STATE OF NEW YORK
COUNTY OF BROOME

__________________________

NYSERDA Draft 2009 State Energy Plan

Public Hearing
Binghamton, NY

__________________________

Proceedings held on Tuesday, the 25th day of August, 2009, commencing at 10:11 a.m.

BEFORE: Ruth I. Lynch
Registered Professional Reporter
Registered Merit Reporter
81 State Street, Second Floor
Binghamton, NY 13901
(607) 724-8724

PANEL MEMBERS: THOMAS CONGDON
PETER IWANOWICZ
JUDITH LEE
JARED SNYDER
ROBERT CALLENDER
MR. CONGDON: Good morning, everyone.

My name is Tom Congdon. I am the Chair of the New York State Energy Planning Board.

I'd like to welcome you all to the fourth public statement hearing on the Draft State Energy Plan. I'd like to thank our hosts at the beautiful Forum Theatre, and I'd like to thank the other members of our planning board who are here with me today.

To our left, Bob Callender from the New York State Energy Research Development Authority; Peter Iwanowicz, Assistant Secretary for the Environment in Governor Paterson's office; Judy Lee, from the Public Service Commission; and Jared Snyder, from the Department of Environmental Conservation.

But most important I'd like to thank all of you. We're here to listen to you.

For the past year and a half, the planning board has worked with the staffs of ten agencies and public authorities to develop the State Energy Plan. The planning process commenced in April 2008, when Governor Paterson issued Executive Order Number 2 which created the planning board and charged us with
developing the plan.

On August 10th the planning board released the Draft State Energy Plan on its website, www.nysenergyplan.com, and we commenced a 60-day written comment period and this public hearing phase of developing the final plan.

Written comments are due on October 19th, and we will release the final plan by the end of the year.

The plan's objectives are to ensure our energy systems are reliable over the ten-year planning horizon; to reduce greenhouse gas emissions; to stabilize energy costs and improve economic competitiveness in the state; to reduce the public health and environmental risks associated with our energy systems; and improve the state's energy security.

The plan modeled and considered various approaches to achieving these objectives, and we arrived at a number of strategies that are summarized in -- in the draft plan.

First and foremost the plan identified energy efficiency as a priority resource to meeting our multiple objectives.
The plan also seeks to develop in-state energy resources, largely renewable resources but also in-state natural gas resources, in an environmentally responsible manner.

The plan identifies opportunities to capitalize on our existing academic and research strengths and to facilitate connections between academia and industry to speed up the rate of innovation in energy technologies.

There's tremendous economic opportunities associated with these types of partnerships, and the plan identifies a number of strategies to encourage them.

The plan also projects infrastructure needs both to support the clean energy technologies to meet our goals but also to ensure reliability.

Lastly, the plan recognizes that none of this can be fully achieved without working with all levels of government and with communities to achieve the goals.

This public hearing is a testament to the desire to work with and learn from the community that is affected by energy decisions.
and by energy policies. This is one of nine public hearing sessions we are holding around the state to hear your comments. A full hearing schedule is available on our website.

My job today is to gather information for the planning board to consider. And again, we are very appreciative of your attendance.

The process is simple. Those who want to comment at this hearing have been asked to sign in upon arrival. Your name will be called one at a time to speak. Please come to the microphone directly in front of me when your name is called.

The court reporter is here to prepare a verbatim transcript, and it is very important that there will only be one speaker at a time so the reporter can hear clearly. Speakers should address their comments in the direction of the microphone, and please make an effort to speak clearly and slowly.

It's also important that those in the audience be courteous to the speaker so his or her comments can be transcribed accurately.

All speakers are asked to focus on issues that pertain to the draft plan. Your
comments should be as succinct as possible so we can hear from as many of you as possible. We've set a five-minute time frame for each public statement. And we do have someone keeping time, and she'll give you a gentle reminder if you're bumping up against the five minutes.

Formal presentations aren't allowed. Those who want to comment but do not want to do so publicly or do not get a chance to do so today can also submit written comments via our energy plan website. Again that's www.nysenergyplan.com. All public comments, whether stated at a hearing like this one or sent in to the website in written form, will be reported to the Energy Planning Board for its consideration. And they all count equally, regardless of how they were received.

Before we get started, does anyone have any questions about the process?

Okay. Our first speaker, then, is Lawrence Brinker from Unshackle Upstate.

MR. BRINKER: Good morning. Thank you for this opportunity to speak with you this morning.
I have just two points that I'd like to emphasize to the group. One is Unshackle Upstate is highly supportive of the development of the Marcellus shale. It is an economic development opportunity for the Southern Tier of New York that simply cannot be passed by. And we urge the DEC to issue its generic environmental impact statement as soon as possible. These continuous delays impact whether or not businesses, drillers, for example, will even seek to drill in New York and puts us at a huge competitive disadvantage.

