

*NYS Power Authority*

---

*Hearing  
June 20, 2013*

---



**METSCHL**  
AND ASSOCIATES

COURT REPORTERS • LEGAL VIDEO SERVICES

**Buffalo, NY:** 716 856-1906

**Rochester, NY:** 585 697-0969

**Toll Free:** 800 397-1796

*Original File 062013dcd.TXT*

*Min-U-Script® with Word Index*

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

New York State Power Authority  
Thursday, June 20, 2013  
2:30 p.m. - 6:30 p.m.  
Niagara Power Project Visitors' Center  
5777 Lewiston Road  
Lewiston, New York 14092

Debra Doron, RPR, Notary Public

1	SPEAKERS	PAGE
2		
3	MS. DELINCE.....	3
4	MR. PASQUALE.....	6
5	MS. DELINCE.....	12
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		

1 MS. DELINCE: Good afternoon. This is a public  
2 hearing required by law and authorized by the New York  
3 Power Authority Board of Trustees on the proposed  
4 direct sale contracts for the sale of Western New York  
5 hydropower to certain Expansion Power and Replacement  
6 Power customers.

7 My name is Karen Delince and I'm the Corporate  
8 Secretary of the New York Power Authority.

9 As required by hearing procedures set forth in  
10 the New York State Public Authorities Law, Section  
11 1009, a notice of the hearing was published in six  
12 newspapers once a week for the four weeks leading up  
13 to this hearing.

14 The notice of this hearing appeared in the  
15 following newspapers:

- 16
- 17 1. Niagara Gazette
- 18 2. Buffalo News
- 19 3. Buffalo Business First
- 20 4. Lewiston Porter Sentinel
- 21 5. Albany Times Union
- 22 6. Dunkirk Observer.
- 23

1           Also, pursuant to the Public Authorities Law,  
2 notice of this hearing and a copy of the proposed  
3 contract were sent to Governor Andrew Cuomo and the  
4 following legislative leaders:

- 5
- 6           1. President Pro Temp of the New York State Senate
- 7           2. Speaker of the Assembly
- 8           3. Chairman of the Senate Finance Committee
- 9           4. Chairman of the Assembly Ways and Means Committee
- 10          5. Senate Minority Leader
- 11          6. Assembly Minority Leader.
- 12

13           During the 30-day period prior to today's  
14 hearing, a copy of the proposed contract was made  
15 available for inspection at the Authority's White  
16 Plains office, as well as on the Authority's website.

17           If you plan to make an oral statement at this  
18 hearing, I ask that you please see Lorna Johnson at  
19 the sign-in table and fill out a card. Also, if you  
20 have written statements, please give a copy to Ms.  
21 Johnson and one to the reporter.

22           Your written statement may be of any length and  
23 will appear in the record of the hearing in addition

1 to your oral statement. The record of the hearing  
2 will remain open for additional comments or statements  
3 through close of business Friday, June 21.

4 Any additional submissions should be mailed to  
5 the Authority's Corporate Secretary at:

6 123 Main Street, 11-P.

7 White Plains, NY 10601;

8 or

9 faxed to (914) 390-8040;

10 or

11 e-mailed to [secretarys.office@nypa.gov](mailto:secretarys.office@nypa.gov).

12 A complete transcript of the hearing, along with  
13 all written submissions, will be submitted to the  
14 Authority's Trustees, who shall reconsider the terms  
15 of the proposed contract and make changes as they deem  
16 necessary or advisable in light of the comments  
17 received.

18 The transcript of this hearing will also be made  
19 available to the public for review at the Authority's  
20 White Plains office and on the Authority's website  
21 ([www.nypa.gov](http://www.nypa.gov)).

22 After the Trustees' final review, the contract  
23 will be forwarded to the Governor for his

1 consideration and approval.

2 If you have additional questions, please see Ms.  
3 Johnson at the sign-in table.

4 At this point, I would like to introduce Mr.  
5 James Pasquale, Senior Vice President of Economic  
6 Development and Energy Efficiency at the Authority,  
7 who will provide additional details on the proposed  
8 direct sale contract.

