

1. Company Profile

Good Energy, L.P. (Good Energy), established in 2000, is a national energy management and consulting company operating in all customer-choice energy markets. As a national consultant of retail energy supply contracts, including electricity, natural gas, demand response, and renewable energy (RECs), Good Energy manages billions of dollars of energy spending for both public and private sector clients. Good Energy has employees and offices in the following cities:

- New York City (headquarters)
- Boston, MA
- Conway, MA
- Norwalk, CT
- Dallas, TX
- Peoria, IL
- Edwardsville, IL

Good Energy is most recognized as a leader in structuring and implementing community choice aggregation (CCA) programs throughout the nation. In cooperation with its municipal partners, Good Energy has procured low-cost energy services for more than 980,000 households and 3 million residents in California, Illinois, Massachusetts, New Jersey, and New York. Good Energy is the industry leader in structuring, implementing, and managing CCA programs and serves more communities and residents than any other aggregation consultant in the United States. Most of Good Energy's aggregation programs are in the fourth and fifth years of operation.

Good Energy is proud to have many of the largest municipalities in Illinois, New Jersey, and Massachusetts as part of its local CCA client base, including Aurora, the second largest city in Illinois, and Edison and Woodbridge, the two largest municipalities initiating aggregation programs in New Jersey. In addition, Good Energy was recently retained by 25 communities in Massachusetts resulting in the formation of the largest inter-governmental buying group in the state.

Good Energy is also a national leader in industry development. It is a founding member of The Energy Professionals Association (TEPA), which helps promote a standardized code of conduct for energy aggregators and consultants, among other energy industry initiatives. Through its leadership in TEPA and other industry groups, Good Energy is able to combine ideas, methodologies, and practices from across the country to help municipalities develop the best energy solutions for their communities. As part of these broad based efforts, Good Energy continually monitors legislative initiatives and federal and state legislation and rulings that may affect the energy landscape for municipalities.

Through its experience in other states, Good Energy has developed a sophisticated public education and media team, and a dedicated in-house marketing department, to help deliver its community outreach campaigns. For example, in Illinois, where a public referendum is required for the implementation of municipal electric aggregation programs, Good Energy conducted all-encompassing outreach campaigns through various media platforms while also providing in-person presentations to different local organizations, such as religious groups and age-restricted centers. Good Energy successfully completed close to 200 referenda.

Further, Good Energy recognizes the importance of developing relationships with local officials. For this reason, Good Energy's hires former municipal leaders to serve on its staff and ensures that its employees are specialists in working with the public sector and local government through attendance at hundreds of city council and county board meetings. Good Energy is also proficient at building inter-governmental consensus, which is important to leverage customized bulk purchasing.

Good Energy also has extensive expertise in incorporating renewable energy options into aggregation programs. Good Energy has helped 62 communities, encompassing almost 390,000 households and totaling approximately 3.3 billion kWh annually, offset the environmental characteristics of their electricity usage by including fuel-free Green-e certified RECs into their community choice aggregation programs.

2. Introduction

This filing is intended to supplement Good Energy's previously filed Implementation Plan, as a means of further demonstrating the specific actions Good Energy will take to implement its community choice aggregation (CCA) program (CCA Program) with individual municipalities. As noted below, several municipalities are ready to move forward with CCA Program implementation once Good Energy's Implementation and Data Protection Plans are approved by the New York State Public Service Commission (the Commission).

3. Coordination with Municipalities

Since the Commission adopted the *Order Authorizing Framework for Community Choice Aggregation Opt-Out Program*,¹ Good Energy has been in communications with more than ■ municipalities across the State that are eager to move forward with implementation of the CCA Program. To initiate the CCA Program process, Good Energy formally meets with local municipal officials, such as the town supervisor, council members, and appointed attorney, to discuss the benefits of the CCA Program. In particular, Good Energy conveys to each municipality that the purpose of the program is to facilitate market-based deployment of

¹ Case 14-M-0224: *Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs*, Order Authorizing Framework for Community Choice Aggregation Opt-Out Program (Issued Apr. 21, 2016).

clean energy resources, increase retail competition for residential and eligible commercial customers, and provide individuals and businesses with greater ability to manage their energy usage and bills. During these initial discussions, Good Energy describes the following:

1. Background of CCA. Providing background and overview of the Commission's statewide CCA order, a historical account of how CCA was initially adopted as a pilot program in Westchester, and the current state of the proceedings at the Commission regarding CCA.
2. Case Studies. Examples of Good Energy's work with CCA programs in other states where aggregation has been adopted and successfully managed in cooperation with municipalities that are looking for alternative pricing and renewable options for their residents.
3. Municipal Process. Explaining the necessary steps in the municipal process to implement CCA, including local resolutions, public hearings, and adoption of a local law.
4. Outreach. Explaining the community outreach that Good Energy develops and manages to implement the municipality's aggregation program, including a presentation on sample marketing and outreach options that the municipality can utilize (such as community meetings, print, advertising, local news and radio, billboards, etc.).

In addition, municipal members are provided with information materials further describing the CCA Program and Good Energy's role as CCA Administrator. In particular, Good Energy provides municipalities with sample copies of local laws and resolutions, implementation and data protection plans, a PowerPoint presentation overviewing CCA and the CCA Program, and a presentation on the New York State Energy Research and Development Authority's (NYSERDA) clean energy communities program related to CCA. A copy of the NYSERDA CCA fact sheet is included in attachment 1 of this filing. More information on the program can be found at the following link: <https://www.nyserda.ny.gov/All-Programs/Programs/Clean-Energy-Communities>.

These initial meetings typically last 1 hour. In certain circumstances, the local municipality will hold a public meeting to learn more about the CCA Program and Good Energy. During the public meeting, Good Energy presents the aforementioned information describing its capabilities and the CCA Program and council members and residents alike are provided with an opportunity to ask Good Energy questions. If requested, these public meetings typically last about an hour and are conducted about two to four weeks after Good Energy's initial discussions with the municipality.

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Once those initial meetings conclude, Good Energy continues to communicate with the local municipal officials to answer any additional questions they may have about the CCA Program and provide additional information and guidance regarding next steps if the municipality elects to move forward with implementing a CCA Program. To help facilitate this process, Good Energy, in coordination with the New York State Energy Research and Development Authority's CCA website, has developed a draft local law for municipalities to consider when exercising their Municipal Home Rule Law obligations. Good Energy provides this draft to municipalities upon request and each individual municipality then decides whether to revise the local law prior to enactment. However, throughout this process and implementation and operation of the CCA program, each municipality remains independently responsible for its CCA program.

To date, the following municipalities have exercised their Municipal Home Rule Law authority and enacted a local law approving the right of the municipality to implement the CCA Program with Good Energy as CCA Administrator: [REDACTED]

[REDACTED]

[REDACTED]

As part of the CCA Program development process, Good Energy will work with these local officials and designees to determine whether the municipality would benefit from joining a Buying Group. As further described in the Implementation Plan, Buying Groups can help municipalities leverage their aggregated load with other municipalities aggregated load to further reduce energy expenses for all participating residents. However, each municipality ultimately has independent authority to decide whether to join or leave a Buying Group.

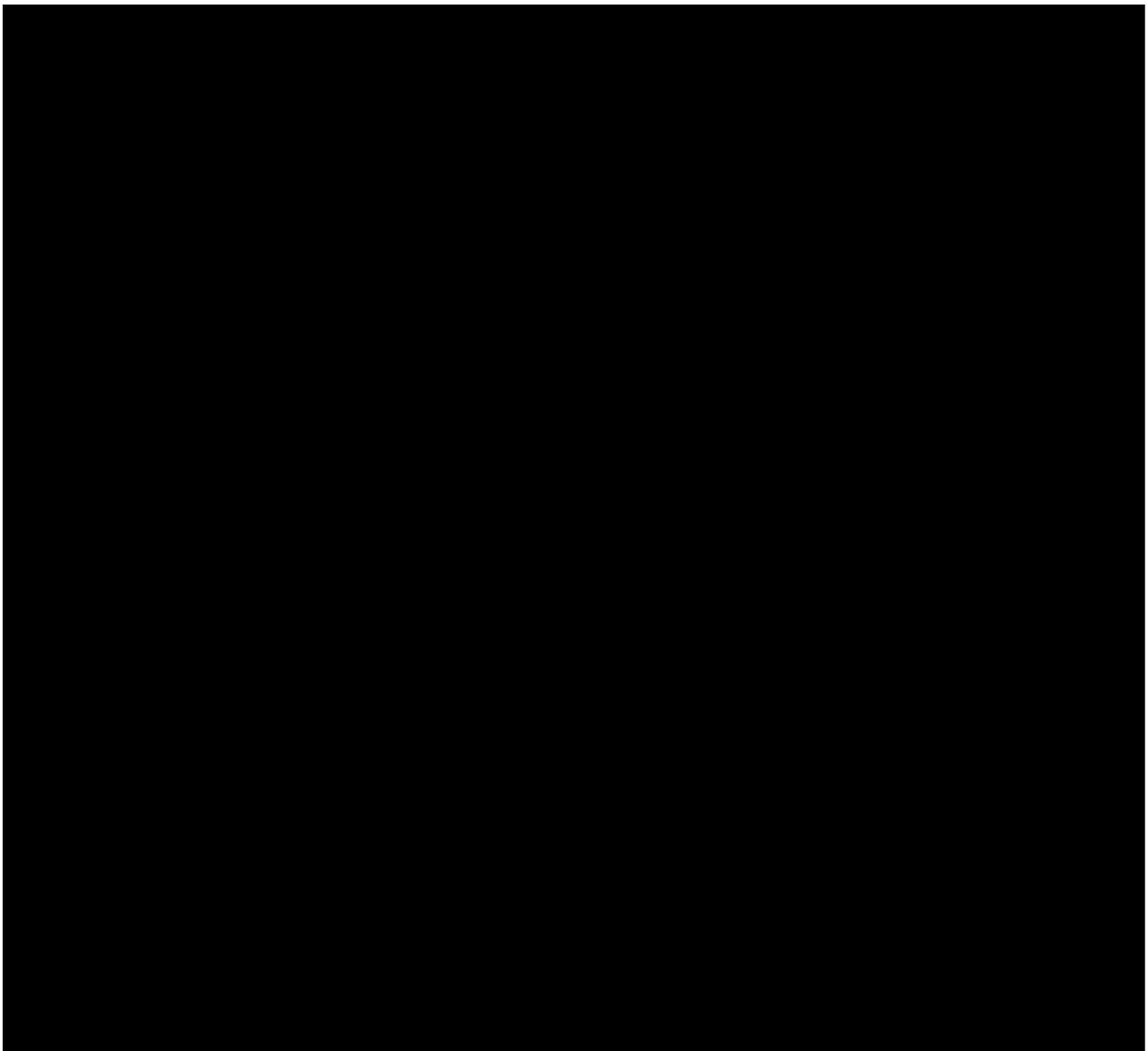
At this time, Good Energy is not able to further implement the CCA Program with these municipalities because Good Energy needs access to the aggregated and anonymized information for each municipality's residents to determine whether program implementation is feasible, and Good Energy may not request such information until the Commission approves its Implementation and Data Protection Plans. However, the rest of this filing

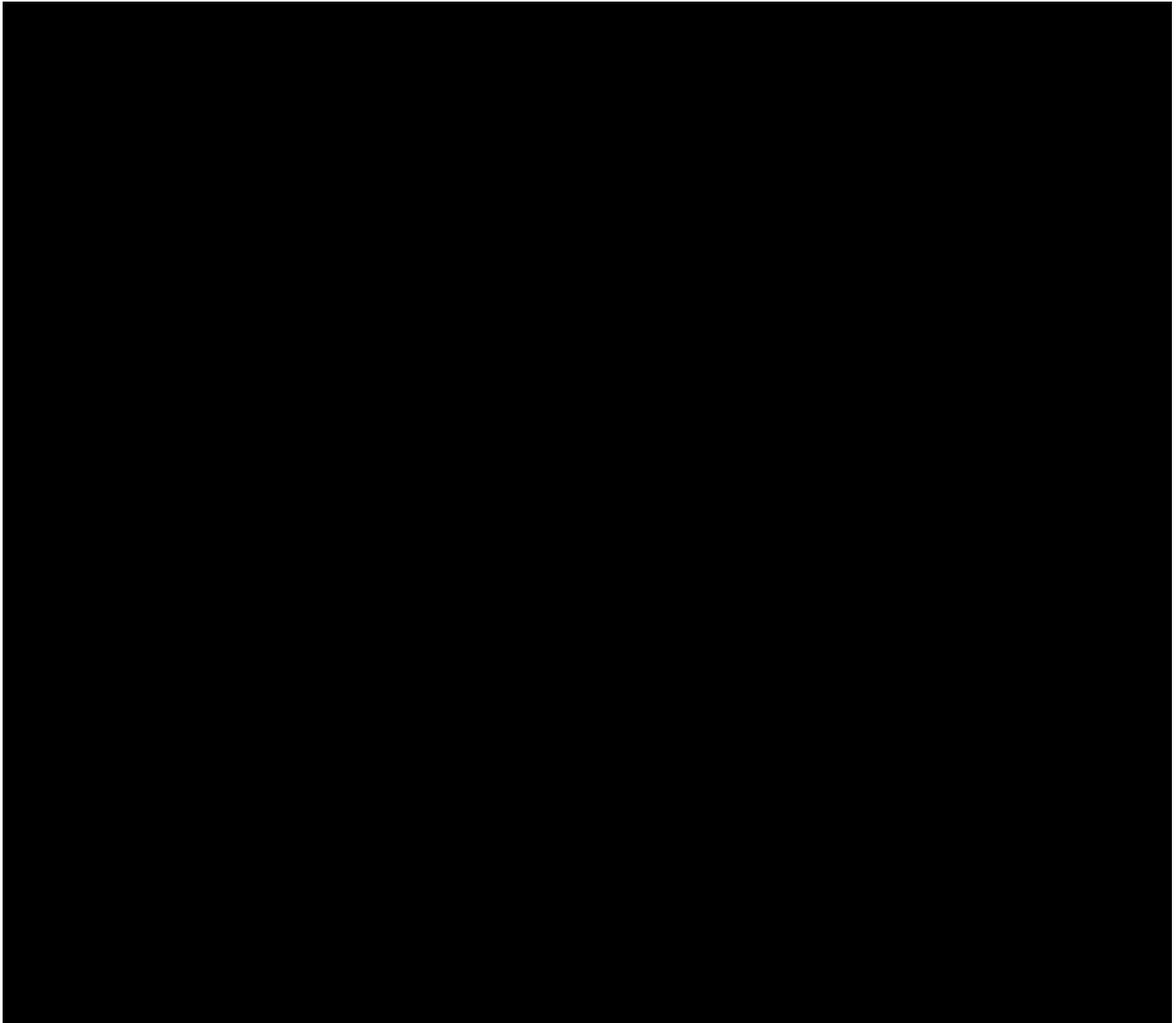
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describes the detailed implementation steps Good Energy will execute with these municipalities once the CCA Program is approved.

Clean/Renewable Energy Options

Good Energy will also work with municipalities to determine whether additional renewable or clean product offerings should be included as part of the CCA Program. Some of these available offerings are further described below. While the below list is merely exemplary and not nearly exhaustive, Good Energy is committed to working with third-parties and municipalities to provide customers with cutting edge renewable options.





4. Coordination with Utilities/Data Acquisition

Once a municipality completes the local approval process, Good Energy will assess the viability of the municipality's CCA program by comparing market conditions against the energy profile of the municipality's aggregated load for all eligible residential and small commercial accounts. To complete this assessment, Good Energy will need to generate a Request for Proposal ("RFP") to obtain market pricing from ESCOs. This process is described in further detail below. As part of the RFP process, Good Energy must collect information from the local utility comprising 12 consecutive months of summary data for all eligible residential and small commercial accounts. The utility will send this data to all ESCOs participating in the RFP, and ESCOs will utilize the information to model the municipality's aggregated load and provide a fixed price quote for the program. Utility rates will be used as a benchmark to compare the competitiveness of ESCOs' quoted rates. Good Energy anticipates that there will be an opportunity for wholesale energy prices to beat the

current utility rates. In addition, the economies of scales that an aggregation brings should provide residential consumers with a more attractive price.

5. Request for Proposals and ESCO Selection

Each municipality, with the assistance of Good Energy, will issue an RFP utilizing predetermined criteria based on technical specifications, bidder requirements, bidding processes, and contract documents, to select an ESCO(s). Good Energy will evaluate the bids received and will recommend an ESCO(s) to serve as the electricity and/or natural gas supplier to all eligible residents and commercial customers within the CCA Program. Each municipality's RFP may be unique depending on Program goals and principles, but Good Energy has included a RFP example from another State as attachment 3 of this filing.

ESCOs responding to the RFP will be measured on the basis of New York price, marketing, experience, and quality. [REDACTED]

Once selected, the ESCO will perform and manage aggregation services for the CCA Program. The ESCO will provide adequate, accurate, and understandable pricing, terms, and conditions of service. In addition, the ESCOs performance will permit residents to enter and exit the Program without incurring switching fees and provide participants the ability to opt-out without penalty. ESCOs will track CCA Program participants by name, address, utility account number, ESCO account number, and other pertinent information such as rate code, most recent 12 months of usage, and demand and meter reading cycle. This information will be utilized solely to develop and administer the CCA Program to accommodate participants who (i) leave the Program due to relocation, opting out, etc. (ii) join the Program; (iii) relocate anywhere within the limits of the municipality; or (iv) move into the municipality and join the Program.

Further, the selected ESCO, with the coordination and cooperation of Good Energy, will develop and implement an educational program that generally explains the CCA Program to all residential and commercial customers, as outlined further below. The ESCO will also hire and maintain an adequate customer service staff and develop and administer a written customer service process that will accommodate a participant's inquiries and complaints about billing and answer questions regarding the Program. This process will include a

description of how telephone inquiries will be handled, either internally or externally, how invoices will be prepared, how participants may remit payment, and how collection of delinquent accounts will be addressed. The ESCO and the municipality will either enter into a separate customer service plan agreement or these terms will be included in the agreement.

With respect to compliance, the ESCO will develop internal controls and processes to ensure that the municipal CCA Programs remains in good standing and in compliance with all applicable laws, rules and regulations, as they may be amended from time to time. It will be the ESCO's responsibility to timely deliver reports at the request of the municipality that will include (i) the number of participants in the Program; (ii) a savings estimate or increase from the previous year's baseline; (iii) a comparison of the participants charge for the supply of electricity from one designated period to another identified by the municipality; and (iv) such other information reasonably requested by the municipality. As described further below, residents that do not opt-out of the CCA Program will be automatically enrolled in the Program by the winning ESCO(s).

6. Contracting with the Selected ESCO

After the RFP process, municipalities will have the option to execute an agreement with the selected ESCO(s) for retail electricity and natural gas supply service. The contract is expected to be for a fixed price for a specified term. A municipality may contract with one or more ESCOs, if necessary, to meet the needs of participating residents and commercial customers. At the appropriate time, Good Energy will provide Department of Public Service Staff with copies of such RFPs.

[REDACTED]

[REDACTED] A municipality will select the term length that offers the most protection against future increases in energy prices. At its discretion, a municipality will set the duration for any subsequent contract term. In addition, the agreement shall specify the approved rates and the power mix for the CCA Program, and shall disclose all additional or ancillary fees. The agreement shall require the ESCO to maintain all required licenses and qualifications, and to provide all services required by the RFP. Further, the agreement shall require the ESCO to provide all services in compliance with the CCA Program, as may be amended. The ESCO must agree not to solicit or contract directly with eligible residents or commercial customers in the CCA Program for service or rates outside the aggregation, and agrees not to use the customer data and information for any other marketing purposes.

The ESCO must agree to indemnify and hold the municipality harmless from any claims, causes of action, damages, judgments, and financial obligations arising from the CCA Program. The ESCO shall obtain and maintain, for the duration of the agreement, such proof of insurance and performance security, as the municipality deems necessary. The ESCO will pay all costs of CCA Program development and administration.

