



**Kennebunk Light & Power District**  
**4 Factory Pasture Lane**  
**Kennebunk, Maine 04043**  
**(207) 985-3311**  
[www.klpd.org](http://www.klpd.org)

**BOARD OF TRUSTEES BUSINESS MEETING AGENDA**  
**TUESDAY SEPTEMBER 26 2023**  
**DISTRICT OFFICES @ 5:00 PM**

- I. CALL TO ORDER
- II. REVIEW AND APPROVE AUGUST 29 2023 MEETING MINUTES (MOTION)
- III. REVIEW AND APPROVE AUGUST 2023 FINANCIAL STATEMENTS (MOTION)
- IV. OPERATIONS REPORT
  - A. STORM RESPONSE – SEPT. 8<sup>TH</sup> & HURRICANE LEE
  - b. PUC NOTICE OF PROCEEDING
  - c. WRIGHT PIERCE DSSMR INSPECTION
  - d. ASPLUNDH TREE TRIMMING CONTRACT
  - e. WATER STREET TRANSFORMER MAINTENANCE
  - f. METERING SYSTEM DEPLOYMENT UPDATE
  - g. ADOPTION OF REMOTE BOARD MEETING POLICY (MOTION)
- V. PUBLIC COMMENT PERIOD OF 15 MINUTES
- VI. DATE OF NEXT REGULAR BOARD MEETING IS OCTOBER 31, 2023
- VII. SET DATE OF WORKSHOP TO FORMULATE FIRST YEAR GOALS FOR GENERAL MANAGER
- VIII. ADJOURN

KENNEBUNK LIGHT & POWER DISTRICT  
COUNTY OF YORK  
STATE OF MAINE

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BOARD OF TRUSTEES MEETING MINUTES

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KENNEBUNK LIGHT & POWER DISTRICT  
4 FACTORY PASTURE LANE  
KENNEBUNK, ME 04043  
TUESDAY, AUGUST 30, 2023  
5:00 PM

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BOARD MEMBERS:

PRESIDENT: BEVERLY FREUDENREICH - (PRESENT)

VICE-PRESIDENT: WAYNE BERRY - (PRESENT)

CLERK: DAVID CLUFF - (PRESENT)

TRUSTEE: CURTIS MILDNER (PRESENT)

TRUSTEE: ROBERT EMMONS (NOT PRESENT)

ALSO PRESENT:

Matt Rancourt, Interim General Manager

Patrick Foley, Cole Harrison Insurance Agency

James Harrison, Cole Harrison Insurance Agency

Ben Smith, Smith Legal LLC (VIA Microsoft TEAMS)

*(Other individuals may have been present but not identified.)*

I. Call to Order

II. 5:00 – 5:30 Cole Harrison Agency Insurance Review

(Whereupon, Mr. Foley and Mr. Harrison left the meeting at approximately 5:35 p.m.)

(Whereupon, Ben Smith, from Smith Legal, LLC, joined the meeting via Microsoft Teams at 5:39 p.m.)

III. 5:30 – 6:00 Executive Session Pursuant to 1 MRSA § 405(6)(e) For Consultation with Legal Counsel To discuss Title 35-A: Public Utilities

**Motion by Vice-President Berry**

**Motion seconded by Clerk Cluff**

**Vote: 4/0**

(Thereupon, Executive Session began at 5:41 p.m. and concluded at 6:50 p.m. with Mr. Smith leaving the meeting at 6:50 p.m.)

IV. The following motion was made and voted upon:

**Motion by President Freudenreich** to authorize Legal Counsel, Ben Smith, to make a filing with the Maine Public Utilities Commission on KLPDs behalf in regard to delivery rate increases.

**Motion seconded by Trustee Mildner**

**Vote: 4/0**

V. Review and Approve Previous Meeting Minutes:

a. July 25, 2023

**Motion by Clerk Cluff**

**Motion seconded by Trustee Mildner**

**Discussion occurred:** Vice-President Wayne Berry requested the following:

**Item V(c), Page 2116**, a notation that the amount was changed (off record) to reflect an increase from \$31,000.00 to \$37,500.00.

