

Monthly Meeting Public Service Commission - 2-22-18

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

MEETING OF THE PUBLIC SERVICE COMMISSION

Thursday, February 22, 2018
10:32 a.m.

Three Empire State Plaza
Agency Building 3, 19th Floor
Albany, New York

COMMISSIONERS:

JOHN B. RHODES, Chair
GREGG C. SAYRE
DIANE X. BURMAN
JAMES S. ALESI

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2 (The meeting commenced at 10:32 a.m.)

3 CHAIR RHODES: Good morning. Let's get
4 started.

5 I'd like to call this session of the Public
6 Service Commission to order.

7 Secretary Burgess, are there any changes to
8 the final agenda?

9 SECRETARY BURGESS: Good morning, Chair and
10 Commissioners. There are no changes to this morning's
11 agenda.

12 CHAIR RHODES: Thank you.

13 We'll proceed to the regular agenda.

14 The first item for discussion is Item 301,
15 Case 15-E-0751, which is the Value of DER Eligibility
16 Expansion Proposal, presented by Ted Kelly, Assistant
17 Counsel.

18 Ted, please begin.

19 MR. KELLY: Thank you.

20 Good morning, Chair and Commissioners.

21 So as you know, the Value of Distributed
22 Energy Resources, or VDER Order, issued in March 2017,
23 directed the transition of compensation for distributed
24 generation from net metering to the Value Stack.
25 Eligibility to Value Stack compensation was limited in

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2 that Order to projects that were eligible for net
3 metering, which includes solar, wind, hydroelectric,
4 anaerobic digester and fuel cell projects, with a rated
5 capacity of two megawatts or less, as well as combined
6 heat and power, or CHP, generation units with a rated
7 capacity between one and ten kilowatts.

8 The VDER Order explained that to drive DER
9 deployment needed to meet the State's goals for clean
10 energy and REV's goals for a distributed, transactive, and
11 integrated electric system, while limiting impacts on non-
12 participants, the Commission, Staff, and NYSERDA would
13 work with stakeholders to implement policies that would
14 reduce the cost of DER deployment and, in particular, the
15 soft costs related to the development of these projects.

16 The Order identified project size as one
17 area where meaningful soft cost reductions may be possible
18 as larger projects would benefit from economies of scale
19 and reduced inefficiencies.

20 The September Value of DER Implementation
21 Order found that an increase in the project size cap for
22 eligible technologies from two megawatts to five megawatts
23 would provide substantial cost reductions and would fit
24 within the framework of the VDER goals and polices, but
25 explained that additional information was needed before an

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2 increase could be implemented.

3 In response to questions included in the
4 appendix to that Implementation Order, a number of parties
5 filed comments related to the capacity increase. The
6 Joint Utilities filed comments opposing an increase at
7 this time, arguing that current wholesale market
8 mechanisms are sufficient for projects larger than two
9 megawatts, and also proposing that if the capacity
10 increase be adopted, projects larger than two megawatts be
11 subject to modified compensation rules.

12 A number of other parties, including the
13 NRDC, the Solar Energy Industries Association, and the
14 City of New York expressed support for the capacity
15 increase and argue that the same compensation mechanisms
16 should be used for projects larger than two megawatts as
17 are used for smaller projects.

18 Based on current market trends, it does not
19 appear the projects between two and five megawatts are
20 feasible with only wholesale market compensation. And
21 because of that, and because making those projects
22 eligible will increase economies of scale and efficiencies
23 that reduce development costs and, therefore, allow the
24 development of additional projects without increasing
25 costs to non-participating ratepayers, this Order approves

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2 the increase in maximum capacity from two to five
3 megawatts.

4 Projects between two and five megawatts
5 will receive compensation based on the same Value Stack
6 rules as projects smaller than two megawatts and be
7 subject to the same tranche limitations for the market
8 transition credit such that there is no incremental impact
9 to non-participants.

10 Combined heat and power generators are not
11 included in this size increase. The development of the
12 Value of DER compensation mechanisms focused on the
13 attributes of the clean generators that make up the
14 majority of VDER-eligible projects. The inclusion of and
15 appropriate compensation of larger CHP generators requires
16 more detailed analysis which is being conducted by Staff
17 in collaboration with the Value Stack working group.

18 Staff plans to release a proposal on
19 expedited eligibility expansion that will include
20 recommendations related to weather and subject to what
21 rules larger CHP generators should be eligible for
22 participation in VDER tariffs in the near future for
23 stakeholder comment followed by Commission consideration.

24 The Order explains that existing generators
25 between two and five megawatts may opt into the Value

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2 Stack and that existing generators and projects in
3 development may expand to between two and five megawatts,
4 subject to compliance with interconnection rules and
5 payment of interconnection costs. It explains that in
6 cases of opt-in or expansion or consolidation of existing
7 projects, the entire project must receive Value Stack
8 compensation based on the current tranche as applicable.

9 The September also direct -- the September
10 Order also directed Staff, through the interconnection
11 policy working group and interconnection technical working
12 group, to determine whether expanding VDER eligibility
13 requirements would require changing any aspects of the
14 standardized interconnection requirements, or SIR.

15 Staff determined that a 2016 update to the
16 SIR approved by the Commission included -- to include
17 projects up to five megawatts already provided the needed
18 guidance for utilities to study and assess the costs for
19 such projects. As with projects size two megawatts or
20 below, projects sized at five megawatts or below will only
21 be able to be interconnected where the interconnection can
22 be completed safely and without any reliability impacts or
23 other impacts on non-participating customers, and
24 developers will be required to pay for interconnection
25 costs.

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2 Interconnecting a five-megawatt project may
3 not be possible at all locations and may be cost
4 prohibitive at some locations. And in those cases, that
5 will be the outcome of the interconnection process and the
6 developer will not be able to move forward.

7 Staff did determine that the SIR required
8 an update to deal with the potential for consolidation of
9 projects currently under development, that is if there are
10 two two-megawatt projects or similar sited next to each
11 other, that, under these new rules, want to combine and
12 there were not currently rules in the SIR that would deal
13 with that.

14 An update to the SIR was proposed in
15 December to deal with that, and the comment period is
16 currently open. For that reason, developers may not
17 consolidate projects already in the interconnection queue
18 until the Commission has acted on those proposed SIR
19 changes.

20 This Order takes a major step in decreasing
21 DER project soft costs by enabling economies of scale and
22 reducing inefficiencies. It will help enable and
23 accelerate the development of DERs with limited or no
24 impact on non-participating ratepayers. This scale of
25 development will drive the clean, distributed,

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2 transactive, and integrated electric system that REV
3 envisions.

4 I'm available for questions. Thank you.

5 CHAIR RHODES: Thank you, Ted.

6 My own comments are brief. Expanding
7 access to cost-effective clean energy is a primary goal of
8 New York State's Clean Energy Standard, which is going to
9 create enough renewable energy to meet half the state's
10 electricity needs by 2030.