We make no -- no comment about what that report should contain and what the drilling permits are going to require. That's really up to the experts. But we are concerned about the loss of this economic opportunity. And we are also concerned about all the jobs that will be lost if there is no development of the Marcellus shale due to delay of the issuance or onerous drilling permit requirements.

The second issue for Unshackle Upstate is the active legislation, tax increment financing. We have been supportive of the
Stachowsky-Schimminger bill. We have pushed for a long time to expand the TIF law in New York, similarly as has been done in other states successfully, to help us, particularly in upstate, develop financing that's no cost to the state to develop blighted areas. We have many in Upstate New York in all the municipalities throughout upstate, and expeditious passage of this bill or similar legislation that would make TIF financing available would really help us compete, number 1, with other states. And, number 2, it is time to look at those no cost initiatives, which TIF financing is because it's paid through the incremental growth and property taxes from the development of a blighted area. It's time to put that into this year's budget. And we hope you will consider an executive action that puts the TIF legislation in the 2010-2011 budget.

Thank you very much.

MR. CONGDON: Thank you very much.

Our next speaker is John Smigelski from Earthkind Energy.

MR. SMIGELSKI: I'm pleased to have the
opportunity to comment on the Draft Energy Plan. Having the opportunity means that the governor has the vision to revise the state -- revive the State Energy Planning Board and provide the necessary resources to focus on this critical issue, as evidenced by this panel that's here. For this the government should be applauded.

I think the draft plan is an excellent start in the process. I wish to focus on two areas I think there could be some additional improvements.

The first area that there needs to be more focus on is the rural parts of the state. Half the non-transportation energy use in the state is for heat and hot water. And the most economic fuel to use is natural gas. Unfortunately, rural areas seldom have the opportunity to use natural gas. They must rely on electric, fuel oil, propane for this basic need. The result is that our farms and many of the economic disadvantaged areas of the state must utilize the highest price fuels.

Over 700,000 households rely on imported fuel subject to wild price
fluctuations over the last years or so. These people should have access to the lowest price energy, yet are required to use the highest priced fuel. Further inhibiting economic growth in these areas of the state and pressing our farm industry.

The energy plan should focus on reducing energy costs for this often overlooked area of the state.

The second area I'd like to focus on can be related to the first. While the state has developed -- started to develop a solar industry, it is focused primary on PV, with some emphasis on solar thermal. It really doesn't strongly address the 50 percent of energy used for heat and hot water.

Solar thermal technology has been used worldwide to cut in half the energy use of heat and hot water. European communities like such as Germany, which has a poorer solar resource compared to New York State, has effectively used this technology not only to reduce energy costs and consumption but to create industry. And this means jobs; 20,000 jobs.

The energy plan needs a more detailed
long-term vision to make New York the leading market for solar energy in the northeast, saving energy, creating jobs.

There are several steps that can be taken that will result in significant benefits to the state. First, for example, the solar thermal needs to be included in the RPS. There needs to be a cooperative industry government campaign to raise public awareness, similar to the campaigns that transformed many of the European markets.

Second, institute a New York State government solar energy purchasing program to provide simple mechanisms for New York State government agencies, authority, municipalities to purchase PV and solar thermal products. The government needs to lead by example.

Second is -- the third is to provide programs that enable fuel and propane users to rely on thermal technologies. This can take many forms.

Another is to create jobs by fund -- quickly by funding incentives to small and medium solar sized systems. Reducing energy costs, helping businesses to succeed and grow.
Thank you again for this opportunity to express the importance of rural focus on the plan and promoting more extensive use of renewable energy such as solar thermal which will promote job growth in the state while reducing our dependence on foreign oil and reducing energy costs in rural areas.

Thank you.

MR. CONGDON: Thank you very much.

For those of you who are bringing in statements to read in the record, if you wouldn't mind leaving a copy of that written statement with our court reporter, it would assist her in making sure that she's transcribing everything accurately. Thank you.

Our next speaker is Cecile Lawrence from Tioga Peace and Justice.

MS. LAWRENCE: Good morning, my name is Cecile Lawrence.

MR. CONGDON: Sorry.

MS. LAWRENCE: And I'm a member of Tioga Peace and Justice. And thank you very much for this opportunity to speak to you today.

My main concern is health; the health
of the residents of New York State, the health
of the rivers, the health of the forests, the
health of the farms, and the health of the
animals in New York State. And that is why I
am very concerned to see focus in this draft
energy report on natural gas drilling.

I do realize the need for energy,
especially the local produced energy in New
York State. I appreciate that I get my source
of heat from natural gas. But I would prefer
not to be getting my source of heat from
natural gas, and many of us in Upstate New
York, as we know, we experience the winters
here, and I have lived in Buffalo, so I know
what it can be like. But I don't have a
choice. I -- financially I don't have a choice
right now whether to use natural gas or not. I
would like to see more of a focus on giving
incentives for developing non-fossil fuel
sources of energy as rapidly as possible.

