NEW YORK STATE ENERGY PLANNING BOARD
PUBLIC HEARING

PROCEDINGS
March 2, 2020
NEW YORK STATE ENERGY PLANNING BOARD
PUBLIC HEARING

31 Chambers Street
New York, New York
March 2, 2020
3:02 p.m.

BEFORE:

ALICIA BARTON, President and CEO of NYSERDA
Chair, New York State Energy Planning Board

JOHN RHODES, Chair, Public Service Commission
CEO, Department of Public Service

TONI FREEMAN GREENE, Court Reporter

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REF: 300702

P R O C E E D I N G S

MS. BARTON: As the Chair of the State
Energy Planning Board, I hereby call the
meeting to order.

So, good afternoon, everyone. My name
is Alicia Barton, I'm President and CEO of
the New York State Energy Research and
Development Authority, or NYSERDA, and here
today as Chair of the New York State Energy
Planning Board.

I'm joined by Public Service
Commission Chair, John Rhodes, who is also a
member of the State Energy Planning Board.

While we don't have all of our
Planning Board members here today, all of
our members are invested in the process.

And we are hosted here today by the
Building Energy Exchange, which we very much
appreciate, and of course, as their guests,
I ask that all participants in today's
meeting respect the rules of our host here.

This is a hearing to accept public
comments on the Draft Amendment to the 2015
State Energy Plan.

The Draft Amendment was noticed in the

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State Register on January 8, 2020 and the
Notice of Hearing was published on

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

New York's Climate Act is amongst the
most ambitious climate policies enacted by
any major economy, requiring no less than
85 percent reduction in economy-wide
greenhouse gas emissions by 2050.

The (inaudible) amends New York's
Clean Energy and Climate Leadership.

And central to the Climate Act are a
number of clean energy goals further
advancing the goals that the Energy Plan
previously set out and will set in motion
significant changes to New York's Electric
Generation (inaudible), amongst under
things.

The Amendment under consideration was
adopted synchronized with the new clean energy goals established by the Climate Act and ensure they are integrated into the existing Energy Plan. The Amendment under consideration would also adopt direction from the Public Service Commission to consider a mechanism that would establish a stable source of funding for the Electric Generation Facility Cessation Mitigation Program, which is designed to assist communities that are hosting conventional power plans in their transition to clean energy.

All comments provided here today will be considered by the Energy Planning Board as it evaluates whether to adopt the Draft Amendment. Written comments are being accepted through March 8th. Additional details can be found on the Energy Plan website, which is energyplan.ny.gov.

So, for today's hearing we will begin by calling the names of those individuals who have indicated they want to speak when signing in. So, when your name is called, please come to the microphone in the center to provide your statement on the record. A court reporter is here today to provide a transcript of everything that is said and it's important that the speaker speak clearly so that the reporter can hear clearly.

So, with that, I am going to open it to comments. And thus far we only have one individual who has requested to speak, so I'll call that individual up. Bob Wyman, please provide your comments.

MR. WYMAN: Hello. My name is Bob Wyman. I'm a resident here in New York City in the Upper West Side. I'm an advocate for beneficial electrification and also am now a candidate for Congress in the 10th Congressional District. I'd like to start off by saying thank you to NYSERDA and to the Public Service Commission for the great work you guys do and have been doing in the past, getting us to where we are.

I think our State really does -- has taken a leadership position on a lot of the issues that are the subject of the Energy Plan, as well as the associated plans, such as the Energy Efficiency Plan for the PSC and the various activities to reduce emissions.

I think it's great to see that the CLCPA requirements are essentially being copied into the Energy Plan as they are by these amendments, and also it is good that we, you know, are beginning to work on the question of addressing the impacts of cessation of some of the kinds of electrical generation that we use today.

But, I'm a bit concerned that I think, while you guys have done a lot, I think you could have done, frankly, a lot more. Particularly of concern, for instance, the Electrical Generation Cessation Plan that you have there, frankly it addresses a third-level problem. And there are much larger problems we have in this State. I think NYSERDA and others have made it very clear to us that now that, for instance, the coal plants have been shut down, electrical generation contributes on the order of 15 percent or less of our greenhouse gas emissions in the State these days.

