

Public Service Commission Meeting - 12-14-2017

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

MEETING OF THE PUBLIC SERVICE COMMISSION

Thursday, December 14, 2017

10:30 a.m.

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

COMMISSIONERS:

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

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2 (On the record 10:30 a.m.)

3 CHAIR RHODES: Good morning all. I'd like
4 to call this session of the Public Service Commission to
5 order.

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

8 SECRETARY BURGESS: Good morning, Chair and
9 Commissioners. There are no changes to the final agenda.

10 CHAIR RHODES: Thank you. With that let's
11 proceed right to the first item for discussion which is
12 Item 201, Case 12-M-0476 et al, which is the petition of
13 utility expense reductions, petition for waiver of the
14 Commission's order adopting a prohibition on service to
15 low-income customers by energy service companies presented
16 by Bruce Alch, chief retail access and economic
17 development.

18 Tom Dwyer, assistant counsel is available
19 for questions.

20 Bruce, please begin.

21 MR. ALCH: Good morning, Chairman Rhodes
22 and Commissioners. This morning I'm going to be
23 discussing a petition for waiver by an ESCO utility
24 expense reduction for the -- of the Commission's December
25 2016 order. In summary, the December 2016 order directed

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2 a prohibition on ESCO enrollments and contract renewals
3 for customers that participate in utility low-income
4 assistance programs. We refer to these customers as
5 assistant program participants or APPs.

6 The December order also explains that an --
7 any ESCO that believes that they guarantee that APPs will
8 pay no more than they would otherwise to the default
9 utility could petition the Commission for a waiver of the
10 December order by demonstrating, one, the ability to
11 ensure that customers will pay no more than they would
12 have paid to the utility. And, two, an appropriate
13 reporting to verify and demonstrate compliance with these
14 assurances.

15 Petitions were received from twelve ESCOs
16 prior to the January 16th order -- January 16th filing
17 deadline that was established in the December order and
18 each of the petitions were SAPA'd. Cautionary comments on
19 the petitions were received from the utility intervention
20 unit of the State's Division of Consumer Protection, the
21 City of New York, the Public Utility Law Project and the
22 New York Attorney General's Office.

23 One applicant withdrew its petition and the
24 Commission has otherwise ruled on the other ten petitions
25 for waiver, approving four and denying six. As explained

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2 during prior presentations on the waiver petitions,
3 because this process and the requisite demonstration was
4 essentially new territory for each of these applicants the
5 initially-filed petitions were each deficient in various
6 aspects and required clarification.

7 It's there -- therefore requested
8 additional information from each petitioner and when
9 necessary had discussions with the ESCOs during our review
10 of the individual petitions and associated supporting
11 materials. Utility expense reductions petition and
12 clarified proposal was unique in that in addition to
13 meeting the primary concern that gas and electric come in
14 -- commodity service be provided at a cost no greater than
15 the default utility on an all-in billed basis, it also
16 proposed to offer its electric APP customers, one hundred
17 percent renewable energy product for all of their load.

18 Utility expense reduction further committed
19 to begin transitioning all of its existing APP customers
20 to this product immediately if approved. Utility expense
21 reduction was ultimately able to demonstrate its
22 commitment and technical ability to provide and report on
23 its products, including the ability to provide its
24 electric customers with a hundred percent renewable
25 product that is compliant with the Commission's

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2 environmental disclosure program at a total bill cost that
3 will be no greater than the default utility.

4 Staff is therefore recommending that the
5 Commission issue a waiver to utility expense reduction to
6 allow it to serve low-income electric and gas customers,
7 and the draft order also requires semi-annual reporting on
8 the status of its products to these APP customers.
9 Reports should include the number of customers served for
10 each commodity in each default utility service area, the
11 monthly amounts billed and the alternative amounts that
12 the relevant utility would have charged, the amounts of
13 any credits issued to meet the price performance guarantee
14 and a demonstration that the electric load commitment was
15 met with a hundred percent EDP compliant renewable energy.

16 Finally, while the draft order grants
17 utility expense reductions request for a waiver, we
18 believe it is appropriate for the Commission to place a
19 twenty-four month time limit on the waiver. During that
20 time staff will monitor the ESCO's compliance with the
21 December '16 order requirements and the ESCO will also be
22 able to petition for a waiver -- extension of the waiver
23 prior to its expiration.

24 That concludes my presentation. I'll
25 answer any questions you have.

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2 CHAIR RHODES: Thank you, Bruce. In
3 December 2016, last year, the Commission issued an order
4 prohibiting ESCO service to customers who are participants
5 in utility low-income assistance programs. And the
6 Commission at that time provided that any ESCO that could
7 guarantee or provide guaranteed savings to those customers
8 could petition the Commission for a waiver.

9 And UER, in this case, I believe has made
10 the requisite demonstration which means that it is
11 positioned to well serve customers who will benefit from
12 those services. And it has convincingly demonstrated that
13 it is well positioned to serve those customers.

14 I am going to vote to approve this petition
15 authorizing the company to serve low-income customers.

16 Commissioner Sayre?

17 COMMISSIONER SAYRE: I also support this
18 item. It's pretty well settled now, how we will rule on
19 these petitions. I support the item as well as, of
20 course, the underlying order that requires ESCOs to
21 provide savings if they're going to serve low-income
22 customers.

23 This appears to be a -- a win-win situation
24 and if customers can benefit from this service and the
25 ESCO can attract them that's good.

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2 CHAIR RHODES: Thank you. Commissioner
3 Burman.

4 COMMISSIONER BURMAN: Thank you. I'd like
5 to caution us that I do believe that how we handle things
6 going forward is very important. And from a global
7 perspective right now we have reached settlement or we've
8 reached conclusion on twelve of the items. One has been
9 withdrawn so we've dealt with eleven of the petitions. So
10 that means that we'd be deciding today if this is approved
11 to have granted five of the petitions and denied six of
12 them.

13 Out of the six denials a few of them have
14 petitioned for rehearing. So those are still pending and
15 will come before us. We also will be handling in the CCAs
16 issues with low-income customers and how we will be
17 handling the same issues outside of petitions but in a
18 more global perspective CCAs and low-income customers in
19 the same guaranteed saving requirements that are be --
20 that will all be in them.

21 My concern really lies in and the reason
22 I've voted no on all of these items is that I am concerned
23 about doing these individually in a -- in standalone
24 petitions and would rather see a more collaborative
25 process that gets to a more global solution in a more

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2 standardized way. Understanding that we're going to have
3 to be very diligent in looking at our most vulnerable
4 customers and low-income customers and working diligently
5 with the ESCOs and the utilities on an individual basis as
6 working through some of those challenges in identifying
7 the low-income customers. And making sure that the
8 protections are there.

