

**MINUTES OF THE
NEW YORK STATE ENERGY PLANNING BOARD MEETING
HELD ON DECEMBER 18, 2019**

Pursuant to notice dated December 12, 2019, the thirteenth meeting of the New York State Energy Planning Board (“Board”) was convened on December 18, 2019 at 1:00 p.m. at the Albany office of the New York State Energy Research and Development Authority, 17 Columbia Circle, Albany, New York. A copy of the meeting Notice is annexed as Exhibit A.

The following Energy Planning Board Members or their designees were present:

- Alicia Barton, President and CEO of the New York State Energy Research and Development Authority and Chair of the Board
- John B. Rhodes, Chair of the NYS Public Service Commission
- Basil Seggos, Commissioner of the NYS Department of Environmental Conservation (Jared Snyder, Designee)
- Eric Gertler, Chairman and CEO of Empire State Development (Vince Ravaschiere, Designee)
- Roberta Reardon, Commissioner of the NYS Department of Labor (Elizabeth Martin, Designee)
- Patrick Murphy, Commissioner of the Division of Homeland Security and Emergency Services (Brian Wright, Designee)
- Dr. Howard Zucker, Commissioner of the NYS Department of Health (Elizabeth Lewis-Michl, Designee)
- Rossana Rosado, Secretary of State (Erin Hogan, Designee)
- Marie Therese Dominguez, Commissioner of the NYS Department of Transportation (Lynn Weiskopf, Designee)
- Richard A. Ball, Commissioner of the NYS Department of Agriculture & Markets
- Michael Cusick, Appointee of the Speaker of the Assembly (Sean Ewart, Designee)
- Richard J. Dewey, President and CEO of the New York Independent System Operator

Introductory Remarks

Alicia Barton, President and CEO of the New York State Energy Research and Development Authority, and Chair of the Energy Planning Board welcomed everyone to the thirteenth meeting of the New York State Energy Planning Board and noted the presence of a quorum. Chair Barton provided an overview of the items to be discussed pursuant to the Agenda, primarily the proposed Draft Amendment to the *2015 State Energy Plan* and the necessary steps for its further consideration.

Consideration of Minutes of December 18, 2017 Meeting (Agenda Item No. 1)

The first item on the Agenda was to advance the minutes from the Board meeting held on December 18, 2017. In moving the minutes, it was acknowledged that the most recent meeting was held some time ago. Hearing no corrections, Chair Barton stated that the minutes were reconciled with the video that is available on the New York State Energy Planning Board website.

Resolution Regarding the Issuance of a Draft Amendment to the 2015 State Energy Plan (Agenda Item No. 2)

Chair Barton and John Williams, Vice President of Policy and Regulatory Affairs, NYSERDA, jointly presented information on the proposed draft Amendment to the *2015 New York State Energy Plan*. Chair Barton began with background and contextual information, including procedural history. She noted that the *2015 State Energy Plan* established clean energy goals and included 43 initiatives to undertake toward achieving the State's goals, including the Clean Energy Standard, Offshore Wind, the New York Green Bank, Climate Smart Communities, and ChargeNY. The established clean energy activities, in coordination with activity spurred by the private sector, would, by 2030, reduce greenhouse gas emissions reduction requirements for the energy sector by 40 percent, provide 50 percent of electricity from renewable energy resources, and achieve 600 trillion British thermal units (BTUs) of energy efficiency. In 2017, the Board released a Biennial Report demonstrating progress across the initiatives in the *2015 State Energy Plan* that advances these clean energy goals, as well other objectives.

Chair Barton stated that the State's clean energy progress continues at a rapid pace, resulting in economies of scale that are reducing the costs to achieve the goals, as well as contributing to public health, environmental and economic benefits for New Yorkers. Recognizing the tremendous value of clean energy as well as the urgent need to act on climate change, Governor Cuomo introduced a Green New Deal for New York. The Green New Deal was ultimately incorporated into the Climate Leadership and Community Protection Act (Climate Act) signed into law by the Governor in July 2019. New York's Climate Act is the most ambitious climate policy of any major economy, requiring no less than an 85 percent reduction economy-wide in greenhouse gas emissions by 2050.

Chair Barton added that there are a number of clean energy goals central to the Climate Act that further advance the goals set by the *2015 State Energy Plan*. The work to achieve the requirements of the Climate Act will be conducted by and through a Climate Action Council, along with several advisory panels and working groups – all of which will lead to the development of a Scoping Plan. The Scoping Plan will provide recommendations for how to attain greenhouse gas reductions of 85

percent as compared to 1990 levels, and net zero emissions across all sectors of the economy. The Scoping Plan is due to be completed by January 2023. Chair Barton stated that it is important for the Energy Planning Board to recognize that the Climate Act requires that future State Energy Plans will be informed by the Scoping Plan, thereby necessitating meaningful interaction between the Climate Action Council and the State Energy Planning Board.