9 Thank you. Mr. Pasquale?

10 MR. PASQUALE: Thank you, Ms. Delince. Good  
11 afternoon. My name is James F. Pasquale and I am the  
12 Senior Vice President of Economic Development and  
13 Energy Efficiency at the New York Power Authority. I  
14 am here today to present a summary of the proposed  
15 contracts to seven companies for the direct sale of  
16 Expansion Power or Replacement Power - hydropower that  
17 is generated here at the Authority's Niagara Power  
18 Project.

19 Under Public Authorities Law Section 1005,  
20 Subsection 13, the Authority may allocate and sell  
21 directly or by sale-for-resale, 250 MW of Expansion  
22 Power, known as EP, and 445 MW of Replacement Power,  
23 known as RP, to businesses located within 30 miles of

1 the Niagara Power Project, provided that the amount of  
2 EP allocated to businesses in Chautauqua County on  
3 January 1, 1987 shall continue to be allocated in  
4 Chautauqua County.

5 Four of the companies have been awarded  
6 hydropower allocations by the Authority's Trustees in  
7 return for commitments made to create or expand their  
8 businesses in Western New York. Specifically:

9 \* Greenpac Mill was awarded 10,000 kilowatts to build  
10 a containerboard mill in Niagara Falls, committing  
11 \$380 million in capital investment and creating 108  
12 jobs.

13 \* Nulife Glass was awarded 500 kilowatts to build a  
14 glass recycling facility in Dunkirk (Chautauqua  
15 County), committing \$3.75 million in capital  
16 investment and creating 25 jobs.

17 \* Welded Tube USA was awarded 4,000 kilowatts to build  
18 a tubular pipe facility in Lackawanna, committing  
19 \$48.25 million in capital spending and creating 121  
20 jobs, and

21 \* Yahoo! was awarded 7,200 kilowatts to create a  
22 100-person call center operation and a second data  
23 center in Lockport, committing a total of \$170

1 million in capital spending and creating 115 jobs.

2 Also, on March 21, 2013, the Authority's Trustees  
3 approved extensions to the terms of hydropower  
4 allocations held by three companies in return for  
5 commitments made to maintain employment and invest in  
6 their facilities in Western New York. Specifically:

7 \* 4,600 kilowatts to Ceres Crystal Industries in  
8 Buffalo, as an extension of their current contract  
9 for the retention of 50 jobs and an annual capital  
10 investment of \$200,000 over a term of five years.

11 \* 250 kilowatts to Delaco AMTB in Tonawanda as an  
12 extension of their current contract for the  
13 retention of 16 jobs and an annual capital  
14 investment of \$485,000 over a term of five years.

15 \* 100 kilowatts to Hammond Manufacturing in  
16 Cheektowaga as an extension of their current  
17 contract for the retention of 24 jobs and an annual  
18 capital investment of \$5,000 over a term of five  
19 years.

20 In aggregate, the companies have committed to  
21 capital spending of over \$605 million in their Western  
22 New York facilities while creating or retaining 459  
23 jobs.

1           Regarding the proposed contracts, since the late  
2           1980s, the Authority's sales of EP and RP have been  
3           handled almost exclusively under agreements with the  
4           local electric utilities - Niagara Mohawk Power  
5           Corporation doing business as National Grid, and New  
6           York State Electric and Gas Corporation, also known as  
7           NYSEG - both of which facilitated the provision of  
8           Authority hydropower to end-use customers on a  
9           sale-for-resale basis. These contractual arrangements  
10          between the Authority and the utilities expire on June  
11          30, 2013, necessitating new direct sale contracts to  
12          facilitate the sale of hydropower to customers beyond  
13          that date.

14          To summarize some of the pertinent provisions of  
15          the proposed contracts, first, the contracts provide  
16          for the direct billing of all hydropower supply  
17          charges, all New York Independent System Operator,  
18          Inc. ("NYISO") charges and taxes.