9 However, as we still have those pending
10 petitions for rehearing and as there still is the ESCO
11 hearing and some of the bigger issues may impact the low-
12 income customers and all customers in general, I still am
13 uncomfortable in having done these in what I see as a
14 siloed process.

15 So I am going to vote no, but I am -- I do
16 understand that I am in the minority on this. But I would
17 like to caution us that as we move forward we really
18 should be looking at a better, longer-term strategy in how
19 we can morph this into a more cohesive process that gets
20 to a better process not only for businesses and utilities
21 but really for the customers to fully understand what is
22 available to them and the choices that they may have.

23 And also to understand exactly what this
24 means as it applies to Community Choice Aggregation
25 because we aren't looking at those in a petition process.

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2 And I am concerned about that. So I will be voting no on
3 this item.

4 CHAIR RHODES: Thank you, Commissioner
5 Burman.

6 Commissioner Alesi.

7 COMMISSIONER ALESI: Good morning everyone.
8 Yes, I'm satisfied with this recommendation as long as it
9 includes a time limit and I'll be voting yes on it.

10 CHAIR RHODES: Thank you very much. So we
11 will proceed to call for a vote on this Item 201. My vote
12 is in favor of the recommendation to approve utility
13 expense reduction, LLC's request for waiver to serve low-
14 income customers as described. Commissioner Sayre, how do
15 you vote?

16 COMMISSIONER SAYRE: Aye.

17 CHAIR RHODES: Commissioner Burman, how do
18 you vote?

19 COMMISSIONER BURMAN: No.

20 CHAIR RHODES: Commissioner Alesi, how do
21 you --?

22 COMMISSIONER ALESI: Yes.

23 CHAIR RHODES: The item is approved and the
24 recommendation is adopted. Thank you.

25 So we will move to the second item for

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2 discussion which is Item 202, Case 14-M-0224 which is the
3 Community Choice Aggregation data access fees proposal
4 presented by Ted Kelly, assistant counsel. Peter McGowan,
5 chief policy advisor is available for questions.

6 Ted, you may begin when you're ready.

7 MR. KELLY: Good morning, Chair Rhodes and
8 Commissioners.

9 Item 202 is the order -- is a proposed
10 order establishing Community Choice Aggregation data
11 access fees. This order responds to a directive that
12 started in the generic CCA implementation order which
13 allowed the proposal of CCAs state wide. In that order
14 the Commission identified the need for three types of data
15 to implement CCA programs.

16 The first type is aggregated customer usage
17 data in the municipalities to support procurement. The
18 second type is lists of customer names and addresses to --
19 to support the mailing of opt-out notices. And the final
20 is the customer specific information that the ESCO will
21 need to enroll participating customers as well as the
22 traditional data that flows between ESCOs and utilities
23 using electronic data interchange.

24 In the generic CCA implementation order
25 Commission also recognize that developing and providing

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2 aggregated data and customer lists would impose costs on
3 utilities. And that to the extent that only a subset of
4 the customers in the utility territory would be CCA
5 participants, it would be appropriate to recover the costs
6 from that subset of customers rather than from all rate
7 payers. For that reason the Commission directed the
8 utilities to propose data tariff fees. The utilities did
9 so.

10 Subsequent to the filing of those tariffs,
11 the Commission and staff considered whether the need for
12 aggregated data could be at least partially filled in a
13 more generic matter by the Utility Energy Registry under
14 development by NYSERDA. I will therefore briefly describe
15 the Utility Energy Registry.

16 It is intended to be an online, publicly
17 accessible database that includes aggregated data
18 regarding, among other things, energy consumption broken
19 down by municipality and by categories of customer
20 including residential, small commercial and other. The
21 Utility Energy Registry will serve a variety of purposes
22 including local energy planning and development and also
23 has the potential to fill the need for aggregated data for
24 CCA programs and therefore reduce the need for
25 individualized, customized requests to the utilities.

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2 The Utility Energy Registry had a comment
3 period support on it and it was supported by all parties
4 who participated. The proposed order explains that while
5 the Commission supports full implementation of the Utility
6 Energy Registry, further process is needed to ensure that
7 the Utility Energy Registry is as useful and as fully
8 populated as possible specifically regarding the
9 appropriate privacy standards and aggregation practices.

10 Therefore, the Utility Energy Registry is
11 not being implemented at this time and instead that
12 further process is being undertaken.

13 Staff reviewed the utility fee proposals
14 regarding the CCA data and requested and received
15 additional information on the cost that the utility would
16 incur in developing and providing data to the CCAs.
17 Because the cost to automate aggregate -- aggregated load
18 data will benefit both CCAs and the development of the
19 Utility Energy Registry a portion of the automated costs
20 are being assigned to the general body of ratepayers while
21 the other portion is assigned specifically to the CCA data
22 fees.

23 In addition, the costs related to the uses
24 that are only for CCAs, in particular, the customer
25 address lists are part of the data fees. An appendix is

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2 attached to the proposed item that includes the per
3 customer cost by each utility. Utility by utility costs
4 were relatively similar to each other to promote
5 consistency and simplicity for CCAs statewide. The
6 proposed item recommends a standard per customer fee of
7 eighty cents per customer for all utilities.

8 The eighty cent fee will be back loaded
9 with sixteen cents due when the request for aggregated
10 data is made and the remaining sixty-four cents due if and
11 when the CCA has entered into a contract with an ESCO and
12 is prepared to start enrolling customers. This will
13 ensure that the fee does not act as a barrier to
14 municipalities by requiring them to fund the cost before
15 enlisting private partners.

16 Staff believes the proposed fee which will
17 apply to all CCAs is reasonable and will facilitate the
18 CCA implementation without unfairly imposing costs on
19 nonparticipating ratepayers. The fees being established
20 today will be in effect until there is further action by
21 the Commission. We're available for any questions. Thank
22 you.

23 CHAIR RHODES: Thank you, Ted.

24 Community Choice Aggregation is being
25 developed throughout the state. And through the greater

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2 bargaining power enabled by the CCA model, communities are
3 enabled to work with their energy supplier to procure
4 resources that better serve their local -- their citizens
5 local energy goals.

6 This order provides a fair and uniform
7 approach to an essential point of enabling CCAs to go
8 forward. An approach on data fees will accelerate the
9 opportunity for communities who wish to establish a CCA,
10 and I am going to vote to support this item.

11 Commissioner Sayre?

12 COMMISSIONER SAYRE: This is another step
13 forward for REV. I'd be happy to see the CCA market take
14 off, but it's market and not a mandate. And it's
15 complicated. This item fairly allocates the costs of CCAs
16 to those who benefit, and at the same time, it protects
17 consumers' data privacy. Those are my two big concerns
18 and I think this item satisfies them. So I look forward
19 to seeing the market play out.