Transportation and heating alone, each of them produce at least twice as much greenhouse gas emissions as electricity. So, the question I would have is, why in these updates, which are themselves good, why has so much priority been give to, essentially, a third-level problem?
The key problems we have in this State are figuring out detailed plans for how we will address the impacts of significant reductions of fossil fuel usage in transportation sectors and in our housing sectors.

We know particularly -- for instance, in the heating sector, we know that there will be tremendous impacts on the industry.
If you just look here in New York City, if we assume that New York City is going to be -- it hits -- recently hit its goal of an 80 percent reduction from 2005 emissions levels by 2050. And then we look at the New York City greenhouse gas inventory. We discover that the natural gas being burned just in buildings, not for electrical production but just in buildings, today produces about 150 percent of the total budget for all emissions from all sectors in New York City in 2050.

So, we know that we're going to have to reduce, by some significance, the amount of natural gas consumption, even just in this one city. We also know that there are going to be tremendous impacts from doing that, particularly in the realm of (inaudible). Right now ConEd, who has a plan to be installing about a billion dollars of capital, new capital equipment for their gas sector every year for the next three years, with no indication that that will be reduced in the future. Plans to depreciate those assets are at a recovered cost for rate payers for the next 85 years for gas maintenance and the next 65 years for gas services. But, the CLCPA says that essentially we are going to be dramatically reducing our consumption of natural gas between now and 2050, which is only 30 years from now.

We need a plan to address the question of who is going to be paying for today's assets, which will become not used and useful, so much of them after 2050, who will be paying for those assets through the year 2110 or so on some of them, long after our accomplishment of the goals of the CLCPA, the State Energy Plan, et cetera, have been achieved. We don't currently have a plan for doing that and we desperately need one.

If we're to have a cessation plan, it really should be a cessation plan that addresses issues like that, issues that are dramatically greater, both in terms of emissions and also in terms of financial impact, than whatever issues that we have in Electrical Generation. Similar discussions can be held concerning transportation.

I'd also like to point out that I think one of the things that's very important for us, in our plan, to do is to begin addressing conflicts which are in our law now which prevent us from moving forward.

We have a plan that says we want to increase energy efficiency, another plan to say we want to reduce carbon emissions. But, are you aware that under state law today, in a law that was first written in 1859 but is still valid today, gas utilities are required to provide free hookups and required to provide service to anybody who wants it for the purpose of lighting their buildings?

Not for heating or cooking or doing something else, but if they want pretty ornamental gas lights outside their house, Transportation Corporations Law, Section 12, requires the utilities to provide them service and to provide the first 100 foot of that service for free.

We have another -- and this, of course, makes it very difficult for us, when we try and work with gas utilities, to reduce the amount of gas they sell, because they come back and say, "We're required by law to provide this service."

We have a similar problem even in heating.

We have, in Public Service Law Section 30, we have a statement that it is the policy of New York State that it's in the public interest to provide gas service to everyone in the City, every residential customer in the State. That's in the law. So, when you go and you try to argue for, let's reduce the amount of gas that's being used in order so that we can meet the requirements of the CLCPA, the response is,
"The law said it is in the public interest and requires us to do so."
Section 31 of the Public Service Law says that for non-lighting purposes -- a little bit less controversial -- heating and cooking and such, once again, there is an obligation to serve. The utilities must provide service as long as the PSC hasn't declared that it would be (inaudible). And they must provide the first 100 feet of that service for free for anyone who wants it.

The Public Service Commission, in its regulations, Section 203, went beyond the law and said that, for residential customers who want heating service, that they can have 200 feet of free pipe: 100 feet of main plus 100 feet of service line.

I can go on for a long time, but I only have a few minutes here. So, I can go on for a long time pointing out the various things in our law today that essentially conflict with the goals of the CLCPA and with the goals of the Energy Plan in the State. My hope is that what we'll be able to do is be able to address these issues in a rational process.