**Item VII, page 2116**, include motion to enter into Executive Session

**Motion by Clerk Cluff** to accept the July 25, 2023 minutes as amended

**Motion seconded by Vice-President Berry**

**Vote: 4/0**

b. August 2, 2023

**Discussion occurred:** Vice-President Wayne Berry requested the following:

**Item II, Page 2119** - Ben Smith be noted as being present via Zoom – (Page 2118 was previously noted as so.)

**Item III, Page 2119** - Don Gerish be included in the executive Session – (Page 2118 and 2119 were previously noted as so.)

**Item III, Page 2119** - No action was taken by the Board during Executive Session.

**Motion by Clerk Cluff** to accept the August 2, 2023 minutes as amended

**Motion seconded by President Freudenreich**

**Vote:** 4/0

c. August 7, 2023

**Discussion occurred:** Vice-President Wayne Berry requested the following:

**Item II, Page 2121** - Don Gerrish be included in the Executive Session – (Pages 2120 and 2121 were previously noted as so.)

**Item II, Page 2121** – No action was taken by the Board during Executive Session.

**Motion by Clerk Cluff to accept the August 7, 2023 minutes as amended**

**Motion seconded by President Freudenreich**

**Vote:** 3/0 (Trustee Mildner abstained)

d. August 9, 2023

**Discussion occurred:** Vice-President Wayne Berry requested the following:

**Page 2122 – Board Members** – Interim General Manager be removed and added to Also Present

**Page 2123** – Item II, Matt Rancourt being added as in attendance to Executive Session

**Motion by Clerk Cluff to accept the August 9, 2023 minutes as amended**

**Motion seconded by President Freudenreich**

**Vote:** 3/0 (Trustee Mildner abstained)

e. August 15, 2023

**Discussion occurred:** Vice-President Wayne Berry requested the following:

**Page 2124 – Board Members** – Interim General Manager be removed and added to Also Present.

**Motion by Clerk Cluff to accept the August 15, 2023 minutes as amended**

**Motion seconded by President Freudenreich**

**Vote:** 3/0 (Trustee Mildner abstained)

**VI.** Review and Approve July, 2023 Financial Statements

**Motion by Clerk Cluff**

**Motion seconded by Trustee Mildner**

**Vote:** 4/0

**VII.** Operations Report

a. Revise Current Rates for Energy, RNS and Transmission to Mitigate Undercollection

**Motion by Clerk Cluff to revise current rates by a total of 1.5 cents per kilowatt hour effective September 1, 2023**

**Motion seconded by President Freudenreich**

**Vote:** 4/0

b. FERC Hydro Inspection Response

c. Other FERC Filings

d. Wright Pierce DSSMR Inspection

e. Asplundh Tree Trimming Contract

- f. Water Street Transformer Maintenance  
(Thereupon, Trustee Mildner left the meeting at 7:49 p.m.)
- g. Metering System Deployment
- h. Adoption of Remote board Meeting Policy
- i. End of Interim General Manager and Treasurer Effective at the close of August 31, 2023. (Tabled)

**VIII.** Public Comment Period of 15 Minutes

**IX.** Date of Next Regular Meeting, September 26, 2023

- X.** Set date of Special Meeting for Executive Session to Formulate First Year Goals for General Manager and Treasurer

**XI.** Adjourn

**Motion by** Clerk Cluff

**Motion seconded by** Trustee Emmons

**Vote:** 3/0

(Thereupon, with no further items to discuss, the meeting adjourned at approximately 8:13 p.m.)