19          Each contract includes the customer's agreed-upon  
20          commitments with respect to employment and capital  
21          investment. The contract retains the Authority's  
22          right to reduce or terminate customers' allocations  
23          if employment, power utilization, or capital

1 investment commitments are not met. For example, the  
2 contracts include an annual job reporting requirement  
3 and a job compliance threshold of 90 percent. Should  
4 a company's average annual employment fall below the  
5 compliance threshold of 90 percent of the employment  
6 commitment, the Authority has the right to reduce the  
7 allocation on a pro rata basis.

8 Additionally, to accommodate non-payment risk  
9 that could result from the direct billing arrangement,  
10 the contract includes commercially reasonable  
11 provisions concerning the Authority's ability to  
12 charge late payment fees and to require deposits in  
13 the event of customer failure to make payment for any  
14 two monthly bills. These contract provisions are  
15 consistent with recent Authority direct sale contracts  
16 including the Authority's Recharge New York sales  
17 contracts.

18 The contracts will serve the allocation in  
19 accordance with the Authority's Service Tariff WNY-1,  
20 which specifies the rates and which is applicable to  
21 all EP and RP allocations effective July 1, 2013. The  
22 Service Tariff specifies a three-year rate phase-in to  
23 a target rate based on the rate of the Authority's

1 other hydropower program - Preservation Power - to  
2 ultimately ensure consistency among the Authority's  
3 three hydropower programs. Transmission and delivery  
4 service for these allocations will be provided by  
5 National Grid, or in the case of Yahoo, NYSEG, in  
6 accordance with the utilities' Public Service  
7 Commission approved delivery service tariffs.

8 Lastly, Ceres Crystal, Hammond Manufacturing, and  
9 Delaco AMTB, having already been served their  
10 allocations under resale contracts, require service to  
11 be uninterrupted July 1, 2013. Greenpac's new project  
12 is nearing completion and the company has requested  
13 service as soon as July 1, 2013. In order to continue  
14 or start service July 1st, the Authority is working  
15 with these four companies on short-term "interim"  
16 agreements whereby the Authority would sell the  
17 hydropower until such time as the public hearing  
18 process for the long-term contract concludes.

19 As Ms. Delince stated earlier, the Authority will  
20 accept your comments on the proposed contracts until  
21 the close of business on Friday, June 21st. I will  
22 now turn the Hearing back to Ms. Delince.