With respect to pricing methodology, each municipality will establish a price for the purchase of electricity and natural gas for its CCA Program. This will be the Program rate measured in price per kilowatt-hour and therm respectively. For electricity, the rate will include traditional, as well as renewable power components and will reflect various term lengths, contractual benefits and possible hold premiums. The municipality and Good Energy will request and receive from the selected ESCO consistent market price quotes. The daily market price quotes will detail the line item costs of energy supply, capacity, transmission, ancillary services, and additional margin available to the municipality and Good Energy that day. The market price quotes will be reviewed by Good Energy to establish that the individual pricing details are consistent with market prices and tariffs, and consistent with the terms of the agreement. If the daily market price or auction price quote is deemed acceptable by Good Energy, it will inform the municipal officials of the price and pricing components and recommend acceptance. If accepted, the municipality will affirm acceptance of the commodity price verbally and in writing to the selected ESCO(s).

■ [REDACTED]

[REDACTED]

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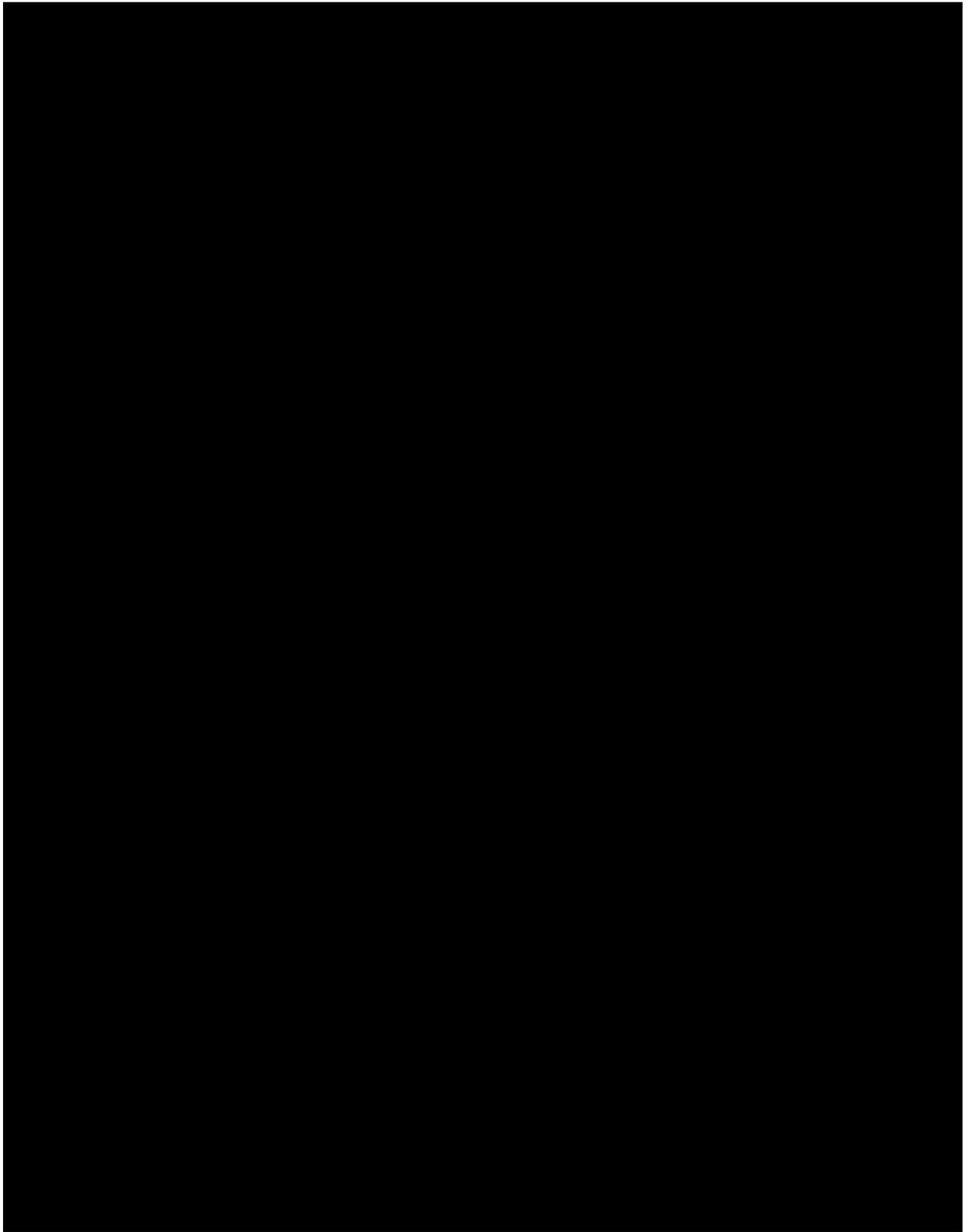
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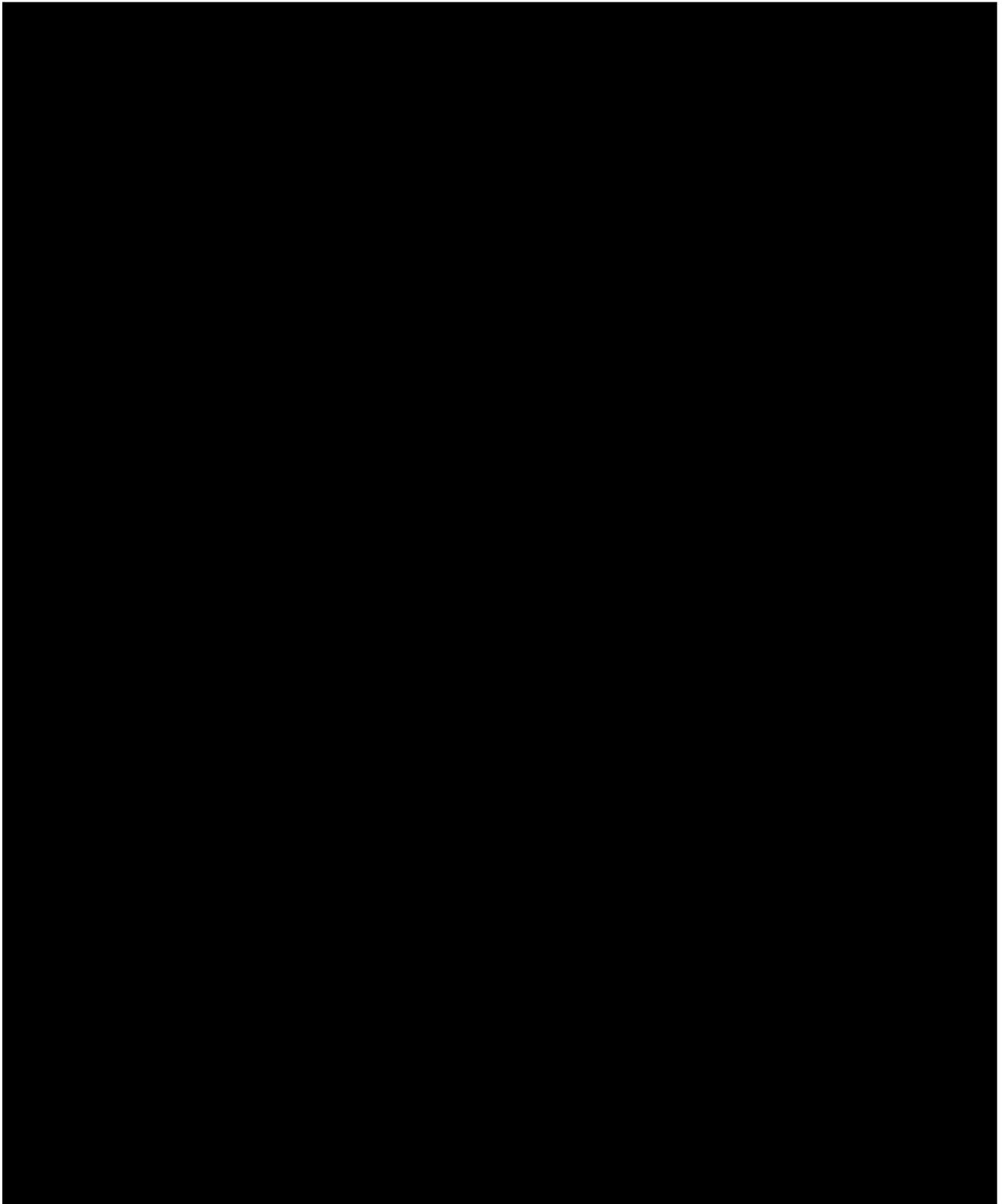
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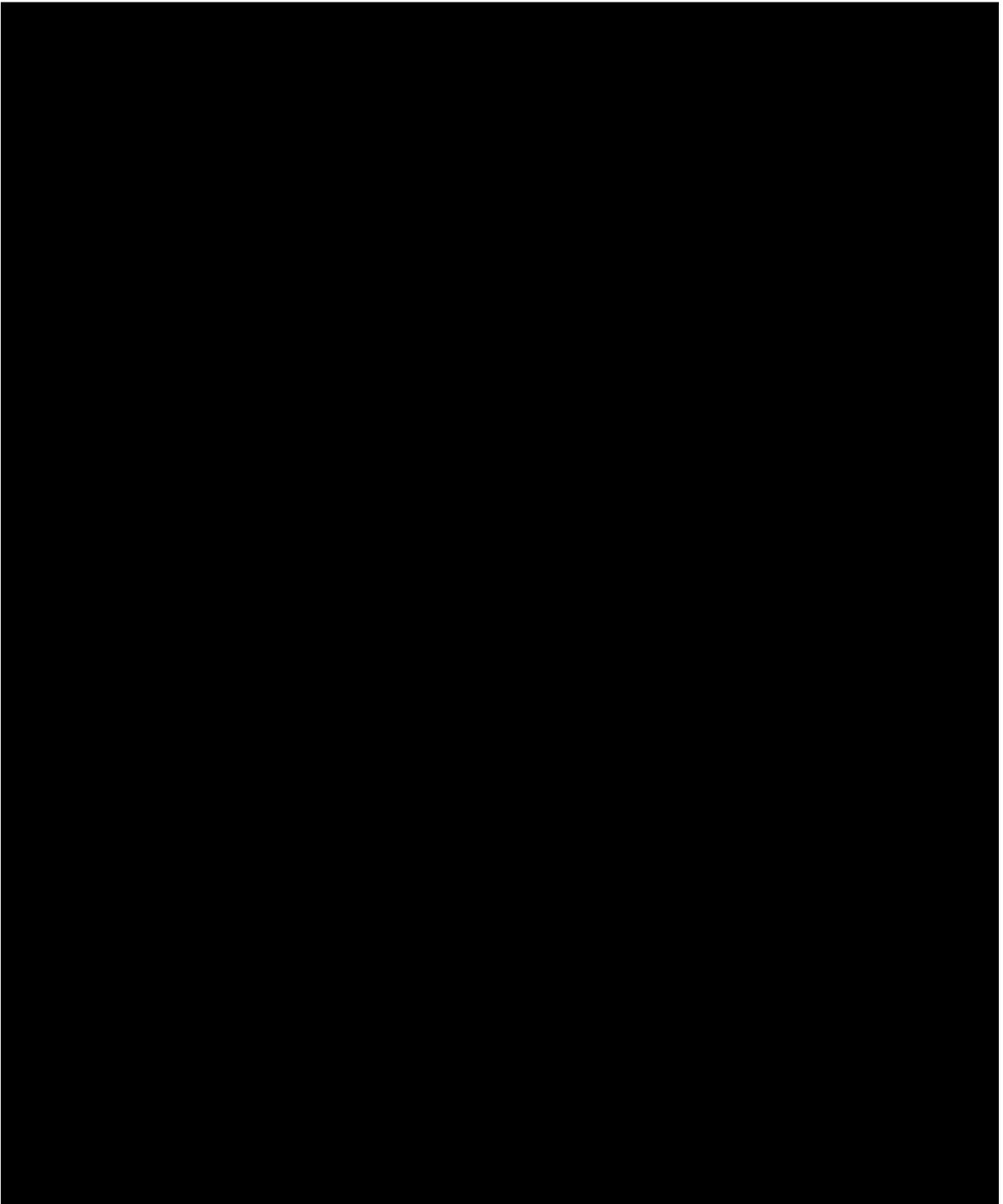
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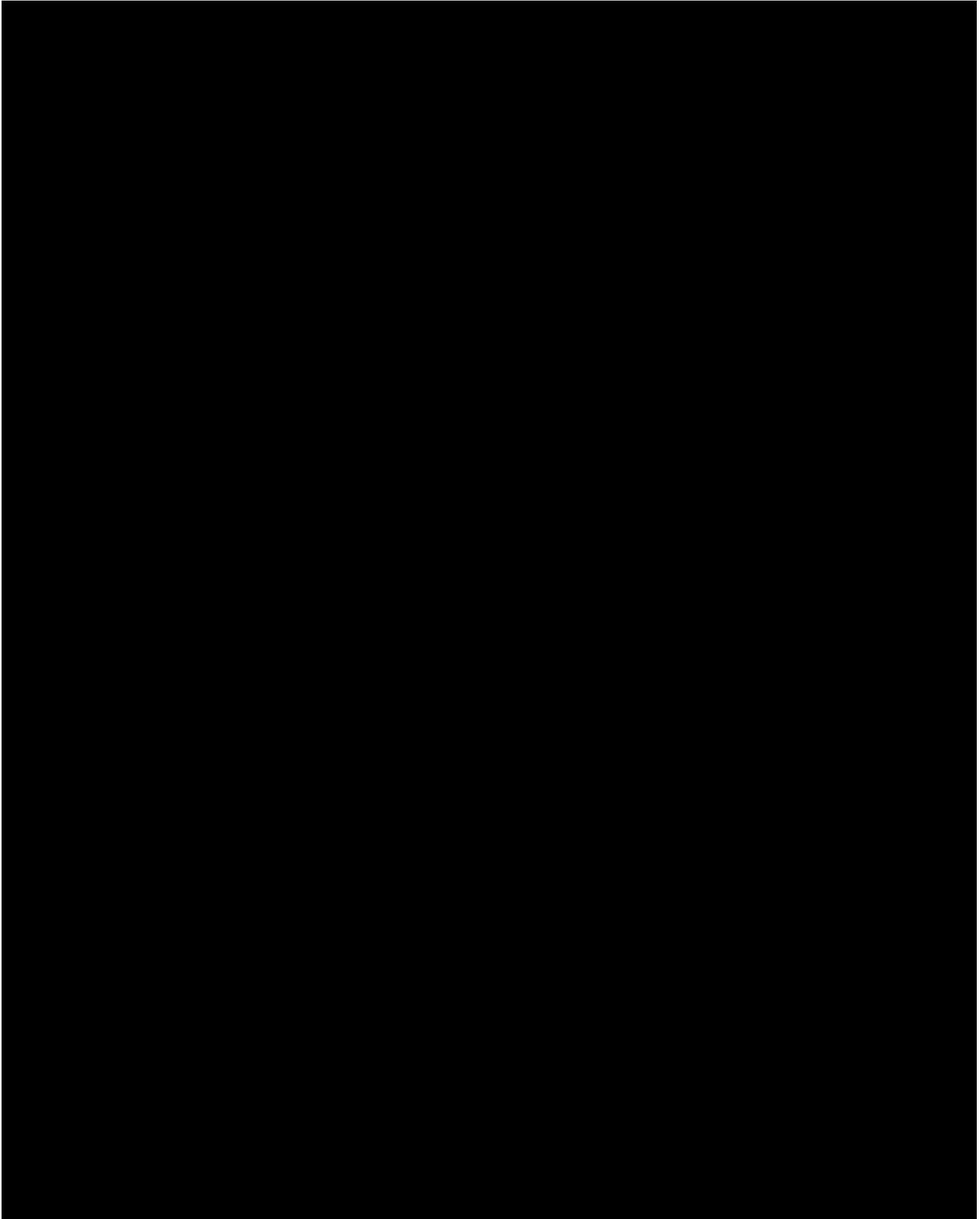
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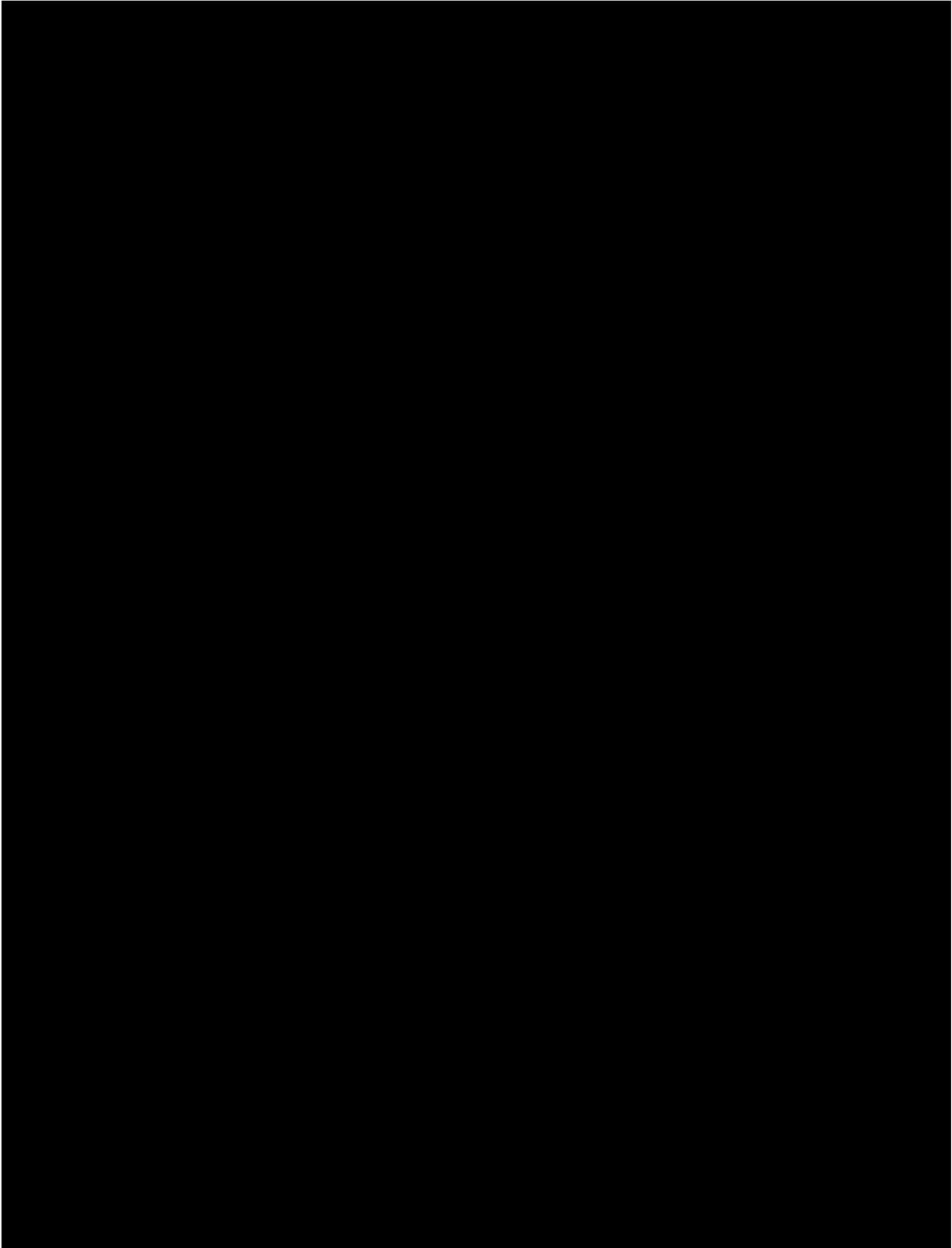
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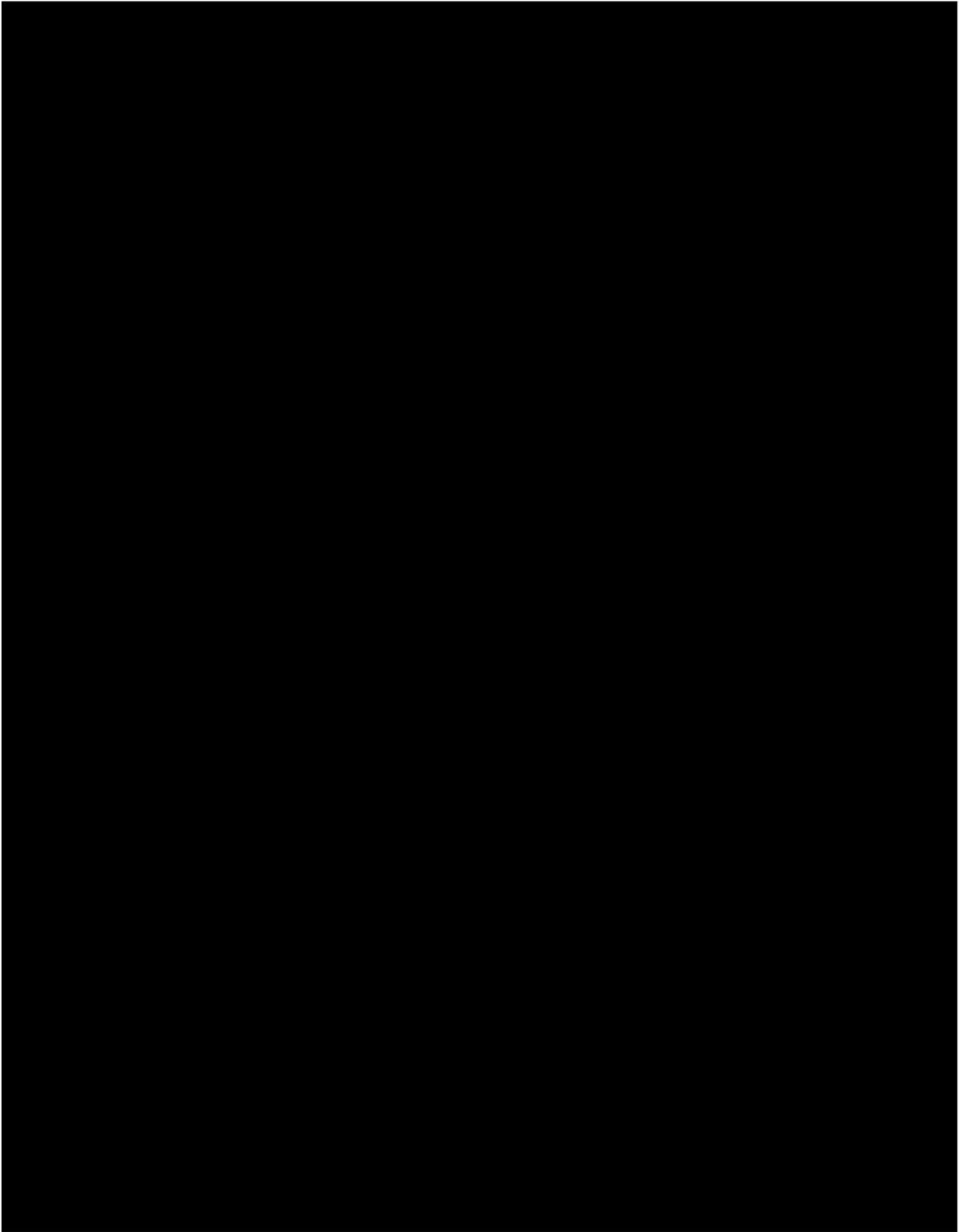