Attest: \_\_\_\_\_  
David Cluff, Clerk

**KENNEBUNK LIGHT & POWER DISTRICT**  
**STATEMENT OF REVENUES AND EXPENSES**  
**August 2023**

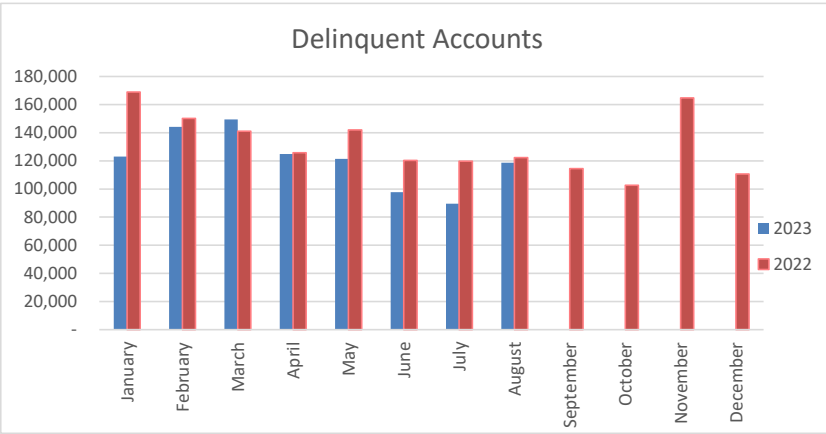
Revenue	MONTHLY			YTD			ANNUAL 2023 Budget
	August 2023 Actual	August 2023 Budget	August 2022 Actual	2023 Actual	2023 Budget	2022 Actual	
Energy revenue	\$ 637,017	\$ 678,505	\$ 666,571	\$ 4,821,102	\$ 4,825,950	\$ 4,530,227	\$ 7,264,894
Energy expense	(738,017)	(678,505)	(645,061)	(5,711,098)	(4,825,950)	(5,021,701)	(7,264,894)
Net energy revenue	(101,000)	-	21,510	(889,997)	-	(491,473)	-
RNS revenue	224,471	245,780	239,151	1,698,378	1,707,725	1,631,997	2,563,653
RNS expense	(216,362)	(245,780)	(210,659)	(1,634,175)	(1,707,725)	(1,576,057)	(2,563,653)
Net RNS revenue	8,110	-	28,492	64,202	-	55,939	-
Transmission revenue	52,006	56,707	54,490	385,730	390,946	370,965	576,560
Transmission expense	(23,734)	(56,707)	(36,546)	(189,268)	(390,946)	(306,288)	(576,560)
Net transmission revenue	28,272	-	17,944	196,462	-	64,677	-
<b>Net Energy/Transmission Revenue</b>	<b>(64,618)</b>	<b>-</b>	<b>67,946</b>	<b>(629,332)</b>	<b>-</b>	<b>(370,857)</b>	<b>-</b>
Delivery revenue	227,318	235,708	229,715	1,685,572	1,694,045	1,678,661	2,536,022
Minimum charge revenue	51,991	52,100	51,214	412,133	413,290	407,525	619,914
Other revenue	8,434	9,743	15,599	119,925	72,426	110,733	108,848
<b>Total Operating Revenue</b>	<b>287,743</b>	<b>297,551</b>	<b>296,528</b>	<b>2,217,630</b>	<b>2,179,761</b>	<b>2,196,918</b>	<b>3,264,784</b>
<b>Expenses</b>							
General Operations	89,508	89,744	129,173	492,439	574,949	416,770	840,000
Customer Collections	24,530	24,001	20,873	169,253	173,793	163,196	256,677
Administration	100,327	113,478	81,549	925,254	937,313	839,523	1,418,253
Other expense	40,388	40,008	39,279	323,102	311,309	311,209	430,208
<b>Total Operating Expense</b>	<b>254,752</b>	<b>267,231</b>	<b>270,873</b>	<b>1,910,048</b>	<b>1,997,364</b>	<b>1,730,698</b>	<b>2,945,138</b>
<b>Net Operating Gain/(Loss)</b>	<b>32,991</b>	<b>30,320</b>	<b>25,654</b>	<b>307,582</b>	<b>182,397</b>	<b>466,220</b>	<b>319,646</b>
<b>Total Gain/Loss</b>	<b>\$ (31,627)</b>	<b>\$ 30,320</b>	<b>\$ 93,601</b>	<b>\$ (321,750)</b>	<b>\$ 182,397</b>	<b>\$ 95,363</b>	<b>\$ 319,646</b>

