with the Department that includes Program information for the previous year.

Auto-Enroll Customer – means an Electric Customer who is eligible to be enrolled in the Program on an opt-out basis, specifically all Basic Service customers except for those customers who (1) have informed the Electric Distribution Company they do not want their

account information shared with their municipality, or (2) are participating in an optional “green power” program that requires them to remain on Basic Service.

Basic Service – means the electric supply product that the Electric Distribution Company provides to Electric Customers that are not receiving an electric supply product from a Competitive Supplier or through participation in the Program.

Competitive Supplier – means an entity licensed by the Department to sell electric supply products to Electric Customers, as defined in 220 CMR 11.02.

Consultant – means the entity retained by the Town to assist with the development and operation of the Plan and Program.

DOER – means the Massachusetts Department of Energy Resources.

DOER Best Practices – means the *DOER Recommended Best Practices for Advancing Clean Energy in Municipal Aggregation Plans*, as may be amended from time to time.

Default Product – means the Product that Participants in the Program receive unless they affirmatively select an alternate Product.

Department – means the Massachusetts Department of Public Utilities.

Electric Customer – means the customer of record of an account with an Electric Distribution Company.

Electric Distribution Company or EDC – means NSTAR Electric Company d/b/a Eversource Energy.

Electric Supply Agreement or ESA – means the contract between the Town and a Program Supplier concerning electricity supply for the Program.

Electricity Broker – means an entity that is licensed by the Department to facilitate or otherwise arrange for the purchase and sale of electric supply and related services to customers, as defined in 220 CMR 11.02.

Environmental Justice Population – in Massachusetts, an environmental justice population is a neighborhood that meets one or more of the following criteria:

- the annual median household income is not more than 65 percent of the statewide annual median household income;
- minorities comprise 40 percent or more of the population;
- 25 percent or more of households lack English language proficiency; or
- minorities comprise 25 percent or more of the population and the annual median

household income of the municipality in which the neighborhood is located does not exceed 150 percent of the statewide annual median household income.¹

Guidelines – means the Department-approved Municipal Aggregation Guidelines in D.P.U. 23-67, as may be amended from time to time.

Opt-In Product - means a Product that Participants in the Program must affirmatively select to receive.

Opt-Out Notice – means the document sent to Auto-Enroll Customers to inform them of their right to opt-out of such enrollment (see Section IV.B.6.a, below).

Participant – means an Electric Customer that is participating in the Program.

Plan – means this municipal aggregation plan.

Product – means an electric supply product available to Participants in the Program.

Program – means the Needham Power Choice program.

Program Supplier – means the Competitive Supplier that is providing electric supply and, if applicable, energy-related products and services to Participants.

Town – means the Town of Needham.

¹ See Environmental Justice Policy of the Executive Office of Energy and Environmental Affairs (Updated June 24, 2021) available at <https://www.mass.gov/doc/environmental-justice-policy6242021-update/download>.

III. PROCEDURAL REQUIREMENTS

- A. Initiation of the Process – The Town obtained authorization to initiate the process of municipal aggregation by a majority vote of its town meeting on October 24, 2022.
- B. Consultation with DOER – The Town consulted with DOER in developing its Plan on January 16, 2024.
- C. Public Review – The Town made its proposed Plan available for public review from December 6, 2023 through January 5, 2024 through a prominent link on its municipal website. Table III.C identifies the methods by which the Town provided the public with information related to the proposed Plan.

