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NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

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Public Hearing on the Draft Energy Plan 2014

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DATE: February 18, 2014

TIME: 10:17 a.m. - 1:49 p.m.

LOCATION: Albany College of Nanoscale  
Science and Engineering  
NFS Auditorium  
255 Fuller Road  
Albany, New York

HELD BEFORE:

John Rhodes, President of NYSERDA

James Bays, First Deputy Commissioner of New York State  
Agriculture & Markets

Peter McGowan, Acting Chief Policy Advisor of the New  
York State Department of Public Service

Robert Sliwiski, Director of the Bureau of Air Quality  
of the Department of Environmental Conservation

James Held, Research Director at Empire State  
Development

Charles Phillips, Director of Emergency Services

Stephanie Amann, representative from Hon. Amy Paulin's  
office

REPORTED BY: Jeanne O'Connell, RPR (518) 271-7904

1                   CHAIRMAN RHODES: Good morning and welcome.  
2 My name is John Rhodes. I am the chair of the State  
3 Energy Planning Board and the President and CEO of the  
4 New York State Energy Research & Development Authority.

5                   Before we get much further, I would like to  
6 apologize for all who have had a little bit of a journey  
7 with parking. We are grateful to CNSE for hosting us.  
8 They have done a lot to make this all work, and we're  
9 thankful for them. And I do apologize for not getting  
10 the parking arrangements in place.

11                  While we are on the topic, we are here at  
12 CNSE. Thank you very much for providing the facility  
13 and agreeing to host us. We are the guests, and we all  
14 agreed to abide by their rules. So that will, I hope,  
15 set a good tone for decorum, but also for free speech.

16                  I would like to introduce you to the other  
17 representatives of the planning board joining me today.  
18 We have Jim Bays, a first deputy commissioner of Ag &  
19 Markets; we have Peter McGowan, Acting Chief Policy  
20 Advisor of the Department of Public Service; we have Rob  
21 Sliwiski, Director of the Bureau of Air Quality in the  
22 Department of Environmental Conservation; we have Jim  
23 Held, research director at Empire State Development; we  
24 have Chuck Phillips, Director of Emergency Services; and

1 they are going to be joined shortly by Stephanie Amann,  
2 who is with Amy Paulin's office, she who chairs the  
3 Assembly's Committee on Energy.

4 This is a hearing to accept public comment on  
5 the 2014 State Energy Plan that was approved by the  
6 State Energy Planning Board on January 7, 2014, and made  
7 available on the Energy Plan website:  
8 [energyplan.NY.gov](http://energyplan.NY.gov).

9 The plan was issued in accordance with  
10 Article 6 of the Energy Law. Public notice of the  
11 issuance of the plan and notice of this public hearing  
12 were published in the State Register on January 29th.

13 The draft plan consists of two volumes. The  
14 first volume provides 15 key initiatives to advance the  
15 state's energy future.

16 The second volume addresses energy uses, its  
17 sources and impacts, and provides detailed background as  
18 used to develop the overarching vision and initiatives  
19 in the first volume.

20 Let me just quickly recap what the plan is  
21 about. It envisions for New York a flexible and clean  
22 energy system that empowers residential customers,  
23 businesses and communities to receive the reliability  
24 and affordability that they value.

1           The initiatives to achieve focus on five  
2 areas: Improving energy affordability, unleashing the  
3 power of private sector energy financing; providing a  
4 more resilient and flexible power grid, giving customers  
5 more control over an energy use, providing energy  
6 innovation with market demand, all in the service of an  
7 energy system that is cleaner, more affordable, more  
8 resilient and more reliable.

9           The plan sets out long-term policy goals,  
10 near term action items, and meaningful metrics, as a way  
11 to measure progress towards that goal.

12           If you have been here you have probably all  
13 received copies of the plan and studied them. We have  
14 copies here for those -- of the executive summary -- for  
15 those who would like that.

16           This meeting is one of six public hearing  
17 sessions for the plan to receive public comments.  
18 Future sessions are scheduled in Manhattan, Brooklyn,  
19 Long Island, Buffalo and Syracuse.

20           Written comments on the draft plan will also  
21 be accepted through April 30th, and information on  
22 submitting written comments may be found on the energy  
23 plan website.

24           If you decide to submit written comments,

1 please do so as soon as possible so that they can be  
2 carefully considered. All public comments, whether oral  
3 or written, will be considered by the Energy Planning  
4 Board as it works toward issuance of the final energy  
5 plan. All comments count equally regardless of how they  
6 are received.

7 The planning board is targeting issuance of  
8 the final plan in the spring of 2014.

9 The process today is simple. Those who want  
10 to comment at this hearing have been asked to sign in  
11 upon arrival. I have received I think 30 odd requests,  
12 and if there are more to come, please submit them.

13 Your name will be called one at a time to  
14 speak. When your name is called, please come to the  
15 podium to provide your comment.

16 The court reporter is here to provide a  
17 transcript to the planning board of everything that is  
18 said today. It is very important that there only be one  
19 speaker at a time so that the reporter can hear clearly.

20 Speakers should address the comment in the  
21 direction of the microphone, and please make an effort  
22 to speak clearly and slowly. It is also very important  
23 that those in attendance be courteous to the speaker so  
24 that his or her comments can be transcribed accurately

1 by the court reporter.

2 If you provide a statement and have a written  
3 version with you, it would be helpful if you could  
4 provide that written version to us either today or  
5 following the hearing, so we can provide those to the  
6 court reporter to assist in providing the transcript  
7 accurately.

8 All speakers are asked to focus on issues  
9 that pertain to the draft energy plan only. Your  
10 comments should be as succinct as possible, because we  
11 place such value on the public comment process, and so  
12 that we can hear from as many of you as possible.

13 We have set a five minute deadline for that  
14 purpose. After everyone has had their chance to address  
15 the board, repeat speakers may be afforded another five  
16 minutes should hearing time permit.

17 Formal presentations, such as Power Point,  
18 are not being allowed today. Again, our goal is to hear  
19 from as many of you as possible. As this is a statement  
20 hearing, the planning board is not answering any  
21 questions. This is an opportunity for us to receive and  
22 to hear comments on our draft plan.

23 Those who want to comment, but do not want to  
24 speak publicly, or do not get a chance to do so today,

1 again, can submit written comments by our website.

2 Again, that's [www.energyplan.ny.gov](http://www.energyplan.ny.gov).

3 With that, I want to thank you all again for  
4 coming today. If there are any questions about the  
5 process, we can take those at this time.

6 (There was no response.)

7 Finally, I should do a little bit of  
8 housekeeping before we get into the day. The restrooms  
9 are to the right as you come out of the rotunda. There  
10 are emergency exits at the front door and the back left  
11 upper door.

12 Parking -- I hesitate to bring this up --  
13 should any of you have parked in the Freedom Quad, that  
14 is, you will likely get ticketed and towed. That's the  
15 space right upfront.

16 With that, let us begin. The first speaker  
17 is Tony Penachio.

18 MR. PENACHIO: Thank you for allowing me to  
19 speak today. My name is Tony Penachio. I'm here today  
20 speaking as president of GeoEnergy Enterprises of  
21 Katona, New York.

22 Geo Energy Enterprises has received grants  
23 both from LIPA and NYSERDA to research, develop, test  
24 and commercialize the hybrid, off-the-shelf, ground

1 source, geothermal, heat exchanger known as the  
2 GeoColumn.

3 The GeoColumn heat exchanger is currently  
4 being produced and sold in New York State by GeoEnergy  
5 of New York, or GENY, and is coupled with GENY's Energy  
6 Star and AHRI certified GEONRG brand of geothermal  
7 heating, cooling, and air conditioning systems out of  
8 our facility in Bohemia, New York.

9 As such, I wish to talk about geothermal  
10 heating, cooling and hot water systems, and on just a  
11 few points as to how geothermal systems can have a  
12 dramatic effect on New York State's energy  
13 infrastructure and planning.

14 As 46 percent of the sun's energy is adsorbed  
15 by the earth's mass, and most of this energy can be  
16 found in the upper layers of that groundmass, many of us  
17 do not realize that geothermal heating, cooling and hot  
18 water production is essentially a solar-based  
19 technology.

20 Geothermal HVAC utilizes the groundmass'  
21 energy as both a heat source in the winter, and as a  
22 heat sink in the summer, to produce on-site heating,  
23 cooling and hot water for the buildings that it serves.

24 It is a relatively well-known fact that



1 energy efficient geothermal systems can shed load in  
2 cooling season much more effectively than air source or  
3 other cooling systems, and as such, geothermal cooling  
4 systems reduce peak demand on grid infrastructure and  
5 the need for utilities to either produce or buy  
6 expensive summertime peak electrical power.

7           What is much less well known or appreciated  
8 is that geothermal HVAC systems, when utilized for  
9 onsite heating of buildings, are 400 percent to 500  
10 percent, or more, efficient. That is correct. 400 to  
11 500 percent efficiency.

12           This 400 percent geothermal heating  
13 efficiency compares to about 200 percent for high  
14 efficiency air source heat pumps, or for fossil fuel  
15 heating such as natural gas, heating oil, or propane,  
16 are only about 80 to 95 percent efficient.

17           Let me boil that down some more. For every  
18 one dollar spent to heat buildings, fossil fuels return  
19 about \$.80 to \$.90 in heat value; air source heat pumps  
20 return about less than two dollars. The geothermal heat  
21 pumps can return four to five dollars.

22           This high efficiency, of course, can lead to  
23 dramatic end user cost savings, as well as the  
24 elimination of onsite carbon or other greenhouse

1 emissions related to the onsite use of fossil fuels to  
2 heat buildings.

3           What else may not be understood about  
4 geothermal heating systems is that they can also  
5 increase the return on current investment on their grid  
6 and primary generation systems.

7           Geothermal heating, which is electrically  
8 powered, therefore increases the utilization of grid  
9 power and infrastructure into the heating system by  
10 replacing those expensive to operate, carbon producing,  
11 onsite fossil fuel heating systems with 400 percent  
12 efficient, grid-powered and clean onsite geothermal  
13 systems in their place.

14           The overall effect would be increased sales  
15 of grid power, and thus, in grid return on investment,  
16 the more we use the grid the less it's going to cost us,  
17 helping us to keep electrical rates low.

18           This positive effect on the grid can be  
19 balanced or expanded by the use of geothermal systems,  
20 when coupled with distributed energy systems, such as  
21 PV. How? Geothermal can reduce the amount of PV  
22 required to service the total energy load of a building  
23 by 40 percent or more.

24           That translates to about 40 percent less PV

1 power, or PV panels on the roof, and all the related  
2 supportive incentives to do so, required to power that  
3 building's heating and cooling systems.

4           When geothermal is coupled with PV power, the  
5 end user savings can be even more dramatic. A simple  
6 example: The cost to power a geothermal system using  
7 grid power is about \$.18 a kwh. Current leased PV  
8 system models show about a six to nine percent kwh net  
9 cost to the end user, or about half to a third the cost  
10 of grid power.

11           One can extrapolate that combination of  
12 geothermal 400 percent efficiency, and PV, one half to  
13 one third the cost of grid power, to effect an 800  
14 percent or more cost effective CHP system as compared to  
15 using conventional high efficiency heating, cooling and  
16 hot water systems.

17           And there is more. With over 7 million  
18 heating and cooling systems installed in the New York  
19 State area, the platform to support geothermal is baked  
20 in. How? Of those 7 million systems, about 350,000  
21 systems are replaced every year due to end of usable  
22 life of the equipment.

23           With similar financing and incentive programs  
24 made available to geothermal, as for other solar energy

1 based technologies, geothermal can put more dollars back  
2 into the pockets of those end users as the cost of the  
3 financing and power will be less than they are currently  
4 spending to heat and cool their homes.

5 So, in 20 to 30 years, we could then achieve  
6 a net-zero building stock and savings that go back into  
7 the local economy. Money that will not go out of state,  
8 or out of country, to buy increasingly expensive fossil  
9 fuels.

10 With the possibility of such savings, an  
11 increased demand for geothermal products can add  
12 substantially to both New York State green job creation  
13 and green business development.

14 Please note that these are but a few of the  
15 issues that I intend to further expand upon and quantify  
16 in a written final report to the planning commission on  
17 or before the final comment date.

18 Thank you.

19 CHAIRMAN RHODES: Thank you very much.

20 Second speaker is Gavin Donohue.

21 MR. DONOHUE: Good morning. It's nice to  
22 see so many familiar faces over the years here, people  
23 that I worked with over different capacities. I want to  
24 thank the board. I know how hard putting a plan

1 together is and how much work goes into it. It's tough  
2 to make everybody happy.

3 I'm going to quickly, within the five  
4 minutes, try to summarize my testimony which I submitted  
5 to the record for today.

6 As the president of IPPNY, I represent the  
7 generators and marketers of power in New York State  
8 under New York's competitive energy markets. My  
9 membership believes the State Energy Plan should leave  
10 no doubt that the state is committed to competitive  
11 wholesale energy markets, which have proven themselves  
12 to be very successful throughout the years.

13 Before I get into the specifics of the plan,  
14 I would like to remind some of the members of the board  
15 about the benefits of markets.

16 IPPNY's members produce and drive the  
17 state's economy. We produce over 75 percent of  
18 electricity in the state, and we use a variety of  
19 generating fuels -- nuclear, coal, gas, biomass and  
20 hydro.

21 We have invested over the last 15 years over  
22 \$10 billion in buying power plants in New York State.  
23 We employ over 10,000 people and we pay taxes in excess  
24 of \$600 million in New York State.

1           The thing I would really like to point out  
2 today that I think gets lost sometimes in the discussion  
3 is the environmental attributes that this market  
4 structure has promoted for New York.

5           Some well known stats, and I just think it's  
6 important to talk about today, is that sulphur dioxide  
7 has been reduced by more than 94 percent over the last  
8 12 years in New York; Nox has declined by 80 percent.  
9 And CO2 has been reduced by 37 percent; which I think is  
10 very attributable to the market structure of New York.

11           I think the other thing that it's important  
12 to mention is that the risk on these investments has  
13 gone from the ratepayer to the corporation, the board  
14 making these investments. Wholesale electricity prices,  
15 believe it or not, are down in New York. We reached an  
16 all time low in 2012 on the wholesale side.

17           And it can't be stated enough that the main  
18 drivers in today's electricity markets in New York are  
19 the components of the bill which are not subject to the  
20 competitive forces. They are delivery charges, taxes  
21 and fees, which comprise over 70 percent of today's  
22 electricity bill in New York State.

23           On the State Energy Plan, couple highlights  
24 I would like to mention. In sharp contrast to the

1 adopted 2009 plan, the draft plan, as written, only  
2 tangentially recognizes the benefits of competitive  
3 wholesale markets in New York.

4           This draft proposes many initiatives that  
5 deflect the value of private investments at both  
6 existing and future generation sources, and many of the  
7 proposals are contrary to how the competitive markets  
8 have successfully functioned in New York for over the  
9 last 15 years.

10           For example, the plan does not specifically  
11 state that investments under its main recommended  
12 initiatives should be continued by the private sector,  
13 which historically has and should continue to be allowed  
14 to make the investment decisions in New York.

15           Specifically, it serves our current system,  
16 depending on large, central station power, is no longer  
17 the most efficient system. Instead, the plan advocates  
18 for increased reliance on distributed energy resources,  
19 or DER.

20           Also, the draft plan states that advanced  
21 technology and reduced prices will enable greater  
22 control over and ownership of these distributed systems  
23 by customers and communities in a more efficient and  
24 cost effective manner.

1           All those words sound great, but what does  
2 that mean? What are the details and how is that going  
3 to work in New York? The draft plan proposes that an  
4 indication of a large regulatory shift needs to occur so  
5 that more customers are creating new distributed power  
6 supply system.

7           My overriding issue is the draft plan does  
8 not demonstrate how and why a yet to be built  
9 distributed energy system will be more efficient and  
10 more cost effective than the state's existing generation  
11 system, or the proposed upgrades that have yet to  
12 proceed; nor does it quantify the cost of building a  
13 duplicative DER system which electricity customers would  
14 pay for in New York.

15           To be very clear: IPPNY and my members do  
16 not oppose the integration of DER into New York. What  
17 we do oppose is the unfair treatment of distributed  
18 energy resources in the market place, and the move away  
19 from a central power station system on which the state  
20 has depended on for so long.

21           Careful consideration of how to integrate  
22 these resources without negatively affecting the central  
23 station model certainly needs to be heavily weighed and  
24 considered before decisions are made.



1 I would like to make some constructive  
2 suggestions to improve the plan. One would be the draft  
3 plan should be revised to be consistent with the  
4 longstanding PSC policy in which utilities should not be  
5 allowed to own, develop or operate any new electric  
6 generation regardless of size.

7 In its seminal order on competition, the PSC  
8 found that competitors who have a greater incentive to  
9 lower costs than the utilities would under the cost of  
10 service regulation.

11 Three, also in 2009, the PSC considered and  
12 rejected the establishment of a new utility sited tier  
13 to promote small utility solar PV facilities that  
14 integrate renewable energy into the distribution system.

15 The concerns expressed by many stakeholders  
16 indicated that participation of the bidding process  
17 should be limited to the generators who actually have  
18 the experience in building these facilities.

19 Problematically, the two main initiatives of  
20 the draft plan call upon the PSC to consider the  
21 potential for distribution utilities to own and receive  
22 a rate of return on utility capital invested in the  
23 customer sited distributed generation.

24 IPPNY sees no reason to change course, as

1 PSC has laid out. If distributed energy resources are  
2 to provide the same service as major electric generating  
3 facilities, they would both need to be treated the same  
4 and paid the same for that service in the wholesale  
5 electricity markets.