And for instance, we need to figure out, how do we do a process of managed decapitalization among the -- of the gas assets and then hopefully some sort of a recapitalization, preferably as -- for New York City, preferably around (inaudible) and heating systems, so that we can keep those businesses going?

I know I've probably taken more than my time. Sorry if I've held anyone else up. But, you know, I think, you know, it's great progress we're making. I want to repeat that I think New York State is a leader in this space. It's fun, by the way, to see California copying us. The PUC in California recently did on some things. And I'd like to, you know, once again, thank NYSERDA and the Public Service Commission.

But, I think we do need to get our priorities straight here. Electricity is not the number one problem in this State. If anything, our goal should be to dramatically increase our consumption of electricity to beneficial electrification programs, electric vehicles, heat pumps, induction cooking, et cetera.

And while we're in the process of figuring out how to go through a managed process of decapitalization of gas assets and how we figure out how to rationally convert our existing internal combustion engine and diesel transportation to electricity, that will probably mean we have to double the amount of the capacity that we need to deliver by 2050 and certainly increase the amount of electrical production.

But, as it stands today, you know, we could even get dramatic reductions in emissions if we -- if we were able to adopt beneficial electrification in transportation (inaudible), even while leaving our electric system emissions at the same level they are today. Obviously that's not ideal, but it would be good to give us some dramatic improvement.

So, let's please focus more on transportation and heating in the future. Thank you very much for the good work you've been doing.

MS. BARTON: Thank you for your comments.

Is there anyone else who would like to provide comments at this time? Recognizing that it is early in the time allotted for the hearing, we'll maybe take a brief break to see if other speakers do show up at a time to present public statements.

So, thank you again for your comments and we'll take a brief break while we await any other public commenters. Thank you.

MR. RHODES: Thank you. (Recess taken.)

MS. BARTON: So, good afternoon again. And we'll reconvene to hear additional
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1  public statements or at least one additional
2  public statement. And I'll begin by calling
3  individual names.
4  And just a reminder for those of you
5  that arrived recently, please come up to the
6  microphone to present your comments and
7  identify yourself for the record.
8  There's a court reporter who will be
9  recording and transcribing everything that's
10  said today, so please speak clearly so that
11  she can understand you.
12  And this is a public statement
13  hearing. The Planning Board will not be
14  answering questions, but may ask clarifying
15  questions of presenters.
16  And with that, I'm pleased to welcome
17  the next person who has requested to speak,
18  Isuru Sen from Radiant Value. And I hope I
19  pronounced your name correctly; if not, you
20  can correct us as part of your comments.
21  MR. SEN: Thank you. Yeah, you did
22  get the name right, Isuru Sen. I'm with
23  Radiant Value Management, we are an
24  (inaudible) investment firm.
25

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1  Most of my work has been on global
2  energy systems, not specifically to
3  New York, but I have started being more and
4  more interested in studying what's happening
5  in the New York State area.
6  And this is a question, maybe not
7  necessarily for you, but for us as a whole
8  in the New York area.
9  Obviously the rules of New York City
10  are nation leading and it's an honor to be
11  working towards that to our capacities.
12  This is a realization, possibly a late
13  realization on my part, that 80 percent of
14  our Downstate electricity comes from
15  Indian Point power plant, and that is
16  getting shut down for this year and next
17  year.
18  And my understanding of all of that,
19  it would be -- the difference would be made
20  up with clean renewable electricity, but at
21  least for the first part that's getting shut
22  down next month, 100 percent being replaced
23  by methane gas electricity.
24  So, I guess this is an open question
25
All right. With that we will adjourn the hearing. Thank you very much.  
(Time noted: 4:08 p.m.)

CERTIFICATE

STATE OF NEW YORK   )
COUNTY OF NEW YORK   )

I, TONI FREEMAN GREENE, a Notary Public within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the proceedings taken on March 2, 2020.

I further certify that I am not related to any of the parties to this action by blood or marriage and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of March, 2020.

_______________________

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