I have a problem with natural gas being
seen as a transition fuel. This is what I have
heard and have read. I am extremely concerned
about the divisions that appear to be occurring
right now between people who are for gas
drilling and people who have questions and concerns. I myself am just in the process of asking questions about the noise from the trucks, the noise from the drilling, which apparently can be either like a hair dryer held close to your hair or even the sound of an airplane underground when the hydrofracking is occurring.

I am deaf in one ear. I have hypersensitivity in the other ear. I would not want to be anywhere near any of this. I cannot afford to leave the area when the drilling is occurring.

I'm also concerned about the diesel fuel, the -- the pollution from the increased amount of trucks that will be here, because there is good research that indicates increased rates of asthma amongst children in an atmosphere where diesel trucks and diesel buses are running.

I'm also of course very concerned about the fluids in the hydrofracking. And I have heard and been informed of accidents that have occurred, or maybe not careful monitoring that has occurred, have occurred, in Wyoming and
Colorado and Texas and in Pennsylvania. This is a new system that's being tried. While hydrofracking is not new, it is new to New York State. We have had drilling that's vertical before. And for the DEC to say that there have been no histories of accidents is really disingenuous because the DEC has not been keeping complete 100 percent track of what's been happening with drilling in New York State.

I would like to see also in the draft plan an increase, somehow to get the money, maybe from taxing the drilling companies, which I know some people object to, an increase in the staffing of DEC. DEC is woefully understaffed. And we're going to be needing lots of monitors; people monitoring wells, people monitoring the -- the sites, people monitoring the air, monitoring the water, monitoring the soil, to make sure that human error is limited as much as possible, because we are dealing with human beings here.

And I want to end with expressing my concern about executive order 25, which if I understand correctly the governor intends that all current rules and regulations be reviewed.
I am concerned that this might be apparently under pressure from businesses and corporations who do not want as much review.

New York State apparently has a reputation for being highly regulated, and I think that is all to the good because our health is nonnegotiable. Therefore, I would hope that in the process of carrying out Executive Order 25 that rules and regulations that currently protect the life and well-being of the soil, the air, the residents of New York State is not put at risk because of a need for speed. We need to slow down to make sure that things are done correctly and that there is proper monitoring because we're dealing with human beings, and human beings make mistakes.

And corporations, as much as I -- regardless of my opinion for or against corporations, there are some corporations, enough of them in this area, IBM is one, Ozalid is another one, and the list goes on, that have left behind illness and death. And I would not want to see this happen when and if hydrofracking in the Marcellus and other shales starts in New York State.
Thank you.

MR. CONGDON: Thank you, Cecile.

Our next speaker is Heidi Gogins from Farm Catskills.

MS. GOGINS: Good morning. My name is Heidi Gogins. I own a farm in Delaware County.
I don't represent any organization. I have about 75 chickens and some other animals. I'm here just as a citizen because I'm concerned also about health.

Miss Lawrence pretty much made my speech so I can make this very short.

I think that I'm -- I'm concerned about the gas drilling because I think this is a question of short-term gains and economic gains versus people's health. And I don't think that the risks are going to be apparent for quite a while. And I would hate to see the State rush into something that really cannot be undone.

We can live without the gas. We cannot live without water. No people can live without water. Animals can't live without water, there's no agriculture without water.

Agriculture is big business in New York State. And it may not be as big money,
certainly not now, any farmer knows that, it's no money right now. But if you give up your land for this kind of thing, you can't get it back. There is no going back. It's not the kind of thing that can be undone.

So I just urge you to please protect people's health. That's what you guys are elected for is to work for us. And I think it's very important to know that.

And that's all I wanted to say. Thank you.

MR. CONGDON: Thank you very much.

Our next speaker is David Boyle from Cayuga-Onondaga BOCES.

MR. BOYLE: Good morning. I'm particularly happy to offer some comments concerning our relationship with NYSERDA by way of a brief case study. Since both our organizations are dedicated to the concepts of efficiency and effectiveness.

MR. CONGDON: Sir, could you speak into the microphone?

Thank you.

MR. BOYLE: Sorry.

BOCES serves a population of about
14,000 students. We offer 45 specific services. Examples include vocational education, various automotive mechanics, and computer graphics; staff development for teachers, contract negotiations, access to the Internet, and cooperative purchasing.

We also run a shared business office that processes payroll and accounts payable.

I would like to provide some comments to support my observations.

I've been the assistant superintendent of this BOCES for over 22 years and also worked in several other school districts. I was also fortunate to receive my doctorate in education from the University of Buffalo. I have a great experience in working with different sorts of organizations. But in September of 2008 we began occupancy of a new $42 million complex to replace the very first BOCES built in the state. The old center had outlived its useful life, it was extremely costly to maintain and did a poor job of supporting our educational programs.