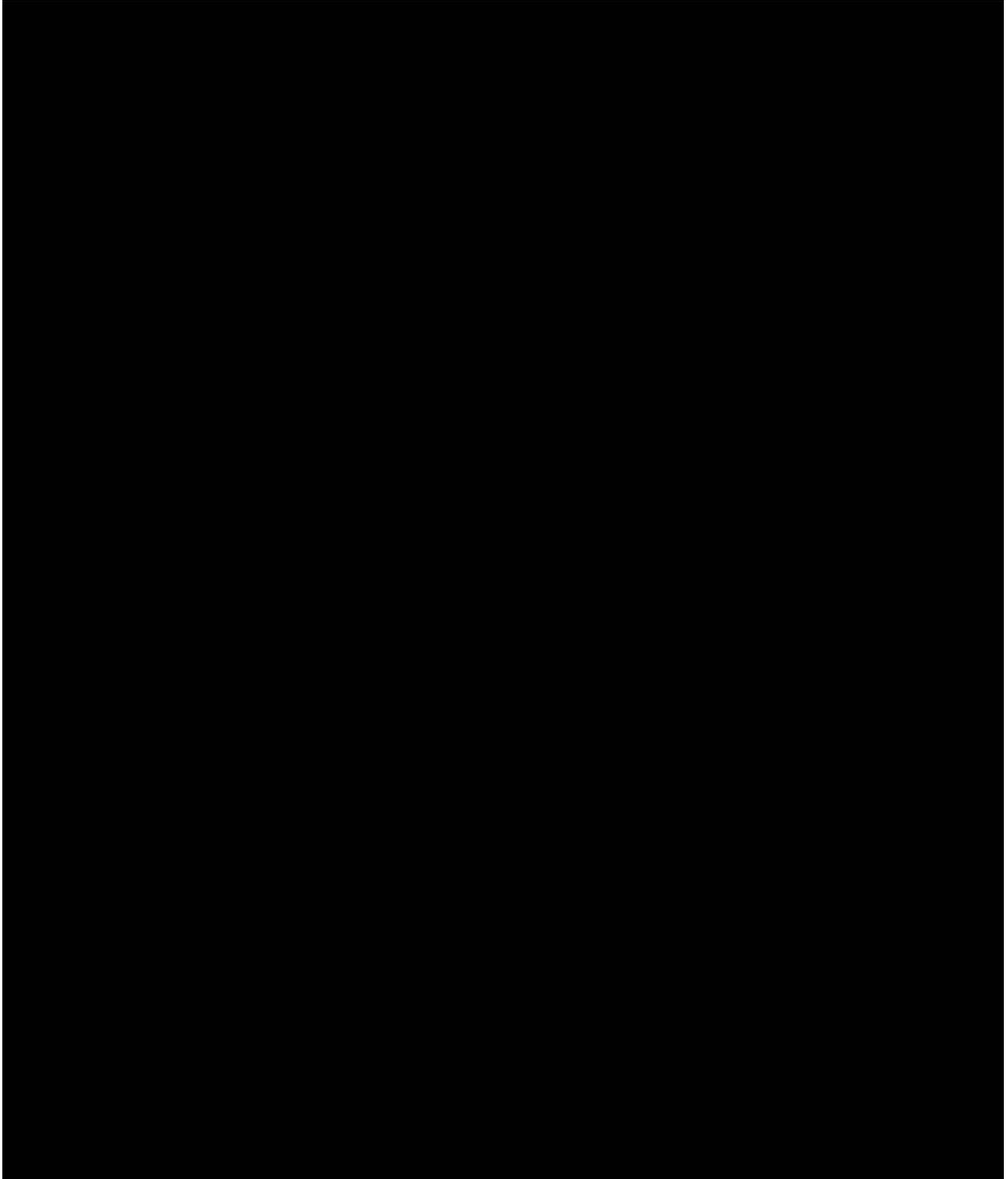


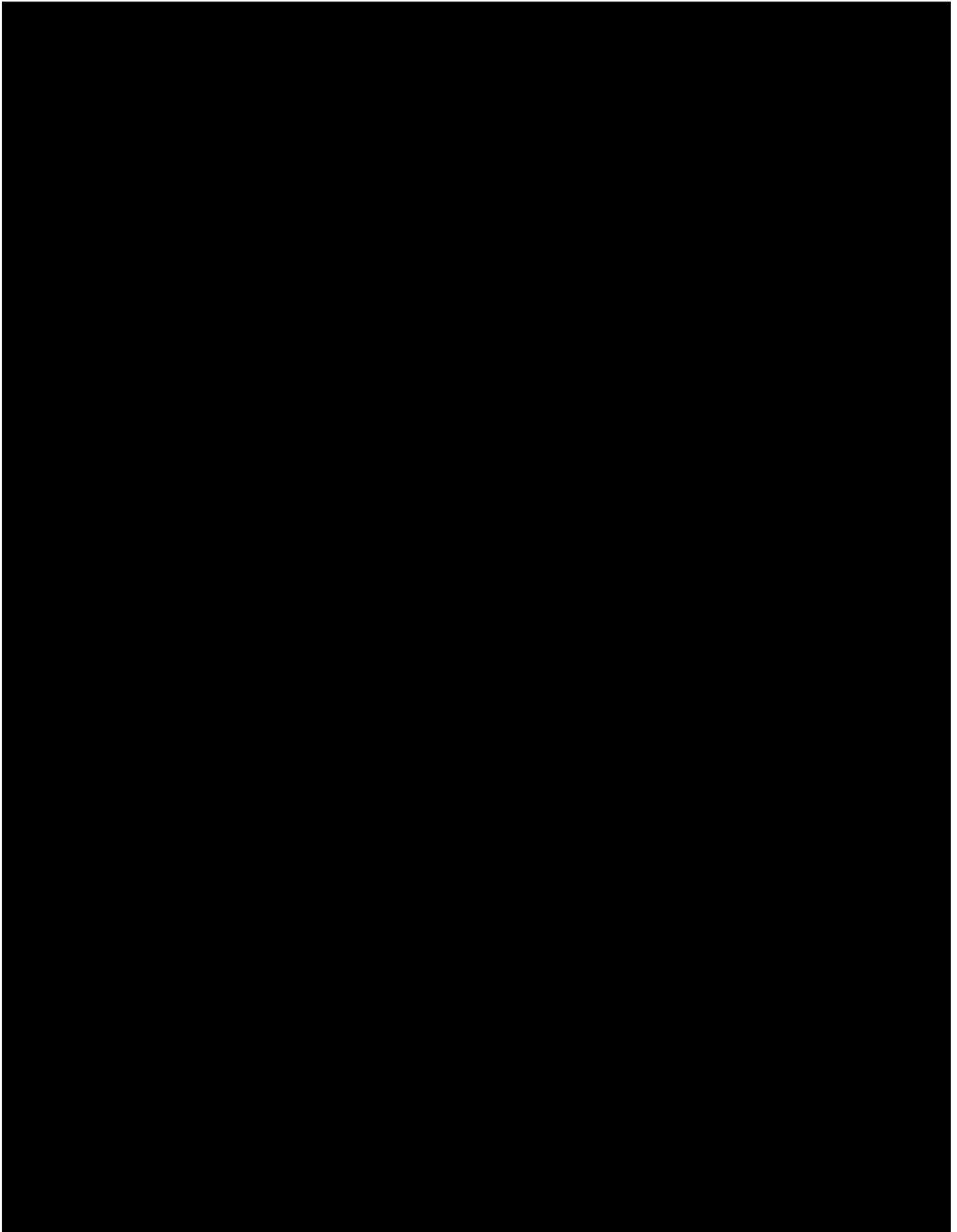


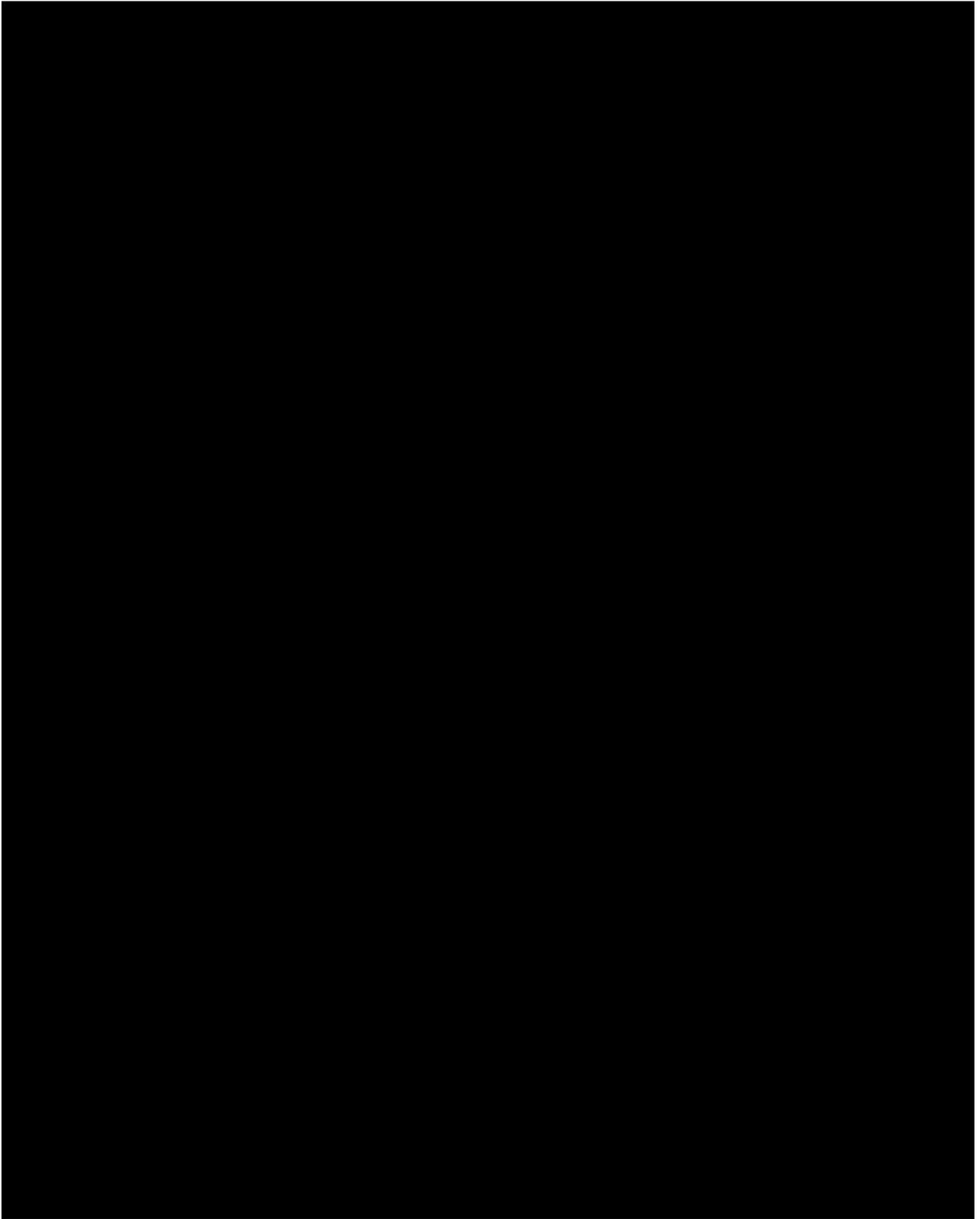












8. Opt-Out Process

Following the completion of the RFP and after the municipality has selected the ESCO(s), having successfully locked in a fixed supply rate(s), the ESCO will obtain the eligible customer list from the CCA Administrator who will have obtained the same information from the utility(ies). The winning ESCO(s) will have thirty (30) days from the receipt of data to mail opt-out notices to all eligible residential and commercial customers to be included in the Program. A sample of the notice that will be sent to eligible participants is included in attachment 4 of this filing. Any resident or commercial account holder that follows the specified procedures to opt-out of the Program will remain on the utility's default service. Upon completion of the mailing, there will be an opt-out period of at least 30 days from the postmark date on the notice to return the opt-out notice if the recipient does not wish to participate in the Program.

The selected ESCO will be required to pay for the cost of printing and mailing of opt-out notices. The selected ESCO(s) and the municipality will agree upon the format of the opt-out notice prior to mailing it to eligible service classes. The opt-out notice will clearly notify the account holder of the rates to be charged for electricity and natural gas and other terms of the contract with the selected supplier. The selected ESCO will have a toll-free phone number and website available explaining the steps for opting out of the Program. If necessary, the selected ESCO will provide bilingual or multilingual customer support to explain the opt-out procedure to non-English speaking residents. During this period and throughout the initial procurement term.

Once the opt-out period has passed, the selected ESCO(s) will only enroll those customers who have not opted-out of the Program. In the event that an eligible resident or commercial account is inadvertently omitted from the Program, the selected ESCO(s) shall use its best efforts to enroll that customer at the Program rate for the duration of the term.

9. Ongoing Operation of CCA Program

Ongoing Customer Service

Once a program is active, Good Energy continues to provide on-going customer support at multiple levels. Because of the public nature of the program and the community outreach that takes place, Good Energy understands that this initiative garners much interest and questions from community residents. For example, a resident may inquire about the green options available to the resident within the program; a small business may ask to opt-in to the CCA program but may currently be enrolled with an ESCO and unaware of early termination fees; a resident may not understand the opt-out procedure and may want to verify their account is enrolled in the CCA program. These are just a few examples, however, as there are many additional questions and inquiries that Good Energy staff will handle during the term of the

CCA program. As a result, Good Energy has created an internal call center staffed with experts that will take inbound calls from municipal residents inquiring about the municipality's CCA program throughout its term. This measure is necessary to help residents understand the process and procedures of the CCA program as well as the implications of switching in and out of the CCA program. Good Energy will provide a toll-free customer support line for municipalities during the hours of 7am to 7pm Monday through Friday for such inquiries. The toll free number will be displayed on each municipalities website.

Ongoing Market Analysis

Throughout the program term, Good Energy will provide ongoing market analysis to municipal officials that describe trends in wholesale prices, capacity, and ancillary costs in order to help the municipality assess the viability of the program and to explore opportunities to blend and/or extend the CCA program. As necessary, Good Energy will present those trends at council or board meetings to update and inform the governing body of the options as well as the progress of the CCA program.

Monthly Enrollment Analysis

Part of Good Energy's ongoing obligations will also involve handling customers' entry and exit from the CCA program. Good Energy will update on a monthly or quarterly basis, depending on the size of the municipality, the enrollment data of participants in the program.

Green Options & Efficiency Support:

Good Energy may also provide customers with information on green options and efficiency measures, including DER programs, which will be displayed on the CCA page of the municipality's website. To be clear, Good Energy will not utilize the CCA Program to solicit customer entry into these services. Rather, information on energy efficiency options will simply be made available on the municipality's website. For example, the website may provide information on clean energy community initiatives such as home or business solar programs or benchmarking services. Customers that specifically request more information or affirmatively select these options will receive customer support from Good Energy for, among other things, LED lighting retrofits, lighting controls and sensor installations, home solar installations, Renewable Energy Credits and carbon offset options.

10. Termination/Modification of CCA Program

The CCA Program will terminate upon expiration of the agreement with the ESCO and return of all customers to their respective utility(ies) unless the agreement is extended or another RFP/procurement process is initiated. A municipality will have the right to terminate the agreement prior to the expiration of the term in the event the ESCO commits any act of

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default. Acts of default include, but are not limited to the following: (i) breach of confidentiality regarding customer information; (ii) disqualification of the ESCO to perform the services due to the lapse or revocation of any required license or certification; (iii) the utility's termination of its relationship with the ESCO; (iv) any act or omission that constitutes deception by affirmative statement or practice, or by omission, fraud, misrepresentation, or a bad faith practice; (v) billing in excess of the approved rates and charges; (vi) billing or attempting to collect any charge other than the approved kWh/therm/MCf rates and contractually approved charges; or (vii) failure to perform at a minimum level of customer service required by the municipality.

Upon termination for any reason, the municipality will notify the respective utility(ies) to return participating accounts to default service. Upon termination, each account holder participating in the Program will receive a written notice from the municipality informing him or her that the Program has been terminated. ESCOs will pay for these notices.

Attachment 1
CCA Fact Sheet



**Secure
lower energy
prices locally**

**Exercise
more local control
over energy resources**

**Increase
the percentage
of renewables in
the fuel mix**

call:
1-866-NYSERDA

email:
cec@nyserdera.ny.gov

visit:
nyserdera.ny.gov/cec

Negotiate lower rates and choose cleaner energy.

Community Choice Aggregation (CCA) is a municipal energy procurement model that replaces the utility as the default supplier of electricity for virtually all homes and small businesses within your jurisdiction. CCA puts control of choosing an energy supplier in local hands. By pooling demand, communities build the clout necessary to negotiate lower rates with private suppliers and are able to choose cleaner energy.

A CCA can allow whole communities to participate in the clean energy economy by ensuring that a greater percentage of electricity is coming from renewable sources. CCA has the potential to simultaneously deliver lower monthly bills and cleaner energy for your constituents.

