

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

---

State Energy Planning Board  
Public Comment Hearing

---

LOCATION: Albany Public Library  
TIME: 10:30 a.m.  
DATE: February 27, 2020

HELD BEFORE:

- Alicia Barton, Chair, NYSERDA
- John Rhodes, NYS Public Service Commission
- Jared Snyder, NYS Department of Environmental Conservation
- Kevin Hansen, Empire State Development

1                   CHAIR BARTON: Good morning, everyone. My  
2 name is Alicia Barton. I am the president and CEO  
3 of the New York State Energy Research and  
4 Development Authority, or NYSERDA, and here today  
5 as the Chair of the New York State Energy Planning  
6 Board.

7                   I would like to start by introducing the  
8 other representatives of the planning board who  
9 are joining me for today's public comment hearing.

10                  Immediately to my left, Public Service  
11 Commission Chair, John Rhodes. To my right, Jared  
12 Snyder from the Department of Environmental  
13 Conservation, representing Basil Seggos. And  
14 last, but not least, thank you, Kevin Hansen, for  
15 being here from Empire State Development,  
16 representing Acting Commissioner and President and  
17 CEO-designate Eric Gertler.

18                  While we don't have all of our planning  
19 board members here today, all of our members are  
20 invested in this process.

21                  We are here today at the Albany Public  
22 Library, and I want to thank them for hosting us,  
23 and ask our guests, I also ask the participants at

1           today's meeting, to maintain decorum and abide by  
2           the rules of the public library.

3                       This is a hearing to accept public  
4           comments on the Draft Amendment to the 2015 State  
5           Energy Plan. The Draft Amendment was noticed in  
6           the State Register on January 8, 2020. Notice of  
7           today's hearing was published on January 29, 2020.

8                       The purpose of the Planning Board's  
9           consideration of amending the State Energy Plan  
10          rests with the landmark development of the  
11          enactment of the Climate Leadership and Community  
12          Protection Act signed into law by the Governor  
13          this past summer.

14                      New York's Climate Act is among the most  
15          ambitious climate policies adopted by any economy,  
16          requiring no less than 85 percent reduction  
17          economy-wide in greenhouse gas emissions by 2050.  
18          Its enactment cements New York's clean energy and  
19          climate leadership.

20                      Central to the Climate Act are a number of  
21          clean energy goals, further advancing the goals  
22          that the Energy Plan previously set out, and will  
23          set in motion significant changes in New York's

1 electric generation mix, among other things.

2 The Amendment under consideration would  
3 adopt and synchronize the new clean energy goals  
4 established by the climate act, and ensure that  
5 they are integrated into the existing energy plan.

6 The Amendment under consideration would  
7 also adopt direction for the Public Service  
8 Commission to consider a mechanism that would  
9 establish a stable funding source of funding for  
10 the Electric Generation Facility Cessation  
11 Mitigation Fund, which is designed to assist  
12 communities that have hosted fossil fuel  
13 generation in their transition to clean energy.

14 All comments provided here today will be  
15 considered by the Energy Planning Board as it  
16 evaluates whether to adopt the Draft Amendment.  
17 Written comments are being accepted through March  
18 8th. Additional details may be found on the  
19 Energy Plan website, which is [energyplan.ny.gov](http://energyplan.ny.gov).

20 For today's hearing, I'll start by calling  
21 the names of those individuals who have indicated  
22 they wanted to speak when signing in. When your  
23 name is called, please come to the podium to

1 provide your statement.

2 A court reporter is here today to provide  
3 a transcript of everything that is said. It is  
4 important that we record the comments for the  
5 consideration by the planning board.

6 As this is a public statement hearing the  
7 Planning Board is not entertaining questions, but  
8 may ask clarifying questions of presenters.

9 Again, if there is anyone who is in  
10 attendance that wishes to speak, please let us  
11 know by signing up or otherwise indicating.

12 So, with that, I think I'll go to the  
13 first speaker, who is Laurie Wheelock from the  
14 Public Utility Law Project.

15 MS. WHEELOCK: Good morning, everyone. My name is  
16 Laurie Wheelock and I'm here today on behalf of the New  
17 York State Public Utility Law Project. We go by the  
18 acronym PULP.

19 PULP is a 40-year-old statewide nonprofit that works  
20 to educate, litigate and advocate on behalf of New York  
21 State's low and moderate income customers, particularly  
22 in the utility world.

23 We thank the Department of Environmental

1 Conservation, NYSERDA, the Public Service Commission and  
2 the Empire State Development office for being here  
3 today, and for the opportunity to testify here on  
4 whether the Draft Amendment to the 2015 State Energy  
5 Plan should be approved.