Table III.C	Public Access to Plan
Location	Description
Municipal website	Announcement placed on the home page with a link to view and download the Plan and Opt-Out Notice.
Program website	Announcement placed on the home page with a link to view and download the Plan and Opt-Out Notice.
Town Manager’s office	Hard copies of the Plan and Opt-Out Notice available.
Communication vehicles/ outreach activities	
Social media accounts	Announcement publicized via Town Facebook and Instagram accounts.
Municipal cable access TV	Announcement sent to The Needham Channel.
Municipal email newsletter	Announcement publicized in the Town email newsletter: <i>Just the News You Need(ham)</i> .
Announcement to local/ regional media	Announcement sent to <i>The Needham Observer</i> , <i>Hometown Weekly</i> , <i>Needham Local</i> , and <i>The Boston Globe</i>
Physical posting in municipal buildings	Announcement posted on a bulletin board in Town Hall and made available in the Library, Senior Center, and Housing Authority common room.
Public presentation	A presentation regarding the Plan was delivered to the Public at a Select Board meeting. Members of the public could view the presentation in-person or remotely.
Municipal departments, boards, and committees	Announcement sent to the following municipal departments for sharing with their staff and those they serve: Needham Aging Services, Needham Public Schools, Needham Housing Authority, and Needham Commission on Disabilities.
Community organizations	Announcement sent to the following community organizations with a request that they publicize the announcement to their constituents: Green Needham, Needham Clergy Association, Needham Community Council, and Charles River Chamber of Commerce.

The Town received 13 comments from members of the public. The comments included questions about the Plan and recommendations. The Town clarified some of the material on

the Program website to address issues raised in the comments and also provided clarification directly to residents who provided comments.

IV. PLAN ELEMENTS

- A. Organizational Structure of the Program –Table IV.A identifies the entity or entities (Town, Consultant, Program Supplier) that will perform core functions of the Program.

Table IV.A – Organizational Structure				
Core Functions	Performing Entity			Plan section in which tasks are described
	Town	Consultant	Supplier	
Liaisons/Representatives/Agents				
Municipal Representative/Agent before Department ²		✓		<i>Section V</i>
Liaison with DOER		✓		<i>Section III.B</i>
Liaison with EDC		✓		<i>Section VIII</i>
Plan Elements				
Procurement of Supply		✓		<i>Section IV.B.2</i>
Product Determination	✓			<i>Section IV.B.3</i>
Other Funding/Costs	✓			<i>Section IV.B.4</i>
Customer Enrollment			✓	<i>Section IV.B.5</i>
Customer Notifications/Outreach/Education		✓		<i>Section IV.B.6</i>
Ongoing Program Information		✓		<i>Section IV.B.7</i>
Program Termination	✓			<i>Section IV.B.8</i>
Annual Reports		✓		<i>Section VI</i>
Customer Service³		✓		

² Municipal contact for Department correspondence: Gabrielle Queenan, Sustainability Manager, 781-455-7550 x 351, gqueenan@needhamma.gov.

³ Customer service contacts: Consultant: 1-844-379-2171, support@NeedhamPowerChoice.com; Town: 781-455-7550 x 351, needhampowerchoice@needhamma.gov; Supplier: TBD.

B. Program Operations

1. Statutory Requirements - Pursuant to G.L. c. 164, § 134(a), a Plan shall provide for:
 - a. Universal Access – All customers residing or located within the municipal boundary will be eligible to participate in the Program, either through an automatic enrollment process or upon request of the customer to join the Program (see Section IV.B.5, below).
 - b. Reliability – The Town has retained the services of MassPowerChoice, a Department-approved Electricity Broker that is licensed to provide municipal aggregation consulting services. The Town offers this as demonstration that it has the technical expertise necessary to operate and manage the Program.
 - c. Equitable Treatment of All Customer Classes – Table IV.B.1.c identifies the Plan elements for which the treatment between customer classes (or subclasses) may vary. For each Plan element identified, the Plan explains (in the applicable section below) why the varied treatment is reasonable and appropriate in consideration of the disparate characteristics of each customer class or subclass.

Table IV.B.1.c Equitable Treatment of Customer Classes					
Plan Element					
Procurement of Supply (§ IV.B.2)	Product Rate Setting/Renewable Energy Content (§ IV.B.3)	Other Funding Sources/Costs (§ IV.B.4)	Customer Enrollment (§ IV.B.5)	Customer Notification (§ IV.B.6)	Ongoing Program Information (§ IV.B.7)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Procurement of Supply – Table IV.B.2 identifies: (1) the actions the Town expects to take, upon Department approval of the Plan, to procure supply for the Program; and (2) the expected timeline for each action, identified as the number of days after Department approval, based on the assumption that the Department approves the Plan on Day 0.

