

**Delaware Sustainable Energy Utility Oversight Board Meeting
Gallery Room, Perkins Student Center, University of Delaware, Newark
9:00 am, March 6, 2009**

ATTENDANCE

Board Members

Nnamdi Chukwuocha, Kingswood Community Center (called in)
Sharron Cirillo, Public Accountant (called in)
Randall Day, Perdue Agribusiness
Roger Jones, State Director, The Nature Conservancy, Delaware Branch
Judge Arthur Padmore, Public Advocate (called in)
David Small, Interim Secretary, DNREC
Chuck Wagner, Manufacturer of Energy Devices
Senator Harris B. McDowell, III, Co-Chair
John Byrne, Director, Center for Energy and Environmental Policy, Co-Chair

Charles Smisson, State Energy Coordinator (serving *ex officio*) (called in)

Board Staff

Sean Finnigan, Delaware Senate Staff
Scott Lynch, Delaware Energy Office

Scribes

Anne Smart, Center for Energy and Environmental Policy
Cara Lampton, Center for Energy and Environmental Policy

Members of the Public

Jim Black, Clean Air Council
Pat Todd, League of Women Voters
Lisa Pertzoff, League of Women Voters
Brian Kramer, League of Women Voters
Mary Anne Edwards, League of Women Voters
Branch Heller
Mike Schlegel, Duffield Associates
Coralie Pryde
John D. Flaherty
Phil Cherry, DNREC
Dave Woodside
Finn McCabe, Flexera, Inc.
Colin Manasse, University of Delaware
Sally Buttner, Energy Transition Consulting LLC
Brian Gallagher, E3 Energy Services (for the Delaware Energy Office)

MINUTES

I. Welcome

Meeting began at 9:20 am.

Senator McDowell stated that last Friday, at Vice President Joe Biden's Middle Class Task Force Meeting in Philadelphia, John Podesta, President of the Center for American Progress (and head of President Obama's transition team), cited the SEU as a model for the country. Please see the Press Coverage section of the SEU Oversight Board website for his complete testimony.

II. Approval of February 3, 2009 Meeting Minutes

It was determined that the draft minutes provided to the Board were not complete. Approval of the minutes was deferred until the next meeting.

III. Fiscal Agent RFP

A briefing on the Fiscal Agent RFP was presented by Dr. Byrne, explaining the role of the fiscal agent and the RFP procedure. Technical amendments to the RFP were proposed by Dr. Byrne to harmonize the language of the RFP with the financing alternatives available to the SEU.

Motion was adopted unanimously to make the recommended changes to the RFP.

Randall Day asked for clarification about the role of the fiscal agent. Senator McDowell provided an answer about the fiscal responsibilities and the need to meet performance objectives set by the Board. The main performance objectives are to lower energy bills, reduce conventional energy use, increase the use of distributed renewable energy, and reduce Delaware's carbon emissions.

Motion to adopt the RFP with amendments was adopted unanimously.

Dr. Byrne motioned a statement of thanks and congratulations to the State Energy Coordinator, Charlie Smisson, whose work and efforts are much appreciated by members of the Board as well as the State of Delaware.

Motion to adopt a statement of thanks was passed unanimously.

IV. Old/New Business

Dr. Byrne discussed the efforts of Philadelphia's Office of the Mayor to apply a similar SEU framework.

V. Public Comment

A question was raised on the status of non-profit incorporation for the SEU. It was noted that a 501 (c) (4) application has been filed with the IRS.

A question was raised about the status of the SEU Board bylaws. It was noted that the bylaws are being reviewed by an ad-hoc committee of the Board.

Due to the current economic climate, there was a concern about any possibility of liability of Delaware if the SEU bond underwriter, Citi, declares bankruptcy. A response to this question was promised for the next meeting.

A question was asked about the status of the Contract Administrator contract. David Small, Interim Secretary of DNREC, stated that he “thinks we are very close” but cannot say exactly when the contract will be finalized. The language of the contract is being negotiated and the process will hopefully be completed within the next two weeks. At that time, the Board will make an announcement to the public.

A comment was made regarding the meeting minutes on the SEU website. It was noted that all Board minutes are available on the website.

VI. Adjourn

Meeting adjourned at 10:15am.

The next meeting of the SEU Oversight Board will be either Thursday, March 19 at 9:00am. Location TBA.