

# TV Committee Meeting

January 10, 2020

1:00 pm – 3:00pm

SSC Training Room

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**Meeting called by:** David Fees, DAQ Director

**Type of meeting:** Fee Cycle Negotiation Continuation

**Facilitator:** Tony Manson

**Note taker:** Dawn Minor

**Attendees:** See sign-in sheet

## Notes

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**Agenda item:** TV Committee Contact List

**Presenter:** Tony Manson

### Discussion:

Reviewed the TV Committee Contact List to make necessary revisions.

- Add Mike from DSWA (see sign-in sheet)
- Remove Dawn Pritchett from Fiscal
- Tom to determine Stu Widom's continued involvement in the committee (no longer with Calpine)
- Tarik no longer with CIC, Alan doesn't know who the replacement is
- Dassault emails undeliverable due to system hack, should be resolved now
- Tom asked about public utility (or utility provider in the revised legislation) representative
  - Used to be Stu at Calpine
  - Discussion that Dave Bacher of Indian River could meet that member requirement
  - Chamber needs to determine who that representative will be

**Conclusions:** Revisions made during the discussion.

### Action items

Determine Stu Widom continued involvement

### Person responsible

Tom Webster

### Deadline

ASAP

Determine the public utility (utility provider) representative

Tom Webster

ASAP

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**Agenda item:** Natural Minor Fee Increase Initiative Update

**Presenter:** Tony Manson

### Discussion:

Tony provided update

- Work in progress, evolving
  - Additional consolidation
  - Tom asked we add a date to future versions
- Still combined bill
  - Tom thought we were separating the two
    - Dave indicated that is not the Secretary's preference, pros outweigh cons at this point
    - Committee concerns with combining duly noted
    - Secretary open to separating if the NM portion is jeopardizing finalization of the TV portion
  - Mike (COC) conceded that the TV legislation may help in the passing of the NM legislation, a pro but still has strong concerns
    - Belief that one will hold up the other
    - Suggested proceeding separately, combining towards the end
    - Willing to discuss his concerns and this approach with the Secretary
- NM communication and outreach meeting targeted for January 22, 2020
  - Tom concerned about the size of the group that would be involved
    - DAQ approach of convening a group of representatives for this first meeting is meant to keep it manageable and the purpose of this meeting is to work on a communication & outreach plan to the broader universe

- Will include TV & SM representatives
      - Tom and Alan unable to make a January 22, 2020 meeting
      - Moving it to January 27, 2020 to accommodate TV Committee members' attendance
  - Mike suggested that DAQ draft a one page document regarding the NM Fee Increase Initiative that he can provide to Judy Diogo who coordinates the association of Chamber representatives
    - A January 23, 2020 meeting is planned for the association of Chamber representatives where this document can be distributed
      - Could be especially helpful in communicating the initiative to the southern part of the state
  - Mike also suggested if the Secretary of State may have lists of contacts that would be useful
  - Will Secretary be at this meeting
    - Dave indicated he, as Director, will represent the Secretary.
  - Hope to be able to share draft legislation at the January 27, 2020 meeting.

**Conclusions:**

NM Communication and Outreach meeting will be moved to January 27, 2020. DAQ will provide Mike a one page document describing the NM Fee Increase Initiative for distribution at an Association of Chamber Representatives January 23, 2020 luncheon.

Action items	Person responsible	Deadline
Invitation for January 27, 2020 NM Meeting	DAQ (Tony)	ASAP
Provide Mike 1 page NM Fee Increase Initiative paper	DAQ (Tony)	ASAP

**Agenda item:** TV (only) Legislation Revisions **Presenter:** Tony Manson

**Discussion:**

Tony went through the unresolved proposed changes presented at previous meetings.

- The committee requested that page numbers be added
- Proposed change of due date from the end of the year to June 30 each year
  - Consensus is ok
- Proposed changes to the TV Committee membership language, including required members
  - Memorializing how we actually function with respect to membership as it is not as prescribed in current language
  - Mike asked an overall question about how the TV Committee functions in the years fee renewals not being undertaken, does it meet
    - Tony explained that we meet at least annually to review the TV Annual Report and for other reasons/matters, such as the TV Management Review project
  - Mike suggested changing "...member of the Delaware State Chamber of Commerce..." to "...a representative of the Delaware State Chamber of Commerce..."
    - Member would mean a facility representative who is a member of the COC when the belief is the intent here is for COC representative be a TV Committee required member
  - Tom raised question of establishing a quorum

**Conclusions:** The two unresolved proposed revisions were approved by the committee. Need to make the change Mike suggested related to the COC.

Action items	Person responsible	Deadline
Revise the language regarding the COC	DAQ	ASAP

**Agenda item:** 2021-2023 TV Program Revenue Requirements & Proposed Fees **Presenter:** Tony Manson/Industry Representatives

**Discussion:**

Tom presented revised spreadsheets that took into considerations factors Tony had pointed out were not taken into consideration in previous versions.