6 Also, which I think is critically important,  
7 the DER must comply with the same environmental  
8 regulations and requirements that we do in the IPP  
9 sector. Importantly, allowing rate based utilities and  
10 authorities to build new generation would constitute  
11 unfair competition for the IPPs, given that the IPPs do  
12 not have access to ratepayers for the recovery of  
13 project costs and other financial benefits.

14 DER integration must be done based on the  
15 principles of private ownership and competition, which  
16 will, in fact, promote reliability and be the best  
17 answer for ratepayers.

18 In conclusion, IPPNY would like to see the  
19 plan more fully embrace the current system, and  
20 integrate any new resources in a fully competitive way.  
21 We look forward to a 2014 final plan with provisions  
22 that are compatible with market signals for private  
23 sector investment opportunities in fuel and technology  
24 diverse energy supplies.

1           While the draft plan expresses a vision for  
2 a future energy system that increases a reliance on DER,  
3 the approach must acknowledge the importance of existing  
4 and future generation investments by IPPs based upon  
5 signals from the state's competitive wholesale markets.

6           Finally, energy planning must be completed  
7 in conjunction with the ISO, which has a really  
8 prominent role and responsibility in planning for the  
9 reliability of this system.

10           So, thank you again for the opportunity to  
11 testify today. Hopefully, these are some of the few  
12 highlights you can consider going forward.

13           CHAIRMAN RHODES: Thank you very much for  
14 those comments.

15           The next speaker is Barbara Warren from  
16 Citizens Environmental Coalition.

17           MS. WARREN: Good morning. I am here today  
18 representing Citizens Environmental Coalition, and also,  
19 we are a founding member of the Alliance for a Green  
20 Economy, and I am representing the Alliance here today.  
21 We are all advocating for a carbon free, nuclear free  
22 future, energy future.

23           I want to mention that I have an entire  
24 folder here for you, and a number of articles that are

1 attached include: 45 Fossil Fuel Disasters the Industry  
2 Doesn't Want You To Know About, 9 Reasons Why 2013 Was  
3 Not the Best Year in Human History, 25 Images of Markets  
4 Regulating Themselves.

5           There is a couple of others, but I also want  
6 to mention that I included a public health statement  
7 that we developed in the fall of 2013 with 14 public  
8 health professionals. That was sent to Dr. Shah and the  
9 advisory panel he has looking at the fracking issue.

10           We are currently witnessing collective  
11 energy insanity. The real problem to be addressed is  
12 the excess of greenhouse gases. Instead, corporations  
13 are rushing to get their energy projects approved first,  
14 and to obtain profits at the expense of future  
15 generations and their ability to live in a world with  
16 runaway global warming.

17           We are experiencing massive spills,  
18 explosions, deaths, injuries, in addition to costly  
19 fossil fuels. All of society is currently on a headlong  
20 suicidal course.

21           Government, rather than reign in the  
22 insanity, is all too often acting in collusion with this  
23 corporate agenda instead of acting to protect the public  
24 interest.

1           New York State, in the past, adopted the  
2 public trust doctrine. Despite this, the draft energy  
3 plan fails to cut through the insane and the irrational  
4 with a fact based scientific analysis that will guide us  
5 to a sustainable energy future instead of a dirty and  
6 dangerous one.

7           The draft energy plan fails to meet the  
8 requirements of law and state policy. A healthy and  
9 sustainable future for New Yorkers rests with the  
10 dramatic expansion of energy conservation efficiency,  
11 and clean renewable energy.

12           Given what we see in this draft plan, we  
13 believe the only thing that can happen now to correct  
14 the unequal planning mechanisms is for Citizens Utility  
15 Board, as one mechanism, not sure it would do all of it,  
16 to correct this inequality and ensure that the public  
17 has adequate representation to deal with all these  
18 issues -- energy, pollution, climate and public health.

19           This plan should have started with some  
20 recent significant events. In 2013, we crossed the  
21 major threshold with 400 parts per million of carbon  
22 dioxide in the atmosphere. Hurricane Sandy should have  
23 been a wake up for this state as it was a major piece of  
24 evidence of the damaging potential of global warming.

1 More heat equals more energy in the global system and  
2 thus more intense weather events.

3 Thus, the problem is not a shortage of  
4 energy. It's that we have too much energy trapped by  
5 the carbon dioxide in the atmosphere.

6 In 2011, we also had the Fukushima nuclear  
7 catastrophe, which is not over but is an ongoing  
8 catastrophe with no end in sight and increasing spread  
9 of radioactive contamination. The Japanese government's  
10 investigating commission revealed that this was not a  
11 natural disaster at all, but one that was profoundly  
12 manmade, involving willful negligence, collusion between  
13 the regulators and the company, and failure to  
14 prioritize public health, safety and welfare.

15 A newly released book from the Union of  
16 Concerned Scientists by David Lochbaum describes our own  
17 Nuclear Regulatory Commission in similar terms. These  
18 three pieces of significant information should have  
19 formed the foundation upon which the scientific and  
20 factual analysis for energy planning was built.  
21 Unfortunately, it seems these analyses are missing.  
22 Should have been far different given the new Article 6  
23 requirements. On these three issues the plan fails.

24 So, first, why don't we have the greenhouse

1 gas inventory? And how could the energy planning board  
2 evaluate climate change without the inventory? We also  
3 have no final state climate action plan. These are  
4 serious matters.

5           Next, the state can only promote a vast  
6 natural gas infrastructure for New York if it ignored  
7 the enormous methane emissions associated with pipeline  
8 infrastructure, construction, and the ancillary  
9 facilities, the compressor station, the gas plant,  
10 including the release of miles of gas every time a new  
11 segment of a pipeline is built or repaired.

12           These are all releases. As a result,  
13 natural gas is not a transition but a dangerous dead end  
14 for us.

15           Finally, we also have the executive order  
16 that requires 80 percent greenhouse gas reductions from  
17 1990 levels by 2050. It appears that the energy plan is  
18 abandoning this goal, and that is very, very serious.  
19 Abandoning the goal.

20           I have got to go on. I don't have enough  
21 time to do all of this.

22           Renewable energy offers New York lots of  
23 promise. We actually attended energy planning board  
24 meetings in which NYSERDA staff possesses information

1 detailing the incredible potential of renewable energy  
2 to meet our energy needs in the future.

3           Where did this excellent work go and why is  
4 the renewable energy study not available now? These  
5 staff put a lot of work into those presentations. They  
6 were excellent. One of them is sitting right here, Carl  
7 Michaels. Why was that information not given to us?  
8 Why don't we have it now?

9           If the study on renewable energy wasn't  
10 finished, how could you finish the energy plan and make  
11 it available for public comment?

12           Next is the nuclear energy issue. First of  
13 all, there is an inadequate discussion of Fukushima and  
14 its impacts. The only thing really covered is Indian  
15 Point, and then it's not factual. You don't even  
16 mention that the state denied them a water quality  
17 permit. And that the PSC is planning to replace the  
18 Indian Point power.

19           It fails to even talk about any of the  
20 Oswego reactors. We got three boiling water reactors  
21 similar to those at Fukushima Daiichi. In fact, we had  
22 a major meeting with NYSERDA and DEC over a year before  
23 the release of this plan in which we discussed all of  
24 the problems with the nuclear reactors that we were



1 currently experiencing -- aging reactors, safety  
2 problems, unplanned power outages. Two of them have  
3 major financial problems, Ginna and Fitzpatrick.

4           And yet, somehow we do a reliability study  
5 that studies everything else in the electric system  
6 except the nuclear reactors and how vulnerable they  
7 currently are. Somehow, that's not addressed.

8           Cyber security and terrorism were also  
9 discussed at the energy planning board, and they  
10 identified immediately that the nuclear facilities were  
11 the key problem with the energy system in terms of  
12 terrorism and cyber security. Somehow, in the energy  
13 plan, it became a systemwide problem, not a problem for  
14 the news.

15           So, in essence, none of the major issues in  
16 this plan that were important to address have been  
17 addressed. And we really have no plan for going  
18 forward, sorry to say.

19           You can have this with all the articles that  
20 I have attached. Thank you very much.

21           CHAIRMAN RHODES: The next speaker is Tom  
22 Ellis, Solidarity Committee of the Capital District.

23           MR. ELLIS: Good morning, everybody. I hope  
24 you are enjoying this wonderful winter.

1           My name is Tom Ellis. I live in Albany. I  
2 represent the Solidarity Committee of the Capital  
3 District, which is a 30-year-old labor support group.  
4 We are also located at 33 Central Avenue in Albany.

5           The Solidarity Committee endorses the  
6 recommendations contained in the letter signed by the  
7 Citizens Environmental Coalition and many other groups  
8 with recommendations on how to improve the energy  
9 planning process.

10           In particular, the Solidarity Committee  
11 urges that additional hearings be scheduled at easily  
12 accessible locations throughout the state, again, with  
13 evening sessions.

14           Hard copies of the report should be  
15 available for elected officials who request them and for  
16 members of the public. Albany County Legislator Doug  
17 Bullock requested a paper copy of the draft plan and was  
18 told by NYSERDA that none are available.

19           Some of us have poor eyesight and spending  
20 long hours reading on computers is impossible or  
21 physically painful. I've heard that printing out the  
22 plan is not easy to do. I'm willing to pay \$10 or \$20  
23 or whatever it costs for a paper copy of the plan.

24           I urge that, regarding policy issues, I urge

1 that nuclear power be removed from the energy plan. New  
2 York has six licensed nuclear reactors, five of these  
3 are more than 35 years into their operating lives and  
4 the sixth one is 25 years. These are old reactors and  
5 they should permanently be closed down today. All six  
6 reactors are operated at higher output than they were  
7 initially designed for, which increases stress and  
8 pressure and the likelihood of an accident.

9                   9 Mile Point One and Fitzpatrick are the  
10 same design as at Fukushima where three reactors melted  
11 down in containment buildings three years ago, and where  
12 a badly designed elevated smoke pool at unit number  
13 four, with its load of extremely radioactive or lethally  
14 used reactor fuel, sits precariously after having been  
15 badly damaged by an earthquake.

16                   Perhaps, worst of all, the owners of Indian  
17 Point and Fitzpatrick, Entergy Nuclear, were cited in  
18 2012 by the Federal Nuclear Regulatory Commission for  
19 willfully falsifying safety records at Fitzpatrick.

20                   Why should we trust our lives to them? Why  
21 should we risk our entire civilization for something as  
22 little as nuclear power? Nuclear power is the only  
23 industry that threatens every other industry that we  
24 have.

1           I realize the governor and the attorney  
2 general are trying to close Indian Point, but they need  
3 to close the upstate reactors as well. And they need to  
4 be far more public in what they are doing to close  
5 Indian Point. They could provide reports about how many  
6 jobs would be lost if a major sustained or catastrophic  
7 radiation release occurs.

8           The legislature could hold public hearings  
9 to examine the tax revenues that would be lost, the  
10 additional cost the state would face if the state would  
11 go bankrupt, and the logistical difficulties of  
12 evacuating parts of New York State and New York City.

13           Raising the profiles of these issues would  
14 increase pressure on the federal government to close  
15 these old nuclear reactors. The governor and the  
16 attorney general are quite timid in publicizing what  
17 they are actually doing to shut down Indian Point.

18           When the reactors are closed the dislocated  
19 nuclear workers could continue to guard the stations and  
20 prepare them for decommissioning. The state could  
21 develop transition plans so they could be trained for  
22 work in the safer energy fields. NYSERDA is more than  
23 capable of developing these kinds of plans.

24           The energy plan should also contain detailed

1 information comparing the benefits and the risks of  
2 nuclear power, specifically how many jobs nuclear power  
3 provides, and how many jobs could be lost in worst case  
4 radiation release scenarios, so the public can make an  
5 intelligent choice about nuclear power.

6 I realize that the NYSERDA staff here and  
7 other folks on the planning board probably do not make  
8 these life and death policy decisions for the state, but  
9 please impress upon those who do that nuclear power is a  
10 matter of life and death.

11 I would also like to talk about the  
12 Champlain Hudson Power Express Project. The state  
13 should reverse its support for this proposed Champlain  
14 Hudson Power Express Project, also shown as CHPE, a 300  
15 mile long, one-way south direct current power line that  
16 would run from Quebec to New York City, burying the  
17 trenches in Lake Champlain and the Hudson River, and  
18 along railroad right-of-ways and roads in Washington,  
19 Saratoga, Schenectady, Albany and Greene counties.

20 This \$2 billion project would create only a  
21 few hundred temporary jobs during construction, and 20  
22 to 30 jobs thereafter. That is pathetic for that kind  
23 of investment. A vastly better alternative would be for  
24 the state and local governments, the private sector,

1 labor unions to forge a permanent partnership to  
2 solarize the rooftops of buildings in New York City and  
3 throughout the state.

4           The New York Times reported on June 16,  
5 2011, report by the City University of New York, the New  
6 York City Government, and the Federal Department of  
7 Energy, that more than 5,000 megawatts of rooftop solar  
8 potential exists in New York City alone.

9           Obviously, only a fraction of this will be  
10 installed. If even 15,000 building roofs per year were  
11 solarized, many tens of thousands of permanent jobs  
12 could be created for building trades workers by the  
13 construction, maintenance, repair and upgrading of this  
14 equipment, far more than the meager potential of the  
15 Champlain Hudson project.

16           Many thousands of buildings elsewhere in New  
17 York State could also be solarized, especially shopping  
18 malls and school buildings with their increase of roofs.

19           New York State is in desperate need of high  
20 quality unionized, blue collar, middle class jobs that  
21 solarizing rooftops can provide. Hundreds of thousands  
22 of people in New York City have never had a good job in  
23 their lives and they have no prospect of getting one at  
24 this time.

1           Solarizing rooftops is a great way to  
2 replace long term poverty with economic opportunity.  
3 Installing solar equipment at only 100,000 rooftops over  
4 the next 10 years in New York would greatly stimulate  
5 the solar industry.

6           New York has the potential to become the  
7 solar equipment manufacturing center of North America.  
8 Some state or province is going to do it. It might as  
9 well be New York. Tens of thousands of good  
10 manufacturing jobs could be developed upstate where they  
11 are surely needed.

12           Thank you.

13           I have three documents for inclusion in the  
14 record. One concerns an article I wrote in Solidarity  
15 Notes about Entergy's willful violations at Fitzpatrick.  
16 The second is a letter I wrote on behalf of the  
17 Solidarity Committee to Congressman Tonko about the  
18 Champlain Hudson Power Express project and its  
19 alternatives. And the third is the current issue of the  
20 Solidarity Notes, the newsletter of the group that I  
21 represent.

22           Thank you very much.

23           CHAIRMAN RHODES: Thank you.

24           I think we recognize the thought and

1 commitment that have gone into each of these  
2 submissions, but they are going long. And if we want to  
3 hear from everybody, I will start to enforce the five  
4 minute limit, with your permission.

5 We have the one minute sign there. That can  
6 be a coaching element.

7 Peter Looker, Beyond Extreme Energy  
8 Extraction.

9 MR. LOOKER: Thank you. I will try and keep  
10 it brief. I appreciate the one minute remaining sign.  
11 I think we have more than one minute left to not totally  
12 destroy the climate for our children and grandchildren,  
13 but we don't have a lot of minutes and we should pay  
14 attention to that.

15 I am a member, lead member of the group  
16 called Beyond Extreme Energy Extraction. I'm a small  
17 business operator and parent. I am here to question  
18 short term thinking and corporate greed that continues  
19 us on this path of idiocy. Please, no more, there  
20 should be no more investments in fossil foolishness.

21 It just doesn't make any sense, if you are  
22 looking at the bigger picture. We obviously need to  
23 look seriously at the closing down the dangerous nuclear  
24 power plants. Climate cast is probably the worst thing



1 we are leaving our children.

2 I would recommend the state consider funding  
3 an independent research that would show a carbon free,  
4 nuclear free path to a totally sustainable future. And  
5 similar to say in the Jacobson Stanford study, that it  
6 needs to be fleshed out, but if you can do it in 20  
7 years, why would you wait another 20 years before  
8 getting serious about it?

9 Over 80 years ago, Edison was talking to  
10 Ford, and from what I read, he was basically pointing  
11 out that solar, wind and water were the way to go, and  
12 that fossil fuels were a very short term thing. He  
13 compared it to a tenant farmer burning his fences to get  
14 a little bit more energy for one last season.

15 I would encourage a serious study that shows  
16 how we can get there in 20 years, similar to the  
17 Jacobson study. Thank you. I will keep it short and  
18 save it for my kids and grandchildren.

19 CHAIRMAN RHODES: Next speaker is John  
20 Ciavacco, Aztech Geothermal.

21 MR. CIAVACCO: I am John Ciavacco with  
22 Aztech Geothermal. I want to thank the board for  
23 allowing me to speak today. I am the president of  
24 Aztech, and a mechanical engineer and a businessperson,

1 mostly.

2           We started the company in 2008. We have  
3 been involved in well over a hundred ground source heat  
4 pump and hybrid energy solutions for different  
5 buildings, both residential and commercial, new and  
6 retrofit.

7           We started in the technology with the  
8 foundation of an environmental services firm, Aztech  
9 Technologies, which has geologists on staff, and so we  
10 are the engineering group and they are the geologists,  
11 and we put those two pieces together.

12           That has produced just some terrific  
13 results. We started it with the thought that this would  
14 be a very sustainable technology when it requires a  
15 least amount of energy to do engineered systems for  
16 heating and cooling. It does both, which is terrific.  
17 It uses the minimum amount of electricity to get that  
18 accomplished, so it's a nice match for photovoltaics or  
19 other renewable electricity sources.

20           As a result, you can already -- there's  
21 probably seven of our customers are net zero on energy,  
22 so they produce as much electricity as they need to heat  
23 and cool and use the other aspects of their house.  
24 Might even be one here. And they have a particularly

1 long life.

2           We don't have any outdoor equipment, so  
3 there's nothing that's in the weather. And the systems  
4 are actually quite robust. The systems have been around  
5 for well over 60 years in one form or another.