20 CHAIR RHODES: Thank you, Commissioner
21 Burman.

22 COMMISSIONER BURMAN: Thank you. I -- I
23 actually have a couple of questions. First, I know there
24 is in this order a lot of REV-isms. But I think it really
25 gets to two really core issues. Really just data access

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2 fees and then utility energy registry. So really we're
3 really just dealing with those two core issues. So
4 there's a lot in there that in some ways are -- is
5 extraneous but I think is utilized to explain why we're
6 getting to either the data access fee, what the -- maybe
7 some of the rationale was behind that. And the same with
8 the utility registry.

9 But both of the -- the reason I say that is
10 some of those REV-isms were really pre the Chair and --
11 and Commissioner Alesi on here. And -- and some of them
12 were things that maybe I hadn't voted with the majority
13 on. So being that -- being that what it is I needed to
14 really parse out what was really some ways if it was a
15 court order would have been dicta for lack of a better
16 analogy and really just get to the heart of what we were
17 doing.

18 So once I got through that I just wanted to
19 explain that that's really sort of the core issue, right.
20 So being that what it is, when you get to the data sharing
21 fees and the data-sharing issue, issue of data sharing
22 really is a -- has been a sticking point of CCA
23 development process all along. And really it's been
24 probably an arduous journey for many. And it's sort of
25 been a fight between folks who have felt that they needed

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2 aggregated data with enough granularity to be able to use
3 it to seek out a competitive bid, to seek out, you know,
4 what exactly they needed to be able to utilize it. And
5 whether or not to participate in the market.

6 And the utilities on the other hand were
7 very concerned about it from proprietary perspective. And
8 then consumers from a privacy issue. And so all of those
9 things together created quite a bit of issues and
10 continued to create quite a bit of concerns and issues.
11 And then what does that mean? And that's sort of where
12 the thrust of a lot of the policy issues come in.

13 And so while it may seem very cut and dry,
14 there's a lot that goes behind that that really requires a
15 lot of detailed analysis. And so I think that is very
16 important. And I recognize and appreciate the
17 thoughtfulness that goes into that. So I do think that
18 there also is a very steep learning curve for
19 municipalities on this issue.

20 This is just one issue in a whole host of
21 issues where we get into community-choice aggregation.
22 And it is very, very important that we fully understand
23 that and fully understand the dynamic. And fully
24 understand a lot of the threshold issues and the
25 challenges from that.

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2 And fully understand that they don't
3 necessarily have the resources in addressing those issues
4 or fully understanding what that means. So what do we do,
5 how do we figure out the right fee and work through some
6 of those challenges is still really a struggle for -- for
7 me. And when I look at this I -- I do -- I am still a
8 little concerned and would like a little more
9 clarification on the how there was an -- the analysis in
10 the proportionate share. And you can go through that a
11 little bit in the -- and -- and maybe delve into a little
12 bit about that.

13 MR. KELLY: Sure. Certainly, just get
14 myself to the right part of the document. So it was
15 something where, you know, we -- we went through kind of a
16 -- a fairly detailed set of information exchanges with the
17 utilities primarily led by our very able accounting audits
18 and finance staff. And when we took a look at it we took
19 a look at what portions of it involved the aggregated data
20 versus what portions of it involved the customer lists.

21 And then of the portion that involved the
22 aggregated data we did our best to estimate what portions
23 of that would be necessary no matter what for the utility
24 energy registry versus what part -- portions could
25 potentially be attributable to customized CCA requests.

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2 And so that was really how we came to assigning a -- a
3 certain share of the aggregated portion to the general
4 rate base for the utility energy registry and the rest of
5 the CCA customer fee.

6 COMMISSIONER BURMAN: Okay. So there's --
7 there's a given level of estimate -- estimates in terms of
8 what belongs in the utility energy registry and what
9 belongs in the other category, correct?

10 Is there a determination that later it will
11 get figured out or are we just doing the share and it's
12 sort of set in stone then? Or is there some wiggle room
13 later?

14 MR. KELLY: So, you know, as I said, these
15 fees are -- are in place until the Commission takes any
16 further action, potentially changes them. So if as, you
17 know, as the utility energy registry develops and when the
18 Commission fully implements that and if there are further
19 developments, the Commission certainly has the option to
20 take a look back at this and -- and determine whether that
21 changes anything about what portion should be applied to
22 what. And therefore to update the cost for, you know,
23 CCAs moving forward after that new Commission order.

24 COMMISSIONER BURMAN: Okay. I think that's
25 where my -- my concern and confusion is. I can fully

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2 understand applying a data access fee to what's concrete
3 now and apportioning it especially as it goes to
4 portioning it to those folks who will be part of the CCA
5 Those folks who are embracing that. My concern gets into
6 the order when it goes into the UER and apportioning some
7 portion of that share to all ratepayers.

8 And that is where I have a concern. And
9 can you full -- can you explain a little bit that aspect
10 of it and why if we haven't addressed yet the UER we're
11 identifying -- I think it's on page -- page 21? We talk
12 about a portion of the cost of generating aggregated data
13 and populating the UER will be allocated to all
14 ratepayers.

15 MR. KELLY: Peter, do you want to speak to
16 that maybe?

17 MR. MCGOWAN: Sure. Since the comments on
18 the UER and the Commission's urging of the development of
19 the UER and the comments have broadly supported the U --
20 UER it appears that the UER is something that will
21 hopefully relatively soon come into fruition. And it --
22 given that apportioning a certain amount of cost to the
23 UER seems a reasonable step.

24 COMMISSIONER BURMAN: Okay. I guess --
25 this is where I have difficulty with it. We haven't yet

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2 addressed what the UER is going to fully look like. The
3 UER has been a work in progress since 2012, is that
4 correct?

5 MR. MCGOWAN: Fifteen.

6 COMMISSIONER BURMAN: Okay. 2015 when DOE
7 gave us a grant?

8 MR. MCGOWAN: I don't know about that.

9 MR. KELLY: I believe -- I don't know all
10 the details. I believe NYSERDA received some -- some sort
11 of grant. I don't --.

12 COMMISSIONER BURMAN: NYSERDA received a
13 grant I believe in 2015, 2016 from DOE. It was a grant
14 with three other outside the state. I think Maryland,
15 Washington and Minnesota I believe to establish a utility
16 energy registry. I don't know necessarily whether there
17 was any report, if there's been any activity on that. But
18 I do believe that it's an ongoing grant and that it was
19 looking at working with NYSERDA as well as these other
20 partners in terms of establishing a utility energy
21 registry.