	August 2023	2023 YTD
Photovoltaic Credits	\$ 7,909	\$ 47,166
KLPD electrical usage	\$ 1,236	\$ 16,065

**KENNEBUNK LIGHT & POWER DISTRICT  
STATEMENT OF FINANCIAL POSITION**

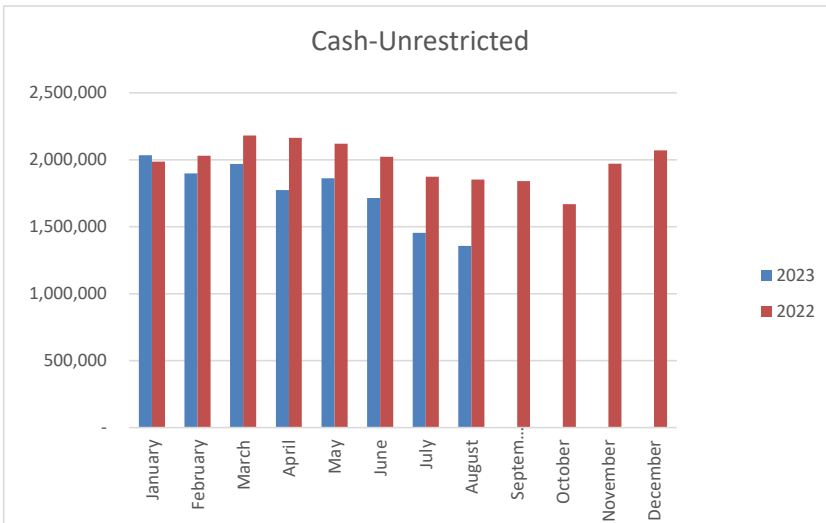
	August 2023	August 2022
<b>Assets</b>		
Cash and short-term investments	2,307,353	2,850,421
Accounts receivable	1,002,246	1,011,295
Fixed assets and property	11,699,283	11,042,920
Other assets	909,213	549,997
<b>Total assets</b>	<b>15,918,094</b>	<b>15,454,634</b>
<b>Liabilities</b>		
Accounts payable	1,088,093	928,580
Payroll liabilities	12,356	8,740
Long-term liabilities	1,082,444	1,323,264
Other liabilities	909,250	373,280
<b>Total liabilities</b>	<b>3,092,143</b>	<b>2,633,863</b>
<b>Equity</b>		
Surplus	13,147,701	12,725,407
Current year excess revenue	(321,750)	95,363
<b>Total equity</b>	<b>12,825,951</b>	<b>12,820,770</b>
<b>Total liabilities &amp; equity</b>	<b>15,918,094</b>	<b>15,454,634</b>

Kennebunk Light & Power District  
August 2023



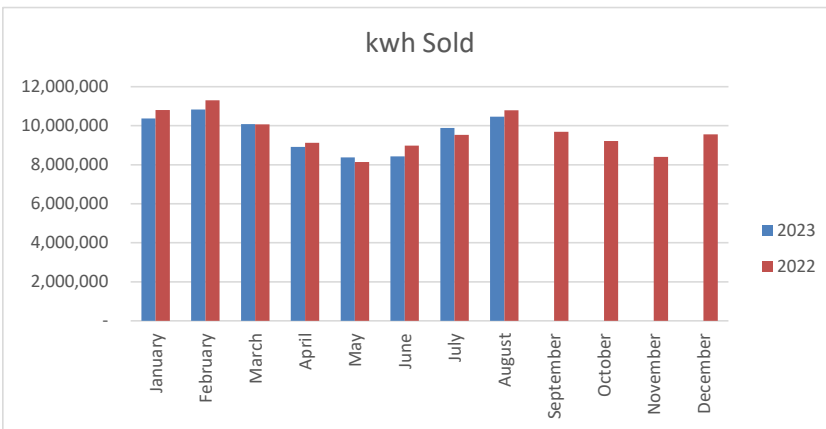
Aging	2023	2022
29 to 60 days	83,498	74,517
61 to 90 days	6,198	9,286
91 days +	28,914	38,481
<b>Total</b>	<b>118,610</b>	<b>122,284</b>