23 MS. DELINCE: Thank you, Mr. Pasquale. We will



	<b>among (1)</b> 11:2	10:14	11:15	
<b>\$</b>	<b>amount (1)</b> 7:1	<b>Board (1)</b> 3:3	<b>company (1)</b> 11:12	<b>D</b>
<b>\$170 (1)</b> 7:23	<b>AMTB (2)</b> 8:11;11:9	<b>both (1)</b> 9:7	<b>company's (1)</b> 10:4	<b>data (1)</b> 7:22
<b>\$200,000 (1)</b> 8:10	<b>Andrew (1)</b> 4:3	<b>Buffalo (3)</b> 3:18,19;8:8	<b>complete (1)</b> 5:12	<b>date (1)</b> 9:13
<b>\$3.75 (1)</b> 7:15	<b>annual (5)</b> 8:9,13,17;10:2,4	<b>build (3)</b> 7:9,13,17	<b>completion (1)</b> 11:12	<b>deem (1)</b> 5:15
<b>\$380 (1)</b> 7:11	<b>appear (1)</b> 4:23	<b>Business (4)</b> 3:19;5:3;9:5;11:21	<b>compliance (2)</b> 10:3,5	<b>Delaco (2)</b> 8:11;11:9
<b>\$48.25 (1)</b> 7:19	<b>appeared (1)</b> 3:14	<b>businesses (3)</b> 6:23;7:2,8	<b>concerning (1)</b> 10:11	<b>DELINCE (7)</b> 3:1,7;6:10;11:19, 22,23;12:4
<b>\$485,000 (1)</b> 8:14	<b>applicable (1)</b> 10:20	<b>C</b>	<b>concludes (1)</b> 11:18	<b>delivery (2)</b> 11:3,7
<b>\$5,000 (1)</b> 8:18	<b>approval (1)</b> 6:1	<b>call (1)</b> 7:22	<b>consideration (1)</b> 6:1	<b>deposits (1)</b> 10:12
<b>\$605 (1)</b> 8:21	<b>approved (2)</b> 8:3;11:7	<b>capital (10)</b> 7:11,15,19;8:1,9, 13,18,21;9:20,23	<b>consistency (1)</b> 11:2	<b>details (1)</b> 6:7
<b>A</b>	<b>arrangement (1)</b> 10:9	<b>card (1)</b> 4:19	<b>consistent (1)</b> 10:15	<b>Development (2)</b> 6:6,12
<b>ability (1)</b> 10:11	<b>arrangements (1)</b> 9:9	<b>case (1)</b> 11:5	<b>containerboard (1)</b> 7:10	<b>direct (7)</b> 3:4;6:8,15;9:11,16; 10:9,15
<b>accept (1)</b> 11:20	<b>arrive (1)</b> 12:2	<b>center (2)</b> 7:22,23	<b>continue (2)</b> 7:3;11:13	<b>directly (1)</b> 6:21
<b>accommodate (1)</b> 10:8	<b>Assembly (3)</b> 4:7,9,11	<b>Ceres (2)</b> 8:7;11:8	<b>contract (13)</b> 4:3,14;5:15,22;6:8; 8:8,12,17;9:19,21; 10:10,14;11:18	<b>Dunkirk (2)</b> 3:22;7:14
<b>accordance (2)</b> 10:19;11:6	<b>Authorities (3)</b> 3:10;4:1;6:19	<b>certain (1)</b> 3:5	<b>contracts (12)</b> 3:4;6:15;9:1,11,15, 15;10:2,15,17,18; 11:10,20	<b>During (1)</b> 4:13
<b>addition (1)</b> 4:23	<b>Authority (12)</b> 3:3,8;6:6,13,20; 9:8,10;10:6,15;11:14, 16,19	<b>Chairman (2)</b> 4:8,9	<b>contractual (1)</b> 9:9	<b>E</b>