22 That's been ongoing. It's been I think a
23 very good ongoing work product and it's been something
24 that we've been working through. So my issue is looking
25 at this we have an ongoing docket. We're looking at

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2 different things with the utility energy registry where in
3 looking at incorporating opportunities in what it means
4 for the data that's needed and what it may look at.

5 So I'm just trying to understand if this is
6 broader what we may or may not be doing and what that
7 means, you know, for all ratepayers. And whether or not
8 it's appropriate to apply this from a fee perspective.

9 Maybe -- maybe this isn't the order to be
10 saying that the Commission supports -- I mean, we could
11 say we -- we think we support establishing the UER and we
12 may consider allocating to all ratepayers, but why if we
13 don't know what exactly what the UER is going to look like
14 would we lock ourselves into allocating to all ratepayers?

15 MR. MCGOWAN: I think we do have a pretty
16 good sense of what the UER will look like. Staff has been
17 working with all of the parties who have expressed an
18 interest in the development of the UER. All of the
19 parties support the development of the UER and the
20 Commission has previously urged the development and the
21 implementation of the UER. So we have made a good deal of
22 progress. We have one issue that we want to continue to
23 explore to make the UER as good as we can make it. But I
24 think many things point in the direction of successfully
25 achieving the implementation of the UER.

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2 COMMISSIONER BURMAN: Okay. These are all
3 the parties in the UER case?

4 MR. MCGOWAN: Yes.

5 COMMISSIONER BURMAN: Okay. I'm -- I'm
6 just obviously concerned that this order seems to be
7 locking us into a future item that we haven't before us
8 and that it -- I'm not really sure that that's an
9 appropriate issue. It's not really appropriate to be
10 locking us into something.

11 MR. MCGOWAN: Well, I don't think it locks
12 you in. Obviously the UER has to be finally brought back
13 to the Commission and the Commission will have to review
14 the final recommendations and can either accept or not
15 accept. And if it doesn't accept it and the UER is not
16 implemented then the Commission will be free to reevaluate
17 the -- the apportionment issues.

18 COMMISSIONER BURMAN: I think also it says
19 that because eventual access to the UER will benefit
20 ratepayers generally through community based energy
21 planning efforts to achieve statewide clean energy goals
22 and increase consumer awareness of consumption practices
23 and REV related opportunities to consume energy more
24 efficiently, a portion of the cost of generating
25 aggregated data and populating the UER will be allocated

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2 to all ratepayers. And a portion will be covered --
3 recovered through the CCA fees as described below.

4 My concern is is that is a very broad
5 rationale to allocate to all ratepayers that essentially
6 to achieve statewide clean energy goals and increase
7 consumer awareness of consumption practices and REV
8 related opportunities to consume energy more efficiency
9 we're basically allocating something to all ratepayers.

10 And I do believe that if we're doing that
11 while it may in this case be a -- what we consider a
12 nominal amount, if we take this rationale and apply it to
13 something that may have a lot more dollars to it and we do
14 that in maybe something else, and then something else and
15 then something else that can have a real wide-ranging
16 effect.

17 And we should be very careful in that broad
18 brush and really understand what the rationale is. And so
19 that this very general, broad rationale here applying to
20 all ratepayers should be more thought through. And
21 especially since if it's applying to the UER which is a
22 item that we're going to be looking at later and we don't
23 have all of the fine details with it.

24 And yet while there are some parties who
25 seem to be on board with staff it's not yet before the

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2 Commission, not all the parties I'm sure include
3 interested ratepayers or ratepayer associations.

4 And so I'd like to make sure that we don't
5 seem to be indicating how we would be deciding something.
6 I am much more open to not locking myself in now on how --
7 I'll be deciding that later because I want -- really want
8 to evaluate that much more carefully because that concerns
9 me.

10 So I'm not going to vote for this order
11 because of that issue. I do think it's appropriate that
12 we look more holistically on that. But I -- I appreciate
13 where we're going. I do think that it's important and I
14 do think we should be very careful on all of these issues.
15 So I will be voting no on this item.

16 CHAIR RHODES: Thank you, Commissioner
17 Burman.

18 Commissioner Alesi.

19 COMMISSIONER ALESI: Thank you, Mr.
20 Chairman. Just briefly from my perspective, I think this
21 is a solid outcome and no doubt that it's the result of
22 some significant effort. And so I will be supporting the
23 recommendation.

24 CHAIR RHODES: Thank you. With that we now
25 proceed to call for a vote or I proceed to call for a vote

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2 on Item 202.

3 My vote is in favor of the recommendation
4 to approve the data access fees proposal with
5 modifications as described.

6 Commissioner Sayre, how do you vote?

7 COMMISSIONER SAYRE: Aye.

8 CHAIR RHODES: Commissioner Burman?

9 COMMISSIONER BURMAN: No.

10 CHAIR RHODES: Commissioner Alesi?

11 COMMISSIONER ALESI: I vote yes.

12 CHAIR RHODES: Thank you. The item is
13 approved and the recommendation is adopted.

14 We move now to Item 301, Case 17-E-0526
15 which is the petition of Consolidated Edison to move a
16 room air conditioning program to Rider L and continue
17 connected devices pilots with modification. Presented by
18 Robert Cully, utility engineering specialist two. Marco
19 Padula, deputy director of market structure is available
20 for questions.

21 Rob, please begin.

22 MR. CULLY: Good morning, Chair Rhodes and
23 Commissioners. As the Chair just described, Item 301 is a
24 draft order addressing the filing by Consolidated Edison
25 Company of New York, Inc. referred to as Con Edison or the

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2 Company -- seeking approval of tariff mod -- amendments
3 related to its residential and small commercial demand
4 response programs.

5 Con Edison currently operates two
6 residential and small commercial demand response programs.
7 The first of which is the direct load control program or
8 DLC program under Rider L. And the second is the
9 connected devices pilot. The DLC program under Rider L
10 allows customers to enroll smart thermostats controlling
11 central air conditioning units and Con Edison's demand
12 response program allowing Con Edison to cycle compressors
13 and modify temperature set points during events.

14 In return, Con Edison pays customers a one-
15 time enrollment incentive and an ongoing annual incentive
16 payment for continuing to participate in the DLC program.
17 Incentive payments under the DLC program are bounded by
18 requiring Con Edison to maintain a passing benefit cost
19 analysis test.

20 The connected devices pilot is a program
21 designed to allow Con Edison to test new Internet of
22 things controllable devices, demonstrate the effectiveness
23 of those technologies and run pilot scale programs to see
24 how the market responds. The main component of the
25 connected devices pilot program is the Smart AC Kit. A

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2 smart plug which connects room air conditioner units,
3 those that can be seen in apartment windows throughout New
4 York City and allows those units to be remotely
5 controllable by both the customer and Con Edison.