6 PULP has reviewed the amendment that was issued on  
7 December 18, 2019 and published in the State Register on  
8 January 8, 2020. The amendment would create a surcharge  
9 of up to 2 percent on all customer energy bills  
10 throughout New York State, for the purpose of funding an  
11 offset to the loss of tax revenues and Payments in Lieu  
12 of Taxes, or PILOTs, and loss of many skilled jobs that  
13 would be caused by the closure of Indian Point nuclear  
14 facility located in Buchanan, New York along the Hudson  
15 River.

16 PULP appreciates and endorses the State's vital  
17 efforts in creating a consensus to the decommission of  
18 Indian Point nuclear facility.

19 PULP also understands the need to mitigate  
20 potentially severe effects from the closure of Indian  
21 Point and other members of its baseload electric  
22 generation fleet, particularly the coal and dirty peaker  
23 plants, including, but not limited to, the effects on

1 local taxes and the workforce itself.

2 PULP also sees the decommission of Indian Point as a  
3 powerful opportunity for the community to work with the  
4 state to create new economic opportunities and workforce  
5 retraining programs and opportunities, not only in  
6 Westchester, but potentially around other likely  
7 upcoming plant closures. And we look forward to  
8 attending more Indian Point Closure Task Force meetings,  
9 as Richard Berkley, our Executive Director, did on  
10 Thursday, January 30, 2020.

11 For the amendment itself, PULP only cautions about  
12 the potential bill impacts that would be created by the  
13 proposed 2 percent charge and how the bill impacts will  
14 affect low and moderate income customers across the  
15 state.

16 We respectfully request that a cost-benefit analysis  
17 be performed in multiple counties throughout the state  
18 just to determine how that 2 percent charge will affect  
19 New York's most needy utility customers.

20 New York State's utility customers have been  
21 receiving increases in multiple company territories over  
22 the last few years.

23 We want to take a moment to specifically thank

1 Governor Cuomo and the Department of Public Service,  
2 because each of the utility companies has been  
3 implementing low income programs, with the goal of  
4 lowering energy burden for low income households in our  
5 state to 6 percent to help those most vulnerable  
6 households afford their utility bills.

7 Although more work needs to be done, each step of the  
8 way there must be caution regarding financial effects to  
9 New York's utility customers and particularly those  
10 fixed income seniors, the disabled, and low income  
11 households generally.

12 PULP looks forward to participating in the  
13 proceedings and working with the state to continue to  
14 smooth the process of Indian Point decommissioning to  
15 protect well-paying jobs, the tax revenues to fully fund  
16 our schools, and to continue to move to the cleaner  
17 energy future while lessening the environmental  
18 challenges ahead.

19 Thank you all for having us here today.

20 CHAIR BARTON: Thank you.

21 The next speaker will be Ross Gold from the Workforce  
22 Development Institute.

23 MR. GOLD: Good morning, everyone. Thanks



1 for being here today. Appreciate you all for holding  
2 the public comment for us this morning and the work that  
3 you are doing to advance our State Energy Plan process.

4 My name is Ross Gold. I'm the Director of  
5 Climate and Energy Program for Workforce Development  
6 Institute. WDI is a New York State based non-for-profit  
7 that works to grow and keep good jobs here in New York  
8 State.

9 We do that through demand driven, but  
10 flexible demand drive programming. We use a range of  
11 tools which is our ground level intelligence, which is  
12 our regional directors, found in ten regions throughout  
13 New York State. We meet with businesses, labor  
14 organizations, community college.

15 As our partners in government, I want to  
16 thank NYSERDA, the Public Service Commission, Empire  
17 State Development and DEC for being partners in some of  
18 the work we're doing on workforce.

19 And we also have funding to facilitate  
20 projects, workforce training projects, training workers  
21 on solar, electric vehicles, and the like.

22 WDI also tracks data entry policy and works  
23 with government and others on best practices for

1 implementing things such as State Energy Plan and things  
2 of the like.

3           With that, I would just like to couch a  
4 couple of statements about your energy planning process  
5 and the amendment.

6           I don't have any comments on the specifics  
7 of the amendment, the final language you choose. I just  
8 want to give some ideas of some things, best practices  
9 or points to consider when having your plan. We're  
10 going to follow up with some written, short written  
11 comments as well.

12           First of all, I want to talk about how  
13 climate change is a great disrupter for workforce. When  
14 you're seeing things as the impacts of climate change  
15 being heat waves, if you have outdoor workers who are  
16 out there in heat waves who are impacted negatively,  
17 people have to just get off of work to get out of heat  
18 stress and related issues.

