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GOVERNOR CUOMO SIGNS POWER NY LEGISLATION

*New Energy Law Provides Streamlined Permitting Process for Power Plants for the First Time in Nearly a Decade; Encourages New Investments in Clean Power Plants*

Governor Andrew M. Cuomo today signed The Power NY Act of 2011, an omnibus energy package that encourages new investments in electric generating facilities across New York and creates the nation's first statewide "on-bill" recovery program to increase energy efficiency for homeowners and businesses.

The new law will create thousands of jobs and set the state on a course of reliable, cleaner energy while strengthening environmental protections.

"We must rebuild and expand New York's energy infrastructure to meet the demands of the 21st century and grow our economy," Governor Cuomo said. "This law will lead to new investment and create tens of thousands of jobs across the state. The act gives community members a voice in the siting process and will maintain New York's position as a leader in environmental protection. I thank the legislature for their support of this legislation."

The Power NY Act establishes a new process for the siting of electric generating facilities and repowering projects. The new law encourages investments in clean power plants and affords communities more opportunities to meaningfully participate in the siting process. After years of gridlock, the measure passed with support from industry, environmental advocates, consumer groups, labor and community organizations.

Additionally, Power NY includes the creation of a historic "on-bill" recovery program that will encourage homeowners and businesses to invest in energy efficiency under the "Green Jobs/Green New York" program. New York is the first state in the nation to create a statewide program of this scale. "On-bill" allows homeowners to take out low-interest loans from NYSERDA for energy efficiency measures, to be paid back on their utility bills. It will help create thousands of green jobs, result in greater energy efficiencies and lower energy bills for homeowners and businesses across the state.

Lieutenant Governor Robert Duffy said, "Today's signing shows that New York State is a leader
in embracing policies that foster economic growth and job creation. Thousands of businesses across the state depend on a reliable supply of electricity and Power NY will ensure that companies looking to invest in New York can be certain that they will have access to an affordable and adequate source of electricity. Governor Cuomo has repeatedly promoted measures that will lead to new jobs and economic development, and this new law will strengthen New York's power producing sector and contribute to the rebuilding of our state's economy."

Gavin J. Donohue, President & CEO of Independent Power Producers of New York, said, "The establishment of this law is long overdue and important for New York State. A new siting law is vital to New York's future. The comprehensive power plant review process under this new statute will bring infrastructure investment, jobs, and increased reliability for the electric system. This legislation sends the message that New York recognizes the need for affordable and reliable electricity. As the review and construction of power facilities can take several years, the enactment of this law now provides a clear framework to site and repower facilities to meet increasing electricity demands. IPPNY thanks Governor Andrew Cuomo for his leadership, as well as the legislature for their hard work to make this law possible."

Edward Malloy, President of NYC and NYS Building and Construction Trade Councils, said, "New investments in clean power will lead to the creation of thousands of jobs across New York. The innovative 'on-bill' recovery program will lead to fresh demand for energy retrofits in homes and businesses across the state, invigorating the many businesses that provide such services and leading to new hiring and job creation. I thank Governor Cuomo for his leadership in implementing policies that allow for new business expansion and most importantly create jobs for New Yorkers."

Carol E. Murphy, Executive Director, Alliance for Clean Energy New York, said, "From the beginning, Governor Cuomo has emphasized that any investment in new power production must uphold New York's strong environmental protections, and I commend the Governor today for signing a bill that reinvigorates the energy industry while ensuring robust safeguards for the environment. By providing resources for communities to have a voice in the siting process, and a clear, timely path for decision-making, the Power NY Act recognizes the importance of involving all stakeholders in the decisions about new power plant facilities. The law will help New York lead the nation in clean energy production and green jobs."

The Power NY Act of 2011:
- Enacts a new permanent streamlined permitting process for power plants greater than 25 megawatts by creating a "one-stop" multi-agency siting board that will make siting decisions
- Empowers communities to participate in the process by requiring power plant applicants to provide "intervener funding" for the community affected by the proposed plant to hire experts and lawyers
- Improves the environment and public health by requiring the siting board to determine whether a proposed facility will create a disproportionate environmental impact in a community and, if so, requires applicant to minimize or avoid those impacts
- Directs the Department of Environmental Conservation to promulgate emissions standards for carbon dioxide, furthering New York's efforts to address climate change
• Reduces energy demand by allowing homeowners and businesses to pay back loans for energy efficiency upgrades using a surcharge on local utility bills
• Creates jobs by encouraging investment in new power plants and energy efficiency retrofits
• Directs NYSERDA to study potential policy approaches to increasing solar energy development in New York

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