6 Con Edison is also currently testing
7 several other technologies such as room air conditions
8 with integrated communications and control devices and
9 communication devices to control packaged terminal air
10 conditioning units frequently seen in hotels as well as
11 ductless mini-split heat pumps. The connected devices
12 pilot program is currently subject to an annual budget of
13 four million dollars.

14 In its petition, Con Edison proposed to
15 graduate the Smart AC Kit program from a pilot into Rider
16 L, make several modifications to Rider L as a whole and
17 continue the connected devices pilot program with a three-
18 year budget.

19 The draft Commission order, if adopted,
20 would accept Con Edison's proposals regarding the Smart AC
21 Kit and modifications to Rider L as proposed. However,
22 the three-year budget requested by the Company for the
23 connected devices pilot program would be modified.

24 So first, graduating the Smart AC Kit into
25 Rider L, allowing Con Edison to provide the Smart AC Kit

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2 programs through Rider L would allow the company to reach
3 and engage with a significant amount of untapped load
4 reduction potential. Con Edison will offer participants
5 annual incentives for setting up their enrolled control
6 devices, per event payments for fully participating in an
7 event and an end of year bonus for fully participating in
8 all events.

9 There are approximately seven million room
10 air conditioners in the Company's service territory.
11 However, under the CDP program, that is the Connected
12 Devices Pilot, only twenty-one thousand of those units are
13 currently enrolled in Con Edison's demand response
14 program. With the Smart AC Kit under Rider L Con Edison's
15 expect -- Con Edison expects to roughly double its
16 enrollment in the Smart AC Kit program during 2018 and
17 expects the program to grow by roughly fifty percent each
18 year for the following two years.

19 Regarding changes to Rider L overall, Con
20 Ed -- Con Edison expects -- proposes to first be able to
21 call test events under Rider L similar to its commercial
22 demand response programs under Rider T.

23 Second, to allow a tenants living in
24 service classification Eight, Twelve and Thirteen
25 buildings as well as tenants living in New York City

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2 Housing Authority or NYCHA buildings to participate in
3 Rider L.

4 Test events are a common feature of demand
5 response programs allowing utilities to test participant
6 response to those demand response events. Currently Con
7 Edison is allowed to call test events in its Rider T
8 programs as well as the connected devices pilot program
9 but not Rider L.

10 Allowing Con Edison to perform test events
11 under Rider L will put Rider L on the same footing as
12 those other demand response programs and give Con Edison
13 more insight as to how customers will respond to actual
14 events.

15 Service classification eight, twelve and
16 thirteen buildings are generally master metered or
17 redistribution customers, whose individual tenants are not
18 specifically Con Edison customers and may not have a meter
19 attached to their individual units. Similarly, tenants
20 living in NYCHA housing are not specifically Con Edison
21 customers and also may not have their own meter. Con
22 Edison estimates there -- there are approximately four
23 thousand five hundred -- I'm sorry, four hundred and fifty
24 thousand residential units in these buildings.

25 This represents a significant source of

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2 untapped potential load relief which Con Edison is not
3 currently able to reach. While the draft order allows Con
4 Edison to offer Rider L to these tenants, it also
5 recognizes that there is a potential for double payments
6 to be made to SC eight, twelve and thirteen customers
7 participating in Rider T during coincident Rider L events.

8 We anticipate that this impact will be
9 minimal while there is still relatively low penetration of
10 the Smart AC Kit program. Therefore, this draft order
11 directs Con Edison to study the issue during 2018 and
12 report its findings in the 2018 annual report with
13 associated tariff modifications if the issue is found to
14 be significant.

15 Regarding the connected devices pilot
16 program budget, in its petition Con Edison proposed to
17 continue the CDP program after the Smart AC Kit program
18 graduates to Rider L with a twelve million dollar budget
19 to be spent over three years. Con Edison stated that the
20 twelve million dollar budget would allow it to continue
21 its existing efforts under the CDP program as well as to
22 pilot up to four new technologies which it has not
23 identified yet.

24 While the draft order approves a three year
25 budget for the CDP program, which will give the Company

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2 flexibility to expend funds to maximize program

3 effectiveness, the budget would be set at 7.5 million.

4 This 7.5 million dollar three year budget
5 should allow Con Edison to continue ramping up its current
6 technologies and provide funding for one additional new
7 technology to be developed under the CDP program.

8 This concludes my presentation and we are
9 happy to address any questions that you may have.

10 CHAIR RHODES: Thank you, Rob. The way I
11 see it we now -- we currently have twenty-one thousand
12 electric customers in New York City that participate in
13 Con Ed's Smart AC programs. And we have the potential for
14 millions more to take control of their room air
15 conditioning equipment and provide benefits to the system
16 and earn financial rewards of 25 to 95 dollars per.

17 It's a simple solution. Simple to me. I
18 didn't have to build it. But it involves installing a Wi-
19 Fi condenser or smart plug to room air conditioner. It's
20 a drop-in solution. And with this order the Commission
21 would be encouraging greater innovation especially
22 innovation that is cost effective, that is now proven, and
23 that is easy. And it will lead to reductions in energy
24 demand and reduction in cost for our energy system. I'm
25 going to vote for this item. Commissioner Sayre?

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2 COMMISSIONER SAYRE: This item like so many
3 others relates directly to REV for me. Rider L and the
4 connected devices pilot program are designed for peak
5 shaving.

6 Peak shaving means more efficient use of
7 the energy network assets of New York State and the
8 improvement of network efficiency is one of REV's key
9 goals. I'm therefore very pleased to see these programs
10 moving forward.

11 CHAIR RHODES: Commissioner Burman.

12 COMMISSIONER BURMAN: Thank you. This has
13 been demand response and these issues have been with us
14 for very long. Actually, this program started out in 2009
15 and was pre REV.

16 And actually has really shown a great deal
17 of progression and Con Ed has been -- should be commended
18 for the work that it's done in really being very flexible
19 in working with its customers and working with the
20 Commission in changing the program to be more workable and
21 looking at expand -- expansions when appropriate.

22 I've been a proponent of modifications when
23 it makes sense and I am -- think this is appropriate. I
24 do have a couple of concerns that I just want to look at
25 here. It -- on the NYPA issue and the NYPA customers and

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2 now expanding this to the NYPA customers. And I -- I do
3 think it is appropriate for us to look at especially the
4 NYCHA customers and identifying mass to meter customers
5 and those customers that wouldn't normally benefit from
6 this. But can you explain to me now from an
7 accountability perspective now that it's including NYPA
8 how does that work with the Commission now that we're
9 allowing this?