11 This decision to expand the size eligible
12 for compensation will further reduce costs and spur the
13 development of solar power, energy storage, and other
14 localized forms of generation. It's a sensible and
15 important item. It seems carefully aligned with existing
16 elements of our state's approach to VDER and takes good
17 account of implementation associated with inserting this
18 expansion into existing processes.

19 I am going to be in favor of this item.

20 Commissioner Sayre?

21 COMMISSIONER SAYRE: As Ted said, we
22 telegraphed last year, in our Value Stack Order, that we
23 were going to take a look at increasing the maximum
24 capacity for Value Stack eligibility from two to five
25 megawatts. This Order does that, and I support it.

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2 Projects of this size, between two and five megawatts,
3 we've found, face economic problems, trying to sell
4 directly into the competitive wholesale market. And
5 increasing the cap allows larger and, therefore,
6 presumably more economical and efficient per megawatt
7 projects to participate in the Value Stack.

8 So to put it simply, with this Order, we
9 should get more clean energy at a lower cost. And that's
10 why I support it.

11 CHAIR RHODES: Commissioner Burman?

12 COMMISSIONER BURMAN: I have a couple of
13 questions. Was there any discussion with the ISO and in
14 the recent decisions with FERC as relates to the wholesale
15 market and the impact this may have in what's going on
16 with the wholesale market and energy market with the --
17 with energy storage?

18 MR. KELLY: So I don't believe there were
19 discussions with the ISO about this specific increase.
20 Obviously, Staff is in regular discussions with the ISO
21 about all the FERC decisions and the -- and the changes in
22 -- proposed changes and changes in the ISO rules.
23 Projects of this size already are covered by utility
24 interconnection rules, rather than ISO interconnection
25 rules, so that's not a change, and also would generally be

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2 covered by utility compensation policy currently by the
3 buyback rate or, in some cases, for some small hydro
4 producers, by long-term contracts with the utility.

5 So -- so these generally, to the extent
6 that two- to five-megawatt projects existed, which there
7 are a small number, but -- but there are some, they were
8 already covered through utility processes, not ISO
9 processes.

10 COMMISSIONER BURMAN: Are we doing any
11 analysis, ourselves, on looking at what it may mean with
12 the DER road map and the connection between the wholesale
13 market and what's going on and the connection between and
14 the linkup?

15 MR. WORDEN: Actually, we -- we have an
16 ongoing dialogue between Staff, utilities, and the ISO on
17 how these projects and projects of this nature will
18 interact with the ISO projects. There is some overlap
19 between the two and we continue to work to try to make
20 sure, you know, whichever rules are applicable for those
21 projects work seamlessly with the others, so that there's
22 not a conflict between multiple projects on, say, one
23 substation or something of that nature.

24 COMMISSIONER BURMAN: Okay. I have -- do
25 have a couple questions in particular with the Order,

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2 itself, when I look at it. On page seven, it says that
3 CORE requests that the Commission clarify to local taxing
4 authorities that zoning subdivision and permitting rules
5 and regulations should be adjusted to reflect the revised
6 cap size. And it talks about CORE states that the
7 Commission should clarify the revised size cap
8 concurrently increases the limit on cumulative capacity
9 projects supporting a single satellite account through
10 remote net metering to the extent that CORE does seem to
11 be concerned about clarifying to the local taxing
12 authorities, just curious.

13 MR. KELLY: Sure. So with regard to kind
14 of communication with local authorities and municipalities
15 in particular on zoning, siting issues, et cetera, NYSERDA
16 has taken a role in that of essentially educating
17 municipalities on what the rules are. Whether or not they
18 should change their zoning rules, for example, really is a
19 decision to -- for the municipality and not -- not for the
20 Commission to tell them that those rules should be
21 adjusted. But NYSERDA will continue their communication
22 efforts and will, you know, among other things, inform
23 municipalities that projects up to five megawatts are now
24 permitted in this -- in this compensation mechanism and,
25 therefore, may be more common.

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2 The other issue, the -- the limit on a
3 cumulative capacity, that is related to a Commission rule,
4 not -- not a municipal rule. It's related to the rule on
5 when multiple projects are used -- are net metered to a
6 single site. The Commission found in the past that the
7 two-megawatt cap should be cumulatively applied to that so
8 that, for example, two one-megawatt projects could be
9 remote net metered and their credits applied to a single
10 site, but not two two-megawatt projects.

11 This Order does clarify that -- this Order
12 raises that -- the cumulative cap to five megawatts, so
13 now multiple projects with a cumulative size of five
14 megawatts can be remote net metered and the credits
15 assigned to a single site, consistent with CORE's request.

16 COMMISSIONER BURMAN: It does seem like
17 this Order gives short shrift to the utility intervention
18 unit's concerns. And on page 11, we say that,
19 furthermore, while the SEIA rehearing petition is not
20 being decided at this time, the Commission is confident
21 that future decisions will ensure that all customers are
22 appropriately protected.

23 I'm not really sure what that is -- means,
24 other than that we're saying that we'll make sure that all
25 future customers will be protected, rather than looking

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2 and addressing the rehearing petition, and maybe being
3 more specific on exactly what some of the issues are that
4 UIU has raised that is of concern. And to the extent that
5 UIU has raised concerns of the pending petition without
6 resolving that issue is a problem in addressing this issue
7 -- in addressing this petition.

8 MR. KELLY: So I think the core reason that
9 -- that we didn't feel that -- while we appreciated --
10 appreciated UIU's comments, we didn't feel that they were
11 reasons to delay this decision or -- or make a different
12 decision is that UIU's focus, which is very important, is
13 on ensuring that all customers of CDG projects are --
14 receive appropriate protections, which the DER Oversight
15 Order provided. And this Order will not actually increase
16 the availability of the market transition credit to a
17 greater number of megawatts of energy and, therefore,
18 won't increase the total potential number of customers
19 overall covered by the tranches.

20 And, therefore, we didn't see a -- a direct
21 nexus between this Order and putting a greater number of
22 customers -- providing availability of a greater number of
23 customers to the providers.

24 COMMISSIONER BURMAN: Okay. I'm not sure I
25 fully understand what that said. I think it sort of goes

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2 back to that same sentence, which is really a boilerplate
3 sentence, saying not really much that gives comfort,
4 except that we will try to protect all customers without
5 really much details.

6 And I do appreciate that all customers will
7 be protected. However, the eye is in the beholder and I
8 think that's what UIU is trying to get at. And to the
9 extent that we have a pending petition, that needs to be
10 resolved, that we may not feel is necessary to the extent
11 that, you know, it's an issue and we might need to and UIU
12 as the -- in this case, the one consumer advocate speaking
13 on it, you know, does seem that -- would -- might be
14 advantageous to us to resolve it to the -- you know, at
15 least -- I at least err on the side of -- would be mindful
16 of that. So it does concern me. So I raise it as an
17 issue.