Earn credit toward the Clean Energy Communities designation

NYSERDA's Clean Energy Communities Program recognizes and rewards local governments for their clean energy leadership. Complete four of the ten High Impact Actions to earn the Clean Energy Community designation as well as a grant of up to \$250,000 with no local cost share to support additional clean energy projects.

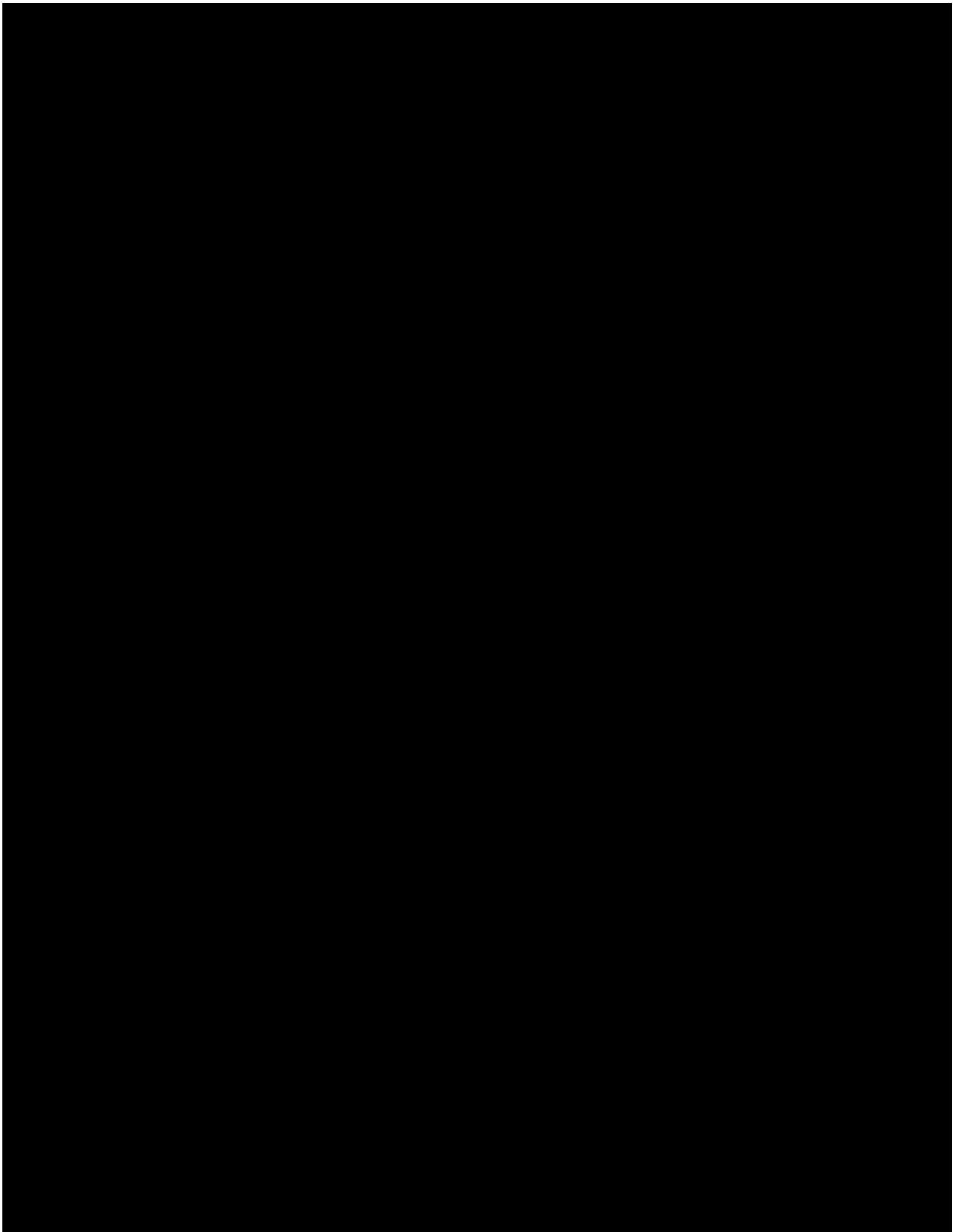
To earn credit for this action, your municipality must adopt legislation authorizing the municipality to participate in a CCA program and must contract with an energy supplier to provide 100 percent clean, renewable energy to all participating customers.

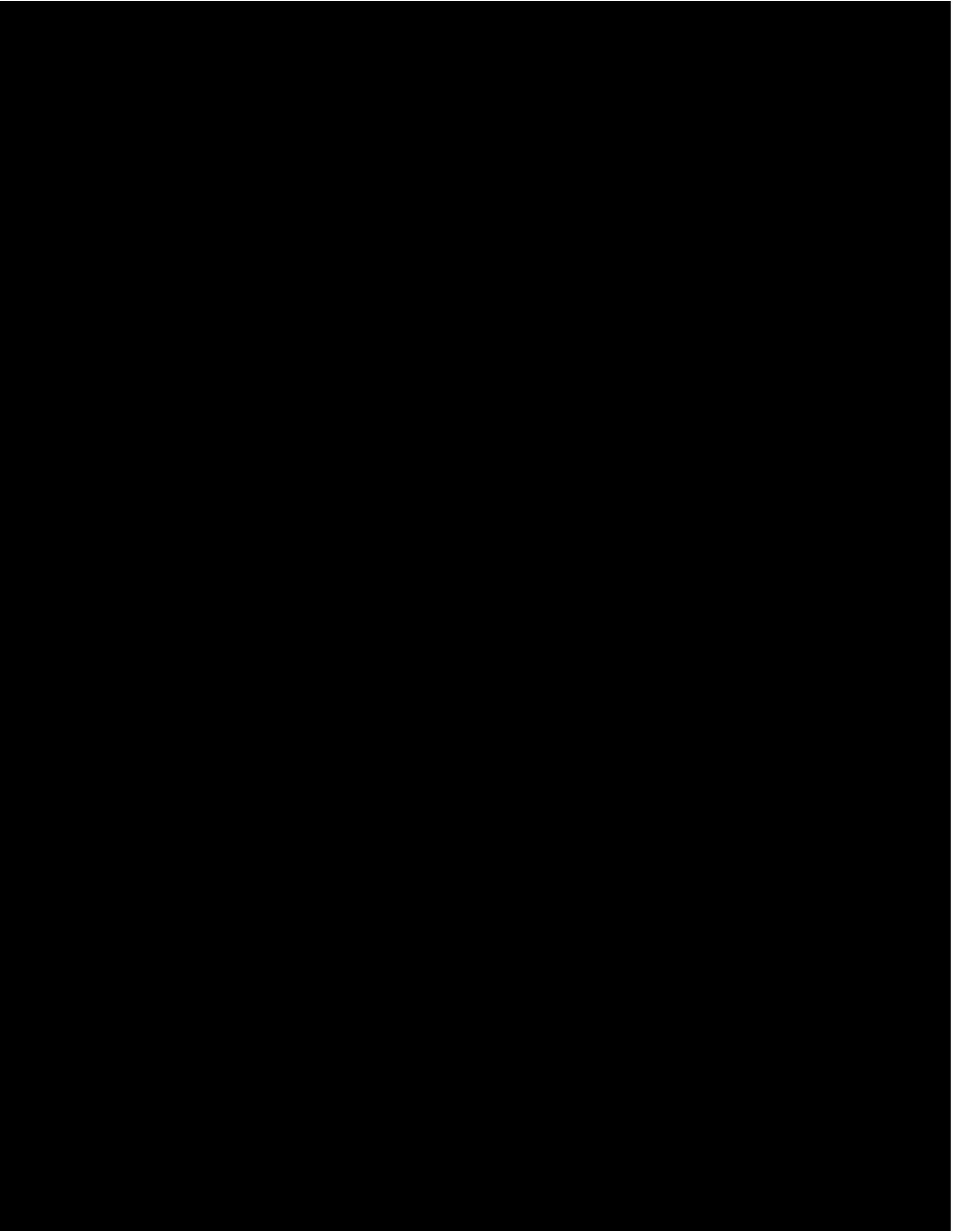
Get started

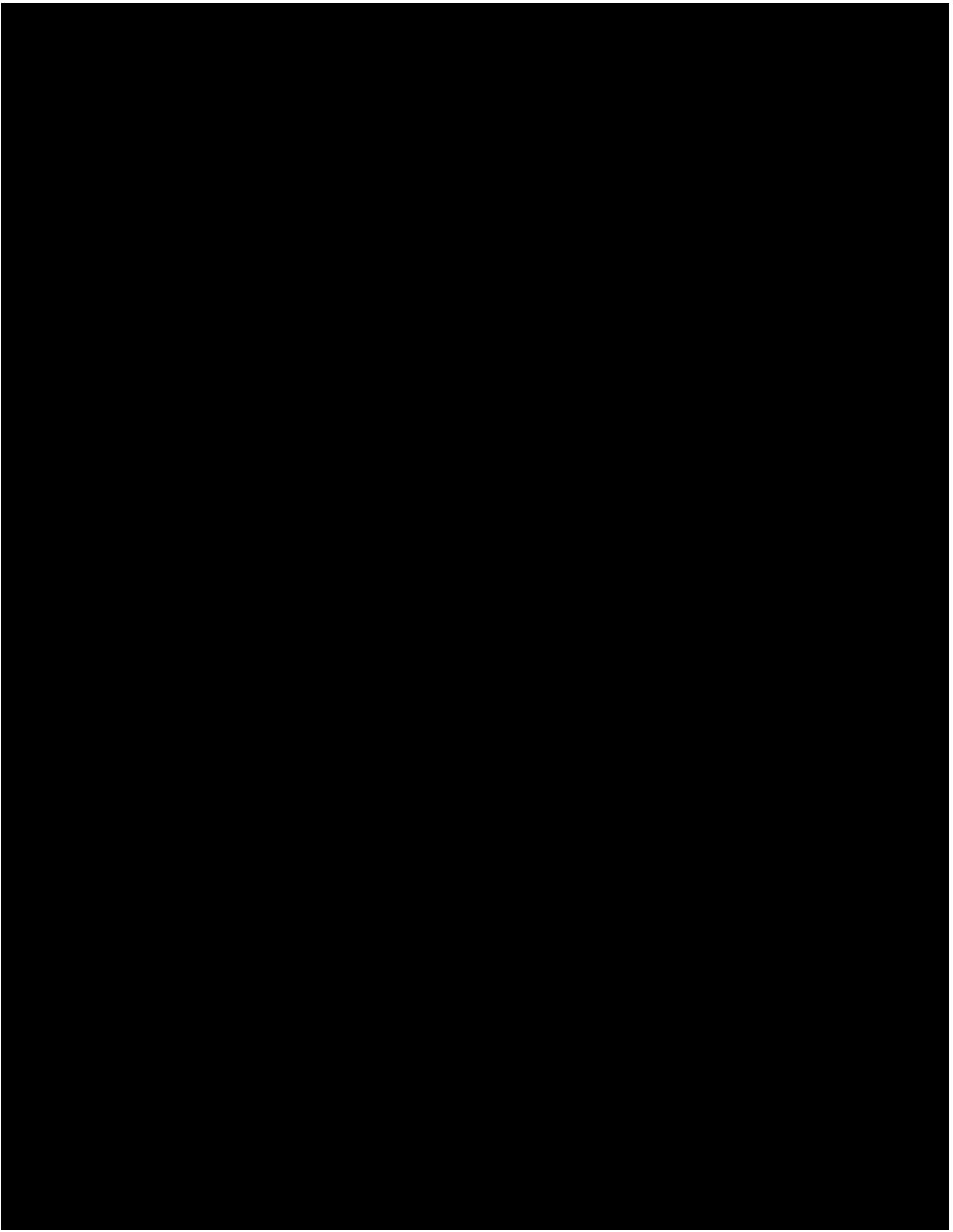
Municipalities have access to approximately 50 hours of free on-demand technical assistance from a Clean Energy Community Coordinator and a toolkit that includes step-by-step guidance and other tools and resources.

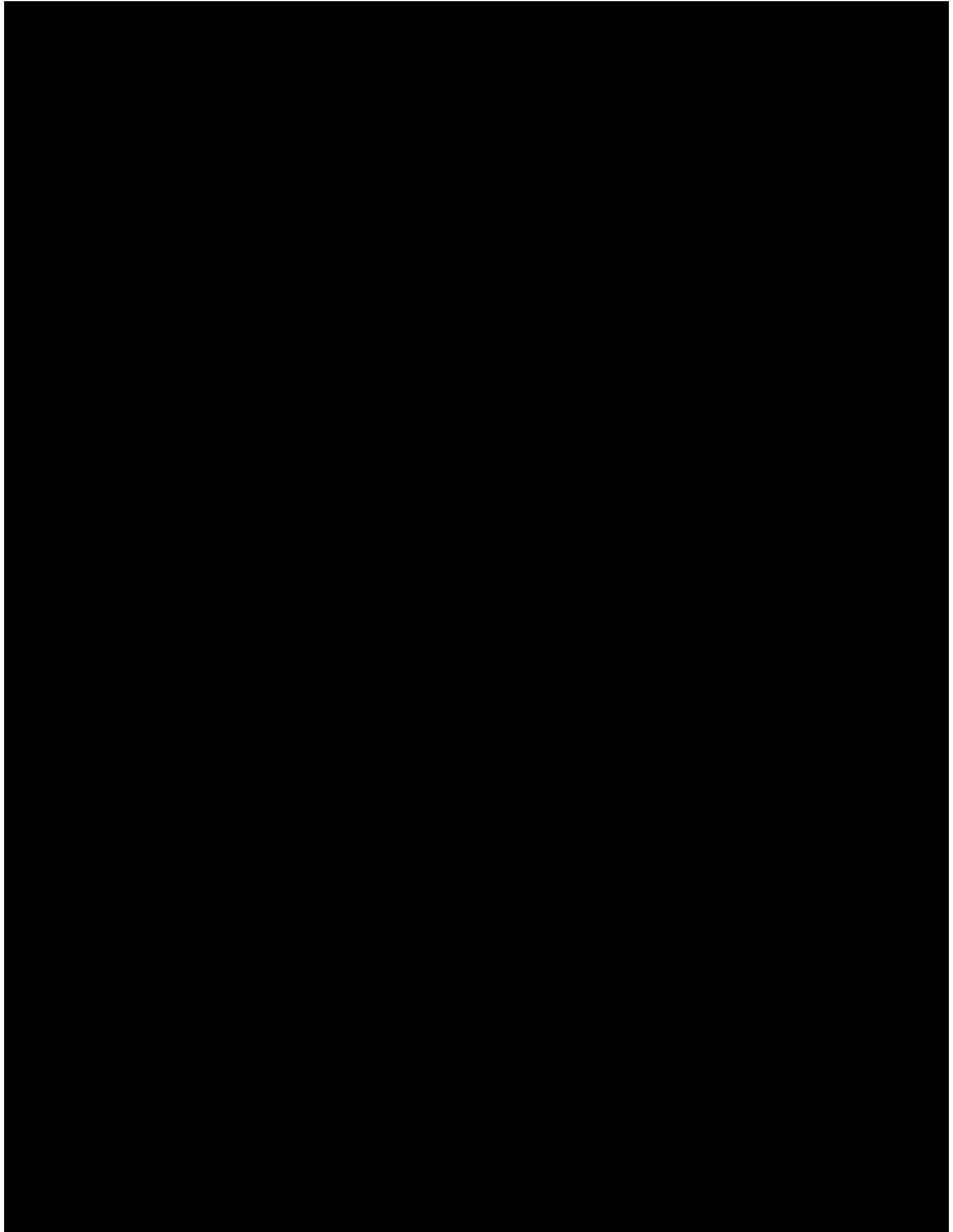
Visit **nyserdera.ny.gov/cec** or email **cec@nyserdera.ny.gov** for more information, including detailed program requirements.