10 MR. CULLY: So from a -- a cost recovery
11 perspective at the moment NYPA customers do not pay the
12 monthly adjustment clause surcharge which the -- these
13 programs are recovered through. However, we anticipate
14 that the impact of any cost shifts from NYPA to Con Edison
15 customers to be minimal while participation and
16 penetration of these kits is low in the NYPA buildings.

17 The DLM program cost recovery from NYPA is
18 included. And a Con Edison petition currently under
19 consideration that's in Case 14-E-0423 and staff expects
20 to have a recommendation for the Commission to consider in
21 that case sometime during the first quarter of 2018. Was
22 that what you were asking for, Commissioner?

23 COMMISSIONER BURMAN: Uh-huh. Yeah -- yes.
24 Somewhat. But I think it goes a little deeper. Page 12
25 of the order talks about the cost recovery. I am not

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2 comfortable with that language. I'm not comfortable with
3 the language because where it talks about regarding cost
4 recovery and it goes into detail, I do think we are
5 appropriately looking at what it means from a cost
6 recovery perspective.

7 I do think we're looking at what it means
8 from limited cost shift from NYPA customers to Con Ed
9 customers. And I do think it is going to be addressing a
10 core issue about cost recovery from NYPA customers. We
11 have been challenged over the years for what it means when
12 NYPA customers are not part of our programs. And we've
13 had petitions at times from NYPA wanting to have their
14 customers part of our programs.

15 At times we've denied them. At times they
16 have outside of the Commission, LIPA too, has decided to
17 adopt without Commission input -- full Commission input
18 what the Commission has done. And it may or may not be
19 appropriate. The Commission doesn't necessarily weigh in.
20 My concern comes into from the perspective that here this
21 order is rightfully so, saying the NYPA customers, the
22 NYCHA customers should be participating in the demand
23 response.

24 They're Con Ed customers. It is addressing
25 a critical need. It's appropriate. I think it's great.

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2 I think this is wonderful. I think we should include it.

3 To the extent that there is a cost-recovery issue we need

4 to address it. My issue gets into the fact that we are

5 going to be looking at this issue down the road. We're

6 going to have to address it. This language seems to, one,

7 be teeing it up for a resolution that may be a little bit

8 more global and seems to make it so that it's going to

9 applying in a way to other things.

10 To the extent that I want to be very clear

11 that all of these issues need to be fully and carefully

12 thought through and how it means not only in this

13 particular piece but in all of the different aspects with

14 cost recovery. But the other larger issue is an

15 accountability perspective.

16 To the extent that NYPA comes under the

17 umbrella of the Commission as a whole when we are allowing

18 them into our programs or being part of it what's the

19 accountability that the Commission has or NYPA has and

20 that we as a Commission as a whole should be involved in.

21 What's the accountability and the

22 transparency and some of the tracking mechanisms that we

23 should be involved in with the programs, the -- the

24 efficiencies of those programs? The collaborative

25 processes, the things that I don't necessarily as a

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2 commissioner who sits on the Commission might not
3 necessarily be involved in because I don't oversee as a
4 commissioner that.

5 But once it's here now I think that we do
6 have an obligation to be a part of. Not necessarily be
7 micromanaging but we do need to be accountable to, you
8 know, making sure that it's working right and coordinating
9 in a way that is effective and appropriate and good for
10 all ratepayers and taxpayers.

11 So I just am raising those issues because
12 we're looking at that. And as it hits the cost recovery
13 issue but on the more global issue, you know, I think we
14 need to look at that. But this issue is hitting a bigger
15 issue that we're going to be looking at in a pending case,
16 and I just want to be cognizant of that issue.

17 As to the -- so that's it on the NYPA
18 issue. I do know that there's a study issue on page 11 of
19 this. The pending cost recovery issues we have to
20 address. Accountability issue I've already addressed.
21 The technology issues, here I am little confused by the
22 discussion on that there are going to be the introduction
23 of additional -- one additional new technology and that
24 Con Ed will be working with staff on that.

25 Can you explain a little bit more what that

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2 means? There's going to be four new -- there's going to
3 be four technologies and one additional surprise
4 technology.

5 MR. CULLY: So we did not feel comfortable
6 with allowing Con Edison to or rather we did not feel
7 comfortable giving Con Edison the requested 12 million
8 dollars for four technologies that we did not know about.
9 We thought that the 7.5 million dollars, given that it's a
10 three year budget and we expect to see continuing
11 innovation out of the CDP program was reasonable to
12 continue their existing efforts. Those being for the
13 package terminal air conditioners, the PTAC units and the
14 ductless mini-splits.

15 But there's also a -- a number of other
16 controllable technologies that Con Edison is currently
17 scoping out. For example, communications standards
18 potentially being able to -- with a simple chip turn any -
19 - any device in a home with this communications port into
20 a controllable device. It's one of those programs that
21 we've discussed with Con Edison and is kind of coming down
22 the pipeline. But hasn't specifically been included in
23 the CBP yet.

24 So we're -- we're I believe we want to give
25 Con Edison the room to propose one new technology as part

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2 of this three-year budget. But we don't want to give them
3 the whole scope of the four new technologies that they
4 requested.

5 COMMISSIONER BURMAN: I am a little
6 concerned though that we're going to be overly
7 prescriptive and that in some ways we are going to be
8 hamstringing them in their technology. And that this may
9 wind up actually not -- doing the actual opposite of
10 allowing timely innovative technologies to come to market
11 in a way that, you know, regulators are very good at
12 slowing down the process at times.

13 So to the extent that -- to the extent
14 that, you know, we need to look at how we handle approving
15 movement and budgets in innovation and technologies, I do
16 think that's where, you know, appropriate budgeting in R
17 and D and innovation should go. But that, you know,
18 approving in silo one particular technology they actually
19 do the actual opposite in getting out -- appropriate
20 technologies out the door.

21 MR. CULLY: I -- I would just like to
22 mention that there's nothing in this petition that would
23 not allow Con Edison to petition for additional cost
24 recovery under the CDP program if it can bring forward
25 some -- some new proposals in the future. And, in fact,

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2 Con Edison is not shy about requesting those sort of
3 program modifications. It's -- we've addressed many of
4 those type of petitions over the years.

5 COMMISSIONER BURMAN: Okay. Good. I do
6 also want to commend you because I do think that you have
7 been very diligent in understanding all of the different
8 riders and I've been -- spent some time with you in
9 talking about, you know, the -- the sort of wonkiness of
10 the -- the language and the technicalities in the Rider T
11 and L and the SCs and all the different things.

12 And I've been very impressed with your
13 technical expertise and I thank you for, you know, your
14 time this last week on the different issues. And I am
15 going to be voting in concurrence for this item. My
16 hesitation really comes from the issues that I raised and
17 I do have a concern and I would like to see, you know,
18 going forward that we focus on those issues. But I do
19 believe strongly that there is a good pathway here, so
20 thank you.