18 MR. AGRESTA: The clarification he made was
19 that UIU is concerned about expanding eligibility. And he
20 pointed out that expanding eligibility is not going to
21 expand the number of customers who are eligible.

22 COMMISSIONER BURMAN: Thank you.

23 In the interconnection applications on page
24 17, it talks about Staff consulted with the
25 interconnection policy working group and the

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2 interconnection technical working groups on the potential
3 impact of increased project capacity, and submitted
4 proposed SIR changes as a result of that discussion. The
5 comment period's currently open on those proposals and,
6 therefore, the Commission won't make a determination on
7 the proposed changes at this time.

8 I do believe there have been some comments
9 that have come in from that.

10 MR. KELLY: I don't know for certain. I
11 know -- I believe there was a comment date and a reply
12 comment date. I don't think either had passed yet, but
13 it's possible that some parties filed comments early. I -
14 - I -- I can't say for certain.

15 COMMISSIONER BURMAN: Okay. I do think
16 those are important. And obviously, this is one piece of
17 the puzzle and some of those discussions are relevant to
18 the overall picture. I am concerned that we are deciding
19 this in a vacuum. And I do think that to the extent that
20 we are rushing to decide this and not necessarily looking
21 at all of the pieces and we haven't matched it up. I do
22 understand it's not going to be a perfect picture. We are
23 going to have to make some decisions without necessarily
24 having all of the information.

25 But to the extent that part of what I am

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2 concerned about is that this Order lays out a number of
3 things that we are still waiting for. And somehow, we
4 didn't seem to match it up so that we would have the
5 information. And I'm wondering why we aren't waiting for
6 the information with the SIR, at least, to make a more
7 appropriate discussion or more appropriate decision based
8 on that?

9 MR. KELLY: I think with respect to the
10 SIR, there was the -- a Commission decision back in 2016
11 that approved the inclusion of projects up to five
12 megawatts in the SIR. And so what really came out with
13 the discussion in the interconnection working groups was
14 that for new proposed projects or for expansion of
15 projects, there really were no SIR changes needed because
16 it already provides for projects, in general, but also has
17 some very specific rules that, for example, allow a longer
18 study timeframe for larger projects.

19 So because it was really just one narrow
20 issue of consolidation, that project consolidation where
21 SIR changes were deemed to be potentially necessary or
22 proposed to be necessary, and because we felt that was an
23 easy issue to kind of carve out and -- and put to the side
24 and not allow that until those SIR proposed changes are
25 considered by the Commission, we -- we didn't feel that it

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2 was necessary to delay this Order in order to wait for
3 that to be ready.

4 COMMISSIONER BURMAN: All right. Thank
5 you. I do appreciate that.

6 I think the thing that -- that is why it --
7 it sticks out for me as concern is that on the -- excuse
8 me -- let me just -- I lost my -- I have a December 22nd,
9 2017, VDR, a Value Stack and rate design, working group
10 process in 2018 schedule, Department of Public Service
11 Staff. I know this is -- was on -- was filed, but I know
12 that there's now a more updated one, I think, dated
13 January 22nd, 2018, which is also filed.

14 Oh, here it is, updated February -- excuse
15 me -- February 6, 2018, which is also filed. It's about
16 seven or eight pages.

17 MR. KELLY: Yeah, I'm familiar with the
18 document, although I don't have it before me.

19 COMMISSIONER BURMAN: Nine pages. Excuse
20 me. And the Order, I think, references it and says that -
21 - that we expect that the decisions will be made
22 expeditiously based on this process and this schedule.
23 And, therefore, because of that, we're comfortable moving
24 from two megawatts to five megawatts and we should follow
25 this process for decision making.

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2 The thing that concerns me about this is
3 that I think that it -- it sort of makes the Commission
4 sort of a minor player until the very end -- the
5 Commission body as a whole, until the very end, which is
6 when Staff submits a white paper to the secretary, I
7 guess, then, somehow, will then wind up getting SAPA'd and
8 filed and eventually come to the Commission.

9 So that's a long time -- that's December
10 21st, 2018. That's a long time for the Commission to
11 formally weigh in on something. So I would ask that this
12 process be revised to reflect more of a formal process of
13 the Commission having touch points because I would like
14 the process itself to reflect the formal input, even if
15 it's of -- making sure the Commission is made aware of in
16 some fashion, rather than just previewing the filings.

17 I think it's very important that we engage
18 more holistically, but also that the process itself
19 document where it tracks with other pending proceedings,
20 so that this proceeding is not done in a silo with other
21 proceedings. So to the extent that there is more of a
22 road map and connection to others, so that we can really
23 make sure that all parties are following that.

24 It does concern me that if parties are
25 concerned about municipalities and consumers that -- I'm

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2 not sure that they necessarily know to -- to look here or
3 to -- to -- well, to find it or to weigh in if they're not
4 part of the working group. And I would like to see that
5 we are being much more engaged on that and that if the
6 party says that they're concerned about reach-out, that we
7 don't just leave it to other parties, or other non-parties
8 in this case, to follow up with those parties that we
9 directly reach out to those we think may, especially if
10 it's municipalities, may be impacted by it, especially
11 since we are working so closely in other areas with
12 municipalities.

13 To the extent that this also doesn't seem
14 to touch upon what the costs may be, I do want to see that
15 our analysis is done showcasing how many projects this may
16 touch, what that may be from a reliability perspective,
17 are we doing that analysis, what does it mean, when do we
18 expect caps to be reached.

19 So I'm going to vote no on this item,
20 because I don't feel that the -- the homework was done
21 enough on this. And I think that this is something that
22 can be, you know, done better and that we should be
23 working through this a little harder and looking at some
24 of the other items that still need to be done and
25 incorporated into it.

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2 And I do think some of the parties did
3 raise some really good issues and we might be able to
4 incorporate that in a more holistic way and take into
5 consideration other issues that are not just solely this
6 one isolated issue and have a better product. So I'm
7 going to be voting no.

8 CHAIR RHODES: Thank you.

9 Commissioner Alesi?

10 COMMISSIONER ALESI: Good work. I'll be
11 voting yes.

12 CHAIR RHODES: Thank you.

13 So with that, I will proceed to vote --
14 call for a vote on Item 301.

15 My vote is in favor of the recommendation
16 to approve the proposal to expand the value of VDER
17 eligibility as described.