Delinquent accounts as a % of current month's sales:	9.87%	9.73%
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Days of Cash on Hand	
Required	90
Actual	38
Variance	-52

Cash required:	\$ 3,200,000
<b>Cash unrestricted</b>	<b>\$ 1,356,217</b>
Cash-deposits	\$ 106,563
Cash-capital	\$ 627,354
Cash-Efficiency ME	\$ 217,218
<b>Cash-Total</b>	<b>\$ 2,307,353</b>
Variance	\$ (1,843,783)

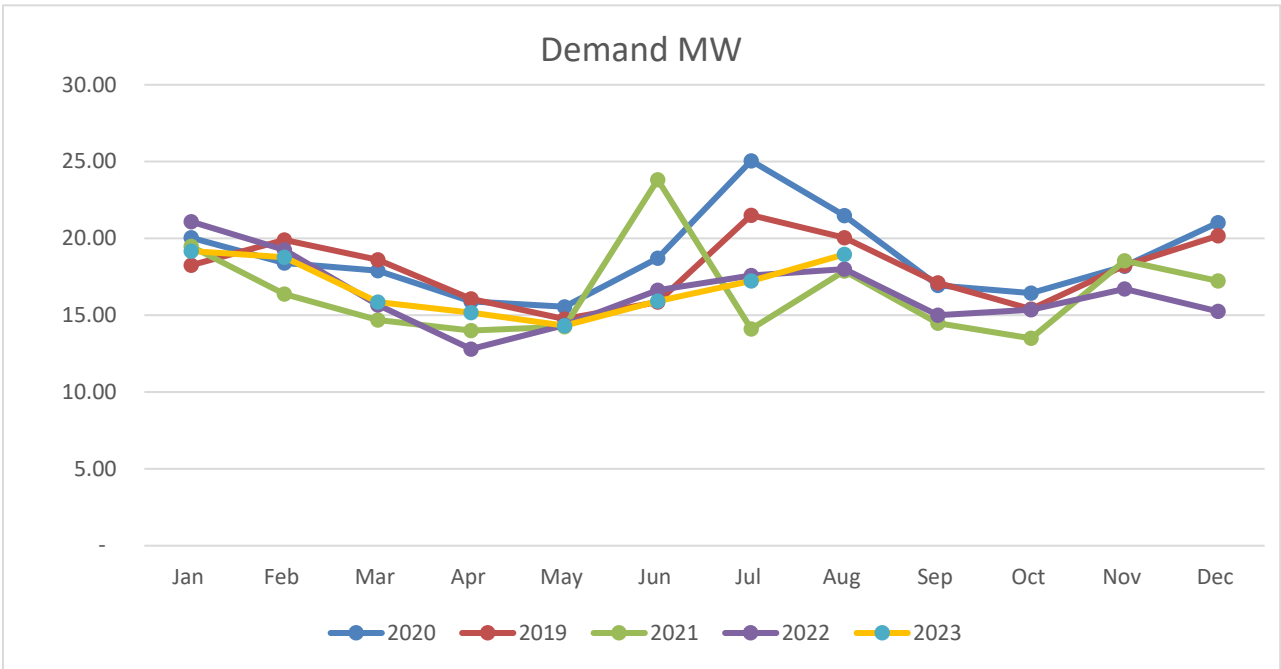
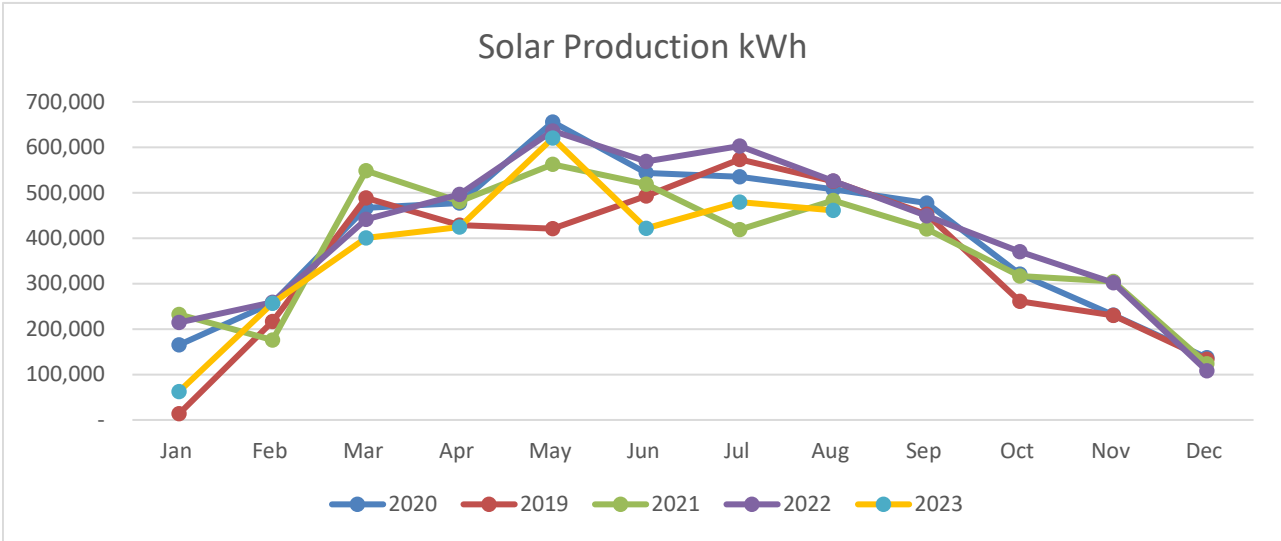