Table IV.B.2 - Procurement of Supply	
Procurement Steps	Expected Timeline
Notify EDC of Department Approval	Day 1
File Updated Procurement Timeline with EDC	Day 14
Issue RFQs/RFPs	Day 30
Evaluate/Select Bids	Day 60
Negotiate/Execute Contracts	Day 60

3. Product Information - Table IV.B.3 identifies, for each Product and where known, (1) the components of the rates that will be charged to Participants, and (2) the renewable energy content, including the types of renewable energy resources that comprise the voluntary component. All funds collected through rates will be used specifically for the benefit of the Program.

Table IV.B.3 - Product Information			
	Needham Standard (Default)	Needham 100% Green (Opt-In)	Needham Basic (Opt-In)
Rate Components (in \$/kWh)			
Supply and Renewable Energy Content			
Consultant Services	0.001	0.001	0.001
Town Services	0	0	0
Other Services (description)	0	0	0
TOTAL			
Renewable Energy Content (in % of total)			
Required			
Voluntary	RPS Class I		0
	National Wind		0
	Other (description)		0
TOTAL		100%	
Supplier Name			
Effective Dates			

The Town has not yet determined: (1) the value of the rate components of each Product; (2) the level of renewable energy content in the Standard Product; or (3) the type(s) of renewable energy resources that will comprise the voluntary component for the Standard and 100% Green Products. The Town will make these determinations after receiving price bids and in consideration of both price and environmental benefit.

The Town may solicit price bids by customer class and prices may differ accordingly. Such differential treatment is equitable because it will be based on the cost to serve each customer class.

Medium/Large commercial and industrial customers enrolling in the Program after Program launch may be offered a market-based price rather than the contract price. Such differential treatment is equitable because these customers have more choices in the marketplace and impose greater costs on the Program than other customers when they join after Program launch.

Customers that previously opted out and later wish to re-enroll in the Program may be offered a market-based price. This differential treatment is equitable because these customers previously made a choice not to participate in the Program and as a result their load was no longer planned for by the Program Supplier.

The Plan addresses how the Town will update this table in Section IV.B.7 (Ongoing Program Information), below.

4. Other Funding Sources/Other Costs to Participants

The Town has not identified other funding sources. Participants will incur no costs other than those they incur through Product rates.

5. Customer Enrollment

a. Initial Enrollment

Prior to enrollment, the Town will send an Opt-Out Notice to Auto-Enroll Customers, informing them that they will be automatically enrolled in the Program unless they take the action(s) specified in the Opt-Out Notice. The Town will provide customers with at least 30 calendar days (plus six days to account for delivery) to opt-out of the Program. After that time, the Town will enroll Auto-Enroll Customers in accordance with the requirements of the Electric Distribution Company. Auto-Enroll Customers that do not opt out will be enrolled in the Default Product, unless they notify the Town that they seek to receive an Opt-In Product.

The Town recognizes that, if it does not begin the initial enrollment of Participants within two years of Department approval, the Department will deem the Program to be terminated. The Town further recognizes that, if it seeks to reinstate its Program at a later date, it must comply with the procedural requirements set forth in the Guidelines, Section III.

b. Ongoing Enrollment

Automatic Enrollment: On a periodic basis, the Town will automatically enroll New Auto-Enroll Customers, subject to the opt-out provisions for initial enrollments described above.

Voluntary Enrollment: Electric Customers may voluntarily enroll in the Program by any of the following methods: 1) calling the Program's toll-free number; 2) submitting a form on the Program website; or 3) calling the Program Supplier's toll-free number.

c. Opt-In Product Enrollment

Participants may enroll in an Opt-In Product by any of the following methods: 1) calling the Program's toll-free number; 2) submitting a form on the Program website; or 3) calling the Program Supplier's toll-free number.