18 Commissioner Sayre, how do you vote?

19 COMMISSIONER SAYRE: Aye.

20 CHAIR RHODES: Commissioner Burman?

21 COMMISSIONER BURMAN: No.

22 CHAIR RHODES: Commissioner Alesi?

23 COMMISSIONER ALESI: Yes.

24 CHAIR RHODES: The item is approved and the
25 recommendation is adopted.

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2 Move to -- we will move to the second item
3 for discussion, Item 302, Case 17-E-0458, which is the
4 petition by consolidate -- Consolidated Edison Company of
5 New York, Inc., to revise storage system tariffs,
6 presented by Rob Cully, to the Engineering Specialist 2.
7 Steve Kramer, Assistant Counsel, is available for
8 questions.

9 Rob, please begin.

10 MR. CULLY: Good morning, Chair Rhodes and
11 Commissioners.

12 Item 302 is a Draft Order addressing the
13 filing by Consolidated Edison Company of New York, Inc.,
14 which we will refer to as Con Edison or the Company,
15 seeking approval of tariff amendments related to the
16 export of power by energy storage systems onto the
17 Company's distribution system.

18 The tariff filing is a result of the
19 Commission's May 18th, 2017, Order in Case 17-E-0104,
20 which approved tariff amendments to allow battery storage
21 -- sorry -- battery discharge to the Company's primary and
22 secondary voltage distribution systems as part of non-wire
23 alternative projects, and required Con Edison to study
24 whether batteries can safely export, as part of its
25 Dynamic Load Management, or DLM, demand response programs.

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2 Con Edison has complied with the directives
3 in that Order and has proposed tariff changes to more
4 broadly open its system to energy storage technologies.

5 Under the tariff filing, Con Edison has
6 proposed five modifications to its tariff. First, Con
7 Edison proposed to apply the current provisions applicable
8 to batteries, more broadly, to include a wide array of
9 energy storage technologies. These technologies include
10 thermal storage, fly wheels, and compressed air storage
11 systems. These provisions will set a level playing field
12 for all energy storage technologies beyond battery storage
13 alone.

14 Second, Con Edison proposed to allow energy
15 storage systems to participate in any current or non -- or
16 future non-wire alternative project. This modification
17 will allow respondents to non-wire alternative
18 solicitations -- sorry -- will provide respondents to non-
19 wire alternative solicitations with regulatory certainty
20 that energy storage systems will be allowed to
21 participate, if selected as part of those solicitations.

22 Third, Con Edison proposed to allow energy
23 storage systems to export to its distribution system as
24 part of demand response programs, depending upon whether
25 such energy storage systems are equipped with an inverter.

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2 Under this provision, energy storage systems without an
3 inverter would be able to export to the primary voltage
4 distribution system, whereas energy storage systems
5 equipped with an inverter will be able to export to both
6 the primary or secondary voltage distribution systems.

7 This provision will open up new options for
8 energy storage export arrangements for inverter-based
9 technologies and ensure the safety and reliability of the
10 grid.

11 Fourth, Con Edison proposed to allow energy
12 storage systems to export to its distribution system under
13 service classification 11, or buyback service, depending
14 upon whether such energy storage system is equipped with
15 an inverter. As with participation in the demand response
16 programs, under buyback service, energy storage systems
17 without an inverter would be able to export to the primary
18 voltage distribution system, whereas energy storage
19 systems with an inverter will be able to export to either
20 the primary or secondary voltage distribution systems.

21 Finally, Con Edison proposed to exclude
22 standalone or so-called front-of-the-meter energy storage
23 systems from being able to earn the reliability credit
24 available to standby service customers.

25 We did receive comments on the Company's

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2 filing from the New York Battery Energy Storage Technology
3 Consortium, or New York BEST. New York BEST was generally
4 supportive of Con Edison's tariff filing, but expressed
5 concern that the filing did not address the fact that
6 standalone energy storage systems would pay retail energy
7 rates through the Company's standby service to charge the
8 battery, but would only be compensated the wholesale
9 energy rates under the Company's buyback service for
10 exported power.

11 Under the Draft Order, if adopted, the
12 Draft Order would accept the tariff amendments proposed by
13 the Company and require clarifying modifications.
14 Overall, the tariff amendments proposed by Con Edison
15 significantly increase the ability of customers to utilize
16 energy storage technologies to participate in the
17 Company's dynamic load management programs, non-wire
18 alternative projects, and to export to the grid under
19 buyback service.

20 Currently, customers' ability to export to
21 the secondary voltage distribution system, beyond very
22 small DERS. or Distributed Energy Resources, that have
23 traditionally been subject to net energy metering is
24 limited as most of the other technologies are only allowed
25 to export to the primary voltage distribution system.

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2 These tariff modifications would
3 significantly increase customers' ability to safely export
4 power to the secondary voltage distribution system using
5 inverter-based energy storage technologies.

6 The Draft Order also accepts the Company's
7 proposal that standalone energy storage systems should not
8 be eligible for the standby service reliability credit.
9 However, it would require Con Edison to file clarifying
10 tariff modifications specifying that such exemption
11 applies only to those standalone energy storage systems.

12 Regarding New York BEST's concern, the
13 Draft Order states that the Commission anticipates
14 consideration of the value of exported power from energy
15 storage systems, both standalone and behind the meter,
16 will occur as part of the ongoing Value of Distributed
17 Energy Resources, or VDER, proceeding.

18 Consideration of whether or not exported
19 energy from energy storage systems not paired with clean
20 generation should be eligible for the Value Stack is
21 currently being developed as part of the VDER Value Stack
22 working group. Consideration of standby rates and buyback
23 service rates are currently being considered as part of
24 the VDER rate design working group.

25 Staff recommendations on these VDER topics

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2 are realistically expected to be considered by the
3 Commission during the third and fourth quarters of this
4 year.

5 This concludes my presentation and I'm
6 happy to answer any questions you may have.

7 CHAIR RHODES: Thank you, Rob.

8 This item will make it much more
9 straightforward for owners of private storage systems to
10 export the electricity they produce to Con Ed's electric
11 distribution system. The item is a careful and well-
12 considered evolution of existing tariffs. And it's also a
13 critical next step in deploying and integrating storage
14 valuably and at scale, which we know we will need for
15 integration of renewables power for optimization of great
16 investments and for resilience and reliability. I will be
17 voting in favor of this item.

18 Commissioner Sayre?

19 COMMISSIONER SAYRE: I support this item,
20 as well. It's another step forward for REV. I see all
21 sorts of benefits to the network and to customers by
22 integrating stored energy into the system. In particular,
23 batteries are coming down in cost very quickly and are
24 going to become more and more economical over the short
25 horizon.

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2 I think we're going to be very glad, in the
3 future, that we're working on this framework for
4 integration of stored energy now. I anticipate that in
5 the future, based on real world experience we'll determine
6 whether this system that -- that is being implemented for
7 Con Edison needs some tweaking and whether it needs or
8 should be exported to other utilities. But I'm glad we're
9 taking this step now.