The new complex is an educational marvel with cutting edge technology, and we
believe it will be the first BOCES facility to achieve a green building rating by the United States Green Building Council. In fact, we expect that we will receive a gold rating. Our building actually is 44 percent more efficient than if we had built it to standard construction code. Our heat and air conditioning is powered by a geothermal well system. This minimizes our reliance on fossil fuels. Our lighting system uses natural light supplemented by high efficiency electronics. We conserve more energy by using low flow toilets and fixtures. There are many other examples, but the fact is they were implemented largely through BOCES' relationship with NYSERDA.

Early in the process our architect and I made contact with NYSERDA for educational materials to guide us. NYSERDA quickly responded and assigned one of its private contractors to help us. The fellow assigned was named Jeremiah Schmidt. He was extremely helpful, as were his coworkers, Todd Mayer and Tammy Schickler. Through NYSERDA's sponsorship, those individuals were able to
guide BOCES in obtaining grant approval that
included several co-sponsored feasibility
studies and rebates on qualifying construction
costs. The total amount earned was just under
$400,000. These funds were used for the
educational side of the building project,
principally to fund equipment to students.

In the course of construction, NYSERDA
stood by our side to guide our efforts and to
suggest options for fine-tuning. I am in debt
to many of the NYSERDA employees for the
quality of effort they gave our project. Craig
Kneeland specifically made an enormous
development of time and expertise to us.

Our project has generated tremendous
local and statewide interest. To the extent
that we have succeeded, NYSERDA has been a
valuable and willing partner.

I want to conclude my own case study by
three thoughts. Firstly, NYSERDA does not
needlessly push energy projects. I recently
contacted them about the possibilities for wind
and solar generation. Due to the energy
efficiency of the new campus, NYSERDA was
quickly able to advise BOCES that the pay-back
period would be exceptionally long. So taxpayers' money was not spent on a needless study.

Secondly, all the individuals I have met at NYSERDA were exceptional professionals. And finally, the Cayuga-Onondaga BOCES holds NYSERDA in the highest regard. Members of this commission have BOCES' standing offer to visit our fantastic facility and personally verify the praise that NYSERDA receives from our BOCES.

Thanks for listening to my comments, and I hope that NYSERDA is permitted to continue its service to the community.

MR. CONGDON: Thank you.

Our next speaker is Caroline Martin from Catskill Citizens for Safe Energy.

MS. MARTIN: Hi, I'm Caroline Martin. Because your draft didn't come out till August 10th, I haven't actually had enough time to read it. I've just requested a hard copy, which apparently will be sent to me, so I'll probably have to put something in writing. The plan has a ten-year planning horizon. Environmental effects from things
like gas drilling will extend well beyond ten years. While one of the five policy objectives listed on the first page is reduce health and environmental risks associated with the production and use of energy across all sectors, the potential health and environmental risks associated with gas drilling in the Marcellus shale are not adequately addressed in the energy plan. Apparently there is 17 people at DEC who will be enforcing whatever rules you come up with for gas drilling, and there's a real question if that's enough people.

In the section on natural gas, the plan lists potential economic, positive economic impacts, and does mention some potentially negative impacts. But in my opinion the negative impacts are not stressed enough. It should be pointed out that if properly measured the negative impacts may in fact outweigh the positive impacts. Of course they are very difficult and may be impossible to actually estimate positive impacts.

The two recommendations in the section on natural gas are, quote, support private interests and investment in drilling in the
Marcellus natural gas reserves and natural gas pipeline expansions to improve supply and deliverability of natural gas to market in New York in an environmentally acceptable manner; and, quote, study the potential of new private investment and extraction of natural gas in the Marcellus shale on state-owned lands would not be inconsistent with public trust or part-time doctrines. In addition to development on private land.

No mention is made in these recommendations of reducing health and environmental risks. To me that indicates that properly studying potential environmental effects and negative environmental impacts is not one of the recommendations. These recommendations come across as drill, baby, drill without regards to any negative impacts.

Thank you.

MR. CONGDON: Thank you very much. Our next speaker is Gay Canough from ETM Solar Works.

MS. CANOUGH: Good morning. I am Gay Canough from ETM Solar Works, and I want to remind you that there's enough solar energy
falling on New York State to power -- in one day to power the state for a whole year. In spite of the fact that we live in Binghamton.

We actually have a lot more sun in New York than they do in Germany. Germany gets the amount of sun that Juneau, Alaska, gets, and yet Germany has about 6,000 megawatts installed solar capacity, while the entire United States has around 200. New York is about 20. So we have a big resource here that we can use.

In fact, if you covered about one-third of the existing buildings and parking lots with solar cells, you could actually power the whole State of New York.