6           There are other technologies that I think  
7 are worthy as well. Ground source heat pump technology  
8 works particularly well from an economic standpoint  
9 where you don't have access to natural gas right now.  
10 If you are using oil or propane as your primary system,  
11 the returns on investment are dramatic. They can be --  
12 we save residential customers oftentimes \$1,000, \$2,000,  
13 larger homes \$5,000 a year, and then they can match it  
14 with PV and go to a net zero position, where before they  
15 might have been using an oil propane system, which had a  
16 very large contribution to greenhouse gases.

17           I think that geothermal technology is a  
18 solution, and where it fits it's a terrific solution,  
19 and I really hope that it is included in the areas that  
20 are appropriate in the energy plan, and not excluded.  
21 Oftentimes PV or other things that are more visible tend  
22 to get a little more of a spotlight. When we do our job  
23 right you can't even tell it's there, though it can be  
24 the most dramatic energy saving and environmental choice

1 for many buildings.

2           There is also an aspect of it where it's --  
3 the major equipment manufacturers tend to be US based.  
4 And McQuay actually builds ground source heat pumps in  
5 Auburn, New York, so, there is a local -- or there's a  
6 state manufacturer.

7           All of the HVAC equipment and installation  
8 are done by local New York State based contractors, so  
9 there's lots of good sustainability and job creation in  
10 that as well.

11           That will conclude my comments. Thank you  
12 very much.

13           CHAIRMAN RHODES: Thank you.

14           The next speaker is Michael Rice. Seems to  
15 be a private citizen.

16           MR. RICE: I retired in 1996 from the -- as  
17 the chief scientist and chief counsel of the Legislative  
18 Commission on Science and Technology. I am currently a  
19 farmer.

20           I have to first thank the assemblywoman as  
21 representative of the legislature, and NYSERDA and  
22 various other institutions, for making it possible for  
23 me, a year and a half ago, to install solar on my barn.

24           In that time, I have generated 10,000

1 kilowatt hours of electricity. I also greatly  
2 appreciate the net metering system that we have. I  
3 think that kind of approach should be central to any  
4 plan.

5 I am a little distressed by the way the  
6 economics of projects like fracking are even discussed,  
7 because the role of a public body, such as this energy  
8 planning committee, is to protect the public interest.

9 And the difficulty is the fracking, for  
10 example. Similar things apply to other fossil fuel use.  
11 All of the costs to the general public are totally  
12 ignored. The vast use of water is ignored. The issue  
13 of disposing of the fracking fluids is not taken into  
14 account in calculating the economics.

15 The environmental cost of the fugitive  
16 methane is not taken into account. If it were, it would  
17 be clear that it's as damaging as far as carbon dioxide  
18 -- as far as greenhouse gases is concerned -- as coal  
19 is.

20 Moreover, the future impact of the  
21 destruction of the countryside, and of the leaking  
22 casing of the two mile long metal casing, is not taken  
23 into account. So, we totally neglect what price the  
24 public and our grandchildren pay.

1           The only rational energy plan would be to  
2 phase out any fossil fuel, and by the way, nuclear for  
3 other reasons, any fossil fuel within 20 years, and not  
4 to do any project which will simply postpone the  
5 inevitable.

6           We have to go to absolutely only renewables  
7 within 20 years, and get rid of the fossil if we don't  
8 want New York City to drown. If we don't want Florida  
9 to drown. Some people like to plan on their retirement  
10 in Florida. Florida will not be here at the turn of the  
11 next century, and we all know it.

12           So, any energy plan that doesn't recognize  
13 that explicitly is just not going to work. So, take it  
14 from an ex-physicist, ex-lawyer, and current farmer, who  
15 is trying to make his soil fit for habitation in the  
16 future.

17           CHAIRMAN RHODES: The next speaker is  
18 Epifanio Bevilacqua, a farmer.

19           MR. BEVILACQUA: Thank you for having me  
20 here. I'm a farmer in Franklin, New York.

21           You are proposing to put a 30-inch pipeline  
22 from Pennsylvania through New York 121 miles. That's  
23 going to disrupt a lot of land and trees and forest, and  
24 it will also disrupt the wells along the way, and air

1 and everything, then put a compressor station.

2 Why are they only having six hearings in New  
3 York State, as big as it is? Why aren't we having it in  
4 Binghamton, Oneonta and Schoharie?

5 And we know that the gas and oil industry  
6 that has causes all over the place. And problems with  
7 air. Competent person should be jailed instead of  
8 giving fines. Maybe the industry would look at it  
9 better.

10 And this industry is a disaster to human  
11 life. I have a grandchild that was born, three weeks  
12 old. What kind of life are we going to give these kids?

13 If you have cows on your farm, where are you  
14 going to get your water from when it's contaminated?  
15 These cows take 20 gallons a day each. So, where are  
16 you going to get your water from?

17 You see the disaster that's happened in  
18 Pennsylvania. Carol Fish, she was told not to sign.  
19 She signed. Now she has a problem. She has rashes.  
20 The cows have rashes. Doesn't take a rocket scientist  
21 to know if this is happening on her land, if she has the  
22 rashes and the cows have the same rash in the ribs.

23 I have seen the Triple Divide this past  
24 weekend. It's a disgrace what they are doing to the

1 human race. And the false advertising from the gas  
2 industry is ridiculous. It's safe. It's responsible.  
3 Come on.

4 Be honest with the public. Get rid of your  
5 gag orders for your doctors and let's do it right.  
6 Let's clean it up. You have the power to stop this.

7 Also, you have in the five boroughs that you  
8 can't give out permits for solar panel. I was talking  
9 to the solar panel people in Green Acres parking lot.  
10 In fact, they says, you can't get it because the five  
11 boroughs you can't get a permit.

12 Who gave the industry all this power? We  
13 want renewables but you can't have them in the five  
14 boroughs. I lived in one or two of the five boroughs,  
15 in Queens and in Brooklyn.

16 So, I hope you can straighten this out and  
17 do it right for the next generation to come. I have a  
18 grandchild that's three weeks old. I would like to see  
19 him prosper and get around.

20 Thank you.

21 CHAIRMAN RHODES: The next speaker is Conor  
22 Bambrick from Environmental Advocates.

23 MR. BAMBRICK: Good morning. My name is  
24 Conor Bambrick, and I am the air and energy program



1 director at Environmental Advocates of New York. Our  
2 organization appreciates the opportunity to comment on  
3 the New York State Energy Planning Board's Draft 2014  
4 State Energy Plan.

5           The Draft 2014 State Energy Plan presents an  
6 opportunity for Governor Cuomo and the Energy Planning  
7 Board to lay the foundation for a path away from New  
8 York's dirty fossil fuel reliant past toward a cleaner,  
9 healthier future, one where New Yorkers' energy needs  
10 are met by a system that is more efficient, conserves  
11 more, uses less, and relies more on renewable sources.

12           To make sure we get there, the draft plan  
13 must be modified to include benchmarks and action plans  
14 that will make these goals a reality; otherwise, it will  
15 be hard for New Yorkers to assess whether or not we are  
16 falling short of goals, and what steps if any are needed  
17 to meet them.

18           We also believe that the forecasting  
19 included in the draft plan needs serious revision,  
20 especially as it pertains to fracking and transporting  
21 crude oil.

22           Based on our assessment, there is no way  
23 that New York can hit Governor Cuomo's goals for climate  
24 protection if the state allows fracking or includes an

1 uptick of natural gas fossil fuel production and/or  
2 transportation.

3           In fact, Stanford University recently  
4 released research on the amount of methane emitted from  
5 natural gas extraction and transportation, and its  
6 potential climate impact. The researchers found that  
7 there is 50 percent more methane in the atmosphere than  
8 previously estimated by the USEPA.

9           Given this, we urge the planning board to  
10 include emissions profiles in its considerations and  
11 revise its forecasts in order to guide the state in  
12 meeting its overall greenhouse gas reduction goals,  
13 while meeting the state's energy needs.

14           The Draft 2014 State Energy Plan recommits  
15 New York to reducing greenhouse gasses by 80 percent  
16 below 1990 levels by 2050, a benchmark called for by the  
17 world's foremost climate experts and one which we  
18 support for our state. It also represents the first  
19 clear affirmation of Governor Cuomo's long term emission  
20 goals.

21           Additionally, the draft plan sets an interim  
22 goal of 50 percent carbon dioxide reduction by 2030.  
23 However, it is imperative that New York State target all  
24 greenhouse gasses, particularly that given some, like

1 methane, are especially potent. And we urge the  
2 planning board to revise this goal to include all  
3 gasses. There is no reason to wait, and compelling  
4 reasons to more aggressively, starting today, to reign  
5 in all climate altering pollutants.

6           In order to meet these targets, the state  
7 will need an economy-wide approach with measurable  
8 targets established for the power sector, utility  
9 restructuring, public and private investment,  
10 manufacturing, transportation, community development,  
11 building construction, and commercial and residential  
12 energy efficiency. The draft plan does not set these  
13 targets, nor does it outline a process for doing so.

14           Going forward, in concert with the adoption  
15 of the final State Energy Plan, the planning board  
16 should make clear that Governor Cuomo's 80 by 50 goal  
17 establishes a context and framework for all energy  
18 related policy decisions. These should include, but not  
19 be limited to, the state and local procurements,  
20 economic development, clean energy incentives,  
21 regulatory proceedings, and permitting processes.

22           Many of the broad based initiatives outlined  
23 in the draft plan reflect ongoing and planned  
24 proceedings led by the PSC, NYSEDA, NYPA, LIPA,

1 investor-owned utilities, and DEC.

2 Environmental Advocates is actively  
3 participating in these various proceedings, and will  
4 closely monitor their outcomes for adherence to the 80  
5 by 50 goal.

6 Environmental Advocates also supports some  
7 of the future actions envisioned in the draft plan,  
8 including DEC regulations restricting methane emissions  
9 associated with natural gas infrastructure; PSC  
10 directives to address methane leakage at natural gas  
11 distribution level; extending the RPS through 2025;  
12 extending EEPS through at least 2020; reforming the  
13 regulatory structure governing the state's electric and  
14 gas utilities to accommodate a customer centric model  
15 designed to better incorporate carbon free renewable  
16 generation, energy efficiency, demand distributed  
17 generation, micro grids; adopting new building and  
18 energy efficiency codes and appliance efficiency  
19 standards.

20 The final State Energy Plan should include  
21 long term timelines to achieve each initiative detailed  
22 in the draft. The statutorily required biennial report  
23 represents an excellent starting point for measuring  
24 state progress.

1           Participating agencies, authorities and  
2 other relevant stakeholders should be provided with  
3 clear guidelines and expectations for their individual  
4 and collaborative responsibility dictated by the plan.

5           These agencies and other entities should  
6 report and take into account any actions pursuant to the  
7 initiatives adopted in the final plan and how those  
8 actions translate in the context of the 80 by 50 and 50  
9 by 30 goal.

10           Just to hit on a couple more points here.  
11 Environmental Advocates urges the planning board to  
12 revisit its examination of forecasting based on  
13 potential impacts of future natural gas extraction, as  
14 well as the transport of crude by the rail statewide and  
15 by barge along the Hudson River.

16           We know the environmental and public impacts  
17 are significant when they talk about the potential for  
18 fracking, and would likely undermine the 80 by 50  
19 commitment in this plan.

20           We would urge the planning board to revisit  
21 this matter in the final draft, and detail of the impact  
22 of hydrofracturing that should be measured in the  
23 context of the overall reduction strategy and  
24 determination made, if it is even possible, to exist

1 with the governor's 80 by 50 climate strategy. We do  
2 not believe it is.

3           And then, finally, just to address the crude  
4 by rail issue. We would urge the planning board to join  
5 in Governor Cuomo's review, as dictated by Executive  
6 Order 125, to work with the federal government to  
7 develop a series of policy recommendations on the crude  
8 by rail issue.

9           The planning board should incorporate a  
10 detailed assessment in the final plan with a particular  
11 emphasis on emergency response, environmental health  
12 impacts associated with accidents involving spillage of  
13 light or heavy crude, and the carbon intensity  
14 associated with the processing and end use of the  
15 petroleum base products.

16           Thank you very much.

17           CHAIRMAN RHODES: The next speaker is Carol  
18 Tansey, 350, PAUSE.

19           MS. TANSEY: An article appeared in Sunday's  
20 Times Union in the Perspective section, February 16th,  
21 page D2. And the headline is Climate Change as  
22 Portfolio Risk: Too much stock being put in fossil fuel  
23 future. It's by Stacy Clark, who lives now in Dallas,  
24 was the 1984 graduate of Skidmore, and is an

1 environmental geologist, writer and teacher.

2 This article was adapted from a letter she  
3 sent to Skidmore trustees. I will read sections of this  
4 article.

5 The student lead fossil fuels divestment  
6 movement that began in 2011 calls on colleges and  
7 universities, endowment officers, pension fund managers,  
8 and business leaders, to sell off their stakes in oil,  
9 coal and natural gas interests.

10 The goal is to weaken the political  
11 influence of the fossil fuel industry so that climate  
12 legislation, that both limits greenhouse gas emissions  
13 and promotes clean energy, can succeed.

14 The majority of the 400 colleges and  
15 universities where divestment campaigns have been  
16 initiated have so far resisted calls for divestment,  
17 largely because their advisors believe that investments  
18 in fossil fuel companies offer predictable and reliable  
19 returns that cannot easily be duplicated.

20 But there is a development agreement among  
21 economists and a growing number of philanthropic  
22 foundations that this current line of thinking is  
23 outdated.

24 Bevis Longstreth, a former Reagan era SEC

1 commissioner, and former chairman of the Rockefeller  
2 family fund finance committee, predicts that the stock  
3 prices of oil, coal and natural gas companies are  
4 greatly overvalued, and that the time is coming when  
5 there will be a mass exodus out of fossil fuel stock.

6 For investors, particularly institutional  
7 investors, required to act as fiduciaries with informed  
8 care and caution, the present state of the planet in  
9 regard to climate change poses serious portfolio risks  
10 that grow daily, Longstreth wrote in his June 30th  
11 newspaper article.

12 And then the sub headline is, with the  
13 impacts of climate change directly impacting global  
14 businesses, and with private equity investors distancing  
15 themselves from risky fossil fuel investments, colleges  
16 and universities, such as Skidmore College in the  
17 Capital Region, now have a rational and pragmatic  
18 incentive for development.

19 I will go on with the article now. Goldman  
20 Sachs recently divested its stake in a Seattle company  
21 because of its plans to construct a massive coal export  
22 terminal.

23 In a Goldman Sachs' research report, the  
24 company explained that earning a return on coal mining



1 is becoming increasingly difficult due to environmental  
2 regulations, and predicted that the industry will be  
3 gradually eroded as competition for renewable energy  
4 increases and energy efficiency efforts improve.

5           And in the Times Union last Saturday, it was  
6 reported that Coca-Cola, Nike, Apple and Toyota believe  
7 that the global effects of climate change, particularly  
8 worldwide droughts and record breaking flooding, have  
9 interrupted their natural resources and material supply  
10 chains.

11           Their support of regulation is aimed at  
12 combatting climate change by limiting the burning of  
13 oil, coal and natural gas calls into question whether  
14 the risks of owning fossil fuel stock may now outweigh  
15 the rewards.

16           Again, it's the article in last Sunday's  
17 paper in the Times Union in the Perspective section,  
18 which is letter D as in danger. And it is too much  
19 stock being put in fossil fuel future.

20           And thank you very much.

21           CHAIRMAN RHODES: Thank you.

22           Next speaker is Diana Wright, PAUSE,  
23 350.org, CDAF and NYAF.

24           MS. WRIGHT: Good morning. I am Diana

1 Wright. I live here in Albany. I'm a New York State  
2 real estate broker and appraiser.

3 I'm going to start off by saying I have a  
4 lot of clients who are looking to have energy efficient  
5 homes and get solar and passive solar, but they can't  
6 afford it.

7 I also know that I put solar panels on my  
8 home last year and I still have half a roof open that I  
9 wasn't allowed to put solar panels on because of  
10 regulations that I can only have 110 percent of usage,  
11 which doesn't make sense to me because I have a roof  
12 that I could see making energy with and I'm not allowed  
13 to.

14 The New York State Energy Research &  
15 Development Association means that your organization  
16 should be researching and developing new technology for  
17 renewable energy, not relying on last century's fossil  
18 fuel industry.

19 The energy plan seems to be more like a  
20 guide than a plan. It does not spell out exactly how we  
21 are to obtain the goals set forth for reduced carbon  
22 emissions and increased renewable energy by 2050. There  
23 are no timetables and few details.

24 I am most concerned with the references to

1 fracking, though not many, all our expectations that  
2 fracking will be allowed in New York State as a miracle  
3 cure for our economic and energy woes. It is not.

4           Drilling into the earth's surface does cause  
5 earthquakes, contaminates water, lowers property values,  
6 makes people, animal and vegetation unhealthy and in  
7 many cases perish.

8           I'm including with the submission of my  
9 written statement today a copy of the energy policy  
10 co-sponsored by Stanford University and Cornell  
11 University, examining the feasibility of converting New  
12 York State to renewable energy.

13           In it they explain that mining, transport  
14 and use of conventional natural gas for electric power  
15 results in at least 60 to 80 times more carbon  
16 equivalent emissions and air solution mortality per  
17 electric unit generated than wind energy. It also  
18 produces carbon monoxide, ammonia, nitrogen oxide and  
19 organic gasses.

20           The plan also promotes vehicle diversity and  
21 praises the New York Clean Fleet initiative. This  
22 program provides public money to help purchase vehicles  
23 that run on compressed or liquified natural gas. New  
24 science has shown that natural gas is actually worse for

1 the climate than traditional fuel, like diesel, due to  
2 methane leaks in the supply chain.