10 CHAIR RHODES: Commissioner Burman?

11 COMMISSIONER BURMAN: Thank you.

12 I saw an article in 2015 that said how will
13 REV impact energy storage. And I thought that was a bad
14 headline because it really shouldn't be about how will REV
15 impact, but it really should be about how will energy
16 impact what we're doing, that we should really be focusing
17 on understanding that what is out there energy storage and
18 other technologies really are there to help us, and that
19 it's about the power grid and the reliability and the
20 resiliency, and that our role as regulators is to ensure
21 that we are helping to enable those technologies and
22 enable the utilities and others to access those
23 technologies in a cost-effective way. The tariffs are a
24 way of being able to do that.

25 I'm going to go through the Order and some

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2 of my questions. I ultimately will be voting for this,
3 but I do want to -- I won't be voting with the majority,
4 but I will be concurring because I do have some -- some
5 concerns that I do just want to -- to share.

6 First, one of the -- the questions I have
7 is to the second prong that says that we propose to expand
8 the ability for the energy storage systems to participate
9 in any non-wire alternative projects, instead of specific
10 to the non-wire projects such as the Brooklyn Queens
11 Demand Management Program.

12 And to the extent that we have the non-wire
13 alternatives for each of the utilities, what are the --
14 what's the focus in terms of the status of the non-wire
15 alternatives and when do we expect sort of that coming
16 back to the Commission in terms of sort of a summary
17 review of some of the non-wire alternative projects and
18 the successes and maybe some potential changes that may
19 need to be made to those? Globally, you don't have to go
20 specific, one by one.

21 MR. CULLY: So generally speaking, each
22 utility has one or more non-wire alternative projects in
23 flight. Whether they are fully operational, such as the
24 BQDM -- sorry -- Brooklyn Queens Demand Management Program
25 at Con Edison, or the Targeted Demand Management Program

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2 at Central Hudson, both of which are fully operational and
3 are -- are going through the steps of actually deferring
4 info structure currently.

5 Other programs are moving through the final
6 stages of development. There are a number of projects at
7 Orange and Rockland and NYSEG that are nearly ready to be
8 completed as of the last -- the last that I knew. And we
9 regularly do outreach with the utilities in regular
10 contact with their non-wire alternative program managers,
11 seems like, on a daily basis.

12 And then some of the other utilities are
13 continuing to work through their solicitation processes
14 and develop portfolios based on the market response to
15 those solicitations.

16 So I think it's safe to say that probably
17 over the course of the next year, every single utility
18 will likely have a non-wire alternative program in place
19 and operational.

20 As far as the current status of the non-
21 wire alternative projects, Staff keeps a -- a running list
22 of those projects, which we would be happy to provide to
23 you, Commissioner, and some of the basic information on
24 how -- how they're progressing along and where they are in
25 -- in that process.

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2 Generally speaking, non-wire alternatives
3 are considered in rate cases and don't necessarily come to
4 the Commission on a one-by-one basis as we've continued to
5 implement, kind of, a programmatic approach as non-wire
6 alternatives become just a normal part of utility
7 business.

8 COMMISSIONER BURMAN: Okay. Great. Thank
9 you.

10 And then I do just want to raise, also, as
11 I said, the -- in the first order, in 301, same question
12 that I asked to Staff before. The question in terms of
13 have we done any reach-out to the ISO or done our own
14 analysis in terms of the recent cases with FERC and as it
15 relates to the wholesale market, energy storage, and the
16 DER issues, and the DER roadmap that's ongoing over at the
17 ISO.

18 MR. PADULA: I would just say that we are
19 in continuous discussion with the ISO related to the --
20 their roadmap in addition to our own development of
21 storage roadmap. So it's ongoing is the answer to your
22 question.

23 COMMISSIONER BURMAN: And how does this
24 match up with the storage program bill that was enacted
25 and will have amendments that will be coming, and now with

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2 this -- this decision, how will that impact what we'll be
3 doing on that?

4 MR. PADULA: This is one piece of the
5 puzzle. You know, it's a very complicated puzzle, but
6 this is one step in the very positive direction of
7 enabling storage to connect to the -- to the grid.

8 COMMISSIONER BURMAN: How many pieces in
9 that puzzle? I counted about 20.

10 MR. PADULA: There's many.

11 COMMISSIONER BURMAN: Okay. Did you count
12 the same many?

13 MR. PADULA: I don't have a specific count.

14 COMMISSIONER BURMAN: Okay. All right. So
15 maybe that's also something we can do is, again, that
16 roadmap, I think, that it is important. It was actually a
17 legitimate question in terms of there are a number of
18 different things. The PSC has done a number of different
19 orders on energy storage that over -- since I've been
20 here, including directing utilities to have energy storage
21 projects. And to the extent that not only has that
22 happened, but also what the status of each of the
23 utilities for their two projects, as well as the energy
24 storage bill, as well as what might be happening outside,
25 and then this.

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2 I think it's really important that our job
3 as regulators is to make sure that we are keeping on track
4 and helping the parties, especially because there are so
5 many proceedings and there's a lot of things that are
6 happening outside of that. And to the extent that there
7 are places that are being -- these things are landing,
8 whether it's in the BCA handbooks or the DSIPs and others
9 that folks are not necessarily focused on, I think it's
10 really important that we try to have that information
11 available and make sure that we are, you know, narrowing
12 it as much so that there is, you know, an ability to go to
13 one place and see it, rather than finding it from sort of
14 all over the place.

15 And to the extent that when we are
16 referencing this, to the extent that it has some ability
17 to reference the others. So to the extent that this
18 Order, you know, does impact that storage program bill and
19 to the extent that this Order may also impact those other
20 pieces of that puzzle, I think it's important.

21 To the extent that this Order also
22 references, in footnote seven, and also on pages six and
23 seven, that the Commission expects, just like in the other
24 Order, the -- that the parties follow the -- and work
25 expeditiously on the working group process and schedule,

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2 footnote seven references the December 22nd, 2017,
3 schedule, it's actually been updated now, February 6th,
4 2018, but to the extent that I still have that same
5 concern about the working group schedule and making sure
6 that we look at incorporating the Commission more
7 holistically in that I do think overall that energy
8 storage is very important in what we're doing.

9 I am very pleased to see that we are
10 continuing in being laser-focused on these issues and
11 trying to move the ball forward. And I will be voting in
12 concurrence with this issue with this item, but I do -- I
13 am cautiously focused on making sure that we are looking
14 more holistically at all of the different issues and how
15 it impacts, and also noting that what we're doing here
16 also needs to be aligned with what we're doing at -- in
17 the wholesale market, as well. Thanks.