Now I want to, I want to give my enthusiastic approval for the energy plan's rundown on energy efficiency. That is the best bang for the buck, one of the most important things, and I think the plan has done a great job at talking about that and giving recommendations. The goals are excellent.

One of the things mentioned in the plan was about the cost of renewable energy and about the cost of solar energy. And I want to remind you that any kind of power generation is
much less expensive when done on a large scale. So all the comments you hear about solar are basically speaking to an industry that is really small, that has done solar on a really small scale. We haven't done it on a big scale yet, and so this comparison about expense just doesn't wash. A 10 kilowatt system, 10 kilowatt power plant of any stripe is going to be a lot more expensive than a 300 megawatt power plant. And most fossil fuel fire power plants are in that 300, 800 megawatt range, whereas the biggest solar power plant in New York I think is still in the 1 megawatt range, all right. So -- so we can't really do that cost comparison yet. We need to do solar a lot bigger to lower the cost.

That in turn implies, you know, the question how do we grow the industry. The plan does have some very nice things in it already to start growing the industry. One of the things mentioned in there was the fixing of the net metering bill for commercial systems. Which we really need to do.

I want to give you some -- a couple more specifics. We need to create a long-term
plan that provides clear incentives for the
deployment of up to 2,000 megawatts of
photovoltaics, solar, solar electric systems,
by 2017. The current incentive structure for
deploying
PV does not provide the industry and the
investment community with the assurance it
needs to adequately capitalize the market.

Funding for customer-cited solar in the
state's RPS is not allocated with long term,
the long-term approach. New York needs to
enact policies that will provide clear
long-term solar incentives which reduce over
time as the PV installations reach economies of
scale. And -- and economies of scale, I mean
we are getting there fairly quickly now. So a
ten-year timeline is perfectly reasonable to
have an incentive structure that kind of ramps
down until we're at grid parity where solar
electricity is just as cheap as any other kind.
The income tax revenue alone as far as
job creation goes is estimated to be around a
hundred million to a hundred fifty million
dollars. So, you know, that can offset some of
the invested cost.
As far as the cost of the ratepayers go, there is a very good -- there's some studies out there already showing that the benefits can easily outweigh the cost, when it comes to solar electricity, especially downstate where we have a large air-conditioning load that is readily served by solar electricity. And the rates are relatively high down there, and the peak rates, when there's more needs than we have electricity, are even bigger. So -- so that's number 1.

Number 2 is to recognize that solar thermal technologies have great potential to help New York reach its renewable energy production climate goals. So John Smigelski mentioned the solar thermal. There is a lot to be done. We have done virtually nothing with solar thermal in New York. We need to have some mechanisms to incentivize that.

And then I wrote several other things which I will leave with the reporter here. But I want to mention one thing that really, really wasn't talked about much in the plan. And that's the incentive structures. Renewable
energy credits was mentioned. I want you to consider a fixed solar power premium per kilowatt hour incentive instead of fluctuating RECs or discounts and rebates.

A solar power premium allows for system financing, which is essential for systems of all sizes. And that -- that really needs to be a fixed premium. New Jersey had a fluctuating renewable energy credit, and it has been really kind of messy, you know, they've had lots of trouble with that.

The New York Solar Energy Industries Association actually has a plan for this type of incentive. It would greatly reduce paperwork, a current barrier for the discount/rebate type of incentive systems.

Although any given system owner would have a fixed premium for a fixed number of years, each year the premium amount would be less for new system owners and would ramp down to zero over ten years. This mirrors the cost reduction of solar and does not saddle the ratepayers with any open-ended costs. Best all, it would allow for rapid growth of the solar industry and growth of green jobs in New
York. It's a proven mechanism already demonstrated in other countries and other states.

So these are some of the specifics that we should include in the plan.

Preliminary studies have shown that the deployment of solar energy can save the ratepayers more money than it costs to incentivize their deployment, and those savings accumulate to large sums over time because solar energy systems will keep producing for decades and require no fuel.

There's also a big opportunity to take a leadership position and use the largest renewable resource around, solar energy, to create and -- to create many fundamentally local jobs. Thank you.

MR. CONGDON: Thank you very much. Our next speaker is Sarah Eckel from Citizens Campaign for the Environment.

MS. ECKEL: Hi. Thank you for the opportunity to comment today.

I'm Sarah Eckel, I'm with the Citizens Campaign for the Environment, the program coordinator out of our Central New York office.
CC represents 80,000 members in New York power communities and advocates solutions that protect public health in our natural environment. CC works actively at local, state, and federal level to advance sound energy policies that protect our environment. And create green jobs and local opportunities.

Thank you for providing the public with the opportunity, I'm going to. Thanks. For providing the public the opportunity to give feedback on New York State's Energy Plan.