3           Rather than encouraging vehicles that run on  
4 climate killing fossil fuels, New York should establish  
5 specific targets to advance electric vehicles and  
6 hydrogen fuel cell technology.

7           Considering replacing old industry coal,  
8 nuclear, oil and other dirty fuels, the natural gas as a  
9 bridge just increases the time that it will take to  
10 switch to renewable energy. Older units need to be  
11 replaced with new green technology instead. We don't  
12 need a bridge. We have already tapped into all the  
13 natural gas we need to make the transition to renewable  
14 energy in the next 20 years.

15           All steps New York State takes should be  
16 towards reducing carbon released into the atmosphere and  
17 supporting the renewable energy industry, which has  
18 already proven to be a viable choice in many European  
19 countries.

20           The US can support and thrive on wind,  
21 solar, hydro and geothermal energy, as the study  
22 previously referenced shows. We need our local and  
23 state governments to make this top priority now. Every  
24 week there is another accident, be it spill, ruptured

1 pipeline, or contaminated water, that tells us we are on  
2 a collision course for disaster.

3           It is not like we don't have viable  
4 alternatives. The US has a topography to supply all the  
5 renewable energy, wind, solar, water, tidal, that we  
6 need if money is spent on building that infrastructure  
7 instead of building pipelines for the Canadian tar  
8 sands, transportation of LNG, LPG and oil via dangerous  
9 DOT-111 tanker cars and drilling thousands of wells for  
10 hydrofracking.

11           New York is not starting from scratch to  
12 produce sustainable energy. We have alternative energy  
13 resources, other than our shale, that are far more  
14 economically and environmentally prudent to tap into,  
15 the Niagara and the Hudson Rivers provide New York with  
16 some of the greatest hydropower resources in the nation,  
17 and New York's Catskill and Adirondack mountains offer  
18 substantial wind power potential.

19           New York also produced more hydroelectric  
20 power than any other state east of the Rocky mountains  
21 in 2011, and the Niagara hydroelectric power plant in  
22 Niagara Falls was the fourth largest in the nation in  
23 2010.

24           When we have such abundant renewable energy

1 resources available to us in New York, considering dirty  
2 fossil fuels makes absolutely no sense at all.

3           Global ecosystems of machines that connect,  
4 communicate and cooperate with each other is the  
5 direction we need to go. We will not ever be completely  
6 independent of fossil fuels, but it is imperative that  
7 we develop and depend upon renewable, sustainable, clean  
8 energy so that our need for fossil fuels is at a bare  
9 minimum.

10                   Thank you.

11           CHAIRMAN RHODES: Thank you.

12           The next speaker is Sandy Steubing, PAUSE,  
13 Transition Albany and 350.

14           MS. STEUBING: Thanks for allowing me to  
15 speak today. I would like to double down on what Ms.  
16 Warren, Mr. Ellis, Ms. Tansey, Ms. Wright, Mr. Looker  
17 and Mr. Bambrick say in their testimony.

18           The prospectus reads -- I call it a  
19 prospectus, excuse me for that lapse, but because the  
20 plan reads like a corporate prospectus. It's full of  
21 PR. It's full of vague statements.

22           For example, action items like increase and  
23 decrease aren't connected to specific plans and not  
24 connected to what we did in 2013. They are not

1 connected to the increase or decrease of what you want  
2 to do for 2014. There's no timeline for implementation.

3           So, it was really hard -- I read through  
4 practically the whole thing and I just kept on waiting  
5 to get to the meat of it. I just didn't get there.

6           I was disappointed with the meat of what you  
7 expressed in natural gas -- expansion of natural gas.  
8 We here in the climate change era cannot afford any  
9 increase of natural gas, which means fracking.

10           You may or may not know that the  
11 intragovernmental panel on climate change, over 200  
12 scientists around the world came out with some  
13 statistics that methane is 86 times more potent  
14 greenhouse gas in the first 20 years of the emissions  
15 than carbon dioxide.

16           So, when we examine the externalities of the  
17 well to waste of any energy production, natural gas does  
18 not compare favorably to either coal or oil.

19           I would like to touch a little bit on the  
20 Champlain Hudson power line that Mr. Ellis mentioned.  
21 It's also the -- compressor stations and power stations  
22 are also a beacon for terrorists, whereas the 75 percent  
23 rooftops that are available in New York City for solar  
24 panels would be much preferable. Distributed energy is

1 a much preferable way to go.

2 I was looking in this plan for something  
3 like the one that came out of Cornell and Stanford a  
4 couple years ago. And if we had acted upon it, their  
5 deadline for completion was 2030, not 2050. I would  
6 like to see this organization go in that direction in  
7 terms of both specifics and timeline.

8 Let's see. A little known study -- talking  
9 about employment now -- out of the City University of  
10 New York is that there are two times the number of jobs  
11 available through renewables than there are through  
12 fossil fuels.

13 I would like to think that this organization  
14 can look at that study as a model. I would like to see  
15 out of this organization a path, a very specific path  
16 for more workers who are presently working in fossil  
17 fuels, and their skill set, how their skill set can  
18 transfer to the skill set we need in renewable energy.

19 I would like to see manufacturing of solar  
20 panels, manufacturing of wind turbines, brought to New  
21 York State, specific plans for that.

22 And in conclusion, I would just like to see  
23 more distributed energy of renewables by 2030. This  
24 plan is basically too little, too late.



1 Thank you.

2 CHAIRMAN RHODES: Thank you very much.

3 The next speaker is Bruce Brownell,  
4 Adirondack Alternative Energy.

5 MR. BROWNELL: I would like to thank you for  
6 the opportunity to speak to the code. I have been doing  
7 this a long time. I think I have been in the governor's  
8 office each governor since Cuomo speaking about the  
9 code. I spent my life doing this, and all of my efforts  
10 today I don't think resulted in anything.

11 It's kind of sad, when you look at it from  
12 my perspective. I was a speaker at the original Earth  
13 Day -- that's Flushing Meadows World's Fair site -- in  
14 1970. I was there because I was this weirdo kid doing  
15 solar houses.

16 I stood up and said, I do solar houses. I  
17 couldn't even see the end of the crowd. I was up on  
18 some platform. I had seven minutes. 10 years from now  
19 in 1980 many houses will be solar. Roar, I could still  
20 hear. And some of those houses will be photovoltaics  
21 and wind power. I could still hear the roar. Boy, was  
22 I wrong.

23 There was scientists that generated during  
24 the first energy crisis in President Carter's

1 administration, and we really went somewhere. Along  
2 came some other guy named Reagan and it got turned off.  
3 I still can't believe to this day what I lived through,  
4 as though I were selling drugs or something. It just  
5 went away.

6 I don't think we solar people contributed  
7 very much to the political scene, but the oil people  
8 sure did.

9 I want to speak to you from the perspective  
10 of doing passive solar homes. I have done 375 or so in  
11 about 15 eastern states. They have a six-sided envelop  
12 of urethane, performance R36, they are very tight, they  
13 are mass integrated. This is backed up by six separate  
14 monitoring programs of more than two years apiece.  
15 First 1977, Brookhaven National Labs. Most recent, 2010  
16 NYSERDA.

17 There are 50 of these houses within 20 miles  
18 of here. You know, the sun never sent one of them a  
19 bill yet.

20 Talk about green. I have more than a  
21 hundred houses, more than 25 years old, and burned a  
22 cord of wood for the winter. Is that green?

23 I recently met with a group at NYSERDA to  
24 talk about upgrading the Energy Star home regulations.

1 In a year or two or three hopefully they will come out.  
2 It's a very good program to encourage contractors to do  
3 something better.

4 Those new regulations will result in homes  
5 that might be 25 percent as good as the houses I was  
6 doing in 1965. There's something wrong with this.

7 So, homeowner ideas. If I send anybody away  
8 from here just thinking about one or two things it would  
9 have been worthwhile. My houses do not need humidifiers  
10 or dehumidifiers. They use a lot of energy and they are  
11 not very good for you. My houses won't freeze in an  
12 8500 degree day climate. Just turn the key in the door,  
13 go to Florida. It won't freeze. Your house won't last  
14 ten hours after the power goes off and you're in  
15 trouble.

16 Installation is up by the roof line, not  
17 across the ceiling. Therefore, I have houses that are  
18 open up 28, 32, 36 feet. When you take people on tours  
19 -- I have had 10,000 -- oh, wow, how do you heat this  
20 place? Because we circulate air and the coolest air in  
21 the house is up there by negative two.

22 Why does the code require more insulation in  
23 the roof line if that's possible? I don't need that.  
24 Most other houses do need that.

1           We vent clothes dryers, bathrooms, inside.  
2 It requires you got to have a clothes line outside in  
3 the summertime. I have no houses with air to air heat  
4 exchangers. They are beginning to be required anywhere.  
5 I never needed it. In the typical leaky houses, they  
6 are sieves. The technology exists not to use them.

7           From a layperson's viewpoint, with a  
8 thousand people living in my houses, all I hear are  
9 healthy comments and unparalleled human comfort. Have  
10 families who have lived in these houses 25 years, kids  
11 growing up going to college, nobody ever have a cold.

12           My problem is: At this stage of my career I  
13 am not credible. I mentioned a specific house in Lake  
14 Placid, 9600 degree days, to which I have had four or  
15 five separate tours. Caveat, Lake Placid has their own  
16 municipal electric system. The cost is five cents.  
17 They don't have five or six guys standing around every  
18 truck.

19           So, I think people through the house, after  
20 describing how I've done it, 20 or 30 at the end, give  
21 them a bill for seven months of winter and it's about  
22 \$630.

23           To a person, every one I have ever taken  
24 there tells me there's no way you are going to heat this

1 house for \$630. That's the cost for everything in a  
2 5200 square foot house. When are we going to come to  
3 some requirements in the code that lets us do something  
4 like this?

5                   And finally, I will leave you with I guess  
6 my most common speaking item. The average house, ask  
7 your oil dealer, thousand gallons of oil a winter. I  
8 was awakened this morning. I live in a rural, 600  
9 person town in the Adirondacks. I put wood in the wood  
10 stove. At quarter of seven in a snowstorm two oil  
11 trucks went by. That's no way to start your day.

12                   So, I just leave you with these thoughts.  
13 And I want to leave you with another thought. What does  
14 America know about energy? 2014? I usually ask for a  
15 show of hands in a mixed audience, but I'm not going to  
16 do that.

17                   How many people in the room closed their  
18 curtains on your windows last night? A lot of you. How  
19 many of you have a curtain that comes out over here and  
20 back in, a curtain rod about three inches off the wall.  
21 And how many of you have those curtains hanging that far  
22 off the floor? Most of you.

23                   You shouldn't close the curtains because the  
24 warmest air you own is being circulated through the back

1 of that curtain because cold air between the curtain and  
2 window falls out on the floor, replaces the warmest air  
3 you own off the ceiling.

4           Grandma had drapes with the valance up  
5 there. You people don't have that. Thousands of  
6 windows were closed last night and curtains like that.  
7 That's where Americans are with energy 2014. Thank you.

8           CHAIRMAN RHODES: Thank you very much.

9           The next speaker is Abraham Himiel from  
10 CNSE, our host.

11           MR. HIMIEL: Thanks for the opportunity to  
12 speak. I am going to be brief, and I want to preface  
13 everything I say with although my affiliation is with  
14 CNSE, I want to make it clear that my views don't  
15 reflect CNSE as an organization.

16           I am just a grad student working really just  
17 that way on the second floor. I am about a month and a  
18 half away from defending my PhD thesis. And I want to  
19 thank NYSERDA in particular for allowing this to happen.  
20 I'm mostly funded by you guys.

21           The subject of my work is the fundamental  
22 surface science to understand processes in physics and  
23 chemistry that can pave the way for solar hydrogen,  
24 which is a combination of fuel cell and photocatalytic

1 water splitting that is, at least in theory, completely  
2 sustainable, energy efficient.

3           And hydrogen is the only fuel that has  
4 comparable energy density to fossil fuel. So, all the  
5 applications that today require fossil fuels can  
6 feasibly somehow be reproduced with hydrogen.

7           However, my comment -- and I will keep it  
8 brief -- is that the plan doesn't really address the  
9 specifics of that on a science basis.

10           I feel that for the amount of time and human  
11 effort that NYSERDA has put into work like mine, I feel  
12 that laying out the innovation pipeline, we will call  
13 it, from research and development, to proof of principal  
14 devices to commercialized devices, to marketing,  
15 installation and on the ground work, is lacking,  
16 considering that it is, in my mind, the only competitive  
17 fuel to natural gas and oil.

18           And that is my comment. Thank you.

19           CHAIRMAN RHODES: Thank you very much.

20           Next speaker is Brittany Ballenbach, a  
21 student.

22           MS. BALLENBACH: Hello. Thank you for  
23 giving the residents of New York the opportunity to  
24 comment on the Draft State Energy Plan or what I like to

1 call the DSEP.

2 My name is Brittany Ballenbach. I'm a long  
3 term resident of Ulster County, New York, one of the  
4 places forgotten in these six public hearings. And I  
5 will graduate in May with my undergraduate degree from  
6 SUNY Purchase College in Westchester County.

7 When I first attended Purchase College, I  
8 had no idea that Indian Point would be exactly 17 miles  
9 away. I was also shocked when I realized that Purchase  
10 College didn't have a nuclear emergency evacuation plan,  
11 nor did they see the necessity of implementing one.

12 While Purchase would be categorized by the  
13 NRC as being within the 50 mile ejection pathway, and  
14 slightly out of the 10 mile radius, they did not see  
15 immediate concern for the college administration to  
16 adopt a plan.

17 In 2011, before the meltdown at Fukushima  
18 Daiichi, I began researching elementary schools and  
19 colleges within a 20 mile radius of Indian Point, and  
20 very few schools had established a plan.

21 It also came as a shock when the DSEP  
22 mentioned a review conducted over a decade ago in 2003  
23 by James Lee Witt Associates that concluded that the  
24 current evacuation plan for Indian Point nuclear



1 facility was inadequate, and "did not incorporate the  
2 base population data for these areas needing to be  
3 evacuated. Emergency plans need to be based on the best  
4 available estimate of how people can be expected to  
5 behave in an emergency, not how emergency planners would  
6 like them to behave". From the volume two, impacts.

7           There is no mention of a new adequate  
8 evacuation plan, nor does the plan mention anything  
9 about the future decommissioning of the other aged  
10 nuclear plant in New York.

11           Additionally, if Indian Point were to melt  
12 down, the NRG guidelines call for 50 mile evacuation,  
13 which means 17 million people will need to evacuate. I  
14 believe that the lack of an adequate evacuation plan  
15 that reflects current population levels speaks to the  
16 impossibility of evacuating 17 million people who reside  
17 near Indian Point.

18           And though the plan has stated the Atomic  
19 Safety Licensing Board is looking into the application,  
20 the time is now to peer into the future of the safety of  
21 these long lived plans to dedicate New York's energy  
22 economy to renewable sources. We've had these for many  
23 years.

24           The licensing for Ginna, Fitzpatrick and 9

1 Mile Point all expire within the scope of this plan, and  
2 yet the necessary decommissioning process has not been  
3 addressed. We shall not agree to a tradeoff for natural  
4 conversion at nuclear facilities, and we oppose any new  
5 natural gas extraction and production in New York State  
6 for various reasons.

7           A consulting firm, Synapse Energy Economics,  
8 identified in the report to the NRC in 2011 that Indian  
9 Point produces a surplus amount of electricity. And  
10 they identified various clean renewable energy sources  
11 that could easily replace the 2000 megawatts of energy  
12 that is needed.

13           The DSEP should not include natural gas as a  
14 source of replacement energy due to the various  
15 associated environmental and health impacts.

16           The DSEP should include all GHG emissions,  
17 not just CO2 emissions. Methane is unknown, it's a  
18 highly potent, global climate change agent, and the plan  
19 envisioned and expanded natural gas extraction and  
20 conversion system in New York, which can significantly  
21 raise the methane from the leakages from the current  
22 pipelines.

23           With the heavy reliance on natural gas  
24 production, extraction and infrastructure, the plan is

1 in fact moving away from the 80 percent reduction goal  
2 that we need to meet.

3           Increasing our reliance on fracked gas will  
4 certainly not result in a cleaner or more efficient  
5 economy. Instead of increasing our reliance on natural  
6 gas and putting our citizens at risk, I ask the state to  
7 maximize the commitment to clean and renewable energy  
8 efficiency. Any and all negative environmental impacts  
9 associated with hydrofracking have been completely  
10 ignored and overlooked in this plan.

11           The State Draft Energy Plan does not provide  
12 a clear roadmap which details how New Yorkers will reach  
13 the ambitious goal of reducing GHG emissions 80 percent  
14 by 2050. The plan relies on risky nuclear power with  
15 little to no mention of the future decommissioning of  
16 the state's nuclear reactors, controversial natural gas  
17 production, and nearly no growth in the forecast of  
18 renewable energy production.

19           New York is a visionary state that we all  
20 love and live in that provides high standards for clean  
21 air and water to its citizens. We have the capacity to  
22 be a leader in clean renewable energy efficiency.

23           It's not too late to change our current  
24 course. In the words of Pete Seeger, we shall overcome.

1 Thank you again for your time and  
2 dedication. I appreciate it.

3 CHAIRMAN RHODES: The next speaker is Matt  
4 Cinadr from the Northeast Clean Heat and Power  
5 Initiative.

6 MR. CINADR: Good morning. I want to urge  
7 the New York State Energy Planning Board to grant more  
8 substantial recognition for combined, or clean heat and  
9 power, a priority for the State Energy Plan covering the  
10 next period.

11 CHP is the perfect transition technology.  
12 If there is one thing I would add to my remarks, we are  
13 in transition. We will always be in transition.  
14 Rhetorical step changes and suggestions are hard to  
15 implement unless there is a tragedy and we react.