18 CHAIR RHODES: Thank you, Commissioner
19 Burman.

20 Commissioner Alesi?

21 COMMISSIONER ALESI: Nothing further, thank
22 you.

23 CHAIR RHODES: With that, I will proceed to
24 call for a vote on Item 302.

25 My vote is in favor of the recommendation

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2 to approve Con Edison's proposed tariff amendments with
3 modifications as described.

4 Commissioner Sayre, how do you vote?

5 COMMISSIONER SAYRE: Aye.

6 CHAIR RHODES: Commissioner Burman?

7 COMMISSIONER BURMAN: I concur.

8 CHAIR RHODES: Commissioner Alesi?

9 COMMISSIONER ALESI: Yes.

10 CHAIR RHODES: The item is approved and the
11 recommendation is adopted.

12 We'll move to the third item for
13 discussion, which is Item 303, Case 18-E-0071, which is
14 the Offshore Wind Draft Generic Environmental Impact
15 Statement, presented by Tom Rienzo, Chief of Clean Energy
16 Programs. Tony Belsito, Senior Counsel, is available for
17 questions.

18 Tom, please begin.

19 (Off-the-record discussion)

20 CHAIR RHODES: I'm afraid I jumped the gun
21 a little bit.

22 Now, Tom?

23 MR. RIENZO: Thank you.

24 Good morning, Chair and Commissioners.

25 Item 302 is a resolution to accept as

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2 complete and issue for public comment, a draft generic
3 environmental impact statement relating to the Offshore
4 Wind Policy Options Paper, filed by the New York State
5 Energy Research and Development Authority on January 29th
6 of 2018.

7 The Options Paper proposes two initial
8 offshore wind procurement rounds of 400 megawatts, one
9 each in 2018 and 2019. The Options Paper includes various
10 procurement and contracting options to support the
11 development of 2.4 gigawatts of offshore wind generation
12 capacity.

13 However, the Option Paper does not propose
14 a development of a particular offshore wind generation
15 facility or site. Rather, the Options Paper includes
16 various program financing options intended to broadly
17 apply to the development of multiple projects over time in
18 different locations that will result in the installation
19 of 2.4 gigawatts of offshore wind generating capacity with
20 the ability to deliver electricity to be consumed by New
21 Yorkers by 2030.

22 Since these options are strictly financial,
23 the environmental impacts are not expected to vary among
24 the options presented. The draft GEIS prepared in --
25 pursuant to the New York State Environmental Quality

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2 Review Act, analyzes the potential impacts --
3 environmental impacts associated with the State's
4 procurement of this 2.4-gigawatt hours of offshore wind
5 energy by 2030 and builds upon and incorporates by
6 reference, relevant materials from NYSERDA's Offshore Wind
7 Master Plan released by NYSERDA in concert with its filing
8 of the Options Paper.

9 The Master Plan, which was developed after
10 two years of in-depth research, analysis, and outreach by
11 NYSERDA, describes the objectives and methodologies of the
12 offshore wind planning process and includes 20 studies
13 undertaken to gather data on environmental, social,
14 economic, regulatory, and infrastructure issues relevant
15 to the offshore wind energy development.

16 The resolution includes a public --
17 indicates that public comments on the draft GEIS will be
18 accepted until April 9th of 2018, at which time Staff will
19 review the comments received before making necessary
20 modifications to the draft GEIS and bringing it back to
21 the Commission for -- for future action.

22 In the meantime, Staff will continue the --
23 its review of the underlying Options Paper submitted by
24 NYSERDA, which will afford parties the opportunity to
25 provide comments through a separate state administrative

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2 procedure at comment process and allow parties to
3 participate in a technical conference to be held on
4 Thursday, March 8th, 2018, to discuss the Options Paper.
5 Parties may participate in the conference either in person
6 or through the web and a secretary's notice about the
7 technical conference was issued on February 9th, 2018, in
8 Case 18-E-0071.

9 It should be noted that the actions taken
10 here is simply to issue the draft -- the draft GEIS for
11 comment and it does not limit the Commission's options on
12 any of the options presented by NYSERDA in the Options
13 Paper.

14 Thank you. This concludes my presentation
15 and Tony Belsito and I are available for questions.

16 CHAIR RHODES: Thank you, Tom.

17 To me, moving forward to enable offshore
18 wind that is appropriately cited and in careful
19 consideration of environmental impacts is critical to
20 achieving the State's vital clean energy goals. This
21 DGEIS is based on a comprehensive set of environmental
22 technical studies, all carefully done, and clearly ready
23 to be approved as a DGEIS in draft form, so as to bring --
24 so as to bring us into the vital public comment process.

25 I am going to vote to approve this item.

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2 Commissioner Sayre?

3 COMMISSIONER SAYRE: I'm very optimistic
4 about the future of offshore wind in New York State.
5 Getting a supply chain up and running is certainly going
6 to take a jumpstart, but I'm optimistic that we can get to
7 a future with clean, affordable, offshore wind energy with
8 minimal environmental impacts.

9 But as Tom said, that's -- all these issues
10 aren't in front of us now. It's just the question of what
11 is the probable environmental impact of offshore wind in
12 New York State. The comments that we get in response to
13 the GEIS will help us determine how serious the
14 environmental consequences may or may not be.

15 I support the item and I look forward to
16 the comments.

17 CHAIR RHODES: Thank you.

18 Commissioner Burman?

19 COMMISSIONER BURMAN: Thank you.

20 I -- I appreciate that today we are just
21 voting on approval of the GEIS and moving forward. The
22 one thing that I think is important is the -- making sure
23 that folks understand the timeline and understand the
24 different scenarios that can happen and the -- and have
25 some clear roadmap to follow, even if it's understanding

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2 that there are different agencies involved.

3 So I understand that the PSC, depending on
4 which options may or may not be done, there may be several
5 different steps that are done. Is there someone or some
6 agency that's working, even if it's not the Commission,
7 working on some master timeline or map that will be
8 available for those who may be interested in whatever that
9 guidance document may be?

10 MR. BELSITO: I'm -- I'm not sure I
11 understand the question or the guidance document.
12 Referring to what process, the process that the Commission
13 would be involved --?

14 COMMISSIONER BURMAN: The process -- one,
15 the process that the Commission would be involved in, yes.

16 MR. BELSITO: Okay.

17 COMMISSIONER BURMAN: But two, if someone
18 was interested in being involved in offshore wind and they
19 wanted to come to New York, what that would be, how they
20 would participate, what agencies would be involved, where
21 they would go first. You know, we have NYSERDA and we
22 have the PSC. You can go on NYSERDA's website and you'd
23 have information. You go on the PSC and you have
24 information. But each are not necessarily showcasing
25 which comes first or what necessarily the information is.

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2 So for example, the PSC, we have filed the
3 Options Paper from NYSERDA and we have the technical
4 conference, but there's no document that showcases --
5 actually, that doesn't have the plan, so it doesn't
6 showcase what the next steps are or how we may be working
7 with any other agencies, whether it goes to the Article 10
8 Board, when that may look, depending on what the options
9 may be, that's not -- I'm just curious.