The Town will notify Participants enrolled in an Opt-In Product prior to any change in the Product's price or renewable energy content. At the commencement of new price/renewable energy content, Participants will continue to be enrolled in the Program, and will continue to receive their current Product, subject to the new price and renewable energy content, unless the Participant informs the Town otherwise.

A Participant enrolled in an Opt-In Product that is not being continued must select one of the other Products being offered. If the Participant does not make a selection, the Participant will be enrolled in the Default Product.

6. Customer Notifications

a. Opt-Out Notice

The Town will deliver an Opt-Out Notice to all Auto-Enroll Customers at least 36 calendar days prior to enrollment. The Opt-Out Notice will inform customers (1) that they are to be automatically enrolled in the Program, (2) that they have the right to opt out of the Program without penalty, and (3) of the actions they must take to opt-out. The Notice will include Product information related to price, term, and renewable energy content, and will identify the actions that a customer must take to select an Opt-In Product. Finally, the Notice will include information on the Basic Service rate, including how to access it, and the fact that it is available to them without penalty. Attachment A includes a representative form of the Town's proposed Opt-Out Notice.

The Town will (1) send the Opt-Out Notices in a clearly marked municipal envelope that identifies it contains important information regarding participation, and (2) include a self-addressed, postage-paid envelope for the opt-out reply card.

b. Notification of Product Change

The Town will notify Participants of changes in price or renewable energy content of any of its Products. The notification will identify both the Product’s existing and new price and renewable energy content, and will identify the actions Participants must take if they no longer seek to purchase the existing Product.

c. Other Notifications

i. General Program Information

Upon approval of its Plan, the Town may deliver information and educational materials regarding its Program to each Electric Customer within its boundary. The Town may request, no more than quarterly, that the EDC provide the information (customer name, mailing address (and service address, if different), and rate class) necessary to facilitate such notifications. The Town will not share this information with Program Suppliers. In the event that the Town sends notices or educational materials to customers enrolled to receive service from a Competitive Supplier, such notification or educational materials will inform those customers that, if they enroll in the Program, they may incur an early cancellation fee from their Competitive Supplier, and that they should check with their Competitive Supplier on this matter before enrolling in the Program.

ii. Program Supplier Communications

Upon approval from the Town, an active Program Supplier may communicate with Participants regarding the Program and, if applicable, energy-related products or services.

7. Ongoing Program Information

The Town will provide the public with access to the ongoing program information listed in sections a through c, below. The Town will make this information available to the public through a prominent link on the Town’s website. Table IV.B.7 identifies the methods by which the Town will communicate to the public how they can access this information.

Table IV.B.7	Public Access to Ongoing Program Information
Location	Description
Municipal website	Announcements will be placed on the home page. Program information will be placed in a prominent location. The website will also include a permanent, prominent link to the dedicated Program website.
Program website	The website will include detailed program information, current utility Basic Service prices, and the Department-approved Plan and Opt-Out Notice. Announcements will be posted on the home page.

Communication vehicles/ outreach activities	
Social media accounts	Announcements will be publicized via Town Facebook and Instagram accounts.
Municipal cable access TV	Announcements will be sent to The Needham Channel.
Municipal email newsletter	Announcements will be publicized in the Town email newsletter: <i>Just the News You Need(ham)</i> .
Announcements to local/ regional media	Announcements will be sent to local/regional media, such as <i>The Needham Observer, Hometown Weekly, Needham Local, and The Boston Globe</i> .
Physical posting in municipal buildings	Announcements will be posted on a bulletin board in Town Hall and made available in the Library, Senior Center, and Housing Authority common room.
Municipal departments, boards, and committees	Announcement will be sent to municipal departments, such as the following, for sharing with their staff and those they serve: Needham Aging Services, Needham Public Schools, Needham Housing Authority, and Needham Commission on Disabilities.
Community organizations	Announcement will be sent to community organizations, such as the following, with a request that they publicize the announcement to their constituents: Green Needham, Needham Clergy Association, Needham Community Council, and the Charles River Chamber of Commerce.