One of the biggest things that's been repeatedly said today is that we really are pleased with the focus on efficiency in the New York State draft plan. The cheapest kilowatt is the kilowatt we never use, so working to make our homes and businesses more energy efficient is obviously the most sustainable way to address our energy needs.

And while energy efficiency is critical, we do want to see an increased focus on renewable energy as opposed to dirty fossil fuels and expense of nuclear power. CC supports the governor's 45 by 15 plan which requires 45 percent of New York's energy mix to
be obtained from renewable energy and energy
efficiency by the year 2015, which is obviously
supported in your plan.

A couple key concerns that we have,
primarily as been mentioned today, we are
concerned about drilling in Marcellus shale.
We want to make sure that any energy that we
use is subjected to rigorous environmental
review. And we don't want to see New York's
precious water resources jeopardized due to
drilling.

And secondly, no new nuclear power
plant has been built in New York State in
decades, and it's not a question of why. It's
expensive, there's a legacy of waste, and for
example, right now in western New York, west
valley is figuring out how to clean up a legacy
of toxic contamination. And the proposed plan
is to clean up just a fraction of that and
leave the rest of it for 30 years.

We don't want to see any other
communities left with legacy of waste and
contamination.

We will be submitting comprehensive and
substantive comments on the energy draft plan.
I know that we've been at several other hearings so I wanted to keep it short today.

Thank you.

MR. CONGDON: Thank you very much.

Our next speaker is James Funai. I apologize if I'm getting the name wrong.

MR. FUNAI: Oh, that's all right, everybody butchers it. It's Funai.

MR. CONGDON: Funai. James Funai from Broome County Community College.

MR. FUNAI: Broome Community College.

Sorry about that.

Just real quick, I just want to let you review what Broome Community College and the other community colleges in the state are doing to meet some of the energy conscious energy usage issues. I'm sorry, I'm stepping away.

One of the things that we've done over the past few years is to increase the training that we've done for the building analyst and globe shell specialist, that sort of thing.

Broome Community College and the other training affiliates, which are many, many throughout the United States, I'm sorry, throughout New York State, we are in partnership with BPI, Building
Performance Institutes; CSC, Conservative Conservation Group, and NYSERDA. We offer currently training as a building analyst and globe shell specialist, heating and cooling, and also PV, photovoltaics.

Over the past year, from January of this year to August, the current time, our training has doubled from last year. Because of companies recognizing the need for trained professionals to go in and do an audit, if you will, on particularly individual homes. What we do, our whole concept, the very first thing you learn in these classes is similar to a doctor. Do no harm to the building or the individual or the occupants of that house.

As we go through there we learn to use a variety of equipment from the energy snippers, carbon monoxide, blower doors, that sort of thing, to do an audit on the house, to check for proper air sealing, proper insulation, proper use of, you know, say outdated windows, outdated or inefficient furnaces, hot water tanks, refrigerators, stoves, dryers, washers. Anything that uses energy.
I mean if you have a furnace that's 40 years old, it's probably only about 80 percent efficient, where the newer ones now can be anywhere from 85 to 95 percent efficient, depending on what you want to do. The -- the building analysts are all trained to recognize these things and to make recommendations to the individual homeowner.

As I said, over the -- over the course of this current year we've doubled our training, and the companies are no -- noticing and are utilizing this more and more.

The other training affiliates are way out through the state, I mean there's many within New York City proper, you know, literally all over the Bronx, Hudson Valley. And as I said, some of the BOCES programs. But these programs are also being recognized throughout the United States, as can be seen by what's going on on the west coast, California in particular.

And it's been mentioned several times about the usages of a lot of these things in Europe. We're trying to make that more efficient so people can see what they need to
do to increase the energy efficiencies of their
own individual homes, to reduce their energy
costs.

Broome -- was it Tioga Opportunities
just recently became an accredited company.
And their primary mission is for weatherization
of low income families. And literally BCC
stands by a lot of these things, and we also
recognize what's necessary, and we're hoping to
establish a two-year accredited program in
energy sciences.

What we'd also like to do eventually
too is have a kids program to train, or, not
train, really, but just make the children and
young teens aware of the energy uses, energy
efficiencies, what needs to be done for
recycling, that sort of thing. Better utilize
natural gasses, fuel oils, PV, that sort of
thing.

Thank you.

MR. CONGDON: Thank you very much.
Our next speaker is Ed Arzoulan from
Bates Troy Inc.

MR. ARZOULAN: Good morning. Thank you
for giving me the opportunity to comment.
My name is Ed Arzoulan, I'm here with Bates Troy. We provide health care linen services to hospitals and other institutions within a 90-mile radius of Binghamton. We employ about a hundred people here locally. We'd like to comment on the economic competitiveness within the state and the importance of NYSERDA and its programs in assisting with that.