10 MR. BELSITO: There's no --.

11 CHAIR RHODES: May I -- may I?

12 COMMISSIONER BURMAN: Sure.

13 CHAIR RHODES: So the Master Plan actually
14 does go right at that issue in terms of providing the
15 comprehensive view. And it's available for -- for reading
16 and I find it interesting.

17 COMMISSIONER BURMAN: I -- I understand;
18 that's my point --.

19 CHAIR RHODES: But it includes -- and it
20 includes a laid-out timeline. Our best current
21 understanding is that Article 10 is not relevant to -- at
22 least to anything that happens out in the ocean. Instead,
23 there is a set of interactions with the Federal Government
24 where the State only has the power of persuasion with the
25 Bureau of Ocean Energy Management, which is part of the

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2 Department of the Interior.

3 And I believe the Master Plan lays out some
4 indicative timelines associated with those processes, but
5 it's something that's much less under the State's control.
6 But it's there. It is pulled together as much as is
7 visible at this moment.

8 COMMISSIONER BURMAN: So is there, then,
9 because it's not in -- and that's really sort of my point
10 is that it's in the Master Plan; it's not in our -- it's
11 not -- the Master Plan is not filed at the PSC and there's
12 not pulled out in sort of a fact sheet by itself, here it
13 is, what we've envisioned, or our analysis for anyone to
14 look at, or -- or direct to from a frequently asked
15 question, which we normally do.

16 So I'm just curious if there is any thought
17 to why we're not flagging it or putting the plan itself
18 into our filings or flagging it for --?

19 MR. BELSITO: The Master Plan is flagged, I
20 believe, in a number of places, if not all the documents
21 that we're dealing with here today. I believe the primary
22 reason that the -- the Master Plan was not filed or, you
23 know, copied into the DMM System is mostly practical.
24 It's an extremely vast amount of information. The
25 documents are very, very large. Some of them include

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2 maps, again, that are just huge data dumps -- that's not
3 the exact phrase for the information that's in there.

4 CHAIR RHODES: It's available on NYSERDA.

5 MR. BELSITO: It's available online. The
6 links are available in the documents that we have and I'm
7 sure that there are links on our web page that will get
8 you to NYSERDA --

9 COMMISSIONER BURMAN: Okay.

10 MR. BELSITO: -- and NYSERDA's Master Plan.
11 It's -- it's as accessible as it would be if it was copied
12 in another 50 places.

13 COMMISSIONER BURMAN: All right. That
14 makes sense. No, the only thing I would suggest then is
15 that to the extent that we're hearing, at NYSERDA and at
16 our own technical conference, questions that parties have
17 in terms of information that they want clarity on, that is
18 helpful to then share in a more -- in a better way, like
19 timeline, under the options. And maybe, since there's a
20 data dump issue, that could then be pulled out and shared,
21 like we've done in frequently asked question ways, when
22 will the Commission decide this, or when may the
23 Commission decide it. Obviously, it's the Chair's
24 prerogative. What options may or may not need next steps,
25 whatever that may be. I think those things may be

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2 helpful.

3 MR. BELSITO: I think that the timeline is
4 -- is -- at least for Commission action, is fairly clear
5 in the Options Paper, itself. And the Options Paper
6 describes what the -- what NYSERDA actually sees and is
7 requesting as far as a timeline and -- and a process for
8 moving forward. I think it's there.

9 COMMISSIONER BURMAN: Okay.

10 MR. BELSITO: But, you know, to the extent
11 that we get questions at the technical conference that --
12 or, you know, comments that point to the fact that we're
13 not being clear about how we're moving forward, we can
14 certainly address those. And if it -- if the best
15 response is to put a -- some sort of summary document up
16 on our webpage, I don't think there would be a problem
17 with that.

18 COMMISSIONER BURMAN: That would be great.
19 Thank you. I appreciate it. Excellent.

20 MR. BELSITO: Thank you.

21 CHAIR RHODES: Thank you.

22 COMMISSIONER BURMAN: Thank you very much.

23 CHAIR RHODES: Commissioner Alesi?

24 COMMISSIONER ALESI: Nothing more; thanks.

25 CHAIR RHODES: Thank you.

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2 With that, we will proceed to vote on Item
3 303.

4 My vote is in favor of the recommendation
5 to accept the Draft Environmental Impact Statement
6 relating to offshore wind and issue it for public comment
7 as described.

8 Commissioner Sayre, how do you vote?

9 COMMISSIONER SAYRE: Aye.

10 CHAIR RHODES: Commissioner Burman, how do
11 you vote?

12 COMMISSIONER BURMAN: Aye.

13 CHAIR RHODES: Commissioner Alesi, how do
14 you vote?

15 COMMISSIONER ALESI: Yes.

16 CHAIR RHODES: The item is approved and the
17 recommendation is adopted.

18 We'll move on to the fourth item for
19 discussion, Item 304, Case 15-E-0302, which is a Petition
20 by Astral Energy, LLC, to modify Clean Energy Standard
21 payments, presented, again, by Tom Rienzo, Chief of Clean
22 Energy Programs. And again, Tony Belsito, Senior Counsel,
23 is available for questions.

24 Tom, please begin.

25 MR. RIENZO: Thank you, Chairman -- Chair

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2 Rhodes.

3 Item 304 is a draft order relating to a
4 petition by Astral Energy, LLC, for a 64.4% reduction and
5 its zero emissions credit, or ZEC, obligation for program
6 compliance, year ending March 31st of 2018.

7 In its August 1st, 2016, order, as part of
8 the Clean Energy Standard, the Commission required all
9 load serving entities, or LSEs, including energy service
10 companies, or ESCOs, to purchase ZECs from the New York
11 State Energy Research and Development Authority to
12 preserve at risk zero emission nuclear generating
13 resources.

14 The Commission's November 17th, 2016, order
15 required all LSEs to enter into contracts with NYSERDA, to
16 purchase ZECs monthly based on the LSE's proportional
17 share of the statewide load that's served by an LSE during
18 an historic 12-month period. NYSERDA will true up the
19 quantities of ZECs acquired by each LSE to the actual load
20 served after a reconciliation period expected to occur in
21 September of 2018.

22 On November 6th, 2015, the Commission
23 suspended Astral's ability to market and enroll new
24 residential and non-residential customers. By an order
25 dated December 16, 2016, the Commission reinstated

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2 Astral's ability to market and enroll non-residential
3 customers. However, as a result, Astral claimed it
4 experienced a decline in its actual energy sales, as
5 compared to the forecast used to develop its ZEC
6 obligation amount.