19           So, the impacts of climate change, in and of  
20 itself, impacts the workforce. So does the policies  
21 that we're going to implement in order to stop climate  
22 change. That also has the power to be a great  
23 disrupter. It doesn't have to be. It also presents

1 great opportunities.

2           So, when you're drafting such as this State  
3 Energy Plan, a climate action plan, things of that  
4 nature, you should consider the workforce impacts of  
5 those policy statements. That would be one of the best  
6 practices.

7           Similar to what you would do with an  
8 environmental impact statement, but doing one on the  
9 workforce and taking a look to see what that policy  
10 means to the workforce.

11           And another thing you should be taking more  
12 a look at it is just transition and incorporating the  
13 just transition principles into your process, which you  
14 are, and that's great. They're certain principles that  
15 should be included in a workforce. Social dialogue,  
16 such as the one we are having this morning, is a very  
17 important part of just transition.

18           So, thank you again for having these  
19 conversations and adding these comments. It is an  
20 important part of the just transition that you're  
21 envisioning within some of the changes you're making.

22           I also want to address the collective  
23 cessation mitigation plan. It is important to be

1 putting money into revenues for off PILOTs and PILOT  
2 payment when we close a plant, but it's really important  
3 that we have funding for workforce training and for the  
4 workforce when we have these plans.

5 You should look more broadly than just a  
6 community's impact and also see the workforce impact and  
7 make sure there's funding for training and benefits and  
8 unemployment payments while out of work.

9 Is the coverage we have now, in short term  
10 unemployment, long enough for what we need in order to  
11 institute good training and education programs to  
12 transition someone from working in a gas plant to  
13 getting them to work for solar industry or to work  
14 somewhere else. You just need more leeway and more  
15 time, so keep that in mind as a best practice for you to  
16 go forward.

17 We're going to submit additional comments,  
18 but we wanted to thank you for being here this morning.  
19 Thank you for having this important dialogue, which is  
20 needed on these issues.

21 Thank you.

22 CHAIR BARTON: Thank you for your comments.

23 The next speaker will be Conor Bambrick from

1 Environmental Advocates of New York.

2 MR. BAMBRICK: Good morning. My name is  
3 Conor Bambrick, Environmental Advocates of New York.

4 Thank you for being here this morning.  
5 Thank you for your dedication to the process. We really  
6 appreciate it. We also really appreciate the effort to  
7 incorporate the provisions of the new climate law into  
8 the State Energy Plan, especially the provision that  
9 requires at least 35 percent of clean energy funds  
10 impacted to the benefit of the disadvantaged community.

11 The previous speaker spoke about one aspect  
12 of just transition, but there's another aspect of that,  
13 to make sure that those communities are properly  
14 prepared to have the resources they need to transition  
15 to a clean energy economy and the opportunities to take  
16 advantage of the new jobs that are going to come about.

17 We feel that this amendment is going to  
18 provide clear direction to agencies and authorities that  
19 it can move ahead with initiatives that are wholly  
20 consistent with the new landmark climate law, instead of  
21 having to wait for the development of the plan.

22 With that, thank you very much.

23 CHAIR BARTON: Any other individuals wish to

1 speak?

2 (No response.)

3 In order to allow for additional members of  
4 the public to arrive, we'll take a couple minute break.  
5 Thank you.

6 (Recess taken.)

7 CHAIR BARTON: For the record, I want to  
8 note that we held the hearing open for one hour, but did  
9 not receive any additional requests to present comments  
10 here in person.

11 I will note for the record that it is still  
12 possible to submit written comments from any member of  
13 the public by the deadline of March 8th through the  
14 State Energy Planning Board website, [energyplan.ny.gov](http://energyplan.ny.gov).

15 I will also note that we will hold another  
16 public statement hearing this coming Monday at 3 p.m. in  
17 New York City at the Building Energy Exchange. Of  
18 course, that information is also on the Energy Plan  
19 website.

20 So, with that, and hearing no other interest  
21 in providing comments, thank you, everyone, for your  
22 time today.

23 (Public hearing concluded at 11:33 a.m.)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

C E R T I F I C A T I O N

---

I, Jeanne O'Connell, Registered  
Professional Reporter and Notary Public in and for  
the State of New York, do hereby certify that the  
foregoing to be a true and accurate transcription  
of the stenographic notes as taken by me of the  
aforesaid proceedings.

-----  
Date

-----  
Jeanne O'Connell