Bates Troy was fortunate enough to benefit from three NYSERDA programs recently. We were given a grant to install more efficient washing machines and, well, complete laundry systems in our -- in our plant. We just finished one year of monitoring and analysis of those -- of that equipment, and among some of the results we're able to show were savings of approximately $300,000. This includes about 11,000 decatherms of gas that were saved, 21 million gallons of water, and 30,000 kilowatts of electricity.

The NYSERDA grant was vital to us in being able to install this equipment. We also benefited from the Energy Smart loan fund to assist us with our financing.
Again this was very important for us to be able to install this equipment and also expand our plant by -- with a $4 million expansion of about 14,000 square feet.

We also benefited from the Energy Smart commercial lighting program, and we have shown 14 percent savings in one year. In the efficiency of our electricity.

So we feel that -- we hope that NYSERDA will be able to continue with these programs and continue to offer more of them to industry in New York State. Not only did we benefit from this, this grant, but we purchased our laundry equipment from GA Braun in Syracuse. And this was the first of its kind built in New York State. The research was done in our facility. And our clients who are primarily in New York State benefit from the savings and the efficiency of this equipment.

That's about all I have to say this morning. Our president, Brian Krosan, is here, and he was scheduled to speak but I think I've spoken for him.

MR. CONGDON: Okay, terrific. Thank you very much.
Our next speaker is Kevin Lilly.

MR. LILLY: Thank you. I am the appliance general manager for Olum's, here in Binghamton and in Syracuse, New York.

Olum's has partnered with NYSERDA and Energy Star for over 15 years now. In a recent report and survey that we conducted, 88 percent of consumers cared about energy efficient appliances. Selling Energy Star qualified products not only gives you outstanding value but most importantly will positively impact our communities and the environment in which we live in. This Energy Star initiative is not a side component of Olum's corporate strategy; rather, it is a major platform with our promotional strategy and assists us in distinguishing ourselves from the rest of the retailers in our marketplace.

Recently we have run promotions such as go green, get green. We gave cash back on Energy Star products along with -- along with energy saving light bulbs and seedling trees.

Another promotion was be green, shop green. This is the theme at our 2009 Southern Tier Home Builders and Remodelers Associates
Home Show here in Binghamton. Our design and informational impact gave us a second place finish among -- among hundreds of vendors.

Currently now you can find Energy Star products on clothes washers, refrigerators, dishwashers, room air conditioners, dehumidifiers, and now the HD TVs.

At Olum's we provide our customers with the incentives to purchase Energy Star qualified appliances. We proudly state in all our advertisements when the product is Energy Star qualified. NYSERDA has made this possible with dollars for Olum's to continue to educate the advantages of these products. And we hope that they will support this in the future.

Thank you.

MR. CONGDON: Thank you very much. It's terrific to hear the real world examples of our energy efficiency policies. Thank you.

Our next speaker is Amelia LoDulce from the City of Binghamton.

MS. LODULCE: Thank you, and you got my name right. It's very uncommon.

I am the senior development planner for the City of Binghamton, and I'm here today to
provide some comments on behalf of Mayor Matt Ryan.

First I'd like to say that I was just -- I was extremely impressed by the comprehensive nature of the report. I'm very pleased to see the emphasis on energy efficiency and conservation and also reducing our greenhouse gas emissions.

First, I'd like to say that we are very pleased that you've recognized the importance of allowing new innovative programs that will advance the state schools for energy efficiencies, programs that will be based locally, for example the Binghamton Energy Efficiency Program, which we did receive legislation to enable us to create that program, which was fantastic.

We would also hope that the State will continue to work on enacting the green homes, green New York program, which will expand opportunities for green jobs across the state. And enable homeowners to reduce their en -- their energy costs.

Second, we are very happy to see that this -- this report emphasizes the importance
of land use planning in reducing energy consumption. As stated in the report, land use planning does impact the amount of miles that people travel in vehicles, and vehicle miles traveled result in huge amounts of greenhouse gas emissions.

The city has itself been looking for ways to perhaps overhaul our land use code so that we can reduce the amount of VMTs that folks travel on average to concentrate development. One of the unfortunate things is there's not a lot of grant opportunities out there for us to do the studies necessary. And we hope that New York State will consider making grants available for municipalities to undertake initiatives to reduce EMT, to promote smart growth, and form base coat.

In addition to funding opportunities, New York State could very much help local municipalities to incorporate smart growth principles into their planning by taking leadership on this issue through education across the state by promoting regional cooperation.