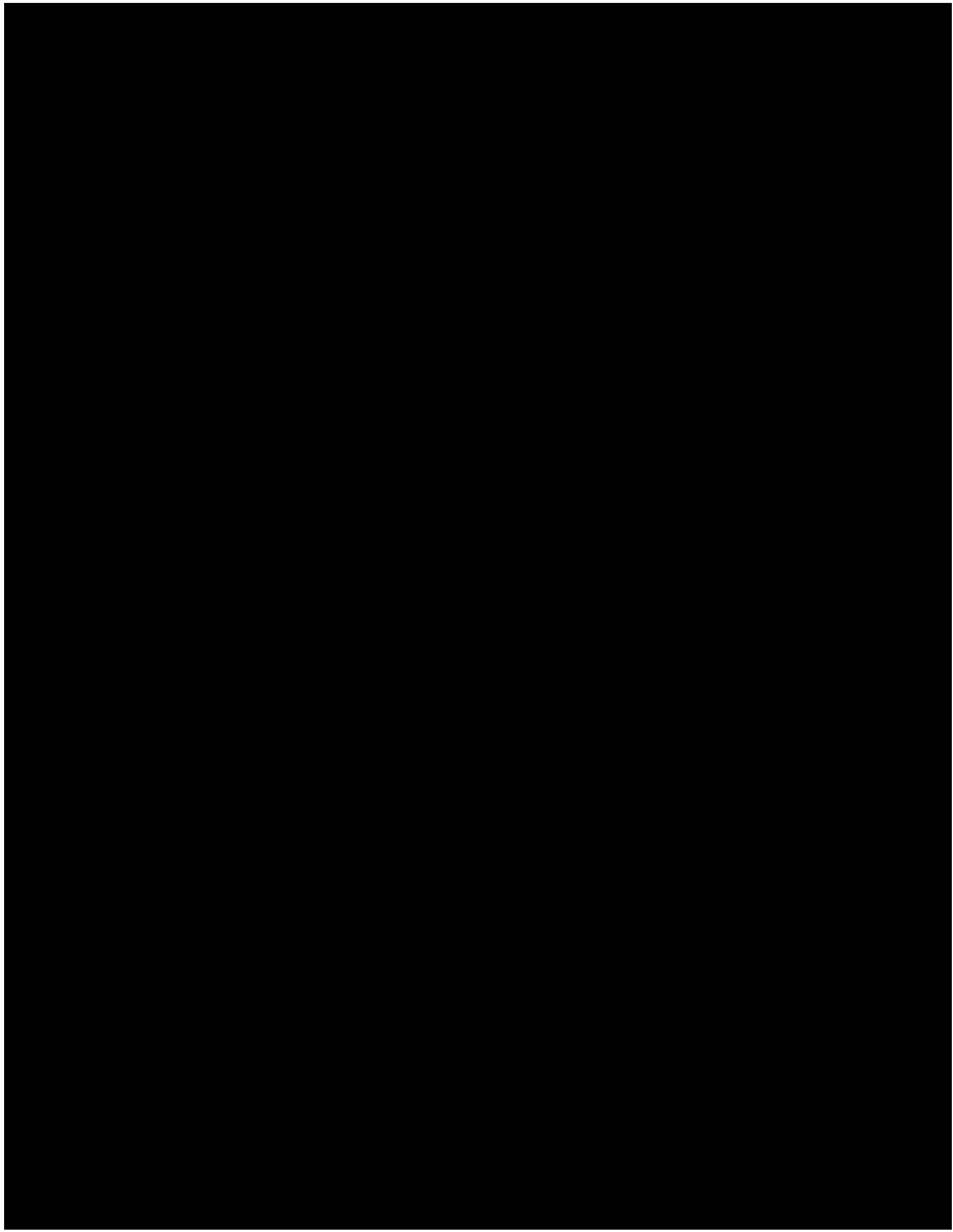
Attachment 2
Local Laws

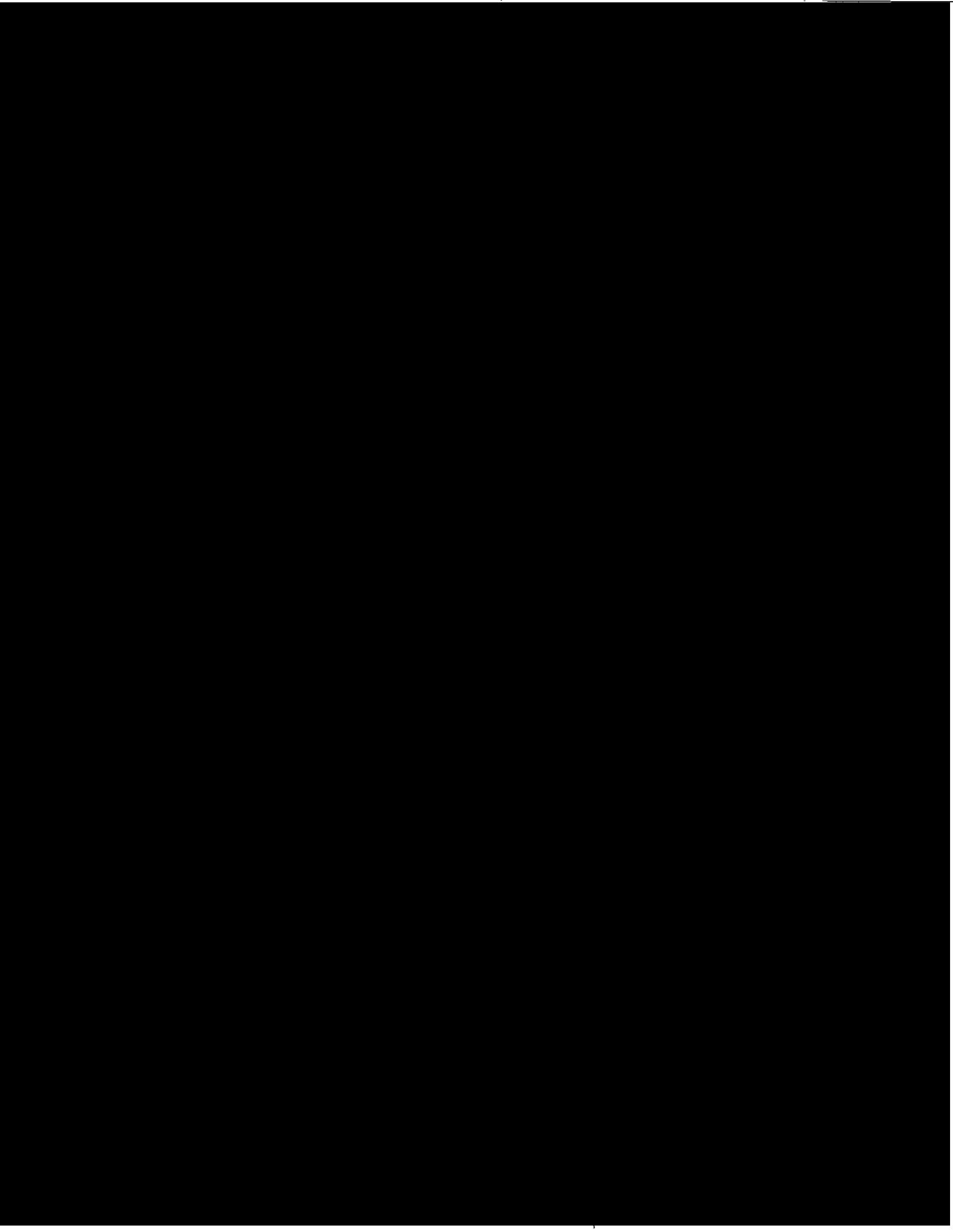


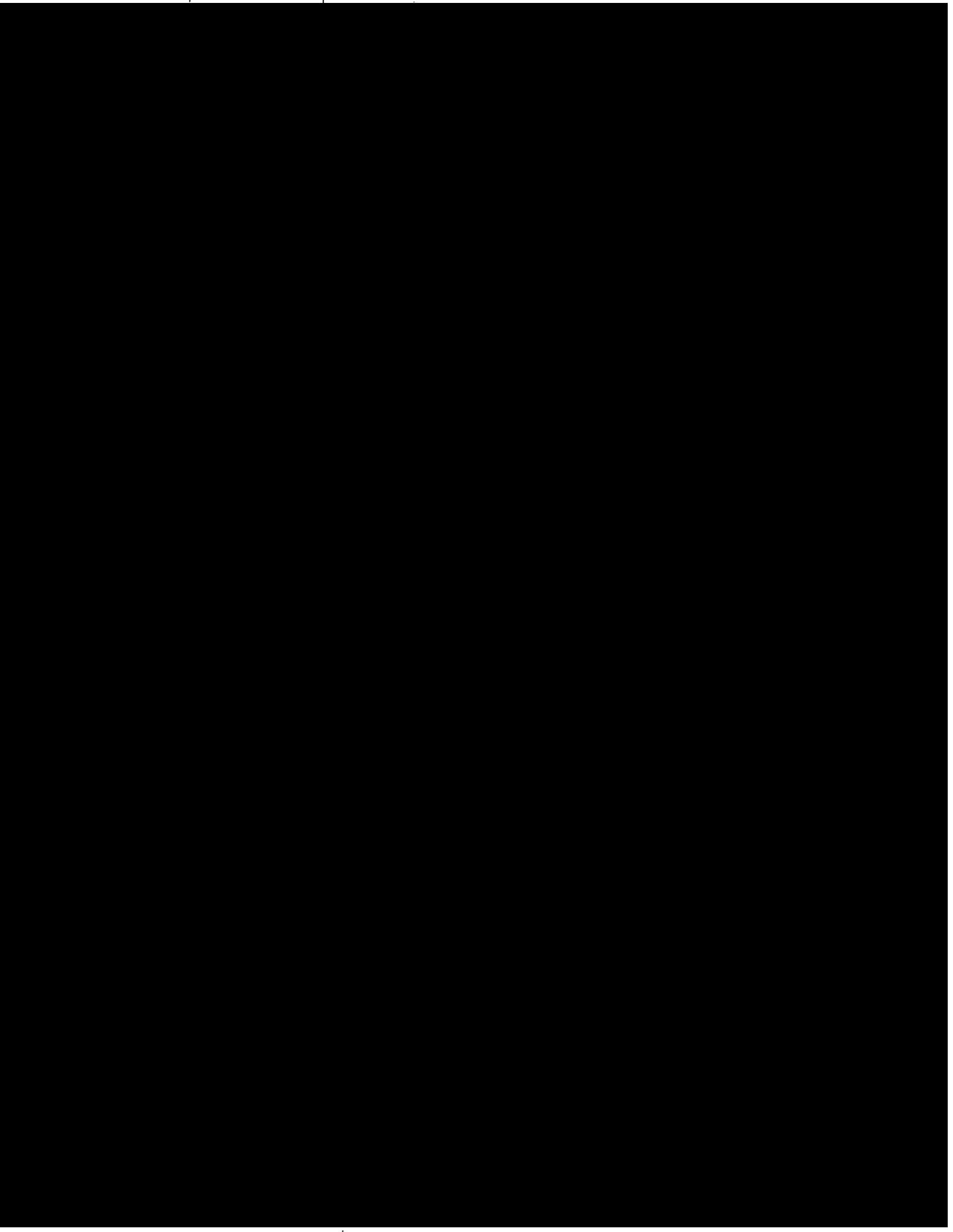


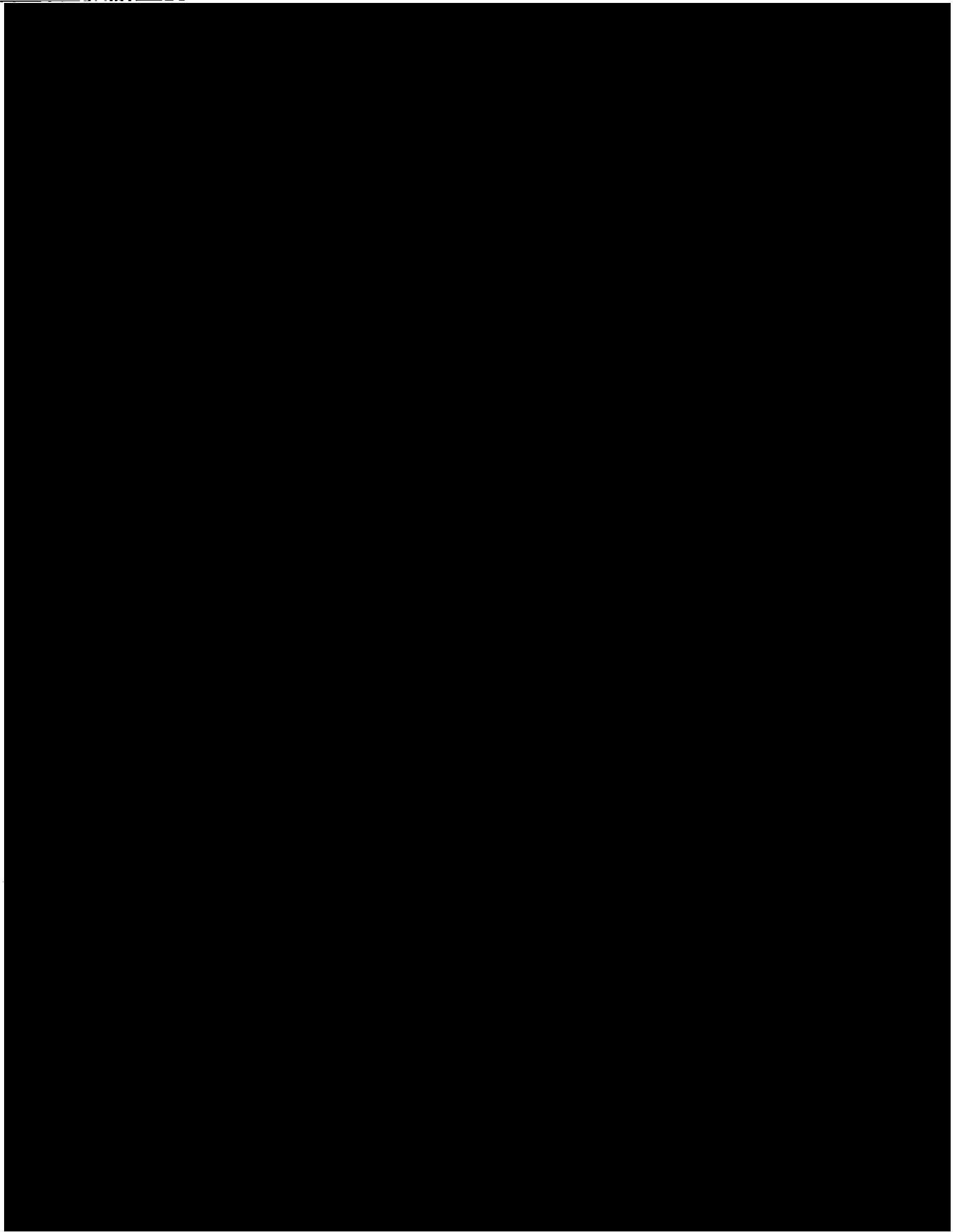


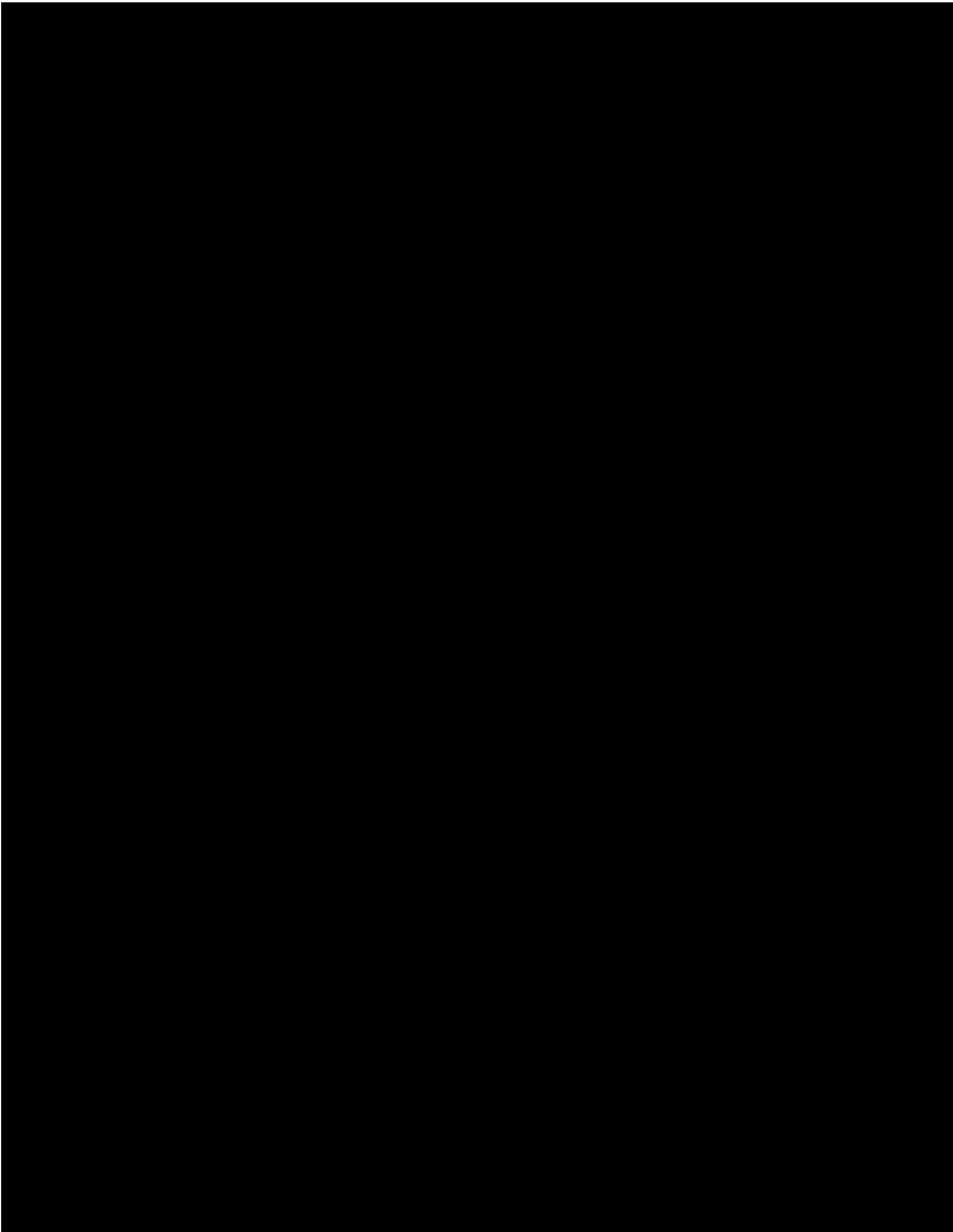


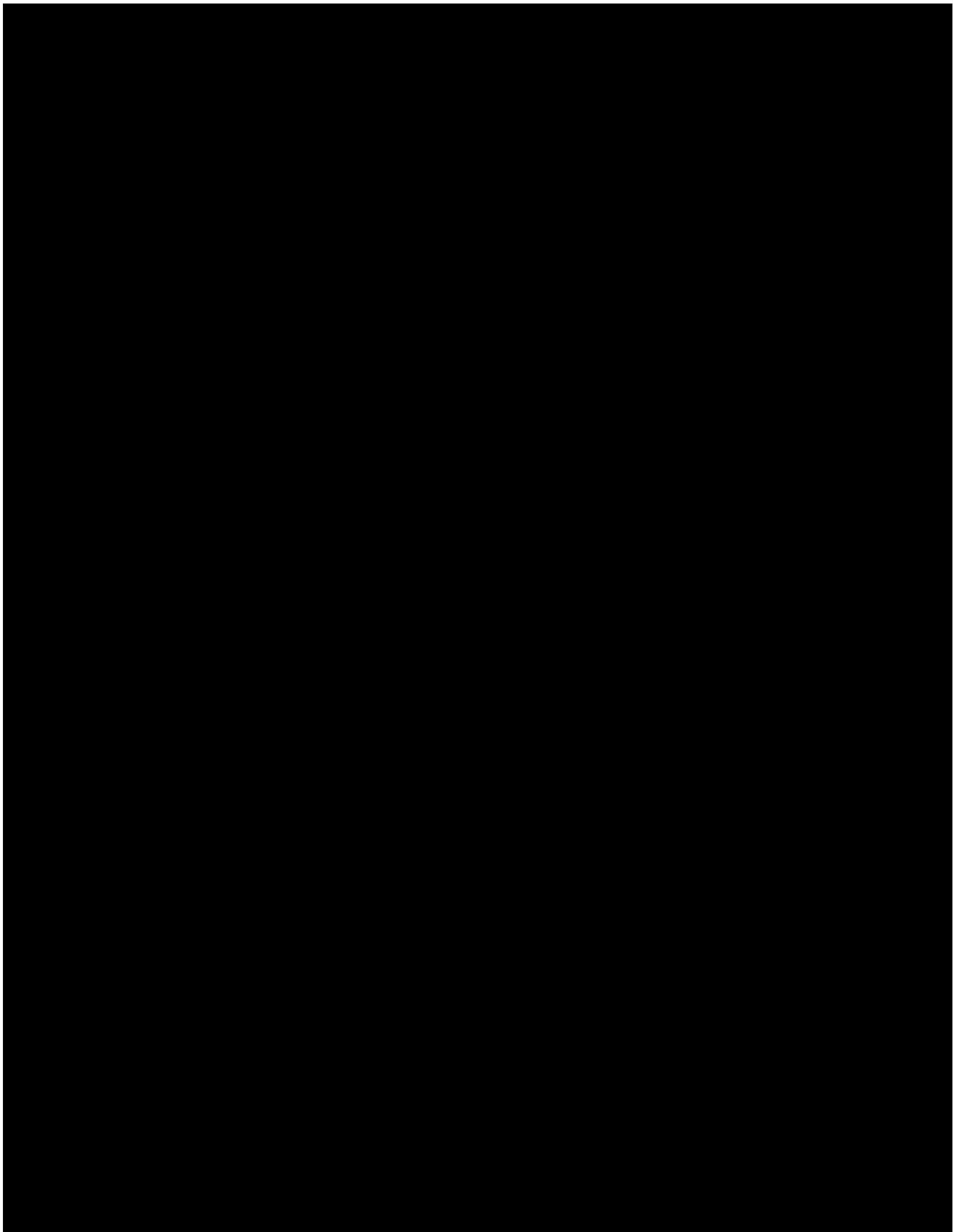


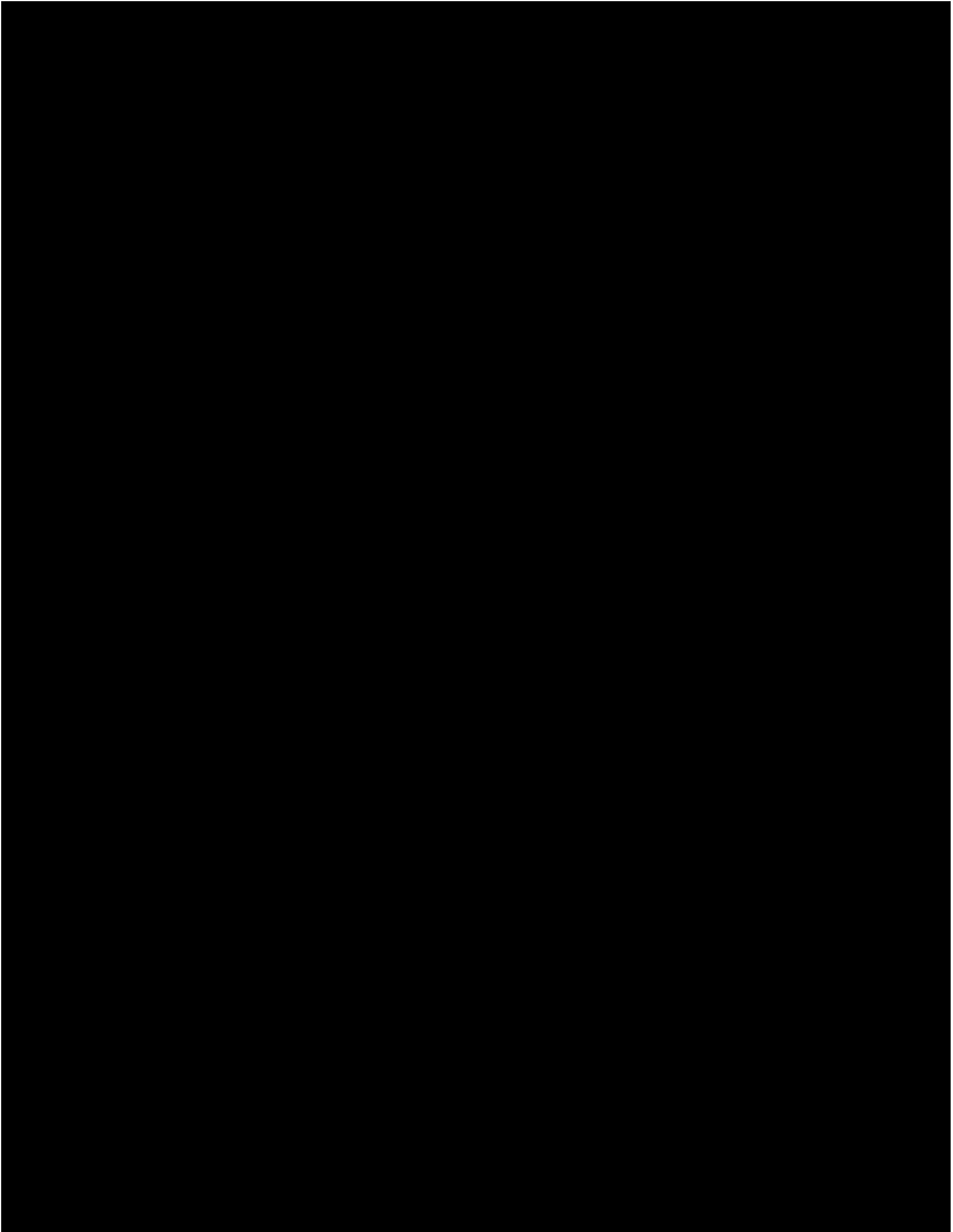


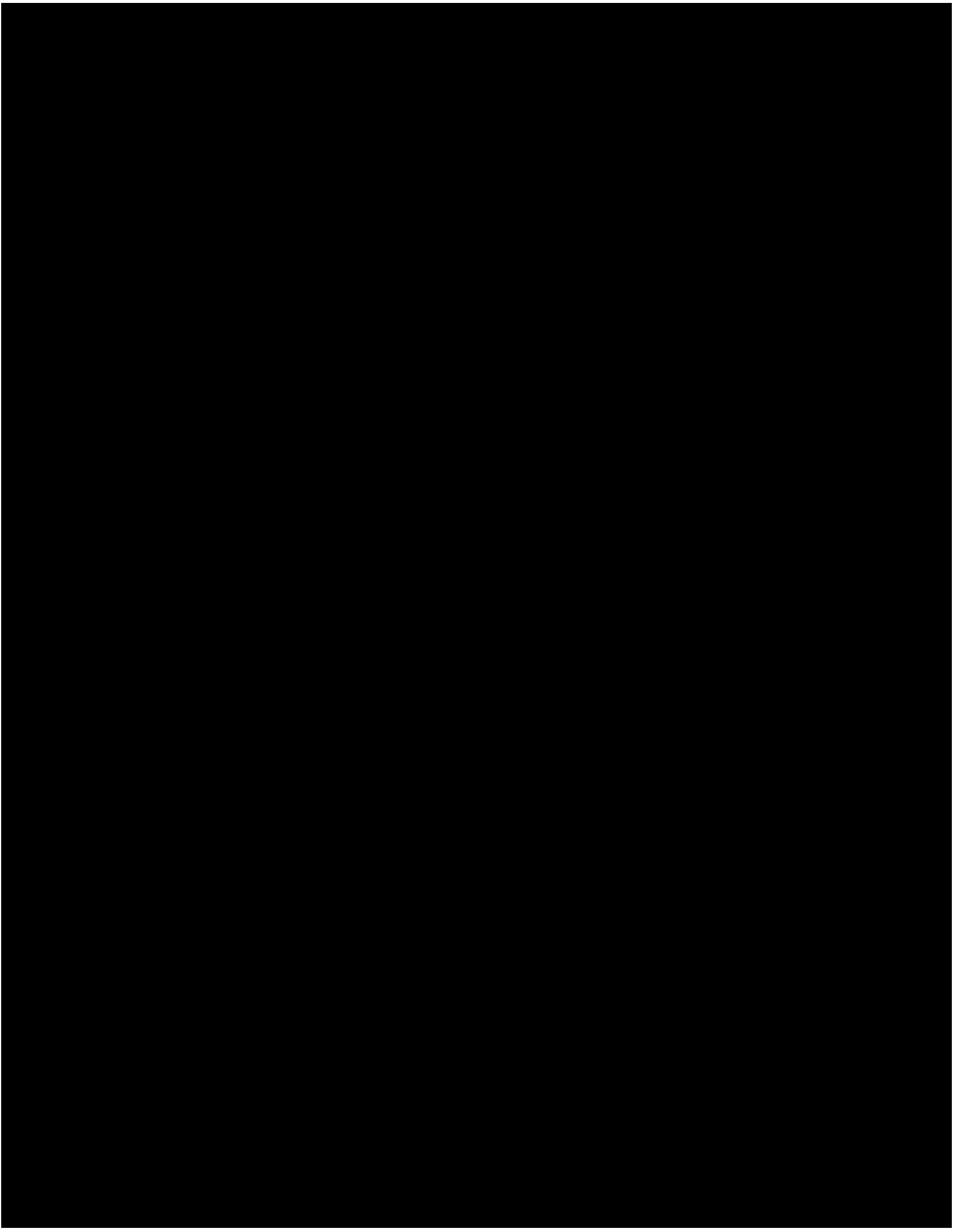


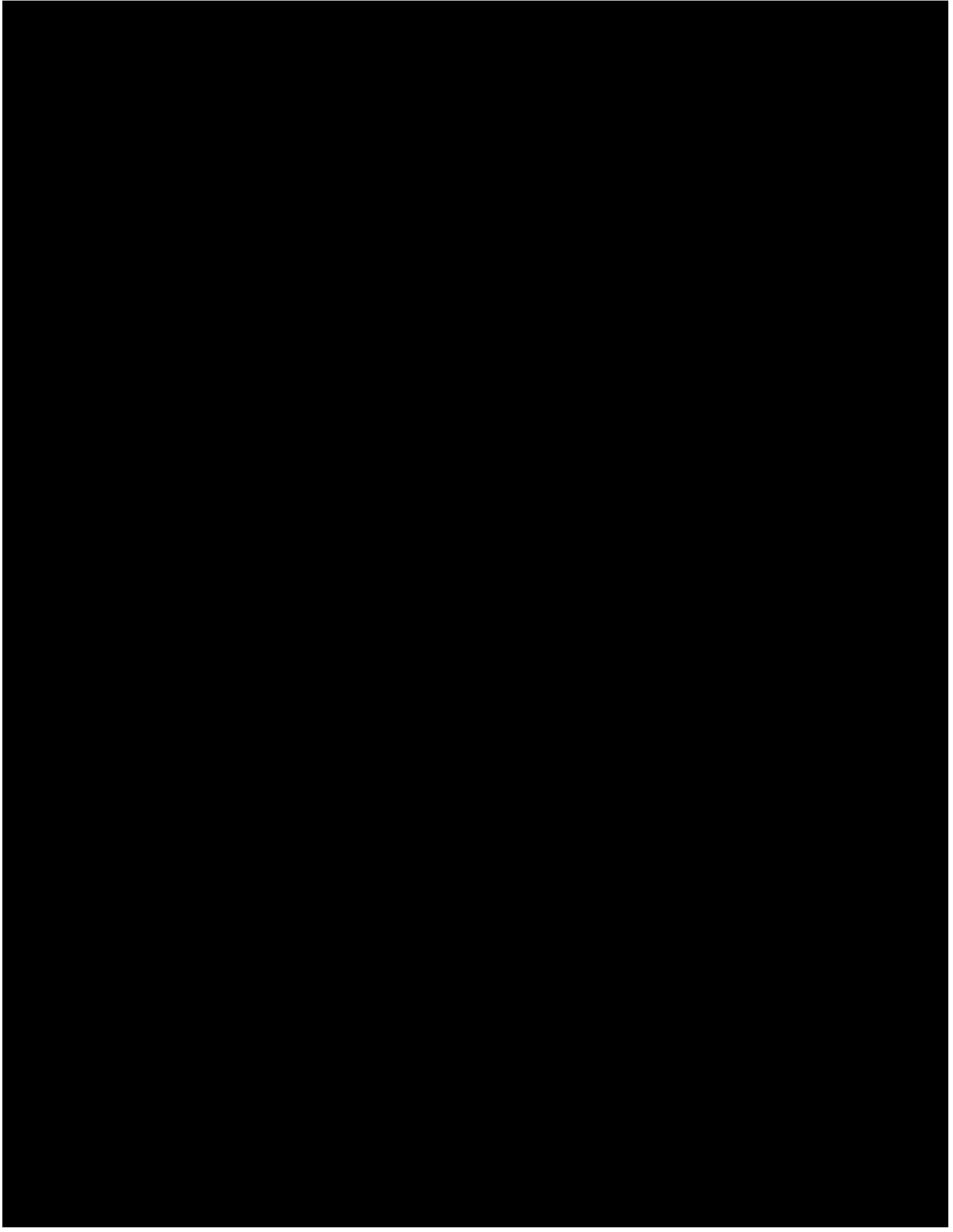


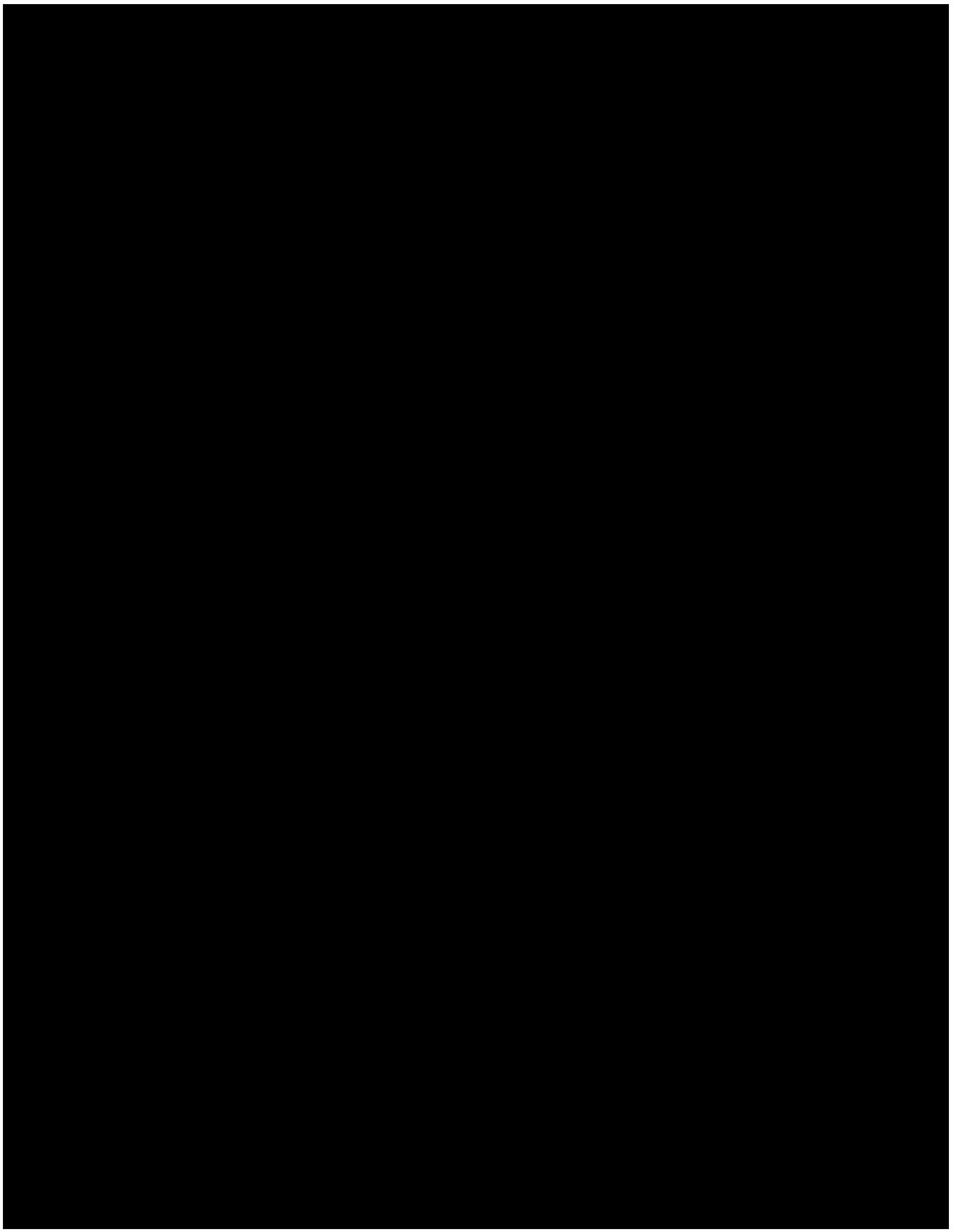




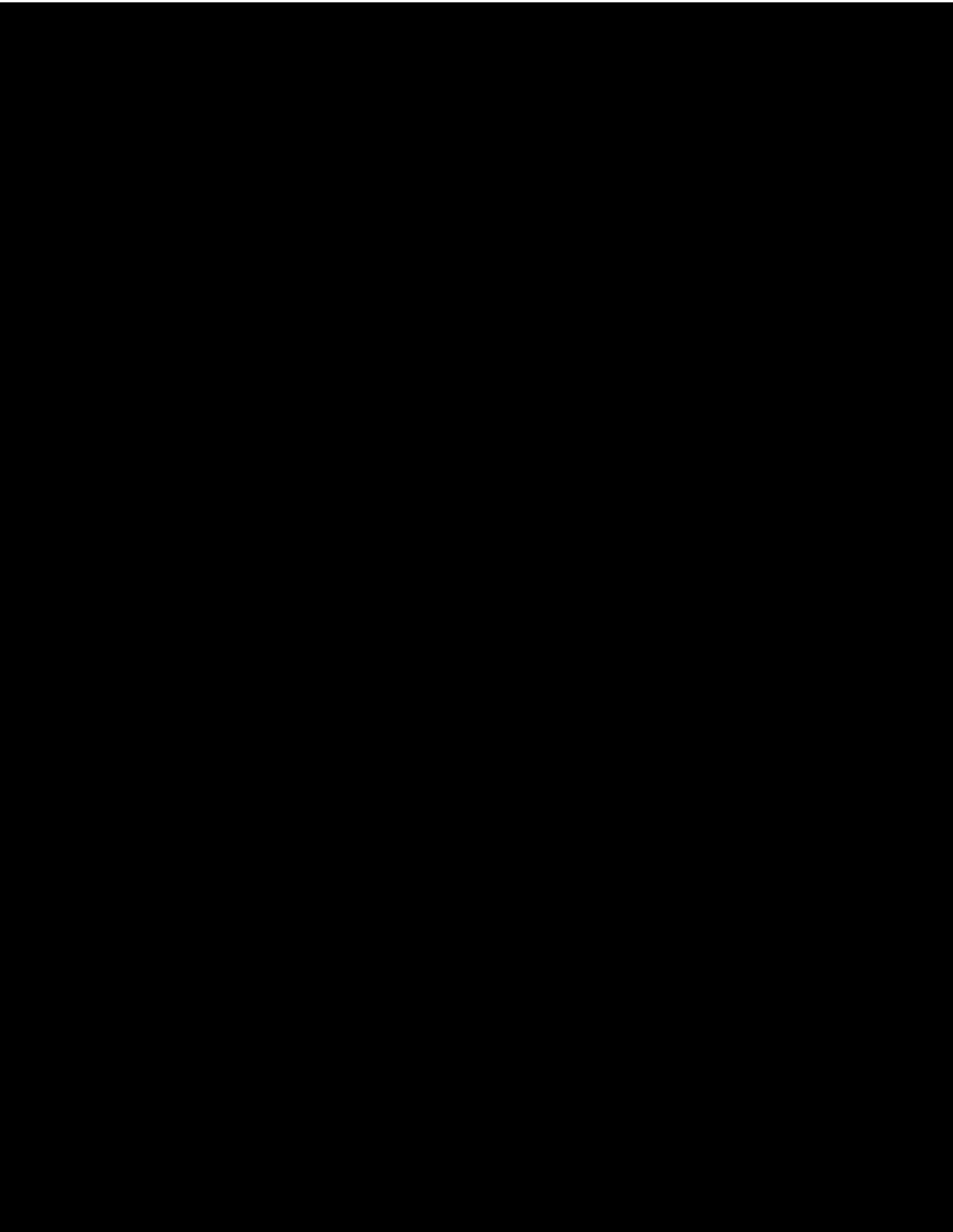


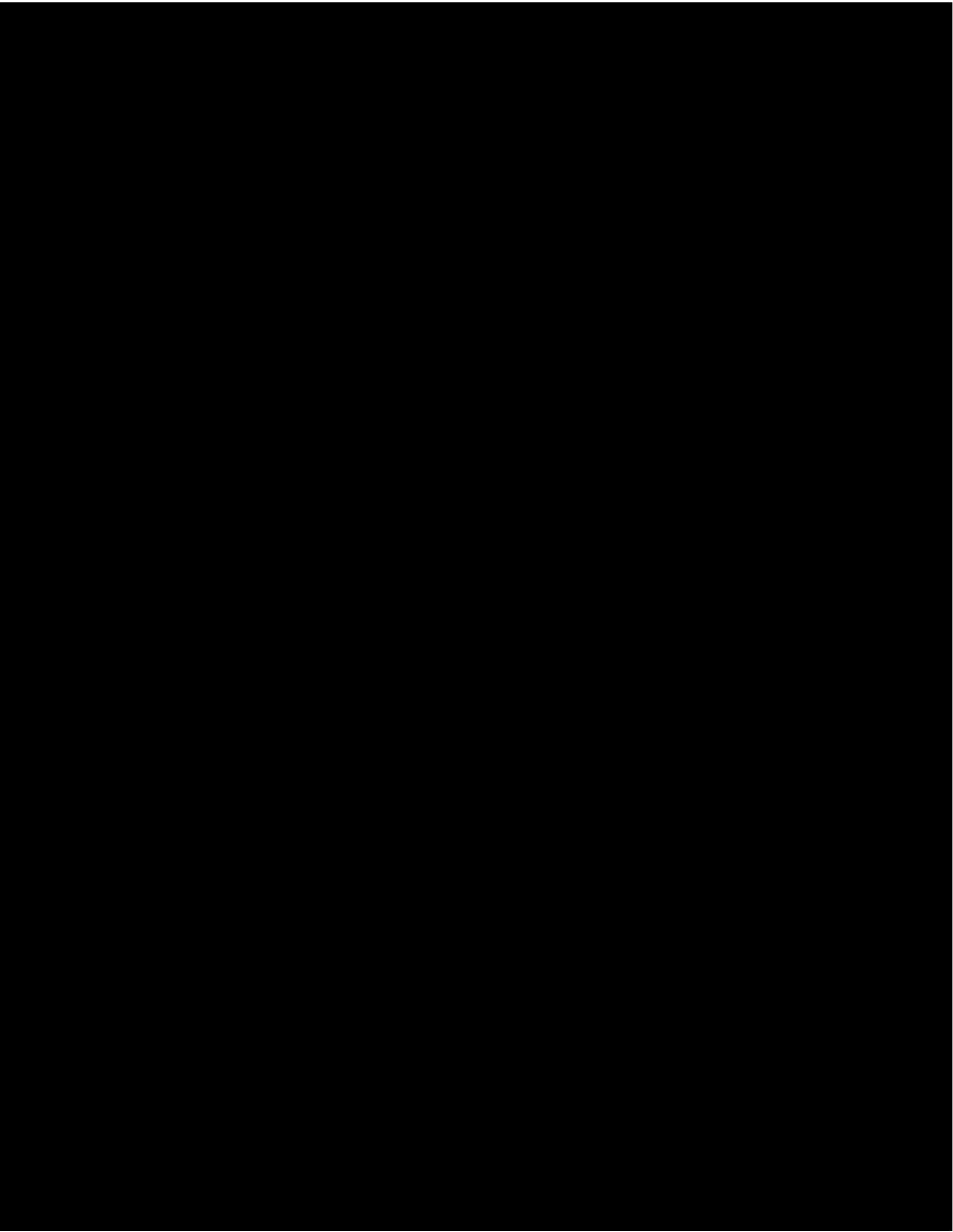


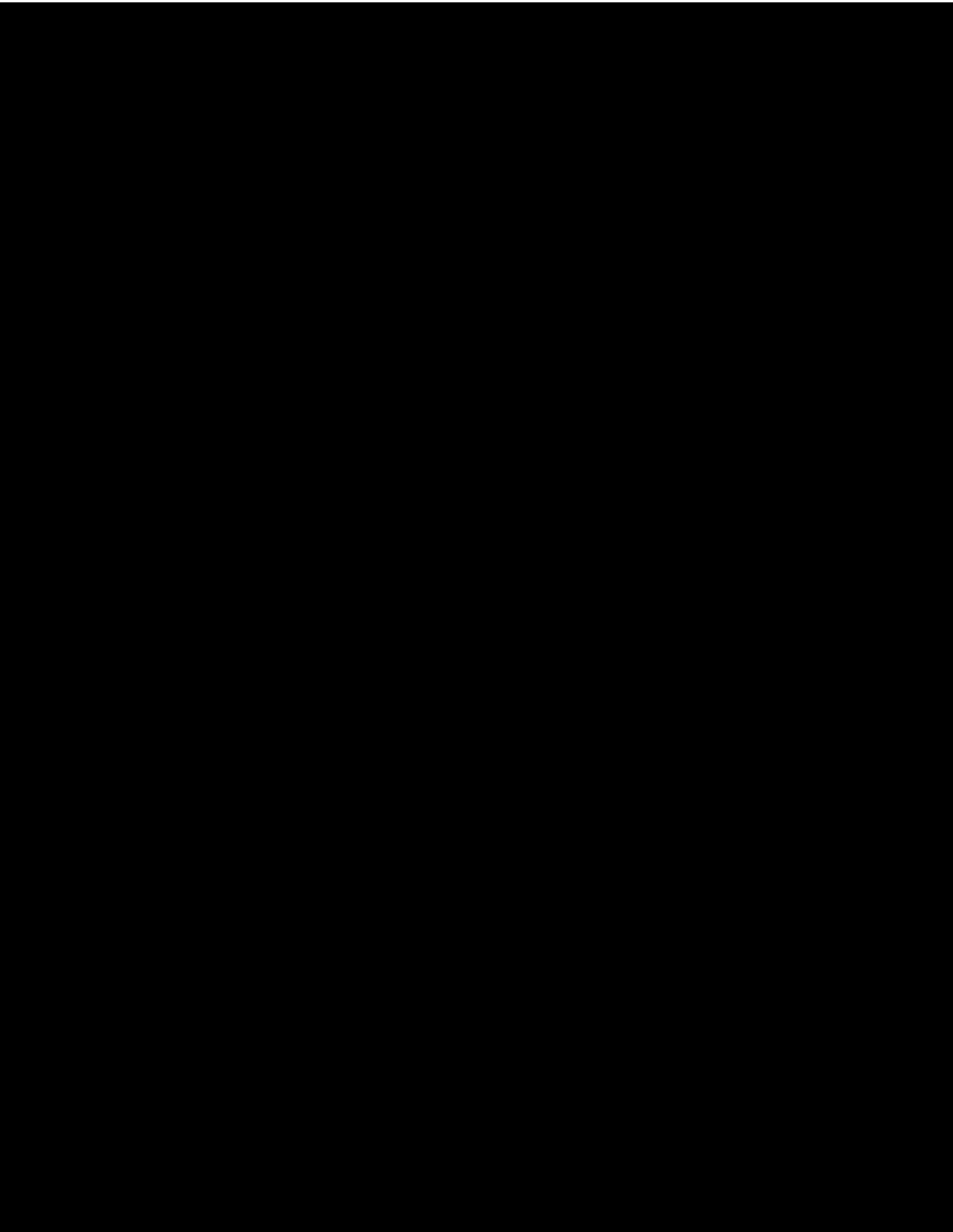


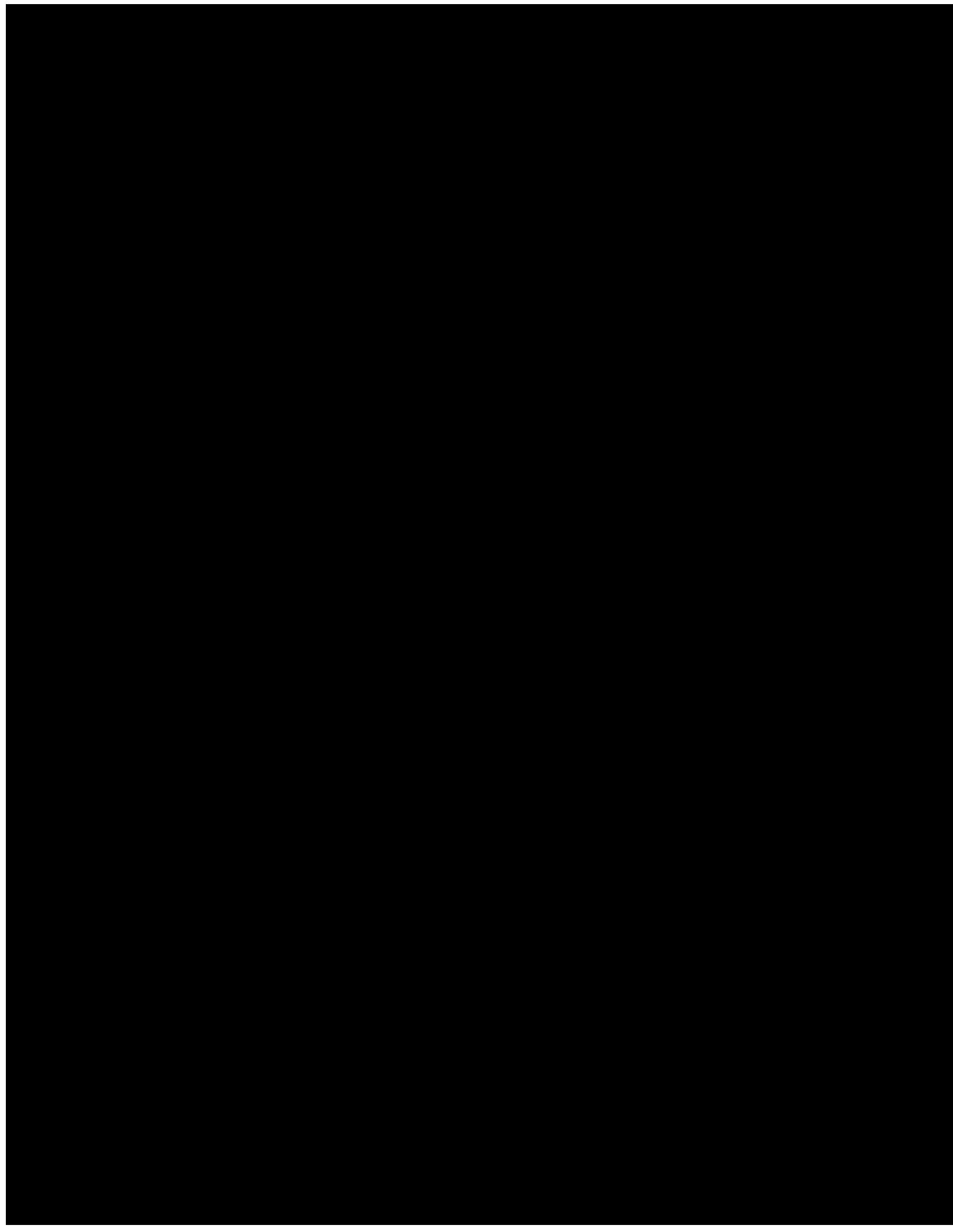


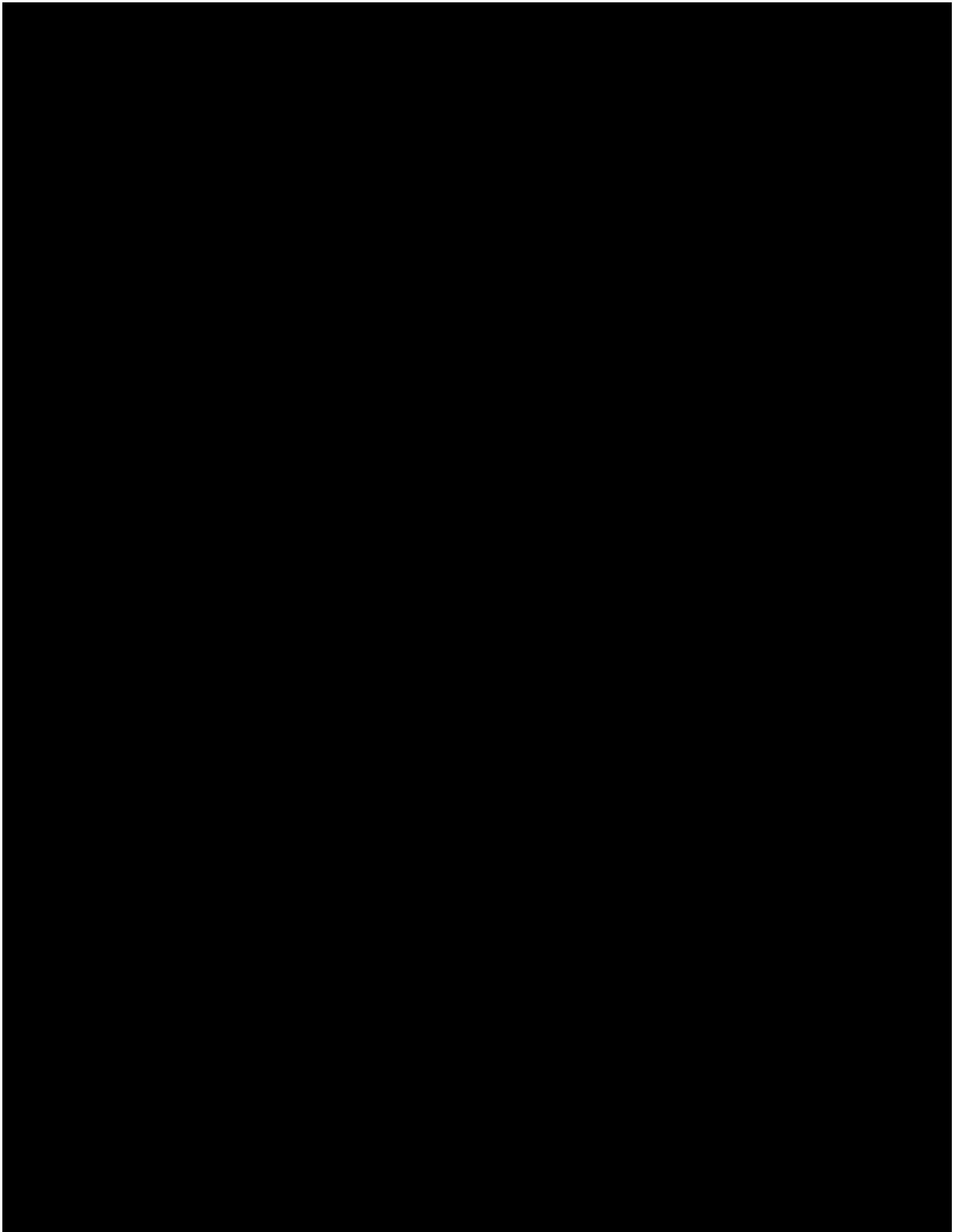
Attachment 3
Sample RFP

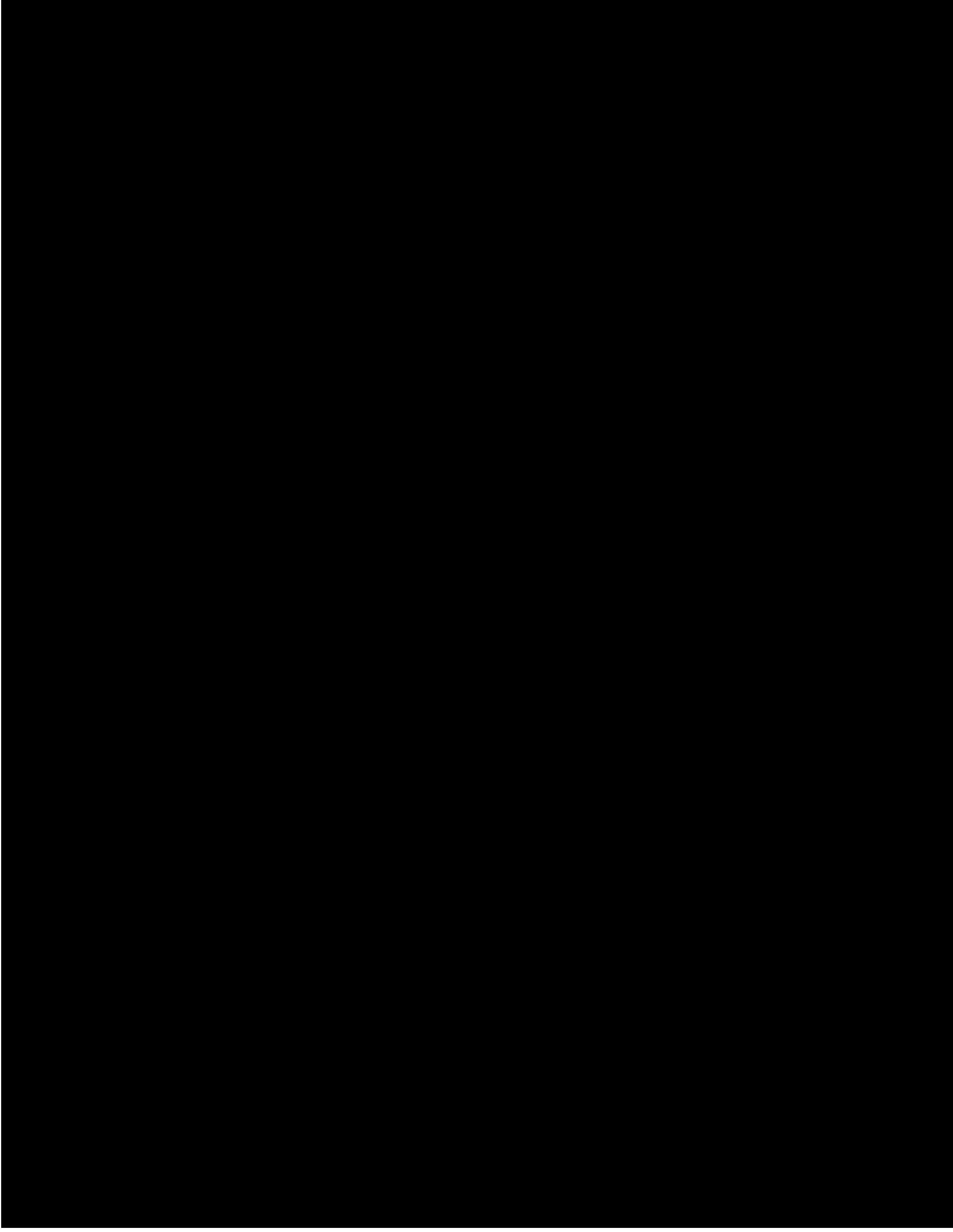


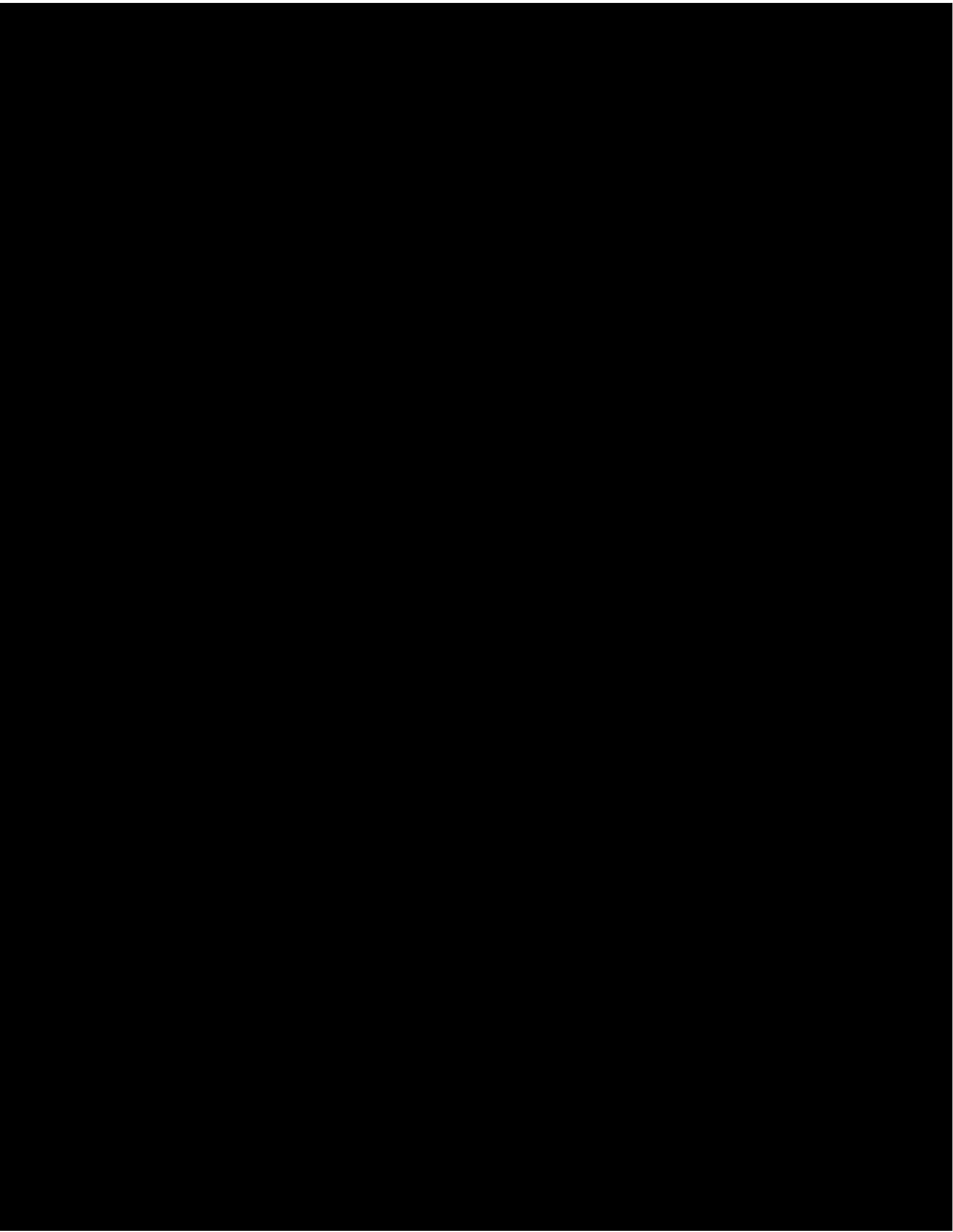


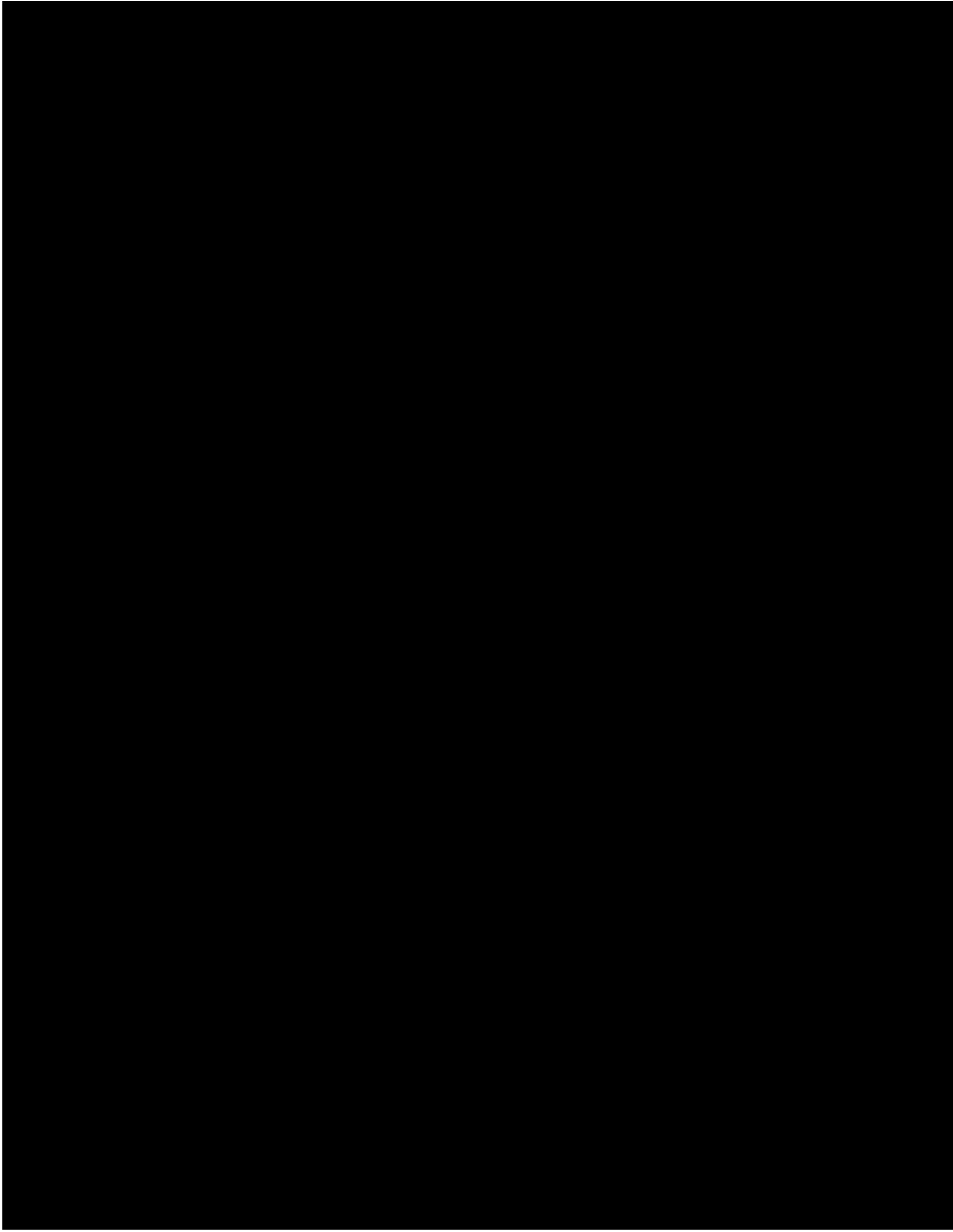


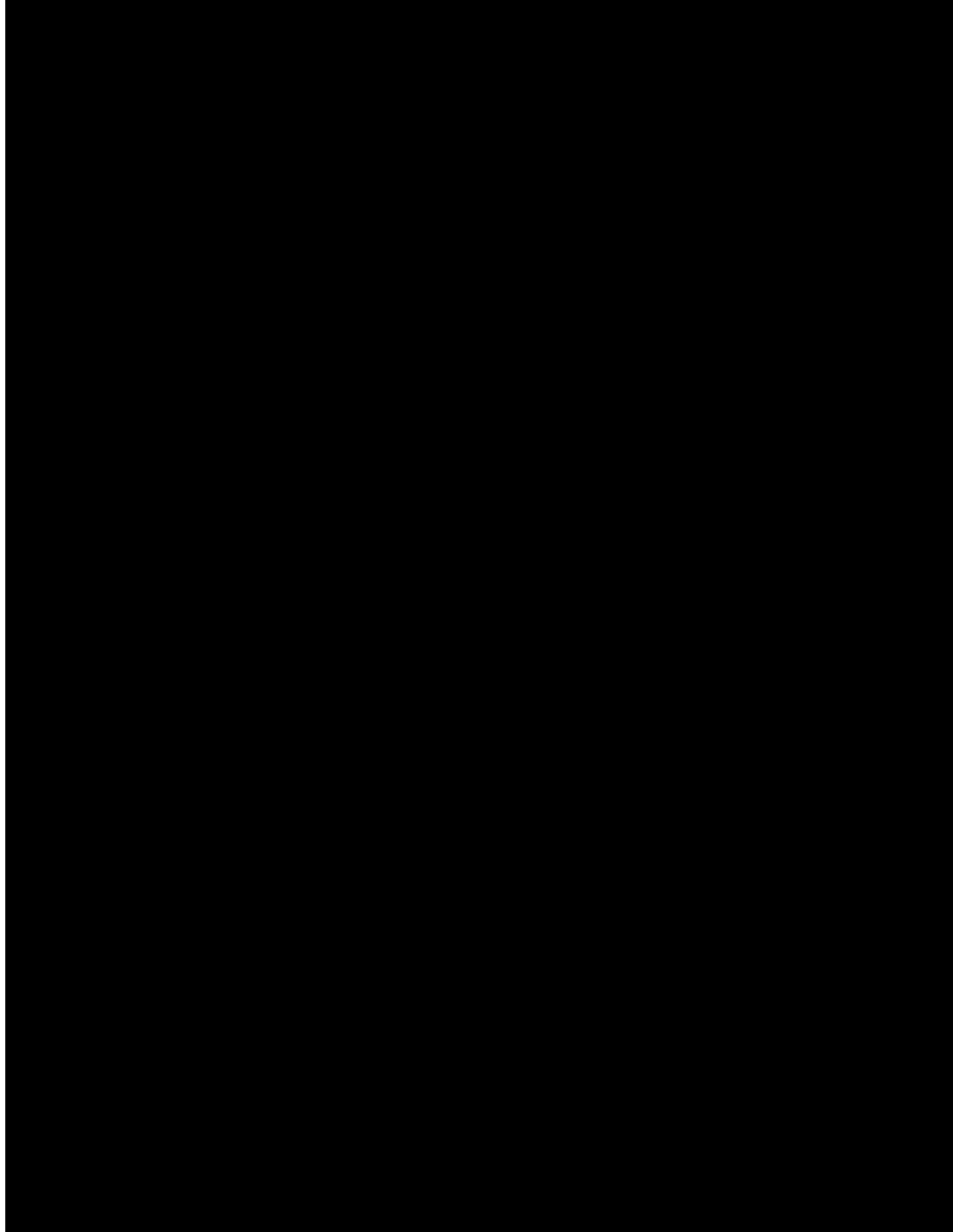


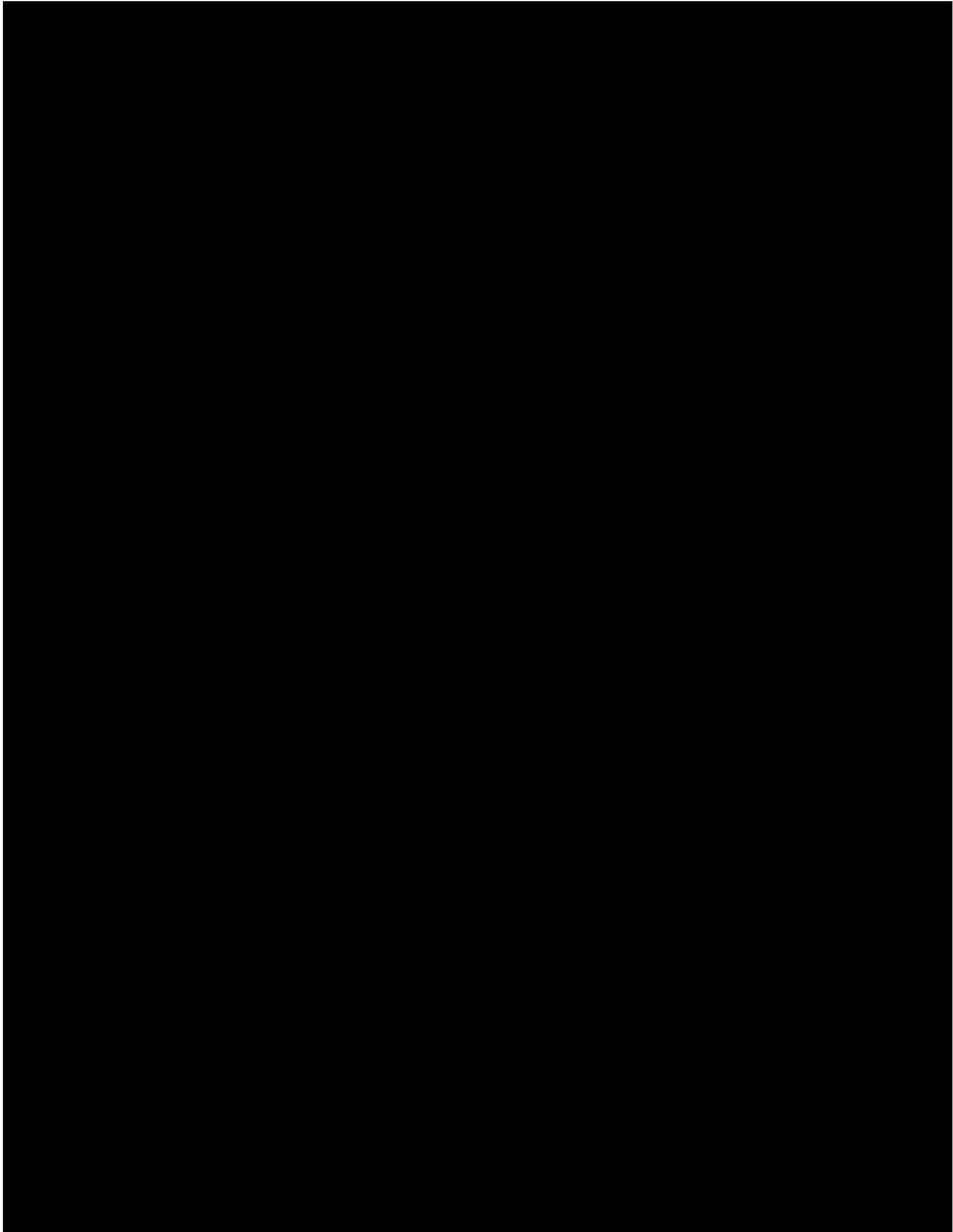


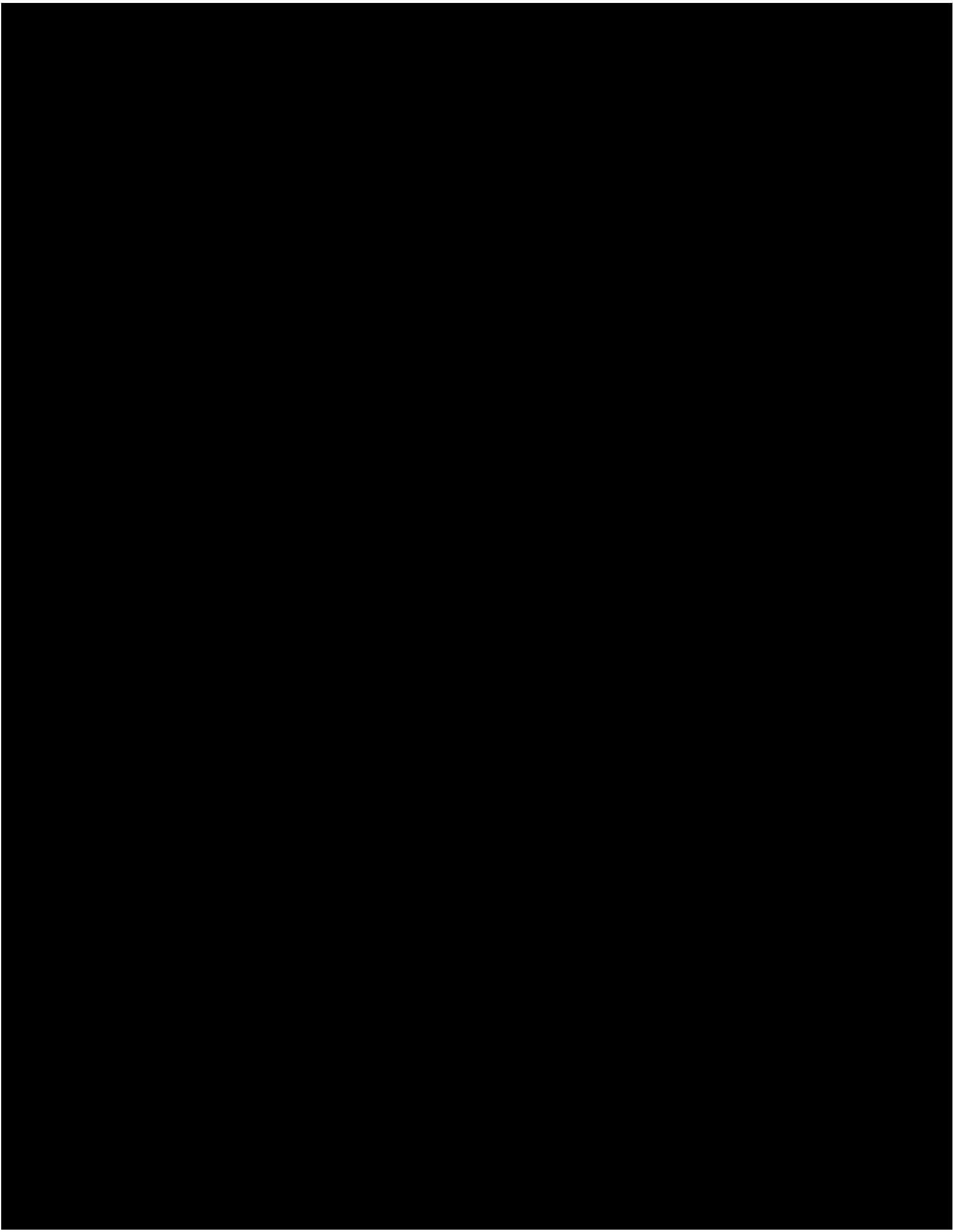


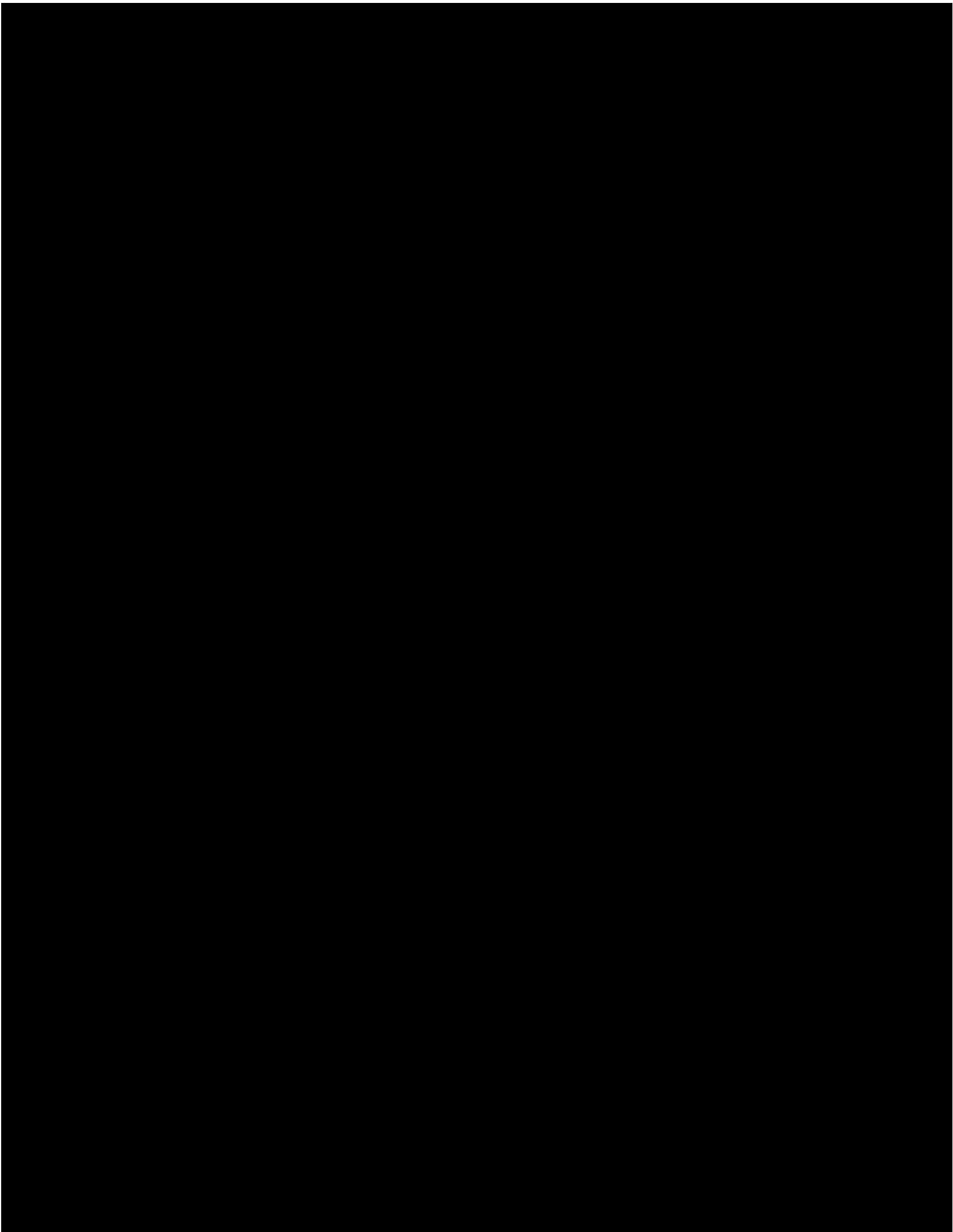












Attachment 4