16 The technology of CHP is more efficient and  
17 cleaner for our energy future. The draft plan accords  
18 it only a couple of important, yet mostly historical,  
19 references. Planning ahead, we might build on NYSERDA's  
20 efforts, now rolling out \$100 million program, and  
21 leveraging \$400 million more in these clean  
22 technologies.

23 The draft plan might also directly charge  
24 the PSC, and its widely discussed efforts at reforming

1 utilities and utility regulation. The plan should  
2 ensure CHP is placed high, high on the list among the  
3 preferred prime movers needed for efficient, clean,  
4 secure, resilient, reliable, and cost effective  
5 distributed energy resources.

6 Because CHP is a complex and somewhat  
7 complicated technology, we believe the planning board  
8 will agree with us that the Northeast Clean Heat and  
9 Power Initiative, NCHPI, needs a seat at any table  
10 discussing CHP. That's why I am here.

11 My name is Matt Cinadr. I am an experienced  
12 engineering consultant doing work as Matt Cinadr PE. In  
13 1971, I began my work as a field engineer with CHP.

14 My early assignments were investigating  
15 operational losses and investigating problems with  
16 performance, repairing those problems, and installing  
17 new systems. In those days we called it steam, turbine  
18 and gas, STAG.

19 The technology has been around. I worked on  
20 10,000 horsepower CHP applications in the field with  
21 designers. It was a great place to learn and appreciate  
22 the limits of technology. I have since held numerous  
23 positions in the energy industry as manager, supervisor,  
24 consultant, regulator, chief engineer. And operations,

1 not planning, has been my field.

2 My firm now seeks to develop CHP projects,  
3 direct energy and micro grids. Based on our  
4 considerable operating experience, I represent NCHPI at  
5 the operating committee of the New York ISO.

6 A little bit on that. The New York ISO is a  
7 major, major contributor to the State Energy Plan.  
8 Keeping abreast of matters at the New York ISO is an  
9 important component for our energy plan, and I commend  
10 the New York ISO for hosting the DER workshop last  
11 December 13th at the Desmond. I was privileged to  
12 represent NCHPI at that event, and I look forward to its  
13 consultant's work summarizing all of the panelists'  
14 contribution and its own consulting report on DER.

15 The state's energy planners certainly know  
16 there are 800 megawatts of 390 or so smaller CHP units.  
17 The statistics will be in the record.

18 The main point I will leave all of you with:  
19 Please consider that there is a potential for 9500  
20 megawatts of additional CHP in this state. Many of  
21 these important CHP resources have been, and might be,  
22 gridlocked, for whatever reason, because of either  
23 internal design constraints or operational constraints,  
24 external constraints, including difficulties with fuel

1 supply, electrical interconnection requirements,  
2 potentially onerous standby tariffs, and so on.

3 So, let's plan to create more CHP and use it  
4 more effectively to achieve multiple state clean energy  
5 goals.

6 Our policy suggestions for the board:  
7 Expand access to resources, finance, fuels, sites, etc.  
8 Reduce barriers and reduce taxes. Open doors. We can  
9 better mesh with the grid. We can help New York  
10 Independent System Operator create new respect for CHP  
11 and all other distributed energy resources.

12 We advocate for inclusion of combined heat  
13 and power resources and other onsite resources, more of  
14 a priority in the plan.

15 We believe that there is need for NCHPI to  
16 be seated at the table during the CHP, DER program  
17 design, which will eventually implement this plan, as I  
18 see it.

19 Thank you.

20 CHAIRMAN RHODES: Thank you very much.

21 Jane Palmer.

22 MS. PALMER: Thank you very much for giving  
23 us all the opportunity to speak. And I just want to say  
24 that many others have very articulately explained why

1 this energy plan does not permit the achievement of the  
2 goal of substantial reduction of reliance on fossil fuel  
3 by 2050.

4 Many people have said many wonderful and  
5 true and clear things. I share Mr. Bevilacqua's worry  
6 about that big pipeline going by his farm in Franklin,  
7 New York.

8 And the other pipeline that's coming up --  
9 the Tennessee pipeline that's coming up from the south,  
10 and that will meet at our very own Capital Region  
11 compressor station, just a couple of miles beyond the  
12 border of Albany County in Wright, the Wright compressor  
13 station.

14 I don't know yet. I just found out about  
15 this a couple of days ago, but so, we have our own  
16 Capital Region compressor station. Did you know?

17 From that, there will be a pipeline that  
18 will go through Albany County and under the Hudson  
19 River. What an idea.

20 So, really, please take some account of the  
21 dangers of all these fossil fuels, and especially the  
22 natural gas and fracked gas and oil infrastructure that  
23 is being put in place under the plan. The dangers to  
24 people, to the land, to our very lives need to be



1 considered.

2 Thank you very much.

3 CHAIRMAN RHODES: Thank you.

4 I would like to take a break for 10 minutes  
5 if we could, and then resume.

6 (Recess taken.)

7 CHAIRMAN RHODES: I would like us to try and  
8 get started again. Before we do get started, a couple  
9 of observations. There are different commentators in  
10 this process and jointly have asked for the availability  
11 of certain documents, namely, the greenhouse inventory  
12 and the draft energy efficiency and renewable energy  
13 resources potential.

14 I would just like to point out that the  
15 greenhouse gas inventory has been completed and it is  
16 incorporated in volume two, the chapter on impacts and  
17 considerations.

18 The energy efficiency and renewable energy  
19 resource potential draft plan has been completed. It,  
20 too, is incorporated in volume two in end use energy.  
21 The final will be completed shortly of the draft and  
22 will be posted on the website. So, the findings of  
23 those two reference documents are incorporated in the  
24 plan in the source materials in volume two.

1 I would also, just from a process point of  
2 view, again, ask all of us to have consideration, not  
3 for us but for the colleagues in this comment process,  
4 to respect the five minute limit.

5 And finally, I have been given a piece of  
6 very good advice, which is to let people know when they  
7 are on deck, so the transition is a little bit quicker.

8 So, we will again resume with David Gahl of  
9 the Pace Energy and Climate Center, and on deck is Jill  
10 Obrig.

11 MR. GAHL: My name is David Gahl. I'm the  
12 Director of Strategic Engagement for the Pace Energy and  
13 Climate Center. Just in case you don't know who the  
14 Pace Energy and Climate Center is, we are a clean energy  
15 think tank located at Pace University's law school.

16 We are lawyers, economists, and policy  
17 analysts who are committed to trying to find solutions  
18 to today's energy challenges and complex problems.

19 First of all, I just wanted to say that I  
20 will be delivering our preliminary observations on the  
21 plan, and we will be submitting formal detailed comments  
22 for the record.

23 I also want to echo some of the sentiments,  
24 that we appreciate the amount of work that has gone into

1 the plan. This is a big undertaking with both the  
2 NYSERDA staff, the rest of the state agencies' staff.  
3 There's an awful lot that's involved here and we thank  
4 you for all the hard work that's gone into the document  
5 as it stands.

6 A couple of quick general observations about  
7 the plan, and then I'll comment on how we think it could  
8 be improved. Among the draft plan's many positive  
9 elements, I'm just going to highlight three.

10 First, the center supports the governor's  
11 long term greenhouse gas reduction goals, 80 percent of  
12 reduction of greenhouse gas emissions by 2050, as well  
13 as the use of greenhouse gas reductions as a key metric  
14 in monitoring plan performance. That's a key piece as  
15 well. So, we support those goals and using greenhouse  
16 gasses as a metric.

17 We also support the governor's plan to  
18 extend renewable energy incentives and energy efficiency  
19 incentives through 2025 and 2020 respectively.

20 And further to that, we support the  
21 governor's efforts to reform New York's electric and gas  
22 delivery system to ensure more reliability and have a  
23 more integrated, more distributed energy network.  
24 That's very important. That's where the future is, and

1 we would like to play a role in helping to make that a  
2 reality.

3           So, some quick comments about opportunities  
4 for improvement. Generally speaking, while the draft  
5 has presented a very clear long term vision for where  
6 the state's energy system should be going, and has  
7 laudable goals, it's a little less clear on what the  
8 short term policies and what some of the short term  
9 activities are going to be to help achieve those goals.

10           So, what we have determined was the plan  
11 really could use organizing principal, potentially a  
12 short term goal that guides the rest of the decision  
13 making. So, we believe that a 2018 greenhouse gas  
14 reduction goal should be established. 14 percent  
15 reduction of 2011 greenhouse gas levels. We think that  
16 goal puts us on the path to meeting a long term  
17 greenhouse gas reduction target.

18           Further to that, the plan establishes an  
19 intensity target for greenhouse gas emissions by 50  
20 percent by 2030. That's just a laudable goal, but we  
21 believe that an intensity target might actually be a  
22 little confusing in the long run.

23           We have the long term greenhouse gas  
24 reduction goal of 80 percent by 2050 and then we are

1 layering on top of that an intensity target. You really  
2 need a midterm goal that's measured in the same way as  
3 the long term goal. So, we believe the intensity target  
4 should be revisited, and we are going to propose in our  
5 formal comments some ways to do that.

6 I just wanted to expand a little bit on the  
7 plan's commitments to extending the renewal energy and  
8 energy efficiency incentive programs in New York State.  
9 Again, as I said, we appreciate the state's commitments,  
10 and at least on energy efficiency, based on our  
11 analysis, we believe there should be a goal of meeting  
12 roughly 20 percent of the forecasted demand through  
13 efficiency through 2020. So, that should be a key  
14 element of the final plan.

15 And then on the renewable energy side of the  
16 ledger, again, we appreciate the commitment to renewable  
17 energy through 2025, but we also believe that the final  
18 plan should set the target of 50 percent of our  
19 electricity comes from renewable sources by 2025.

20 So, it's important to have the state  
21 commitment, but it's also important to have targets and  
22 then budgets for those programs that actually support  
23 achieving those goals.

24 The last thing I wanted to touch on, micro

1 grids. There's quite a bit in the plan about  
2 distributed energy generation and the role micro grids  
3 could play in providing reliability.

4 We wholeheartedly support these goals. We  
5 think the final plan should include some more detailed  
6 recommendations about what clearing away some of the  
7 regulatory barriers to micro grids are, the centers are  
8 working on a variety of analysis to help identify those  
9 barriers, and we are going to be including those in our  
10 final comments.

11 So, thank you again for the opportunity to  
12 comment. And if you have any questions, I will be  
13 around. Thank you.

14 CHAIRMAN RHODES: Thank you very much.

15 On deck after Jill Obrig is Liana Turner.

16 MS. OBRIG: Yes. I wanted to thank you all  
17 for allowing us public comments.

18 Robert Redford, a very famous actor, once  
19 stated that our country needs to see climate change as a  
20 natural security issue because, after all, what are we  
21 here for if not to use our clean air, drink our clean  
22 water, and have clean air and land.

23 This plan predicts that fracking in New York  
24 as a natural gas, as a clean energy. It is not a clean

1 energy. The burning of natural gas may be, but that's  
2 not what we're talking about. We are talking about the  
3 extraction process, and what happens in the extraction  
4 process is extremely detrimental to our quality of our  
5 land, our water and our air and our health, because if  
6 you have not a healthy environment you have not healthy  
7 people.

8           So, now you are dealing with health issues  
9 in New York State because of the infrastructure that you  
10 are creating with natural gas, and the development of  
11 the natural gas.

12           Just go down to Pennsylvania and take a look  
13 at the many, many people whose land values have gone  
14 down, whose health issues are in a bad way. Children  
15 are most susceptible. Asthma is becoming a terrible,  
16 terrible issue with young people down in Pennsylvania.

17           Instead, this plan ought to be directing  
18 itself towards geothermal heating and cooling. It  
19 should be working towards having totally renewable and  
20 sustainable energy.

21           In New Paltz, right near where I live in  
22 Ulster County, a builder just built an entire  
23 neighborhood off grid. Houses are totally self  
24 sufficient energy wise. Yes, the upfront cost is a

1 little bit more than what a normal house would cost, but  
2 you just take one bill, like this winter, of your energy  
3 bill. A thousand gallons times \$3.70, about two years  
4 they will make their money back.

5                   So, it can be done. So, why is this energy  
6 plan not creating this kind of a sustainable and  
7 renewable idea when it's there, it's happening in New  
8 York State?

9                   Local economies could thrive on this. If  
10 you take land rich and cash poor farmers and you give  
11 them their acres and acres that they have of land and  
12 put in solar panels, they would be our producers. Made  
13 by Americans for Americans. Off the grid and away from  
14 multi-national corporations whose bottom line is  
15 profits, not people.

16                   The energy plan use in our state, we have  
17 hydropower. We have Niagara Falls. All the way down to  
18 the oceans of Long Island. The oceans of Long Island,  
19 we could be having wind power off that, hydropower off  
20 that. Why is the energy plan not taking advantage of  
21 our resources without using pipelines and compressor  
22 stations, where we know that these kind of things have  
23 already had devastating effects with explosions and with  
24 people getting killed in some instances.



1           As for nuclear, this is not a question of  
2 if, it's a question of when. Fukushima is spewing 30  
3 million gallons of radioactive materials into the  
4 Pacific ocean daily from March 11, 2011.

5           The experts at Tepco and the experts that  
6 are in Japan have no idea where to go. So, this is  
7 something that you are looking at for our future? I  
8 don't think so.

9           The student was speaking eloquently,  
10 pointing out that 17 million people needed to be  
11 evacuated and there was nothing in your plan. All  
12 right? So, how are we going to do that?

13           Instead of this, please look at the Stanford  
14 University professor Mark Jacobson's report citing that  
15 New York State can be totally renewable and with  
16 renewable and sustainable energies by 2030. And again,  
17 I address the oceans.

18           The draft plan lacks thoughts of energy  
19 efficiency. Although the plan vaguely discusses  
20 building codes and application standards, it contains no  
21 specific actions or measures about how they will be  
22 improved and aggressively enforced.

23           Currently the Hudson River is being looked  
24 at for a large electric line going down from Quebec to

1 New York City, which someone stated already.

2           Please, I urge you in closing, I urge you  
3 that our rivers, the Hudson River, our rivers and our  
4 valleys and our land should not be just used as a  
5 resource to be exploited. We should look at our  
6 resources as more than exploitation, but as a source of  
7 inspiration.

8           I'm sure many of you go for walks in  
9 mountains and go up streams and oceans. I think you  
10 would like to see your grandchildren do that as well.

11           Thank you very much.

12           CHAIRMAN RHODES: Liana Turner is up, to be  
13 followed by Laura Haight.

14           MS. TURNER: Hello. I just want to thank  
15 everyone for being here and covering so many of the  
16 things that I feel in line with. I am grateful for the  
17 opportunity to get to speak. Had I known, I might have  
18 dressed up a little.

19           Anyhow, I am not very good at remembering  
20 all the specific facts right now because I wasn't  
21 prepared in this way. I don't have anything written  
22 ahead of time.

23           I think what I would like to address is  
24 something more from an essential place or, you know, a

1 fundamental principle. I really cannot understand how  
2 public funds are being used to serve private interests  
3 which are not in line with the will of the public, and  
4 which are not in service of the whole and public  
5 interests.

6 And actually, these public funds that are  
7 funding private interests are going to things that are  
8 in conflict with what would be best for the people and  
9 our environment. And yet, this is at our expense and  
10 our detriment, and there are a small number of people  
11 that are benefitting from this in relation to how many  
12 people are suffering.

13 This is just unacceptable. To base a  
14 society on exploitation, the result is a sick society.  
15 And I would say that the way that things have been  
16 going, it is extraordinarily oppressive and unbearable.

17 I know people like to say they live in  
18 America, and it is so much better than so many other  
19 places. And I am not denying certain aspects of that.  
20 It's a different experience here than it would be  
21 somewhere else. But oppression is oppression no matter  
22 where it is.

23 I believe it's criminal for industries to be  
24 allowed to have more control than the people in

1 government. I feel it's an ultimate fail of who are  
2 supposed to be our public servants to get that confused.  
3 Are we part of the problem or part of the solution?

4 Each one of us.

5 The public also has our responsibility to  
6 educate ourselves since our educational system has been  
7 hijacked. And I appreciate the person that was speaking  
8 on divestment.

9 So, I mean, there is a lot of things that  
10 have turned this country upsidedown, and I really am  
11 urging our public servants to hold their oath to serve  
12 the public and get that straight, and do what's right  
13 for the benefit of the people and the whole, especially  
14 with our collective resource pool.

15 Anything becomes attainable and affordable  
16 when it's funded and subsidized. And to take what would  
17 be best in the service of the whole, and fund something  
18 that is against what would be best for us, is criminal  
19 and unacceptable. I guess that's my main point.

20 I did notice something in here about  
21 infrastructure. Infrastructure is key, because if our  
22 subsidiaries go to things that are not in the public's  
23 interest then we don't have that funding to go where it  
24 needs to go for the benefit of all of us.

1           And so, I think it's essential that no more  
2 public funds go towards any infrastructure that is  
3 basically the privatization of public resource. I  
4 believe all public funds should be put towards things  
5 that benefit us all, and that would be renewable energy.

6           So, I did notice something about not only a  
7 lot of people spoke on the infrastructure of homes, and  
8 thank you. There is also a point in here about the  
9 infrastructure of vehicles.

10           And let me just quickly find this. Maybe  
11 someone else can cover it. I can't find it. Anyway,  
12 basically that the same thing, the same rule would apply  
13 to our vehicles.

14           And I think my last point would be that over  
15 and over -- I have not read it, but over and over again  
16 when I read this summarization from Environmental  
17 Protection Agency, I think I got this from Frac Action,  
18 I see ambiguity, vague, over and over again. And the  
19 plan fails to comprehensively address the many issues  
20 relating to the public's concerns.

21           So, please, please, take into consideration  
22 the benefit of everyone. We are all being affected by  
23 this. Thank you.

24           CHAIRMAN RHODES: Laura Haight. On deck

1 will be Steve Ludwigson from Boilermakers Local 5.