Within the city we only have so much
land, and we're surrounded by a number of
municipalities that are very different in
nature and more suburban or rural. And we're
seeing a lot more development happening around
the edges of our community, but we don't have
the ability to determine how that development
happens. That development impacts our
downtowns, it impacts our rivers, which impact
our land through floods, which increases as
more development paves over more land, creates
more impervious surfaces.
So we could really use the help from
the State to promote the concepts of smart
growth. Regionally and communities that
haven't really thought of themselves as urban
areas needing these kinds of new principles to
guide their land use planning.
Finally, I was asked to -- to make a
comment on Marcellus shale. Even though in the
city we don't expect drilling pads to be put in
place right in the city, we certainly hope that
if the drilling does happen in Marcellus shale
it gets done in a safe and regulated way and
that the DEC is adequately staffed to ensure
that regulations are upheld.
And we hope that in addition that taxpayers are -- and homeowners, landowners are properly protected so that if there are issues of contamination that they're not the ones left cleaning up the mess. And footing the bill. If this is -- if the drilling is going to happen, we need to have safety measures in place to assure that the costs of drilling are covered by the drilling profits and not passed on to taxpayers.

And -- and we also hope that the gas drilling doesn't derail us from creating -- from promoting a clean energy economy and promoting renewables.

And thank you for your time. MR. CONGDON: Thank you very much.

Thank you to the City of Binghamton for being a leader in energy efficiency. We look forward to working with you on your new financing program.

We're going to take a ten-minute break. We'll be back up here in ten minutes. We're going to see if there are any others who have signed up to speak. And if there aren't any, we may convene after the break. Or, I'm sorry,
we may conclude after the break. Thank you.

(Recess taken)

MR. CONGDON: We are gonna reconvene.

I apologize for the longer than
ten-minute break, but it was worth the wait,
'cause we did get another speaker to sign up.

Is Rosemary Aures available?

Rosemary?

MS. AURES: Good morning. Thank you

for two things. Thank you for waiting for me,

for one speaker. And two, thank you for

pronouncing my name correctly. Nobody ever

gets it right. So thank you.

I'm not representing any government,

I'm not representing any organization or group.

I'm just me. And my credentials are that I'm a
citizen of Binghamton, New York. I've lived in

various places, been around the world

traveling. I started off my career, I was a

service coal miner and blaster in the state of
Kentucky. I was an agency person for the DEC

conservation districts in Pennsylvania. And

now I am the environmental analyst for a local

firm working with transportation, airports, and

highways. So I have a little bit of experience
I would like to thank you for as a panel and as a State of New York for planning for energy in the future. It's been a very sad state of planning in the past. I have seen mountains removed from the state of Kentucky, I helped remove some of them. I have seen farms, pristine farms, pollute the daylights out of rivers in the state of Pennsylvania. And then I've seen all sorts of things going crazy in New York. And except for planning, this is what happens.

So my comment is not any trick or pleading for money or anything but to highly encourage you to plan; plan in detail, plan with intent, and plan with the future in mind. Especially in the State of New York we have a dissected community as a state. We have downstate metro area and the upstate rural area. I would hate to see that huge sucking sound that you hear come out of Albany and hit the metro area of New York continue in the energy policy. It doesn't have to be that way. I work a lot with the Catskill water reservoirs and see a lot of our good, pristine
water going to New York and drip through faucets and wasted through the system because it's not used wisely. It's wasted. It's -- it's free. And I would hate to see that with our other energy resources.

We have gas resources, wind, solar up here in upstate; we have other resources that will be used for energy, and I would highly encourage you to continue that planning process with a great deal of wisdom. So that we do not run out of our resources, so that we do not enable the wasting of those resources. And so that we have something to hand off to our children, grandchildren, and great-grandchildren.

So thank you very much for your time. And thank you for your efforts.

MR. CONGDON: Thank you very much.

That is all the speakers who have signed up to provide us with a statement today. We are going to keep the public hearing open for another half an hour. And after that half an hour if no one else signs up to speak, we will adjourn at that time. So we'll be around to discuss with you the plan, if you'd like to
chat. And otherwise we'll be looking for additional speakers, and we'll come back up here in a half an hour and take those additional speakers or adjourn.

Thank you.

(Recess was taken from 11:40 a.m. to 12:07 p.m.)

MR. CONGDON: Thank you all for staying around. No additional speakers have signed up so we're going to adjourn for the day. Our next public hearing is September 9th in Farmingdale, Long Island.

So thanks again for your participation. And this concludes our hearing today. Thank you.

AUDIENCE VOICE: Thank you.

(Proceedings were adjourned at 12:08 p.m.)

* * * * *
CERTIFICATE

IN THE MATTER OF: NYSERDA Public Hearing
Binghamton, NY

ON: Tuesday, August 25, 2009

BEFORE: RUTH I. LYNCH
Registered Professional Reporter
Registered Merit Reporter

This is to certify that the foregoing is a true
and correct transcript, to the best of my ability, of
the stenographic minutes of the proceedings held in
the above-mentioned matter, on the above-mentioned
date, and of the whole thereof.

EMPIRE COURT REPORTERS

By _______________________________
Ruth I. Lynch
Registered Professional Reporter
Registered Merit Reporter