August 2023	10,468,654
August 2022	10,791,602
Variance	(322,948)

Variance % -2.99%



Kennebunk Light & Power District  
August 2023



**KENNEBUNK LIGHT & POWER DISTRICT  
HYDRO STATEMENT OF ACTIVITY**

<b>Revenue</b>	August 2023	YTD 2023	2023 Budget
Electrical Production	\$ -	\$ -	\$ -
<b>Total Revenue</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Expenses</b>			
Labor	175	895	5,800
Benefits	91	465	2,610
Supplies	2,988	3,863	6,000
Electrical Use	42	309	600
Liability/Property Insurance	600	4,800	7,200
Depreciation	1,250	10,000	16,119
Legal & Professional Fees	-	-	30,000
<b>Total Expenses</b>	<b>5,146</b>	<b>20,332</b>	<b>68,329</b>
<b>Gain/ (Loss)</b>	<b>\$ (5,146)</b>	<b>\$ (20,332)</b>	<b>\$ (68,329)</b>

September 20, 2023

KENNEBUNK LIGHT & POWER  
DISTRICT  
Request for Approval of Refund for Over  
Collection of Delivery Rate and  
Associated Waivers

Notice of Proceeding

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## I. BACKGROUND

On September 1, 2023, Kennebunk Light & Power District (the District) filed a letter with the Commission seeking “approval by the Commission for a refund to customers based on previously assessed delivery charges for which no Commission approval had been granted and in order to allow such refunds to be credited to customers based on a calculation that takes into account customers’ average usage in the affected rate classes.” Letter at 1. The District explains that in recent years it increased delivery rates by 1% on four separate occasions without complying with statutory requirements. Although it is not entirely clear from the District letter, it apparently did not follow *any of the* requirements set forth in 35-A M.R.S. § 3502 and Chapter 120 of the Commission’s rules, including the requirement of Commission approval. The District attributes this failure to “a misunderstanding of regulatory requirements surrounding the streamlined ratemaking available” to consumer-owned electric utilities.