2 MR. STELLING: My name is not Laura Haight.  
3 Good morning. My name is Joseph Stelling. I'm the  
4 environmental campaign organizer for NYPIRG, the New  
5 York Public Interest Research Group. First, I want to  
6 thank you for the opportunity to testify today.

7 NYPIRG is the state's largest consumer and  
8 environmental research and advocacy organization. We  
9 are going to be speaking at these hearings across the  
10 state. And there's so much in this plan that we are  
11 just going to focus on one core topic at a time at these  
12 things so we can give that due attention. And then we  
13 will be submitting comprehensive written comments as  
14 well.

15 So, today I am going to focus my comments on  
16 the plan and how it addresses the issue of climate  
17 change. The plan provides a framework for measuring New  
18 York's progress toward a clean and affordable energy  
19 system. One of four key metrics used is to reduce  
20 greenhouse gas emissions that contribute to climate  
21 change. This is a significant component of the plan,  
22 and very important.

23 The plan states that investments in clean  
24 energy strategies will "put New York on a pathway to

1 achieve an 80 percent reduction in total emissions by  
2 2050". This is an important affirmation that the Cuomo  
3 administration has made, New York State's policy goal of  
4 reducing greenhouse gas emissions at least 80 percent  
5 below 1990 levels by mid-century. This goal was  
6 established in the 2009 executive order signed by  
7 Governor Paterson.

8           However, the plan fails to establish a clear  
9 roadmap for attaining its greenhouse gas reduction  
10 goals. Specifically, it needs to set better benchmarks  
11 for greenhouse gas reductions, maximize renewable energy  
12 and energy efficiency, and drop its support for natural  
13 gas expansion in New York. We will discuss that last  
14 subject a little more at tomorrow's hearing in Brooklyn.

15           The plan sets an interim goal to reduce the  
16 intensity of its carbon emissions from the energy sector  
17 by 50 percent by 2030. That's measured in tier two  
18 emissions per gross state product from 2010 baseline.

19           Bottom line is we need to set better  
20 benchmarks if we want to put New York on a pathway to  
21 achieve an 80 percent reduction in total emissions by  
22 2050.

23           The plan should be revised specifically as  
24 follows: The 2030 goal should include all greenhouse

1 gas emissions, not just CO2 emissions. And I've seen  
2 the gas emissions identified different ways throughout  
3 the plan so it's not necessarily consistent, but what is  
4 clear is we need to include all of these.

5           So, for example, methane is a far more  
6 potent climate change agent than CO2 on a pound for  
7 pound basis, and especially in the short term, and the  
8 plan envisions a significant expansion of natural gas  
9 extraction, transport and use, all of which will  
10 significantly increase methane emissions.

11           Second, progress on emissions reductions  
12 should be measured by actual tonnage reductions in the  
13 CO2 and CO2 equivalent on its reductions for other  
14 greenhouse gasses, not carbon intensity. This will  
15 provide a more accurate measurement of policy  
16 performance.

17           And third, New York should establish near-  
18 and midterm targets to put us on to a path to achieving  
19 our long term emissions reduction goals. The plan  
20 should set interim targets, starting with a 14 percent  
21 reduction of greenhouse gas emissions by 2018 from 2011  
22 levels, and 20 percent emissions reductions by 2021. By  
23 setting those shorter term goals, that's the only way we  
24 are going to make sure we are on track to hit our mid-



1 and longer term goals.

2           So, in order to meet our 80 by 50 goals, we  
3 need to move away from polluting fossil fuels and risky  
4 nuclear power, maximize energy efficiency, and  
5 transition our energy system to clean renewable energy.  
6 This plan does not get us there.

7           This plan should be revised as follows.  
8 First, New York is already failing to meet its existing  
9 green energy goals. The final plan should address how  
10 we get back on track. It should address how New York is  
11 going to meet our 2013 goal of 30 percent renewable  
12 energy and 15 percent reduction in energy demand.

13           It doesn't include those things. It  
14 mentions programs, but it doesn't say how we are going  
15 to get to those goals that are well established. The  
16 final plan should set a new 10 year target as well for  
17 energy efficiency, reducing energy use by 20 percent of  
18 forecast demand by 2025.

19           And the final plan should set a new 10 year  
20 target for available energy of meeting half of our  
21 state's electricity demand with renewable energy by  
22 2025.

23           New Yorkers know firsthand the devastating  
24 impacts of climate change. We are already seeing this

1 and it's clear to anyone whose eyes are open. The  
2 energy sector is responsible for a significant  
3 proportion of our greenhouse emissions. That, again, is  
4 unquestionable, from how we produce our energy, to how  
5 we use it in our homes, businesses, industry and  
6 transportation. Unfortunately, the plan does not get us  
7 there.

8           And the final plan must be strengthened to  
9 provide a clear roadmap for moving New York toward a  
10 carbon free, nuclear free future.

11           Thank you.

12           CHAIRMAN RHODES: Steve Ludwingson. Then  
13 following him we have Sarah Boggess from ReEnergy  
14 Holdings.

15           MR. LUDWIGSON: Good afternoon. My name is  
16 Steve Ludwigson. I am the business manager for  
17 Boilermakers Local 5. I represent the boilermakers in  
18 all of New York State, with the exception of 16 counties  
19 located around Buffalo, New York.

20           Our members are highly skilled professionals  
21 with expertise that comes only with extensive training  
22 and years of practice.

23           I am here today to state on the record that  
24 Boilermakers Local 5 is in favor of all energy sources

1 that are built in New York by New Yorkers, maintained by  
2 New Yorkers, and allow families to earn a living that  
3 can enable them to stay in New York.

4 We believe the proposed instate projects can  
5 provide a reliable and affordable base to power New  
6 York's future needs. We are opposed to dependence on  
7 any foreign power suppliers, such as the proposed  
8 Champlain-Hudson Power Express, Inc. power line, a new  
9 electric transmission line planned across the US-Canada  
10 border in northeastern New York State.

11 The Champlain-Hudson Power Express line  
12 would do nothing to strengthen the state's electrical  
13 grid. Practically speaking, the transmission line is a  
14 large extension cord that would bypass all of our  
15 state's existing energy sources, and transmission  
16 infrastructure, such as upstate New York plants that  
17 have an excess of available power, instead of enhancing  
18 the overall capacity and stability of New York's power  
19 grid.

20 New York will not be able to benefit from  
21 the low cost power these upstate plants could be  
22 producing, and will instead become completely reliant on  
23 a foreign source of electricity. Nearly all of the jobs  
24 installing the cable would be "specially trained"

1 workers from Canada, not New York. Our good friends in  
2 Canada will get new jobs and New Yorkers will get the  
3 bill.

4 This includes the approximate \$2 billion  
5 cost to build they will try to redirect from a fund  
6 already in place funded by New Yorkers to promote green  
7 power initiatives.

8 We support an electricity highway that  
9 improves the state's energy infrastructure and generates  
10 jobs for New Yorkers. We reject the Champlain-Hudson  
11 Power Express proposal as a jobs killer.

12 For maximum benefits to New York, especially  
13 in job retention and creation, new electricity  
14 infrastructure should support current and new instate  
15 power generation. New York needs to improve the  
16 transmission grid in upstate and western regions so that  
17 instate power can be transported more efficiently, more  
18 economically, and in greater quantity throughout the  
19 state.

20 Investing in our transmission infrastructure  
21 will lead to new jobs being created, and new  
22 opportunities for energy development throughout the  
23 state.

24 We also can't ignore the obvious. New York

1 already has a very substantial generating capacity that  
2 can be expanded upon to meet our state's needs. New  
3 York can and should keep up with growing demand by  
4 ensuring the continued operation of our instate energy  
5 sources and constructing new plants, both upstate and  
6 downstate, as necessary.

7           There are several "shovel ready" sites that  
8 are already permitted or pending permits in the Hudson  
9 Valley that could meet this demand and keep New Yorkers  
10 working and the revenue generated in the state.

11           In order to have a strong 21st century  
12 economy, New York needs to build and produce products.  
13 Energy and manufacturing provide sustained, long term,  
14 good paying jobs, a large portion of which are skilled  
15 union positions.

16           These jobs enable individuals to stay in New  
17 York, raise a family, and grow the middle class. They  
18 also establish the economic infrastructure for many  
19 additional service jobs and power other sectors of the  
20 state's economy.

21           We cannot afford to be viewed as only  
22 consumers and taxpayers while the employment  
23 opportunities are taken away from us and sent out of the  
24 country.

1           New York's economy needs to be energized and  
2 the opportunities are out there waiting to be seized  
3 upon. Such is the case with the opportunity to meet New  
4 York's growing demand for electricity, and solve  
5 transmission congestion problems by investing in our  
6 instate electrical infrastructure, rather than  
7 compounding these issues with costly outsource to  
8 Canada.

9           For jobs and a literally brighter future, we  
10 must act now, support New York jobs and oppose the  
11 Champlain-Hudson Power Express as an outright detriment  
12 to New York.

13           Thank you.

14           CHAIRMAN RHODES: Sarah Boggess and then  
15 next up will be Mary Finneran from SPAN, FBNY.

16           MS. BOGGESS: Chairman Rhodes and members of  
17 the board, thanks for the opportunity to comment. My  
18 name is Sarah Boggess. I am here representing my  
19 employer ReEnergy Holdings, as well as the New York  
20 Biomass Energy Alliance, which I serve as a board  
21 member.

22           ReEnergy, headquartered in New York, owns  
23 and operates biomass to electricity facilities in four  
24 states. Three of our facilities are in New York's North

1 Country -- the Chateaugay facility in Franklin County,  
2 the Black River facility at Fort Drum near Watertown,  
3 and the Lyonsdale facility in Lewis County.

4           These three facilities have a combined  
5 nameplate capacity of 103 megawatt, enough electricity  
6 to serve 96,000 homes. When all three facilities are  
7 operating, they purchase more than \$24 million of  
8 sustainably harvested fuel from local suppliers and  
9 support more than 500 direct and indirect jobs in  
10 northern and central New York.

11           In the past five years, ReEnergy has  
12 invested more than \$65 million in New York State.  
13 ReEnergy is part of a larger bioenergy sector including  
14 ACT, BioEnergy, Mesa Reduction Engineering and  
15 Processing, Curran Renewable Energy, and New England  
16 Wood Pellet, that is created and will continue to create  
17 permanent jobs and revenues in New York State.

18           We appreciate NYSERDA's recognition that the  
19 biomass sector is a critical part of the state's energy  
20 future. It is an important part of a diverse renewable  
21 energy portfolio. It reduces our reliance on fossil  
22 fuels, creates jobs and enhances forest health.

23           Of all renewable energy choices, bioenergy  
24 offers the greatest long term employment and positive

1 rural economic impact. As a rule of thumb, each  
2 megawatt of biopower supports approximately five  
3 full-time jobs, one direct job at the facility and four  
4 indirect jobs in surrounding forests and communities.

5 Rural areas of the state are recognizing the  
6 economic and environmental value of biomass derived  
7 energy. For example, the North Country's recently  
8 released Sustainability Plan refers to the region's  
9 biomass resources as tremendous, and states that "the  
10 biomass potential in this region is unparalleled in the  
11 state".

12 We agree with the draft plan's  
13 characterization of bioenergy as possessing some of the  
14 highest growth opportunity in the clean energy economy.  
15 We further agree with the plan's recommendation to  
16 establish smart energy technology hubs involving  
17 collaboration between various institutions in the  
18 research and development chain.

19 According to the draft plan, gigawatt hour  
20 contributions by water based biomass electricity  
21 generators have decreased annually since 2008.

22 The recent contract awarded to our Fort Drum  
23 facility under the RPS is likely to increase annual  
24 contributions, but continued RPS contracting is



1 critically important for the continued viability of  
2 biomass in the electricity generation sector.

3 In order to address this issue, we believe  
4 the state should focus equally on protecting existing  
5 resources as it does on encouraging the building of new  
6 resources. This approach is more cost effective as  
7 well.

8 Existing generation does not face the risks  
9 and uncertainties intrinsic to new project development,  
10 such as permitting and siting. Biomass electricity  
11 generators are uniquely vulnerable to the current market  
12 of low volt sale energy prices.

13 I have experience with a handful of biopower  
14 facilities throughout the state. When sufficient RPS  
15 revenues do not exist to assist such facilities in the  
16 low volt sale market, facilities are shut down. These  
17 facilities need an adequate market through the RPS to  
18 monetize the value of renewable attributes.

19 Without continued support of existing  
20 facilities, the state's renewable energy goals will not  
21 be met. We are heartened that the Public Service  
22 Commission is currently considering a petition to change  
23 contracting methods for the main tier of the RPS  
24 program, and to guarantee more certainty and

1 solicitation frequency. In order to assure the  
2 continued viability of existing facilities, we feel that  
3 the adopted state energy plan should point to measures  
4 that herald the state's support of renewable base load  
5 power, such as providing greater incentive level  
6 predictability and project revenue certainty for  
7 existing projects in any such program as hallmarks of  
8 New York's commitment to this industry.

9           New York Biomass Energy Alliance also is  
10 heartened that the draft plan calls for reduced reliance  
11 on petroleum products for heating buildings and  
12 increased transportation alternatives. We believe there  
13 is a strong future in New York State for the use of  
14 renewable biomass derived fuel oils to replace petroleum  
15 products used in heating and transportation.

16           Thank you for the opportunity to comment.

17           CHAIRMAN RHODES: Thank you very much.

18           We have Mary Finneran. Following Mary, John  
19 Basile.

20           MS. FINNERAN: I first want to say I am  
21 going to be making general comments. I'm not going to  
22 be focusing purely on fracking or anything else.

23           I just want to say the plan, I think, is  
24 very unrealistic, and other people have said this,

1 regarding future predictions for the use of oil and/or  
2 gas extractions as far as 2030. They won't exist. They  
3 will be gone. I mean they are trying to squeeze out  
4 every single last drop now. If they do use them, we  
5 won't exist. If they continue this extraction by 2030  
6 we won't be around, I don't believe, not the United  
7 States anyway. We will just be a resource colony.

8           It has minimal mention, and I do appreciate  
9 the mention of truly clean renewable and sustainable  
10 energy. I have changed some things so my notes are kind  
11 of a little screwy.

12           There is several -- there's a couple of  
13 mentions that I would like to have you change. I would  
14 like you to change all references to clean and/or  
15 alternative fuels, energies, as many read clean energy  
16 and alternative energies to refer to natural gas and/or  
17 nuclear.

18           I would like to have all of these references  
19 changed to clean, sustainable and renewable fuels and  
20 energy and only those be considered in the plan, unless  
21 it's in reference to transitions away from those other  
22 things, which I believe can be done much more quickly  
23 than other people believe.

24           Especially if you consider the biomass

1 people and the geothermal people and the solar people  
2 here, I think a lot of these things can be done now,  
3 much more quickly than the plan says.

4 I do have to wonder how much the industry  
5 had a role in writing this plan, how many people you  
6 talked to in the natural oil and gas, natural gas and  
7 oil industry. It concerns me.

8 The natural gas propane is fueled. Other  
9 people have mentioned that, that they shouldn't be used  
10 as cleaner fuels for vehicles.

11 The New York Times had an article just  
12 Friday or Thursday, I will read, a part of it. The sign  
13 is ubiquitous on city buses around the country, this bus  
14 runs on clean burning natural gas. Report to be  
15 published this past Friday in the Journal of Science  
16 concludes that switching buses and trucks and  
17 traditional diesel fuel to natural gas could actually  
18 harm the planet's climate. And it goes on to say that  
19 although it produces 30 percent less planet warming  
20 carbon dioxide emissions and burning diesel, the  
21 drilling and production of natural gas can lead to leaks  
22 of methane or greenhouse gas 30 times more potent than  
23 carbon dioxide.

24 I would also like to reiterate what Mr. Rice

1 mentioned about the extraction of water. It's five  
2 million gallons every time they drill. New York State  
3 has a huge water resource and this will destroy New York  
4 State's water resources.

5 I want to commend the plan for having  
6 mentioned environmental justice communities, which  
7 include extremely poor rural communities. And I will  
8 quote from your plan. Environmental justice communities  
9 characterized by low income and minority residents has  
10 historically been overburdened by high density of air  
11 pollution sources, particularly those associated with  
12 transportation and energy.

13 New York has taken the leadership role  
14 nationwide in incorporating environmental justice  
15 concerns into the energy siting and permitting review  
16 process, and increasing community involvement in the  
17 development of transportation projects.

18 The DEC was only at the most recent hearings  
19 about the trains that will be coming into the Albany  
20 port because they were forced to do so. And global  
21 companies didn't even set up the table that they said.

22 I would like you, in redoing your plan, to  
23 consider seven generations as the first nation here, the  
24 Iroquois, mentioned seven generations consider every

1 thought in how it's going to impact us in seven  
2 generations.

3 And one other sign. Don't you dare frac my  
4 future, please. Thank you.

5 CHAIRMAN RHODES: Thank you very much.

6 John Basile. Following John we will have  
7 Caitlin Pixley.

8 MR. BASILE: Good morning. My name is John  
9 Basile, and I am a deputy mayor and an elected trustee  
10 of the Village of Stillwater.

11 But before I retired, I spent my career  
12 dedicated to the energy and utility industry, including  
13 as plant manager of the Indian Point 2 and chief  
14 engineer with Consolidated Edison Companies of New York.

15 The draft energy plan includes a number of  
16 important proposals, and rightly measures progress in  
17 part by increasing the New York energy dollars retained  
18 in the state, increasing the number of alternative fuel  
19 vehicles registered in the state, and reducing the  
20 carbon intensity of our energy system which already  
21 leads the nation as having the lowest per capita  
22 emission rate due to low carbon energy sources, such as  
23 the six nuclear generating plants and the Niagara  
24 hydropower.