7 On September 29th, 2017, Astral submitted a
8 petition requesting the Commission to direct NYSERDA to
9 reduce the company ZEC obligation by an amount -- by 43%
10 of the ZEC compliance period ending March 31st, 2018, and
11 to order NYSERDA to absorb the payment shortfall that
12 would result until the ZEC reconciliation period.

13 On January 16, 2018, Astral amended its
14 petition to request a 64.4% reduction in its ZEC
15 obligation based on a continued decline in its load
16 forecasts.

17 Staff has reviewed Astral's load
18 projections for the compliance period ending March 31st,
19 2018, and compared its reported actual energy sales data,
20 to the data provided by the New York Independent System
21 Operator, to the New York Generation Attributes Tracking
22 System, and finds that Astral has experienced a
23 significant drop in its actual load as compared to the
24 forecasted load used to calculate the first-year
25 compliance obligation amount.

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2 As a result, in the draft order, the
3 Commission directs NYSERDA to suspend 64.4% of Astral's
4 April 1, 2017, through March 31st, 2018, ZEC compliance
5 obligation amount, and to absorb the ZEC revenue shortfall
6 that will result from the suspension of a portion of
7 Astral's ZEC obligation until a ZEC reconciliation occurs
8 in September of 2018.

9 These actions are consistent with the
10 actions taken by the Commission in April -- I'm sorry --
11 in July 14th, 2017, order on a similar petition filed by
12 Liberty Power Holdings, LLC.

13 NYSERDA has submitted comments in response
14 to Astral's petition. While it did not take a position on
15 Astral's requested relief, NYSERDA introduced an
16 alternative methodology for calculating the future ZEC
17 obligation payments for all LLC -- LSEs. This alternative
18 approach would have no bearing on the methodology used to
19 calculate the ZEC price paid to eligible nuclear
20 generating facilities as -- as approved in the August 1st,
21 2016, order.

22 The proposed methodology simply modifies
23 the way in which LSEs remit ZEC payments to NYSERDA to a
24 pay-as-you-go model based on an LSE's known, actual load
25 instead of a forecast based on an historic load. This

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2 process is intended to eliminate the need for the
3 Commission to adjust LSE ZEC compliance obligations in the
4 future and reduce the dollar magnitude of the settlements
5 between NYSERDA and the LSEs during the annual
6 reconciliation process.

7 However, this methodology has not been
8 fully developed and is not being considered as part of
9 this item. Staff and NYSERDA will fully develop this new
10 methodology and submit to the Commission for -- for
11 consideration, an implementation plan that would modify
12 the way in which LSEs remit ZEC payments to NYSERDA to a
13 flexible pay-as-you-go model, based on the LSE's known
14 load.

15 This concludes my presentation and I am
16 available for questions.

17 CHAIR RHODES: Thank you, Tom.

18 To me, this item is an important example of
19 our approach to managing our policy-driven programs,
20 particularly the aspect where we adjust the mechanics of
21 their implementation as circumstances change and to do so,
22 to adjust, in a matter that's consistent, predictable, and
23 pragmatic.

24 This is the appropriate outcome of the work
25 the Commission has charged NYSERDA to do, namely, to

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2 determine the number and value of ZECs that an entity
3 should engage in that's proportional to its load, and to
4 keep that number proportional to its load.

5 I am going to vote to approve this item.

6 Commissioner Sayre?

7 COMMISSIONER SAYRE: This strikes me as a
8 pretty routine item. It's something we've done before and
9 we're doing it again. It's a matter of fundamental
10 fairness that if an energy service company loses most of
11 its load, it shouldn't have to keep paying for ZECs as if
12 it had kept 100% of its load, and then have to wait for an
13 annual true-up.

14 So I think the -- the result in this case
15 is fair and I'm also very happy to see the directive in
16 the draft order for NYSEDA and Staff to come up with a
17 fully fleshed out, pay-as-you-go process for the future so
18 we don't have to have a Commission order every time this
19 situation crops up again.

20 CHAIR RHODES: Commissioner Burman?

21 COMMISSIONER BURMAN: Chair, I listened
22 very carefully to what you said. And I agree; it's
23 excellent. So I look forward to drilling down on the
24 upcoming NYSEDA and Staff proceeding on the pay-as-you-go
25 model. I don't know that -- you know, where we'll be on

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2 that. That's very important. But your comments on this
3 item is absolutely dead on.

4 CHAIR RHODES: Thank you.

5 Commissioner Alesi?

6 COMMISSIONER ALESI: Good; thank you.

7 CHAIR RHODES: With that, I will move to
8 call for a vote on Item 304.

9 My vote is in favor of the recommendation
10 to approve Astral Energy, LLC's petition to temporarily
11 reduce its renewable energy standard compliance payments
12 with modifications as described.

13 Commissioner Sayre, how do you vote?

14 COMMISSIONER SAYRE: Aye.

15 CHAIR RHODES: Commissioner Burman?

16 COMMISSIONER BURMAN: Yes.

17 CHAIR RHODES: Commissioner Alesi?

18 COMMISSIONER ALESI: Yes.

19 CHAIR RHODES: The item is approved and the
20 recommendation is adopted.

21 We will now move to the consent agenda. Do
22 any of my fellow Commissioners wish to recuse from voting
23 or comment on any items on the consent agenda?

24 Commissioner Sayre?

25 COMMISSIONER SAYRE: No.

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2 CHAIR RHODES: Commissioner Burman?

3 COMMISSIONER BURMAN: No.

4 CHAIR RHODES: Commissioner Alesi?

5 COMMISSIONER ALESI: No.

6 CHAIR RHODES: And for good order's sake,

7 nor do I.

8 My vote is in favor of the recommendations

9 on the consent agenda.

10 Commissioner Sayre, how do you vote?

11 COMMISSIONER SAYRE: Aye.

12 CHAIR RHODES: Commissioner Burman?

13 COMMISSIONER BURMAN: Aye.

14 CHAIR RHODES: Commissioner Alesi?

15 COMMISSIONER ALESI: Yes.

16 CHAIR RHODES: The items are approved and

17 the recommendations are adopted.

18 Secretary Burgess, is there anything

19 further to come before us today?

20 SECRETARY BURGESS: There's nothing further

21 to come before you today. The next Commission meeting is

22 March 15th.

23 CHAIR RHODES: Thank you. We are

24 adjourned.

25 (The meeting adjourned at 11:43 a.m.)

1 Monthly Meeting Public Service Commission - 2-22-18
2 STATE OF NEW YORK
3 I, HANNAH ALLEN, do hereby certify that the foregoing was
4 reported by me, in the cause, at the time and place, as
5 stated in the caption hereto, at Page 1 hereof; that the
6 foregoing typewritten transcription consisting of pages 1
7 through 51, is a true record of all proceedings had at the
8 hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 1st day of March, 2018.

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HANNAH ALLEN, Reporter

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