The District states that beginning in October 2023, it will return to charging customers its last Commission approved rates. Petition at 3; *see Kennebunk Light & Power District, Request for Approval of Rate Change – 307 (4/1/18)*, Docket No. 2017-00333 (MPUC). Further, the District seeks Commission authorization of a one-time bill credit to all customers in the residential, general service, and industrial power rate classes pursuant to 35-A M.R.S. § 1309. Rather than calculate individual customer refunds, to streamline and reduce administrative burdens, the District proposes a calculation of the bill credit that would provide a range of credits for customers depending on their class. For example, the District proposes to credit each current residential customer a single credit of \$17.03 and in the case of one industrial customer, a single credit of \$34,058.55. Letter Ex. A, Refund Calculation. The District seeks to apply the bill credit to October 2023 bills, and requests waivers of Chapter 815 § 8(F) (requiring advance notice to customers of billing errors before a correction or adjustment is made); and § 8(F)(2) (requiring individual refunds). The District proposes to notify customers in the affected classes as part of the October 2023 billing cycle of

the overcollection and refund by including an explanation of the overcollection and refund calculation methodology set forth in Exhibit C to its letter.

## II. INTERVENTIONS AND CONFERENCE

Petitions to Intervene pursuant to Chapter 110 of the Commission's Rules are due by **Friday, October 13, 2023**.<sup>1</sup> A case conference will be held on **Thursday, October 19, 2023**, commencing at **9:00 a.m.** in the Commission's **Simpson Hearing Room**. The option to participate via Teams videoconference will be provided to the District and any person seeking intervention. Objections to petitions to intervene and responses to the same may be made orally during the case conference. During the case conference, Staff and the parties will discuss next steps in the proceeding. Parties should be prepared to propose next steps.

Note that the record for this proceeding will consist of all materials submitted by parties (including the District) and Advisory Staff to the proceeding, with the exception of materials for which the Hearing Examiners have sustained a timely objection from a party or which the Examiner(s) have excluded on their own motion.<sup>2</sup> 5 M.R.S. § 9059; MPUC Rule, ch. 110, § 8(H).

## III. NOTICE

A copy of this Notice of Proceeding is provided to the notification list in the District's last Commission approved distribution rate case, Docket No. 2017-00333. Further, the District is directed to send to each of the affected customers a copy of this Notice of Proceeding, either electronically or via a hard copy mailing by **Tuesday, October 3, 2023**.

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<sup>1</sup> Late filed petitions to intervene will be entertained given the brief time between the October 3 deadline for the District to send the Notice of Proceeding and the October 13 deadline for petitions to intervene. To the extent that customers are unfamiliar with the Commission's practices and procedures, they are set forth in Chapter 110 of the Commission's Rules, which may be found at:

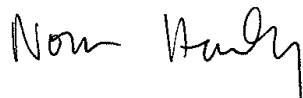
<https://www.maine.gov/mpuc/legislative/laws-rules>

The Office of the Public Advocate represents customer interests and may be able to assist customers who wish to participate in this proceeding. Contact information for the OPA may be found at: <https://www.maine.gov/meopa/about/contact-us>

<sup>2</sup> The Commission considers all materials filed in good faith by a party to a Commission proceeding, and not the subject of a sustained objection, to be "the kind of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs." 5 M.R.S. § 9057.

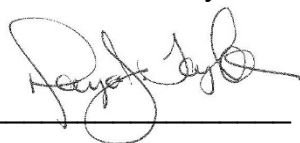
Dated at Hallowell, Maine, this 20th day of September 2023.

BY ORDER OF THE HEARING EXAMINER



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Nora Healy



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Daya Taylor

Hearing Examiners

Topic: Kennebunk Light and Power District Board of Trustees Meeting

Time: Sep 26, 2023 05:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89819383522?pwd=OE1GOE1vUmVXalJxcUNhQWgrTU52UT09>

Meeting ID: 898 1938 3522

Passcode: 004101

One tap mobile

+13092053325,,89819383522#,,,,\*004101# US

+13126266799,,89819383522#,,,,\*004101# US (Chicago)

Dial by your location

- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 646 558 8656 US (New York)
- +1 646 931 3860 US
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
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- +1 689 278 1000 US
- +1 719 359 4580 US