It was also noted that the underlying analysis that is needed to develop the Scoping Plan will be the same analysis that would be conducted for the next State Energy Plan. The aggressive nature of the Climate Act targets require all State entities to work in coordination, with clearly established and clearly understood goals. Chair Barton emphasized that both efforts are labor and time-intensive efforts for stakeholders, as well as for the limited staff resources at the respective agencies. Therefore, she cautioned that those involved must be mindful so as to not unduly complicate either effort with parallel analysis or separate conclusions from the same analysis. Overall, work products are needed that are digestible, understandable, and impactful for stakeholders and members of the public.

It was reported that the next State Energy Plan will be completed following issuance of the Scoping Plan, in accordance with the law's direction, and it will be better informed by other actions that the Climate Act directs. It was also recognized that there may be issues that will require action ahead of the Scoping Plan's release, such as those being considered today; namely, to consider updating the State Energy Plan to reflect the new goals established by the CLCPA and to facilitate the transition of New York communities to a clean energy future.

Mr. Williams provided information specific to the Draft Amendment, including the authority and process required of the Energy Planning Board to consider and potentially adopt such an amendment. The Draft Amendment follows the construct of the *2015 State Energy Plan*, focusing on updating the Clean Energy goals to synchronize with the Climate Act and adds a 44th initiative concerning the Electric Generation Cessation Mitigation Program. Mr. Williams pointed out that the primary decision before the Energy Planning Board is to determine whether to issue the Draft Amendment for public comment, rather than approving the specific, final language within it.

Mr. Williams reviewed the State's energy and greenhouse gas emission reduction goals as they appear in the *2015 State Energy Plan*, as well as those included in the Climate Act, along with the practical aspects of achieving the newer goals. He also provided information on the aspect of the proposed Draft Amendment that would direct the New York State Public Service Commission to undertake a regulatory proceeding to evaluate a mechanism to support the State's Electric Generation Facility Cessation Mitigation Program established in 2015 to assist power plant host community transition. The need for this evaluation is prompted by market forces, current State policies, and the Climate Act.

Mr. Williams then presented the required steps and proposed timeline for amending the *2015 State Energy Plan*, which includes the collection of public comments, holding public hearings, and ultimately, a reconvening of the State Energy Planning Board.

Chair Barton acknowledged the inclusion of two technical edits as a result of Board Member feedback prior to the meeting and confirmed that the Draft Amendment to be considered by the Energy Planning Board at this meeting accurately reflected that input.

Upon opening up the meeting to discussion, Mr. Rhodes spoke about the Cessation Mitigation Program stating his observation of communities availing themselves of the fund as utility plant retirements occur. Recognizing the purpose of the fund and the current and anticipated future needs of communities, he stated that there is a need to be thoughtful in addressing the impacts and increased needs of communities that host power plants. With that, Mr. Rhodes stated that the time is right for addressing the future stability of the fund and he is supportive of this aspect of the Draft Amendment text as drafted.

Mr. Ravaschiere supported the remarks of Mr. Rhodes and added that the Cessation Mitigation Program is available and has provided support to five governmental entities over the past three years. To date, the communities that have availed themselves of the fund were based on the result of two coal-fired power plant closures. He stated that fund is providing the intended relief.

Mr. Snyder offered the support of the New York State Department of Environmental Conservation for the revisions, particularly with regard to updating the State's energy targets. Mr. Snyder stated that with the passage of the CLCPA, it is important to reflect the new targets in the *2015 State Energy Plan* in developing the pathway for achieving the new goals. Given the significant challenge ahead in meeting the targets, it is important to recognize the new goals now in anticipation of the Climate Action Council conducting its forthcoming work.

Hearing no further comments, Chair Barton then called for consideration of Resolution No. 9, to approve the submission of a Draft Amendment to the *2015 State Energy Plan* for publication in the *State Register* for purposes of soliciting public comment. Whereafter, upon motion duly made and seconded, and by unanimous voice vote, the Board approved the resolution.

Chair Barton stated that the approved draft Amendment will be made publicly available on the Energy Plan website at: www.energyplan.ny.gov.

Other Business

There being no other business, upon motion duly made and seconded, the meeting was adjourned.

Valerie A. Milonovich

Valerie S. Milonovich, Secretary to the Board
Senior Counsel, NYSERDA

EXHIBIT A.

NEW YORK STATE ENERGY PLANNING BOARD

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December 12, 2019

NOTICE AND AGENDA

TO THE MEMBERS OF THE NEW YORK STATE ENERGY PLANNING BOARD:

PLEASE TAKE NOTICE that a meeting of the New York State Energy Planning Board will be held at the Albany office of the New York State Energy Research and Development Authority, 17 Columbia Circle, Albany, New York, on Wednesday, December 18, 2019, at 1:00 p.m. for the following purposes:

1. To consider and act upon the draft minutes from the December 18, 2017 meeting.
2. To consider and act upon a resolution to issue for public comment a draft amendment to the 2015 State Energy Plan.
3. To transact such other business as may properly come before the Board.

Members of the public may attend the meeting.

NYSERDA will be posting a video of the Board meeting to the State Energy Plan website (<http://www.energyplan.ny.gov>) within two business days of the meeting.

Alicia Barton
Chair