a. Updated Product Information

The Town will update Product rates and renewable energy content as necessary, in the format shown in Table IV.B.3.

b. Annual Program Information for the Previous Year

The Town will provide Program information annually for the previous year as required by the Guidelines:

- i. Product information - rate components, renewable energy content, and participation;
- ii. Product rate component information;
- iii. Renewable energy content information;
- iv. Organizational structure, as set forth in Table IV.A;
- v. Equitable treatment of customer classes, as set forth in Table IV.B.1.c;
- vi. Supply procurement activities, as set forth in Table IV.B.2;
- vii. Representatives of all notifications sent during the previous year;

- viii. Methods of Public Access, as set forth in Table IV.B.7.c.iii;
and
- ix. Other funding source/costs to participants, if applicable

c. General Program Information

The Town will provide and maintain access to Program-related documents (e.g., Plan, Department Order, Program Press releases).

8. Termination of the Program

The Town will take all reasonable actions to ensure a continuous supply of electricity to Participants. However, the Program could be terminated upon the termination or expiration of the ESA without any extension, renewal, or negotiation of a subsequent ESA.

In order to minimize the chances of termination, the Town will solicit bids for a new ESA no later than 90 days before the end date of each ESA.

In the event of termination, the Program Supplier will return customers to the Electric Distribution Company's Basic Service unless the customers choose an alternative Competitive Supplier.

At least 90 days prior to a planned termination of the Program, the Town will send a direct notice to the Electric Distribution Company.

At least 30 days prior to termination, the Town will:

- Send a notice to the Department service list for the docket that approved the Program;
- Notify Participants by issuing a media release and posting a notice on the Town website and Program website, and through posts on the Town's social media accounts. In addition, Participants will receive notice of a supplier change on their bill from the Electric Distribution Company.

In the event of Program termination, the Town will not file a new Plan for Department approval for a minimum of two years from the date of termination, defined as the date by which the Town has returned all Participants to Basic Service. The new Plan will fully describe the circumstances that led to the termination, and the steps the Town has taken to protect against a second termination.

C. Rights and Responsibilities of Program Participants

Participants will be able to: (1) select any of the Products offered to the applicable customer class or subclass; (2) switch from one Product to another by contacting the Consultant or the Program Supplier; and (3) leave the Program at any time without penalty by contacting the Consultant, the Program Supplier, or the EDC.

V. DEPARTMENT REVIEW

The Town will submit this Plan to the Department for review and approval.

VI. ANNUAL REPORTS

The Town will submit the following information annually to the Department related to Program operations during the previous year:

- An Excel spreadsheet in the format shown in the Guidelines, Attachment VI;
- A document that includes the information requirements set forth in Section IV.B.7.b, above.

VII. {RESERVED}

VIII. NOTIFICATIONS TO ELECTRIC DISTRIBUTION COMPANIES

- A. Plan Filing – The Town notified the EDC upon filing the Plan with the Department. The Town will notify the EDC upon receiving a Department order approving the Plan.
- B. Energy Supply Agreement – The Town will (1) notify the EDC, in a timely manner, when it has executed an agreement with a Program Supplier, and (2) provide the EDC with the information necessary to enroll customers with the Program Supplier. The Town shall file the notification in its docketed proceeding. Customer enrollment will begin no sooner than 60 days from when the Town provides the necessary information to the EDC.

IX. PLAN AND PROGRAM CHANGES

- A. In the event that the Town seeks to modify its Plan in a manner consistent with the Guidelines, it will allow at least 30 calendar days for public review of the revised Plan. Following public review, the Town will submit the revised Plan to the Department for informational purposes. The Town may seek consultation with the Department to determine if a proposed modification is consistent with the Guidelines.
- B. Program Consultant – In the event that the Town hires a new Consultant, it will notify the Department in writing, identifying the new Consultant and including, if applicable, documentation that the Consultant is an Electricity Broker licensed to provide municipal aggregation consulting services (see Section IV.B.1.b, above).