21 CHAIR RHODES: Thank you, Commissioner
22 Burman.

23 Commissioner Alesi?

24 COMMISSIONER ALESI: Thank you, Mr. Chair.
25 I think time will tell on the 7.5 million figure. It's a

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2 relatively short pilot program. That's the nature of
3 pilot programs. We find out fairly quickly how successful
4 they are. But I -- I find it an exciting program all the
5 way around. First of all, the -- the growth projections
6 for this pilot program are intriguing to me.

7 Secondly, I know there are many other
8 things in it but secondly very important to me is the fact
9 that they are expanding the program to small commercial --
10 commercial customers too. So I find that to be appealing
11 as well. I'm going to support the issue.

12 CHAIR RHODES: Thank you very much. I'll
13 now proceed to call for a vote on Item 301. My vote is in
14 favor of the recommendation to approve the proposal filed
15 by Consolidated Edison related to the Smart AC Kit program
16 and Rider L and authorizes the Company's connected device
17 program with a three year budget of 7.5 million dollars as
18 described.

19 Commissioner Sayre, how do you vote?

20 COMMISSIONER SAYRE: Aye.

21 CHAIR RHODES: Commissioner Burman?

22 COMMISSIONER BURMAN: I concur.

23 CHAIR RHODES: Commissioner Alesi?

24 COMMISSIONER ALESI: Yes.

25 CHAIR RHODES: Thank you. The item is

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2 approved and the recommendation is adopted.

3 We now -- we'll move to the consent agenda.

4 Do any of my fellow commissioners wish to recuse from

5 voting on or wish to comment on any items on the consent

6 agenda?

7 Commissioner Sayre?

8 COMMISSIONER SAYRE: No.

9 CHAIR RHODES: Commissioner Burman?

10 COMMISSIONER BURMAN: No.

11 CHAIR RHODES: Commissioner Alesi?

12 COMMISSIONER ALESI: No.

13 CHAIR RHODES: I will now proceed to call

14 for a vote on the consent agenda.

15 My vote is in favor of the recommendations

16 on the consent agenda. Commissioner Sayre?

17 COMMISSIONER SAYRE: Aye.

18 CHAIR RHODES: Commissioner Burman?

19 COMMISSIONER BURMAN: Aye.

20 CHAIR RHODES: Commissioner Alesi?

21 COMMISSIONER ALESI: Yes.

22 CHAIR RHODES: Thank you. The items are

23 approved and the recommendations are adopted.

24 Secretary Burgess, is there anything

25 further to come before us today?

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2 SECRETARY BURGESS: There's nothing more to
3 come before us today on the regular agenda. The next
4 Commission meeting is January 18th.

5 CHAIR RHODES: Okay. So now I'm going to
6 exercise some Chairman's -- Chair, sorry, prerogative.
7 The first is we're here in winter and I want to remind
8 everybody, just go on the record, seeking to remind
9 consumers about staying safe. Safe lighting, avoiding
10 scammers and calling if you need help with energy costs
11 that could be an issue as the weather gets cold and we
12 have winter weather alerts.

13 So I -- I encourage that. And I also want
14 to go on record as encouraging the utilities to stay
15 focused on their most vulnerable customers again as we go
16 into the winter season. I also want to take stock of the
17 year. This is my first year as chair and as I reviewed
18 what we've done it's kind of a good list. So I want to
19 put that into the record as well.

20 So in January Commission announced the
21 approval of a Con Ed rate case that included much greater
22 energy efficiency, Smart Grid technologies and other money
23 saving alternatives that would be available to an
24 increasing number of customers.

25 Also that same month Governor Cuomo

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2 announced the closure of Indian Point which led to an
3 announcement and a task force headed in February -- an
4 announcement in February and a task force formed in
5 February headed by the Department of Public Service to
6 work closely with communities involved to make sure that
7 they had what they needed going forward.

8 That the employees had what they needed
9 going forward. And also, of course, the Commission took
10 care and the Department took care to worry about the
11 impact of that on the reliability of the energy system.

12 Also in February a hundred and fifty-three
13 million dollar settlement stemming from our investigation
14 of the East Harlem gas explosion in 2014 and Governor
15 Cuomo announced the expansion of the first ever Energy
16 Affordability Act which provides nearly two million low-
17 income New Yorkers with direct energy cost relief each
18 year.

19 In March we initiated the process. We --
20 we approved an order enacting a new compensation structure
21 to more accurately and efficiently and fairly value
22 distributed energy resources across the state.

23 In May we took actions to advance the
24 energy savings goals of REV to allow in New York large
25 commercial batteries in New York City.

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2 In June we got an important annual review
3 of the utility performance on some key areas that are very
4 important to customers. Most notably electric reliability
5 and gas safety and electric safety. And we determined
6 that the New York State utilities are -- are performing at
7 a satisfactory level. I'm going to skip the next item.

8 I -- I came on the job in June as well.

9 In July we announced a new area code, eight
10 three eight, coming out of the five one eight area code.
11 We also expanded and extended Con Ed's BQDM, Brooklyn
12 Queens Demand Management Project in a mode where we didn't
13 add dollars but we added impact which is, of course, is a
14 good outcome.

15 In August we directed Con Ed to take
16 significant and immediate actions to improve the subway
17 systems, the MTAs power reliability and to prevent future
18 service failures for New York City and New York City
19 subway riders. And we approved an important innovative
20 solar project in New York that generated clean energy
21 dedicated exclusively to low-income customers, a project
22 undertaken by Con Ed.

23 In September we continued our
24 implementation of the value of Distributed Energy
25 Resources which we had started in March. And the

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2 Commission approved the amount of implementation of the
3 new compensation system. And the Commission also approved
4 a 13 million dollar settlement agreement with Charter
5 Communications after that company had failed to build out
6 its cable network as required in its merger agreement.

7 In October the PSC approved the -- an
8 implementation plan to allow a number of municipalities to
9 engage in CCA, Community -- Community Choice Aggregation
10 Initiatives. We talked about the data plan -- the data
11 access associated with that today.

12 And in October the PSC also enacted the
13 first consumer protection standards for robust -- for a
14 robust distributed energy resource market in New York.

15 In November the PSC approved NYSEG's and
16 RG&E's plan to offer company owned light -- LED street
17 lighting options for municipal customers completing the --
18 the scope across the entire state. And the Commission
19 also improved Orange and Rockland utilities plan to roll
20 out AMI.

21 And we did some business today as well. So
22 it's been -- it has been a productive year.

23 Now I get to do one of the things I love to
24 do best, to put someone on the spot who deserves to be on
25 the spot. I have a resolution to read out, and if the

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2 Commission agrees we will vote on that resolution.