<b>additional (4)</b> 5:2,4;6:2,7	<b>Authority's (16)</b> 4:15,16;5:5,14,19, 20;6:17;7:6;8:2,9;2, 21;10:11,16,19,23; 11:2	<b>changes (1)</b> 5:15	<b>copy (3)</b> 4:2,14,20	<b>earlier (1)</b> 11:19
<b>Additionally (1)</b> 10:8	<b>authorized (1)</b> 3:2	<b>charge (1)</b> 10:12	<b>Corporate (2)</b> 3:7;5:5	<b>Economic (2)</b> 6:5,12
<b>adjourned (1)</b> 12:4	<b>available (2)</b> 4:15;5:19	<b>charges (2)</b> 9:17,18	<b>Corporation (2)</b> 9:5,6	<b>effective (1)</b> 10:21
<b>advisable (1)</b> 5:16	<b>average (1)</b> 10:4	<b>Chautauqua (3)</b> 7:2,4,14	<b>County (3)</b> 7:2,4,15	<b>Efficiency (2)</b> 6:6,13
<b>afternoon (2)</b> 3:1;6:11	<b>awarded (5)</b> 7:5,9,13,17,21	<b>Cheektowaga (1)</b> 8:16	<b>create (2)</b> 7:7,21	<b>electric (2)</b> 9:4,6
<b>aggregate (1)</b> 8:20	<b>B</b>	<b>close (2)</b> 5:3;11:21	<b>creating (5)</b> 7:11,16,19;8:1,22	<b>e-mailed (1)</b> 5:11
<b>agreed-upon (1)</b> 9:19	<b>back (1)</b> 11:22	<b>comments (3)</b> 5:2,16;11:20	<b>Crystal (2)</b> 8:7;11:8	<b>employment (5)</b> 8:5;9:20,23;10:4,5
<b>agreements (2)</b> 9:3;11:16	<b>based (1)</b> 10:23	<b>commercially (1)</b> 10:10	<b>Cuomo (1)</b> 4:3	<b>end-use (1)</b> 9:8
<b>Albany (1)</b> 3:21	<b>basis (2)</b> 9:9;10:7	<b>Commission (1)</b> 11:7	<b>current (3)</b> 8:8,12,16	<b>Energy (2)</b> 6:6,13
<b>allocate (1)</b> 6:20	<b>below (1)</b> 10:4	<b>commitment (1)</b> 10:6	<b>customer (1)</b> 10:13	<b>ensure (1)</b> 11:2
<b>allocated (2)</b> 7:2,3	<b>beyond (1)</b> 9:12	<b>commitments (4)</b> 7:7;8:5;9:20;10:1	<b>customers (3)</b> 3:6;9:8,12	<b>EP (4)</b> 6:22;7:2;9:2;10:21
<b>allocation (2)</b> 10:7,18	<b>billing (2)</b> 9:16;10:9	<b>committed (1)</b> 8:20	<b>customer's (1)</b> 9:19	<b>event (1)</b> 10:13
<b>allocations (6)</b> 7:6;8:4;9:22; 10:21;11:4,10	<b>bills (1)</b>	<b>Committee (2)</b> 4:8,9	<b>customers' (1)</b> 9:22	<b>example (1)</b> 10:1
<b>almost (1)</b> 9:3		<b>committing (4)</b> 7:10,15,18,23		<b>exclusively (1)</b> 9:3
<b>along (1)</b> 5:12		<b>companies (5)</b> 6:15;7:5;8:4,20;		<b>expand (1)</b>