Sample Opt-Out Notice

[MUNICIPAL LETTERHEAD]

[Participating Customer Name],

On April 21, 2016 the Public Service Commission passed statewide Order # 14-M-0224 allowing local governments to form a Community Choice Aggregation (“CCA”) program that gives another energy option to residents and businesses over the Utility’s default service rate for the [electricity/natural gas] supply portion of your bill. By banding together with local neighbors, our community has negotiated a fixed-rate price/index/variable with an Energy Services Company (ESCO).

After a competitive bid process, [Name of ESCO], an eligible ESCO with the State of New York, was selected to be the supplier of [electricity/natural gas] in your community. You will continue to receive one bill from your utility and your utility will continue to respond to any emergencies or outages.

PROGRAM DETAILS

As an eligible participant, your account will be automatically enrolled in the program unless you choose to opt-out by [DATE], 2017.

- There are no enrollment or switching fees.
- All participants within the municipality will receive the same commodity supply price of \$0.0XXX per kWh/therm, which goes into effect [DATE] 20XX, is guaranteed until [DATE] 20XX.
- Your supply rate is a firm fixed all-inclusive rate that will not change through this term.
- There are no cancellation fees to leave the program.
- Your product supports Green Energy. **(Specific to municipality; if selected, product details will be included here)**

NO CHANGES IN YOUR BILLING

You will continue to receive one monthly bill from the Utility. Your utility continues to be your delivery provider, so your existing transmission and distribution services will remain the same, for example, responding to outages or emergencies. The only change will be the [Electric/Natural Gas] Supply price on your [Utility] bill.

ENROLLMENT PROCESS

You are automatically enrolled in the program. If you wish to participate, NO action on your part is required. Once your account is enrolled, you will receive a confirmation letter from [Utility] confirming your "switch" to [Name of ESCO]. Approximately 30 to 45 days after enrollment you will receive your first bill with your [ESCO] price.

OPT-OUT INSTRUCTIONS

If you choose NOT to participate, you can elect to be removed from the Program by completing and returning the enclosed Opt-Out Card by [DATE, 20XX]. Or by calling the following toll free number: [888-XXX-XXXX]

If you have questions or need additional information about CCA or [Name of ESCO], please visit [www.ESCO.com] for FAQs and community specific information. [ESCO] Customer Care is available 8:00am to 7:00pm Monday through Friday at 866-XXX-XXXX or via email at [CustCare@ESCO.com]. In addition, you may reach the CCA Program Administrator at 866-955-2677 or via email at nycca@goodenergy.com.

For more information about the program please refer to the following website [**local municipal website**] or call the CCA Program Administrator number above.

Sincerely,

[Name]

[Mayor]

[City / Town / Village of _____]