3 Resolution of the Public Service Commission
4 of the State of New York whereas Tina Palmero has served
5 the Department of Public Service, the Public Service
6 Commission and the Citizens of the State of New York with
7 great distinction since February 8th, 1988; whereas Ms.
8 Palmero having first been appointed as an associate
9 transmission facilities analyst served the Department in a
10 variety of roles including environmental analyst, chief
11 utility programs, chief utility environmental, operations
12 and compliance and currently a special assistant.

13 And whereas through Ms. Palmero's expertise
14 and leadership throughout her three decades of service,
15 especially in the renewable portfolio standard, the large
16 scale renewable initiative and the clean energy standard
17 and the implementation of the -- the state's New York Sun
18 Initiative, Ms. Palmero has provided guidance to the
19 Commission and achieved tremendous impact for the citizens
20 of New York in aligning the energy and environmental
21 policies for the benefit all of those New York.

22 Ms. -- whereas Ms. Palmero has led -- has
23 lead and supporting roles in a long list of projects and
24 initiatives including the Article Seven facility siting,
25 the Article Ten electric generating facility siting,

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2 Section Sixty Eight, generating and distribution
3 facilities and the State Environmental Quality Review Act
4 Administration.

5 And whereas Mr. Palmero's expertise was
6 brought to bear in other areas including staffing for the
7 Energy Efficiency and Renewable Energy Committee of the
8 National Association of Regulatory Commissioners,
9 assisting with the Regional and Greenhouse Gas Initiative
10 and speaking in other forums where she thoughtfully and
11 wisely explained and distilled Commission policies in an
12 understandable manner. Quite a trick.

13 Whereas Ms. Palmero worked with her
14 colleagues tirelessly in the office and in the field from
15 the furthest ends of the vast Empire State to the heart of
16 New York City and has earned the admiration and respect of
17 Department of Public Service and Public Service Commission
18 in addition to the stakeholders who participate in the
19 Department proceedings.

20 And whereas Ms. Palmero's technical
21 expertise, thoughtful analysis calm -- calm demeanor have
22 been brought to bear in an untold number of meetings,
23 briefings and Commission sessions during her tenure, all
24 to the great benefit of those who have had the very good
25 fortune of working with Ms. Palmero.

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2 And whereas Ms. Palmero will have more time
3 to spend with her family and friends and to pursue her
4 passions which include traveling, hiking, biking and
5 saving the gorillas in Africa, it is therefore resolved
6 that the New York State Public Service Commission
7 expresses its deepest appreciation to Tina Palmero for her
8 leadership in the Department of Public Service and her
9 faithful service to the citizens of the State of New York
10 as demonstrated by her unwavering commitment to the
11 mission of the Commission to ensure safe, secure and
12 reliable access to gas -- electric, gas, steam,
13 telecommunications and water services for all New York's
14 residential and business consumers.

15 May I put that to the vote of the
16 Commission?

17 COMMISSIONER SAYRE: Yes.

18 CHAIR RHODES: Commissioner Alesi?

19 COMMISSIONER ALESI: Yes, of course.

20 CHAIR RHODES: It's unanimous, it's great
21 and she's blushing. And now I'd like to invite my fellow
22 commissioners if they'd like to say a few words.

23 COMMISSIONER SAYRE: I would. I'm
24 extremely sorry to see Tina go and I wish we could
25 convince her to stay. Tina has been a great expert,

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2 analyst, teacher including explaining a number of various
3 esoteric concepts and mechanisms to me personally. And a
4 leader in her time here. And she's highly respected
5 outside by all stakeholders as well as inside the
6 Department.

7 Tina, you've been smart, tireless, fair and
8 effective in your time here and I wish you the very best.

9 CHAIR RHODES: Commissioner Burman.

10 COMMISSIONER BURMAN: When I came as a
11 staffer in the '90s one of the first people I met was
12 Tina. And I was very nervous because Tina was someone who
13 was very well respected, had a lot of street cred both in
14 the Commission and outside the Commission in New York and
15 nationally.

16 One of the first things Tina did was asked
17 me about, you know, what I like to do outside of the
18 Commission. Started talking to me about where I wanted
19 to, you know, be and just really sort of engaged me a
20 little bit on a personal level and a professional level.
21 Told me about this group called WICE -- MICE -- WICE and
22 told me about getting involved in the Women and
23 Communication in Energy.

24 Really, Tina became one of the women that
25 was really an informal mentor to me. Remember seeing her

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2 as a -- a staffer presenting at session and thinking, oh
3 my God I would never want to have to present to
4 commissioners. They ask really tough questions and she
5 seemed so calm and cool and collected and really in all of
6 -- in all the settings that I've seen Tina in I think
7 that's what I most respected about her was that she always
8 was just very calm and thoughtful. And very honest and
9 reflected. And would give me food for thought. And made
10 me want to do a better job. And always asked me about my
11 family afterwards too.

12 And I felt -- I really feel a very strong
13 personal loss because we are losing someone with many,
14 many, many years of experience. You can't really replace
15 that and you can't replace just the breadth and the
16 knowledge like that. And just all the different things
17 that she has been a part of. The negotiations, the
18 different substantive things. And also her willingness to
19 connect and to bring along younger people.

20 For me personally as a female she reached
21 out to me, and I don't know she and others helped me push
22 myself. And I appreciate that immensely. So I thank you,
23 Tina, because you made a difference in my life. And I
24 will miss you. And this Commission will miss you. And
25 you've had a -- you've had an impact personally and

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2 professionally, so thanks.

3 CHAIR RHODES: Commissioner Alesi?

4 COMMISSIONER ALESI: Yes, I was just
5 thinking I've only been here six months so it's very hard
6 not to be sentimental, Tina. In any event, in -- in those
7 few short months I -- I have grown to respect your hard
8 work and I'm very happy for you in your new life whatever
9 it brings to you. But while I'm still here and you're out
10 enjoying yourself and all of the others that are still
11 here, I'm sure we'll always see trademarks of the things
12 that you've done on behalf of the people in the state.
13 And I just say thank you for that and enjoy your life.
14 Good luck.

15 MS. PALMERO: Thank you very much.

16 CHAIR RHODES: So with that it's the
17 holiday season. I wish all of -- all of you -- all New
18 Yorkers a very happy holiday season. Stay -- stay safe,
19 stay warm and enjoy the holidays. We are adjourned.

20 (Off the record 11:48 a.m.)

21

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23

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25

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2 STATE OF NEW YORK

3 I, JEFFERY 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 21st day of December, 2017.

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12

13 Jeffery Allen, Reporter

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