- The committee agreed to establish **\$3,943,834** (industry calculated need) as the starting point for further revenue discussion.
- New industry member actual revenue requirement calculation and recommendation is \$3.7 million

- Includes a reduction of the 2.3 FTE revenue requirement amount
  - Industry believes reduction in billing universe means workload reduction and therefore increasing staffing levels not necessary
    - DAQ reminded that the TV funds (legally) support activities that are not facility specific, things such as the Planning Section work; Ambient Air Monitoring work, etc.
    - DAQ use of TV funds recently audited by EPA and use is within the guidelines of EPA
- Propose a 3<sup>rd</sup> fee category, permit type fee to get to the \$3.7 without increasing the base or user fees
  - Flat fee
  - \$7100 for TV
  - \$4500 for SM
- DAQ countered with conceding a reduction of the 2.3 FTEs by 0.7 FTE (about \$85,000) which is the TV share of the salary of one of the positions. New DAQ revenue requirement based on this would be \$3.858 million
  - Between our proposed new revenue requirement and the one calculated by industry without the 2.3 FTE reduction amounts to a difference of about \$100,000
- Mike had anticipated that the approach would be to split the previous \$221,000 gap (which would result in a revenue requirement of \$3.833 million)
- DAQ countered with in addition to conceding the 0.7 FTE, exempting TV & SM (in good standing) from the NM fees (application and complexity fees as we don't charge TV & SM the annual NM fees, contingent on the NM legislation passing)
- Proposal to change the permit type fee based on this new scenario
  - \$8100 for TV
  - \$5400 for SM
- Currently 2 options on the table
  - Split the \$221,000 difference
  - DAQ concede 0.7 FTE and exempt TV & SM from NM fees
    - Mike asked if we have some idea of what the monetary amount of those exempted fees
- Alan asked if TV fees paid for things such as work associated with the abandoned Data Center facility
  - DAQ indicated no, not directly. Indirectly because items that can be charged to TV and other funding sources, were diverted to TV as the other funding sources covered the abandoned Data Center work
- Mike expressed concern that NM universe would be opposed to exempting TV & SM facilities
  - Perhaps preventing passage of the NM legislation
    - Negating the monetary gain for TV & SM from exempting the NM fees
- Industry representatives countered with a modification to Option 2 above.
  - Should the NM initiative fail and the NM exemption for TV & SM facilities is not provided, revise the permit type fee back to \$8100 for TV and \$5400 for SM. This modification reverts to a split of the 2.3 FTEs and a reduction of \$110,500 in revenue requirements.
  - DAQ agreed but indicated this provision would be difficult to capture directly in the legislation. An alternate solution (fee credit) to reduce these fees would need to be developed.
- Tom requested a TV Facility contact list, like the previously requested SM facility contact list.

**Conclusions:**

TV Committee agreed to Option 2, reducing the 2.3 FTEs by 0.7 FTE and exempting TV & SM from NM fees. This agreement, subject to the review and approval of the Secretary, resulted in a Program Revenue requirement of **\$3,858,840.00**. Update the proposed NM legislative language to reflect exemption of TV & SM from NM fees. Add the 3<sup>rd</sup> permit type fee category to the TV legislative language.

Action items	Person responsible	Deadline
Update bill to reflect the changes	DAQ	ASAP

**Agenda item:** Miscellaneous **Presenter:**

**Discussion:** Angela presented slides summarizing the status of the training initiative. Tom suggested that the training could be an opportunity to talk about the NM Fee Increase Initiative.

- John Deemer comment (presented by Tom) on where we were with finalizing the TV Management Review
  - Discuss at next meeting, DAQ understanding was report didn't recommend much and of that, the ePermitting initiative, is currently underway on a Department wide level

**Conclusions:**

N/A

**Action items**

**Person responsible**

**Deadline**

N/A

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**Agenda item:**    □TV Committee Contact List Revisions

**Presenter:**    Tony Manson

**Discussion:** Tony displayed the current TV Committee Contact List.

- Only discussion was regarding Stu Widom and his continued role on the committee.
  - Tom indicated Stu no longer worked for Calpine so the consensus was to remove him from the contact list.
- Tom requested the list be emailed to him again along with any other deliverables resulting from today’s meeting.

**Conclusions:**

Work continues on revising this list.

**Action items**

**Person responsible**

**Deadline**

Provide the committee the list

DAQ (Tony)

Completed

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***Wrap Up***

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**Miscellaneous:**

- Revenue requirement discussions to continue with next meeting.
- Finalize TV Legislation, other than fees, at the next meeting.
- Finalize TV Committee Contact List at next meeting

**Next meeting:**

- TBD