1                   To meet all three of these goals  
2 simultaneously, we will need significantly more clean  
3 electricity generated in New York State. Increasing low  
4 carbon instate power generation also creates skilled,  
5 good paying, sustainable jobs and provides significant  
6 economic benefits for New York.

7                   With much of the state's energy supplied by  
8 out of state generators, millions of dollars are  
9 siphoned out of New York's economy. The plan, in its  
10 current form, accelerates the exportation of New York  
11 jobs and dollars by overlooking two important facts.

12                   First, it ignores the contribution of  
13 nuclear power as an energy source. Second, it lacks any  
14 substantive attempt to address runaway utility bill  
15 costs, or any plan to reduce the total cost of energy  
16 for the end users.

17                   With respect to nuclear, Indian Point  
18 generates more than 2000 megawatts of power through the  
19 grid, approximately 10 percent of the state's total  
20 electricity, and more than 25 percent of that used in  
21 the metropolitan New York City region. This power is  
22 vital to meeting current needs and one of the state's  
23 largest sources of low carbon electricity.

24                   In addition to the loss of electric power,

1 the New York Independent System Operator, the non-profit  
2 transmission grid operator, said closing Indian Point  
3 would result in an immediate violation of reliability  
4 standards, which is also counter to the Draft Energy  
5 Plan's objectives.

6 Any effort to close Indian Point fails to  
7 recognize the many years of dedication by New Yorkers  
8 who have worked at this plant, and who have had their  
9 major objective of operating it safely for 52 years.

10 I count myself privileged to have worked  
11 with many of the professionals, whose main objective was  
12 safe and reliable operation of Indian Point.

13 In terms of reducing the cost of utility  
14 bills, New York State should take immediate steps to  
15 eliminate the needless energy taxes and surcharges which  
16 comprise some 26.7 percent of customer bills.

17 According to the Business Council of New  
18 York State, the 18A utility assessment surcharge, that's  
19 a hidden utility tax, will cost New Yorkers an  
20 additional 2.1 billion in added electric charges without  
21 benefit to the system and ratepayers. This tax should  
22 be immediately eliminated.

23 As for addressing the rising cost of overall  
24 energy, New York needs to implement policies that will



1 attract large scale private sector investment into the  
2 energy infrastructure, both generation and transmission.

3 Furthermore, the plan needs to recognize  
4 that many of us who live upstate in smaller communities,  
5 that number two fuel oil is the only viable energy  
6 source for heating in many of these communities. And  
7 that all the state and local taxes need to be eliminated  
8 to help the residents and the businesses of these older  
9 communities cope with a rapidly rising cost of this fuel  
10 source.

11 Also, I encourage the state not to become  
12 too reactive to fear mongering with regard to the  
13 transportation and distribution of all forms of energy,  
14 because we need many different forms in this state for  
15 it to be economic.

16 The compass to guide your decision should  
17 result in a net benefit to costs of residents and  
18 businesses of New York, not Canada, or a short term  
19 political goal.

20 Thank you very much for the opportunity to  
21 present my views and to offer recommendations.

22 CHAIRMAN RHODES: Thank you very much.

23 Caitlin Pixley.

24 MS. PIXLEY: Hi. My name is Caitlin Pixley.

1 I am a conservation program associate at the Sierra Club  
2 Atlantic Chapter. The Sierra Club is the oldest and  
3 largest grassroots environmental organization in the  
4 country. The Atlantic chapter represents 38,000 members  
5 throughout New York State working to protect our air,  
6 water and natural places.

7 More formal and substantial written comments  
8 will be submitted. I just wanted to highlight a few  
9 points today.

10 First, there is the need to curtail the  
11 investment in fossil fuels in general in New York State.  
12 It's incompatible with achieving New York State's  
13 climate change goals. And due to the high emissions of  
14 numerous air and water pollutants, New York's upstate  
15 coal fleet is increasingly unable to compete  
16 economically as it is forced to internalize these costs.

17 We must ensure -- there have been several  
18 speakers that have spoken on this before -- we must  
19 ensure that there is a just transition for the workers  
20 and communities that work and host these facilities, but  
21 it is also imperative that New York not facilitate a  
22 shift to fracked gas at these sites.

23 Second, we need to expeditiously and  
24 robustly ramp up renewables, such as wind and solar.

1 Volume one of the energy plan states priorities of  
2 affordability, private sector financing, resilient and  
3 flexible power grid, and more customer control over  
4 energy use, and aligning energy innovation with market  
5 demand, but no mention is made of renewable energy, even  
6 though it is stated to be a priority of the governor's  
7 programs.

8           New York needs to follow up landmark  
9 commitments to solar, such as New York Sun, by following  
10 an analogous commitment on wind by doubling New York's  
11 land based wind by 2018, and moving forward in 2014 to  
12 award a lease in the New York wind energy area off the  
13 Rockaways and purchase offshore wind power off Montauk.

14           Also, we need to improve and extend the RPS  
15 and utilize the green bank to leverage financing for  
16 renewable projects.

17           Third, we need to ramp up energy efficiency.  
18 EEPS must be extended beyond 2013 and increased  
19 substantially. We need concrete near and long term  
20 energy efficiency targets.

21           This rolls right into the fourth point, need  
22 for energy conservation, such as upgrading older  
23 building codes, requiring energy efficient doors,  
24 windows, and insulation, etc.

1 Fifth, we need to electrify the vehicle  
2 fleet throughout New York State. Electric vehicles  
3 should be promoted by construction of charging stations  
4 by the state and state funding for the build out of an  
5 electric vehicle infrastructure.

6 The state should assist school districts in  
7 the acquisition of and/or contracting for plug in school  
8 buses that will reduce local air pollution and reduce  
9 greenhouse gas emissions.

10 My sixth point, we need -- there is a need  
11 for clear and long term targets, that many have  
12 mentioned before. A short term goal at 50 percent of  
13 electricity for renewable sources by 2025 is a  
14 reasonable goal, and the RPS needs to be mandatory, not  
15 just it should be reached by this date. New York should  
16 facilitate improved interagency coordination to help  
17 achieve these results.

18 One final point. New York State must commit  
19 to decommissioning its nuclear power plants and abandon  
20 any plans to increase energy generating capacity from  
21 nuclear sources. The Department of Energy has yet to  
22 solve the problem of disposal for the highly radioactive  
23 waste proposed by nuclear power plants; and ongoing  
24 toxic releases from these plants, both planned and

1 accidental, pose catastrophic risks to human and  
2 environmental health.

3 Thank you again for allowing us to testify,  
4 and more formal comments will be submitted. Thank you.

5 CHAIRMAN RHODES: Thank you very much.

6 So, we have Craig Cantello, to be followed  
7 by Forest Cotten.

8 MR. CANTELLO: Hello. I am Craig Cantello,  
9 the president of the Edison Tech, an organization whose  
10 mission is to promote engineering. Thank you for your  
11 work on the draft energy plan. The Edison Tech Center  
12 would like to make a few comments.

13 The Edison Tech Center supports the use of  
14 high voltage, direct current transmission lines and  
15 transmission system for efficient energy transmission.

16 Also, the Edison Tech Center would like a  
17 detailed implementation timetable included in the final  
18 energy plan. Thank you.

19 CHAIRMAN RHODES: Thank you very much.

20 Following Forest Cotten, from Fracking  
21 Catskills we have Frank Sullivan.

22 MR. COTTEN: Thank you. First I would like  
23 to start with today was a snowy day in the Hudson  
24 Valley, and this was the nearest hearing to the Hudson

1 Valley. There are folks who I had hoped would come from  
2 two and a half hours away who couldn't make it. So I  
3 would like if you guys would address now, tomorrow,  
4 sometime soon, the fact that not everybody can come to  
5 the hearings you have scheduled throughout the state.

6 Thank you for holding this hearing and thank  
7 you for extending the comment period. And overall, the  
8 plan, we are concerned about the reliance, strong  
9 reliance on gas, and what I would say a meager  
10 commitment to renewable energy within the plan.

11 Another gentleman who was going to speak  
12 today could not stay, and I'm going to read some of his  
13 comments as well. Mentioned many times we need a  
14 comprehensive study of greenhouse gasses beyond CO2,  
15 such as methane and the impacts of methane.

16 The plan itself describes natural gas as  
17 clean, and it is not a clean fuel. Primary method of  
18 gas extraction today poisons the land, air, water, makes  
19 people sick, and contributes to climate change.

20 Because much of the draft plan is  
21 ubiquitously written in support of clean energy, many of  
22 its initiatives and programs, including the governor's  
23 much acclaimed green bank, could actually be directed  
24 toward expanding the use of fracked gas and its

1 infrastructure.

2           In addition, initiatives number six, number  
3 eight, and number nine of this plan explicitly promote  
4 the acceleration and expansion of natural gas, including  
5 oil to gas conversion and infrastructure for gas  
6 transmission and distribution.

7           And also in the plan it refers in a vague  
8 and contradictory way to natural gas production. It  
9 forecasts natural gas production to triple by 2030 with  
10 lifting of the state's current moratorium on horizontal  
11 fracking.

12           The document goes on to say that it's a  
13 conservative method and that volumes could be even  
14 higher if production and permit difficulties are  
15 reduced.

16           In addition to that, we talk in the plan  
17 about transportation goals. They are very vague and  
18 misleading. In fact, the previous speaker mentioned  
19 about clean fleets and clean energy fleets.

20           Well, really, the reliance needs to be put  
21 towards zero emissions. In fact, the draft plan offers  
22 no detail in how New York will implement a memorandum of  
23 understanding it signed with seven other states to put  
24 3.3 million zero emissions vehicles on the road by 2025.

1           Rather than encouraging the vehicles to run  
2 on climate killing fossil fuels, New York should  
3 establish some specific targets to advance electric  
4 vehicles and hydrogen fuel cell technology.

5           Also, in the negative health impacts,  
6 relying on the fossil fuel energy are ignored. Using  
7 more fracked gas or gas in general out of New York or  
8 outside of New York will mean a greater exposure to  
9 people in New York and elsewhere.

10           Polluted air, water, fracking waste on roads  
11 and landfills, higher levels of radon gas and  
12 industrialization of rural areas. A long term  
13 vulnerability to create a dependency on other fossil  
14 fuel that will be depleted in a few decades is not even  
15 considered.

16           Further, the document fails to define what  
17 New York's power generation portfolio will look like.  
18 The plan contains no analysis to determine a mix of  
19 energy sources which will meet the carbon reduction  
20 goals, and makes no commitment about what percentage of  
21 New York's energy will come from renewables.

22           In 2013, a team of scientists and economists  
23 issued a report analyzing how New York could switch to  
24 renewable energy by 2030. It's been referred to before,



1 the Jacobson plan.

2           However, this draft plan contains no mention  
3 of this. At a minimum, the final plan should set a  
4 target to the PSC of meeting half the state's  
5 electricity demand with renewable energy in the next 10  
6 years, 50 percent by 2025, and identify what facilities  
7 and grid improvements are needed to achieve this. The  
8 plan should lay out a path for transitioning completely  
9 to renewable energy by mid century.

10           Last, some general points I want to bring  
11 up. Questions we have asked. Why do we need more  
12 power? Why aren't the existing facilities sufficient?  
13 We have power plants that are generating under capacity  
14 and don't obviously -- why do we need new power plants  
15 and new distribution, in addition to distribution lines?

16           Distributor lines are being proposed across  
17 the Hudson Valley, mentioned before. For some reason,  
18 we are allowing the corporations to deny access to the  
19 existing rights of way, where power lines exist now with  
20 the least impact to the community and the surrounding  
21 environment.

22           That's what we recommend. I don't know why  
23 that's not being addressed. I think I covered it all.  
24 We are good. Thank you.

1 CHAIRMAN RHODES: Thank you. Thank you very  
2 much.

3 So, we have Frank Sullivan to be followed by  
4 David Wicks of Title Insurance.

5 Frank Sullivan?

6 (No response.)

7 Frank Sullivan may have left.

8 David Wicks to be followed by Mark  
9 Schaeffer.

10 MR. WICKS: I apologize for the way I am  
11 dressed. I totally missed this in my diary. I ran out  
12 the door, plus my tuxedo wasn't pressed. So, here we  
13 are.

14 I promised my wife I wouldn't mention this,  
15 but if you would write down -- just write down a note  
16 David Wicks and National Grid. If you would Google  
17 that, you can see our personal hell and story that we  
18 are going through with a transmission building company  
19 who wants to make money on building big transmission  
20 lines that we, up and down the Hudson River on the east  
21 side, are fighting.

22 Before the Public Service Commission right  
23 now there are four proposals for transmission lines to  
24 get power from western New York down to New York City.

1 National Grid comes in -- Transco is the actual company,  
2 a billion 300 million this company wants to build  
3 monstrous transmission lines. It's impossible for them  
4 to bury these lines. Absolutely impossible. They have  
5 never done it. They can't do it.

6 We had a project manager for this one  
7 billion 300 million line at our house who said, we can't  
8 do this. On the other side, we have got a company  
9 called Boundless Energy. For 300 million, they can come  
10 down the west side of the Hudson using existing  
11 transmission line, high tech graphite lines, and they  
12 can go underneath the Hudson River without upsetting the  
13 bed of the river whatsoever, and provide that same.

14 One billion 300 million or 300 million?  
15 Unfortunately, politics seems to favor the one billion  
16 300 million. That's all I want to say.

17 My wife and I spent 32 years restoring a  
18 Victorian Italianate house overlooking the Hudson River.  
19 We are heavily in debt. We finished it. We put on our  
20 Victorian porches. We found out the history of this  
21 house.

22 This house was built by the man who built  
23 the Trinity Church at the head of Wall Street down in  
24 New York, the same gentleman, when he retired.

1           So we finished our house, but it wasn't  
2 complete until we put in six arrays of solar panels.  
3 And I would like to thank NYSERDA for making that  
4 possible, because without the New York State incentive  
5 and the federal incentive and the depreciation savings,  
6 we would not have been able to put in that 19 kilowatt  
7 system.

8           So, we were happy, until we got a letter  
9 from National Grid saying that they wanted to put in a  
10 second transmission line. Unfortunately, our property  
11 and house is very close to probably the largest  
12 transmission line in New York State, at least size wise.

13           So, National Grid wants to put in a second  
14 line within their right-of-way which would eliminate our  
15 tree buffer, and put this historical house in plain view  
16 of two huge transmission lines, one of which would be 90  
17 feet from our house.

18           I went to National Grid's informative  
19 session in Schodack, in the Town of Schodack. And these  
20 people just cannot comprehend bearing lines. They are  
21 1960s engineers. This is what we are facing here. But  
22 they did agree to come to my house.

23           So, the project manager and I looked across  
24 the Hudson River right next to the existing transmission

1 line. I said, you have to cross the Hudson River, then  
2 you have to cross Amtrak running from Rensselaer down to  
3 New York, then you have to cross Schodack Island State  
4 Park, then Schodack creek, then route 9J, then climb my  
5 hill, which is a huge hill, then go under CSX lines as  
6 you exit that area.

7 I said, you mean to tell me that you cannot  
8 bury the lines under all that? Never done that. Can  
9 never do that. Can't do that.

10 So, thank you for the opportunity to get  
11 solar. And hopefully we can save the world by going  
12 solar. Thank you.

13 CHAIRMAN RHODES: Mark Schaeffer. Next up  
14 will be Ben Tyler.

15 MR. SCHAEFFER: I am Mark Schaeffer. I live  
16 in Albany. Thank you for the open process. My favorite  
17 parable is the story of the blind man and the elephant.  
18 Only when many perspectives are synthesized can we hope  
19 to understand a complex phenomenon.

20 I live in Albany. I studied energy policy  
21 in graduate school in the late 70s, worked as a  
22 researcher for environmental groups in early '80s, been  
23 a state worker since '85, but I am speaking as an  
24 individual. I am charging time.

1                   And I am a member of PAUSE. I have  
2 coordinated local events for Bill McKibben's 350.org,  
3 one of which was a global event with participation from  
4 every country in the world except North Korea. I am  
5 also a board member of Citizen Action.

6                   My remarks today will be general. I will  
7 submit detailed comments, praise, criticism when  
8 appropriate, and specific suggestions, but I want to  
9 address the context of the climate crisis and its  
10 gravity, and the imperative to act now on sufficient  
11 scale to avoid tipping over into runaway positive  
12 feedbacks, which would be utterly catastrophic for  
13 civilization as we know it.

14                   350.org refers to what our leading national  
15 scientist on climate, James Hansen of NASA, has said,  
16 350 parts per million is the maximum level of CO2 in the  
17 atmosphere that's sustainable.

18                   Last year, we passed 400 parts per million  
19 at contrast with 280 parts per million in the  
20 preindustrial period. The runaway positive feedbacks  
21 include such things as Arctic melting. Ice and snow  
22 reflect most of the incoming energy. Sea and land  
23 absorb much more.

24                   The kinds of effects we are seeing already,

1 floods in the Mississippi, Missouri, Pakistan, England  
2 now, firestorms and droughts, Russia, Australia.  
3 Southwestern United States is projected to become a  
4 permanent dustbowl in a few decades. Maybe the midwest  
5 after that.

6           Catastrophic crop losses before we reach the  
7 point of sea level rise. The concentration of CO2 is  
8 now at the level it hasn't been since the Middle  
9 Miocene, 50 million years ago at sea level was 30  
10 meters, a hundred feet higher. Coastlines were miles  
11 inland.

12           What's the present value of inundating all  
13 the coastal cities in the world? I think it's in the  
14 order of quadrillions.

15           Those costs are hard to quantify, but  
16 ignoring them in economic calculations is the equivalent  
17 of lying down in the railroad tracks without a schedule,  
18 because you can't quantify exactly when it's going to  
19 come. When you know, it will come. So, silence is deaf  
20 in this situation.

21           We have got to take action on sufficient  
22 scale. Lord Stern, leading British climate energy  
23 economics authority, was top economist for the world  
24 bank, has written about unburnable carbon.

1           Most of the fossil fuel already identified  
2 in proven reserves that have to be left in the ground  
3 will crash through the tipping points beyond the point  
4 of no return.

5           It looks like at the present rate, CO2  
6 emissions will go through that in 16 years, 30 years, if  
7 we ramp down smoothly. That's not a lot of time. We  
8 have got to get serious.

9           Just look at the building sector, for  
10 example. We should have LEED gold standards in three  
11 years for all new buildings. We should retrofit -- we  
12 should set a 2020 vision, retrofit every building in the  
13 state by 2020, and have net zero energy for new  
14 buildings starting in 2020. We can do similar things in  
15 other sectors.

16           We have to count the imports of embodied  
17 energy in all the manufacturing we have outsourced to  
18 China. We have to look at agricultural emissions of  
19 methane. There are a lot of good ideas. I'll submit  
20 more of them.

21           I want to end with this quote from Martin  
22 Luther King. "Over the bleached bones and jumbled  
23 residues of numerous civilizations are written the  
24 pathetic words, too late."



1                   We got to have no few fossil fuel  
2 infrastructure, especially the dirtiest sources like  
3 fracking and tar sands and get serious, not a billion  
4 dollar green bank but orders of magnitude more  
5 considering what's at stake.

6                   Thank you.

7                   CHAIRMAN RHODES: Thank you.

8                   Ben Tyler, followed by Ann Tyler.

9                   MR. TYLER: I just wanted to say thank you  
10 to you guys for providing this forum for us all to  
11 speak, and I am really relieved in coming here to -- the  
12 best majority of people who have come up here to speak  
13 have been echoing some of my concerns.

14                   The reason I am here was to talk especially  
15 about classifying natural gas as green energy, and  
16 basically the consequences that this would have for New  
17 York State.

18                   I think that this new energy plan that you  
19 guys are writing is a really powerful, really great  
20 thing, and we are at a crossroads as a state and we can  
21 look not very far away to Pennsylvania or other states  
22 and see pretty serious concerns about public health  
23 hazards surrounding hydraulic fracturing.

24                   Luckily, we are not there yet. And now we

1 are in a position where we can make informed decision,  
2 do more research, now that there are serious doubts that  
3 have been raised.

4 And I think you guys have a really big job  
5 in front of you, and there is always the risk or the  
6 temptation to just kind of cop out or just go with how  
7 things are. Big industries and everyone wants to make  
8 money and bring fracking to New York State.

9 But we are really in a position where we can  
10 -- you guys can collaborate with the groups. And like  
11 the future of New York State, we could be like an  
12 example, like a leading player in switching to renewable  
13 energy. I just really hope you guys respect the great  
14 position you are in.

15 So, I am a citizen of New York State, and I  
16 have a farm in Otsego County and I've lived here my  
17 whole life, and I really hope to live here and my family  
18 can continue to live here.

19 Let's really value what we have here. It's  
20 a really beautiful state. That's all. Thank you.

21 CHAIRMAN RHODES: Ann Tyler. Following Ann,  
22 Collin Thomas.

23 MS. TYLER: Hello, everyone. I will be  
24 brief. First, I would also like to thank the committee

1 for the opportunity for the public to speak today. I  
2 think it's wonderful that we are given the opportunity  
3 to express our reviews on the 2014 energy plan.

4 I was also born and raised in New York. We  
5 have driven up here today, first, on a positive note, to  
6 express our gratitude that renewable energy and  
7 emissions reductions are included in the plan, but more  
8 importantly, to express our distress that dangerous and  
9 dirty practices like fracking are even being considered  
10 at this point in time by the committee.

11 The risks and problems involved in fracking  
12 have already been discussed by a number of people here  
13 today, and far more eloquently than I can do now, but I  
14 really wish to add my voice to theirs. To say, again,  
15 at this moment in our history it seems clear that we  
16 should be doing all that we can to move toward clean and  
17 renewable sources of energy, and as far as we can away  
18 from harmful practices such as fracking.

19 As you can see, many people here have  
20 expressed an eagerness to move toward renewable energy  
21 sources. Therefore, I urge the committee, from the  
22 bottom of my heart, to continue to ban fracking in New  
23 York State, and keep working towards making our state  
24 clean and safe so that we all might leave behind

1 something beautiful for future generations and something  
2 that we can all be proud of.

3 Thank you very much.

4 CHAIRMAN RHODES: Thank you.

5 Collin Thomas, to be followed by Daniel  
6 Morrisey.

7 MR. THOMAS: My name is Collin Thomas. I'm  
8 a resident of the City of Troy. And I am here not only  
9 on behalf of myself, but also representing Capital  
10 District Against Fracking.

11 Just reading the energy plan, I didn't get  
12 into the appendices, so I didn't see all the footnotes  
13 and I can't cite everything, but at least general talk  
14 on the glossy PR piece that the plan has presented.

15 The use of gas, the increased use of gas is  
16 something that I am definitely concerned with and  
17 opposed to. There is tons of studies out there,  
18 hopefully you guys are looking into them, showing that  
19 natural gas is worse than mountaintop removal in terms  
20 of environmental impacts, and a much more potent  
21 greenhouse gas. Some people, advocates and citizens  
22 have mentioned. Considering all greenhouse gasses in  
23 the energy plan, I fully concur with that.

24 And using 2010 as a baseline for greenhouse

1 gas intensity is also problematic. Even though we are  
2 in kind of still the depths of the great recession,  
3 there is still much higher than a 1990 baseline, which  
4 is what the international panel on climate change  
5 recommends.

6 Also, there is lots of talk in the plan of  
7 use of increasing our fleet of cars mainly. I don't  
8 know if that necessarily represents a transition to the  
9 zero emissions vehicles, but increasing the use of those  
10 vehicles is at best a wash, considering how many  
11 resources and rare earth materials have to go into those  
12 types of cars, and putting the burden on individuals to  
13 make the decision and to come up with the finances to  
14 pay for it.

15 We should be increasing our use of public  
16 transit, especially in our urban areas, and increasing  
17 to suburban and exurban areas much more rapidly. We can  
18 do that if it stays on a level that is desirable to be.

19 And we turn to the market for the cause or,  
20 rather, for the cure for our problems, and a lot of our  
21 problems come from the reliance on the market;  
22 primarily, our subsidies as consumers directly as well  
23 as taxpayers and fossil fuel companies that continue  
24 reliance on that antiquated use of energy production and

1 our current standards of living.

2           So, we should really be focusing on turning  
3 the market into a power house, making their research  
4 something that the public can profit off of in terms of  
5 a reduction and a reliance on fossil fuels, and a  
6 transition to a clean economy with solar, geothermal,  
7 wind, tidal, and so on, and getting away from oil, gas  
8 and nuclear energy.

9           Right now New York State, SUNY Albany did a  
10 study we get 50 percent more sunlight than Germany,  
11 which is the current solar production and generator  
12 leader in the world. A couple of years ago they were  
13 able to generate half their energy sources for peak  
14 times from both wind and solar capacities.

15           So, it's definitely feasible. Countries are  
16 doing it now. There's no real excuse that New York  
17 can't start moving toward that and we can do it with a  
18 little less infrastructure than Germany, which is,  
19 again, a global leader, and can create thousands of  
20 jobs.

21           I'm not sure of the specific jobs per  
22 kilowatt or jobs per megawatt, but solar provides the  
23 most jobs, whether it's per kilowatt or megawatt, over  
24 other sources of energy. So, we can create thousands of

1 jobs here in New York and be a nationwide leader and  
2 certainly a regional leader in a relatively short amount  
3 of time.

4                   Hopefully we won't be moving too much rare  
5 earth, but we should be using codes for our new  
6 buildings. We should be also looking to retrofit old  
7 buildings, as we have some of the oldest housing stock  
8 here in the country, and that will also create a  
9 substantial amount of jobs, and making our houses more  
10 affordable and livable.

11                   That's all I have for now. I will be  
12 sending more comments. Thanks.

13                   CHAIRMAN RHODES: Thank you very much.

14                   Daniel Morrisey, and following him Rich  
15 Schiafo.

16                   MR. MORRISEY: Good afternoon. I want to  
17 thank the planning board for hearing my comments. My  
18 name is Daniel Morrisey and I am a founding member of  
19 both Capital District Against Fracking and People of  
20 Albany United for Safe Energy. These two groups  
21 advocate for sustainable energy planning, which I  
22 unfortunately did not see in the draft energy plan,  
23 though some of the things hint at the possibility that  
24 sustainable planning could come out of this.

1           I see 20th century thinking that does not  
2 give me much faith in NYSERDA or Governor Cuomo's  
3 administration in general. It disappoints me that while  
4 the governor himself is willing to acknowledge that the  
5 age of climate change is already upon us and attribute  
6 to it the billions of dollars damage done by recent  
7 tropical storms and Hurricane Irene, Sandy, etc., he is  
8 not willing to take a leadership role in guiding his  
9 policy leaning state toward 100 percent renewable  
10 energy.

11           Stanford and Cornell University scientists  
12 have recently published a peer reviewed study, proving  
13 through science based civil engineering that our state  
14 could feasibly transform our energy picture entirely  
15 over the next couple decades to rely 100 percent on  
16 sustainable renewable energy that does not impact local  
17 communities with additional fossil infrastructure, and  
18 instead takes much of these health impactful sites  
19 offline.

20           I have provided the study to you, in  
21 addition to many of its backing materials, and I insist  
22 that you take the time to seriously consider  
23 implementing the findings therein. The people of the  
24 state are depending on you to be responsible to us and



1 future generations.

2 I was glad to see that the increased  
3 potential for micro grids is acuated, and there needs to  
4 be a detailed implementation plan if it is to come to  
5 fruition. It is of utmost importance that we assure  
6 local autonomy for communities like Albany that are  
7 overburdened by dangerous fossil fuel infrastructure  
8 that has affected their health for years and will  
9 continue to do so for years to come unless we change  
10 course.

11 Supported by the immense offshore wind  
12 resources available in the Atlantic ocean, the amount of  
13 jobs and aggressive solar, hydrogen and micro grid solar  
14 photovoltaic that would establish is massive and  
15 necessary because it is so competitive at current cost  
16 parity. In fact, we need a renewable energy initiative  
17 across the board, larger even than Green Jobs Green New  
18 York.

19 Lastly, the Champlain-Hudson power line is  
20 an absolute mistake. Not only does it outsource our  
21 power generation, it will usurp the right of indigenou  
22 groups to have control over their lands and waters.

23 Thus, we could pioneer a true sea change in  
24 the national energy landscape. Let's do that.

1 Thank you again for providing this  
2 opportunity to speak, and I look forward to seeing you  
3 drop support for natural gas expansion in New York.

4 Thank you.

5 CHAIRMAN RHODES: Thank you.

6 Following Rich Schiafo, we have Elizabeth  
7 Board, if she's still here, and then Keith Schue. And  
8 that is our list of speaker requests that we have so  
9 far.

10 MR. SCHIAFO: Good afternoon. My name is  
11 Rich Schiafo. I'm the Deputy Executive Director of the  
12 Hudson Valley Regional Council. I want to thank you  
13 also for the opportunity to address the board today.

14 We are one of 10 regional councils across  
15 the State of New York. We primarily prepare a  
16 comprehensive economic development strategy for the  
17 Hudson Valley region, which is a seven county region of  
18 Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and  
19 Westchester counties. That is a vehicle for funding to  
20 the US Economic Development Administration for local  
21 economic development projects.

22 We also are engaged in the mid-Hudson  
23 Sustainability Plan effort. We helped in the  
24 preparation of that plan and the ongoing efforts to

1 implement that plan. We also do education and outreach  
2 on water quality, as well as solid waste management  
3 issues in the region.

4 I have a few brief comments today. We will  
5 also be submitting more detailed comments within the  
6 public comment period.

7 Overall, the regional council supports the  
8 plan's greenhouse gas reduction goals, as well as the  
9 move towards a more clean and renewable distributed  
10 energy generation system, although the approach needs to  
11 more clearly spell out how we are going to get there, as  
12 has been previously mentioned.

13 The plan also very briefly alludes to the  
14 social science or behavioral aspects of energy use, and  
15 our need to reduce energy efficiency, and there's also a  
16 need within the plan to further define that approach to  
17 how we are going to use less energy and the importance  
18 of behavioral change, whether it's within our homes or  
19 the buildings we use, or the vehicles we drive, and  
20 energy use and achieving those energy efficiency goals.

21 We do a lot of education and outreach to  
22 local governments, and the plan also needs a more  
23 clearly defined approach on how they are going to  
24 improve and enforce the state energy conservation code,

1 including the need for improved training at the local  
2 level. And the regional councils can help do that, help  
3 make that happen with the education and outreach.

4           While there's six public hearings throughout  
5 the state, and tomorrow you are heading down to Brooklyn  
6 -- I think a couple other speakers alluded to this --  
7 you are skipping over the Hudson Valley. We would  
8 strongly urge you to schedule another public hearing  
9 that is within the Hudson Valley region.

10           Thank you very much again for the  
11 opportunity to comment.

12           CHAIRMAN RHODES: Thank you very much.  
13 Elizabeth Board.

14           (No response.)

15           In that case, Keith Schue.

16           (No response.)

17           Just to confirm, Frank Sullivan did not  
18 respond when I called his name before.

19           (No response.)

20           With that, I think we have finished our list  
21 of speaker requests. If there are no further speaker  
22 requests, then thank you on behalf of the State Energy  
23 Planning Board.

24           We have undertaken the development of the

1 Draft State Energy Plan with great seriousness, and it  
2 is extremely important that we hear comments and  
3 questions like yours in sessions like this as we develop  
4 the final plan.

5 Please recall that we also welcome, solicit  
6 written comments. They can be submitted on our website  
7 [www.energyplan.ny.gov](http://www.energyplan.ny.gov) up until April 30th. So, thank  
8 you again.

9 (Whereupon, the public hearing was  
10 adjourned, after which the following transpired:)

11 CHAIRMAN RHODES: We have a further speaker,  
12 Susan Lawrence.

13 MS. LAWRENCE: I am Susan Lawrence. I am  
14 the conservation chair for the Sierra Club Atlantic  
15 Chapter for New York State. I may be repeating some  
16 statements that some earlier people from the Sierra Club  
17 made earlier, but they bear repeating.

18 The most important thing I think for us, as  
19 environmentalists, is for the energy plan to focus on  
20 what can be done to reduce climate change. Of course,  
21 it's important for the New York State economy and all  
22 the people to have the kind of energy that we need and  
23 so forth now, but the most important thing for us is to  
24 make sure we are totally focused on curbing climate

1 change and getting to our goals as fast as possible, if  
2 not before, to cut greenhouse gas emissions down so we  
3 do not go over the tipping point.

4           That means that we need to turn away from  
5 fossil fuel as fast as we can, including natural gas.  
6 To us it may be in reality a short term transition fuel,  
7 but it's not a long term transition fuel.

8           We can't afford to have a build out of  
9 natural gas infrastructure. Whether it's interstate or  
10 intrastate, all sorts of infrastructure, fracking or  
11 hydrofracking for natural gas, is not the solution. It  
12 has all sorts of major, major problems for our  
13 environment. And it is the -- whole lifecycle of it is  
14 just as much contributing to greenhouse gas emissions as  
15 other forms of fossil fuel.

16           So, we just need to have that mindset from  
17 the beginning. That needs to be our goal and vision for  
18 the state. At the same time, obviously, we need to  
19 totally ramp up on renewable energy of all sorts. The  
20 governor has made a commitment on New York Sun which is  
21 important, and we are urging that there be major  
22 investment in wind energy onshore and off.

23           So much needs to be done at the smaller  
24 level in our communities and across the state. The

1 first emphasis should be energy conservation, being so  
2 careful with our use of resources that we consume less  
3 in the first place, we use less energy in our daily  
4 activities, and whatever we do we make our production  
5 and transport of energy as efficient as possible.

6           And to me, that means just a whole mindset  
7 and shift knowing that what's happening all around the  
8 world is people are turning to the concept of producing  
9 power as close to home as possible.

10           Having micro grids, having renewable energy  
11 locally, whatever can be done for the state and in the  
12 communities to do that is where we need to go.

13           We also very strongly urge the  
14 decommissioning of the nuclear power plants. We just  
15 cannot continue to rely on nuclear power plants. They  
16 are too dangerous. We don't need them. They need to be  
17 decommissioned.

18           And we need to look, obviously, not just --  
19 there is so much focus on our power production, as  
20 though we forget the other sectors of our economy and  
21 our society.

22           In the transportation area, the federal  
23 government has a lot to do with what happens and how  
24 transportation is done, the sources of fuel, the

1 standards, but there's so much we can do at the state  
2 and local level in terms of public transportation, and  
3 other incentives for electric vehicles and other things  
4 we can do to reduce the impact -- reduce the amount of  
5 carbon emissions from transportation.

6 Another critical area is just our whole  
7 emphasis on new building construction, local zoning,  
8 planning, making sure that we have as efficient as  
9 possible our community so that we are not wasting  
10 resources and we are not contributing to greenhouse gas  
11 emissions and we are reducing our dependence on energy.

12 Just an added point: What's happened down  
13 in the Port of Albany with the crude being transported  
14 across New York State, primarily it's a federal power to  
15 stop or not stop that, but it's just representative of  
16 what's wrong with the way our reliance on fossil fuel is  
17 going, and what we are doing, and potentially the  
18 catastrophic effects on our environment and our  
19 citizens.

20 Thank you.

21 CHAIRMAN RHODES: Thank you very much.  
22 Thank you all very much. [www.energyplan.ny.us](http://www.energyplan.ny.us).

23 (Public hearing concluded at 1:49 p.m.)

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

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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.

2/28/14  
Date

*Jeanne O'Connell*  
Jeanne O'Connell



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