<p>7:7 <b>Expansion (3)</b> 3:5;6:16,21 <b>expire (1)</b> 9:10 <b>extension (3)</b> 8:8,12,16 <b>extensions (1)</b> 8:3</p>	<p><b>Governor (2)</b> 4:3;5:23 <b>Greenpac (1)</b> 7:9 <b>Greenpac's (1)</b> 11:11 <b>Grid (2)</b> 9:5;11:5</p>	<p>13,17,23 <b>Johnson (3)</b> 4:18,21;6:3 <b>July (4)</b> 10:21;11:11,13,14 <b>June (3)</b> 5:3;9:10;11:21</p>	<p><b>March (1)</b> 8:2 <b>may (2)</b> 4:22;6:20 <b>Means (1)</b> 4:9 <b>met (1)</b> 10:1 <b>miles (1)</b> 6:23 <b>Mill (2)</b> 7:9,10 <b>million (5)</b> 7:11,15,19;8:1,21 <b>Minority (2)</b> 4:10,11 <b>Mohawk (1)</b> 9:4 <b>monthly (1)</b> 10:14 <b>MW (2)</b> 6:21,22</p>	<p><b>office (2)</b> 4:16;5:20 <b>once (1)</b> 3:12 <b>one (1)</b> 4:21 <b>open (1)</b> 5:2 <b>operation (1)</b> 7:22 <b>Operator (1)</b> 9:17 <b>oral (2)</b> 4:17;5:1 <b>order (1)</b> 11:13 <b>out (1)</b> 4:19 <b>over (4)</b> 8:10,14,18,21</p>
<p><b>F</b></p>	<p><b>H</b></p>	<p><b>K</b></p>	<p><b>N</b></p>	<p><b>P</b></p>
<p><b>facilitate (1)</b> 9:12 <b>facilitated (1)</b> 9:7 <b>facilities (2)</b> 8:6,22 <b>facility (2)</b> 7:14,18 <b>failure (1)</b> 10:13 <b>fall (1)</b> 10:4 <b>Falls (1)</b> 7:10 <b>faxed (1)</b> 5:9 <b>fees (1)</b> 10:12 <b>fill (1)</b> 4:19 <b>final (1)</b> 5:22 <b>Finance (1)</b> 4:8 <b>First (2)</b> 3:19;9:15 <b>five (3)</b> 8:10,14,18 <b>following (2)</b> 3:15;4:4 <b>forth (1)</b> 3:9 <b>forwarded (1)</b> 5:23 <b>four (3)</b> 3:12;7:5;11:15 <b>Friday (2)</b> 5:3;11:21</p>	<p><b>Hammond (2)</b> 8:15;11:8 <b>handled (1)</b> 9:3 <b>hearing (15)</b> 3:2,9,11,13,14;4:2,14,18,23;5:1,12,18;11:17,22;12:4 <b>held (1)</b> 8:4 <b>hydropower (10)</b> 3:5;6:16;7:6;8:3;9:8,12,16;11:1,3,17</p>	<p><b>Karen (1)</b> 3:7 <b>kilowatts (7)</b> 7:9,13,17,21;8:7,11,15 <b>known (3)</b> 6:22,23;9:6</p>	<p><b>name (2)</b> 3:7;6:11 <b>National (2)</b> 9:5;11:5 <b>nearing (1)</b> 11:12 <b>necessary (1)</b> 5:16 <b>necessitating (1)</b> 9:11 <b>New (14)</b> 3:2,4,8,10;4:6;6:13;7:8;8:6,22;9:5,11,17;10:16;11:11 <b>News (1)</b> 3:18 <b>newspapers (2)</b> 3:12,15 <b>Niagara (5)</b> 3:17;6:17;7:1,10;9:4 <b>non-payment (1)</b> 10:8 <b>notice (3)</b> 3:11,14;4:2 <b>Nulife (1)</b> 7:13 <b>NY (1)</b> 5:7 <b>NYISO (1)</b> 9:18 <b>NYSEG (2)</b> 9:7;11:5</p>	<p><b>Pasquale (5)</b> 6:5,9,10,11;11:23 <b>payment (2)</b> 10:12,13 <b>percent (2)</b> 10:3,5 <b>period (1)</b> 4:13 <b>pertinent (1)</b> 9:14 <b>phase-in (1)</b> 10:22 <b>pipe (1)</b> 7:18 <b>Plains (3)</b> 4:16;5:7,20 <b>plan (1)</b> 4:17 <b>please (3)</b> 4:18,20;6:2 <b>point (1)</b> 6:4 <b>Porter (1)</b> 3:20 <b>Power (14)</b> 3:3,5,6,8;6:13,16,16,17,22,22;7:1;9:4,23;11:1 <b>present (1)</b> 6:14 <b>Preservation (1)</b> 11:1 <b>President (3)</b> 4:6;6:5,12 <b>prior (1)</b> 4:13 <b>Pro (2)</b> 4:6;10:7 <b>procedures (1)</b> 3:9</p>
<p><b>G</b></p>	<p><b>I</b></p>	<p><b>L</b></p>	<p><b>O</b></p>	<p><b>M</b></p>
<p><b>Gas (1)</b> 9:6 <b>Gazette (1)</b> 3:17 <b>generated (1)</b> 6:17 <b>Glass (2)</b> 7:13,14 <b>Good (2)</b> 3:1;6:10</p>	<p><b>J</b></p> <p><b>James (2)</b> 6:5,11 <b>January (1)</b> 7:3 <b>job (2)</b> 10:2,3 <b>jobs (8)</b> 7:12,16,20;8:1,9,</p>	<p><b>M</b></p> <p><b>mailed (1)</b> 5:4 <b>Main (1)</b> 5:6 <b>maintain (1)</b> 8:5 <b>Manufacturing (2)</b> 8:15;11:8</p>	<p><b>late (2)</b> 9:1;10:12 <b>law (4)</b> 3:2,10;4:1;6:19 <b>Leader (2)</b> 4:10,11 <b>leaders (1)</b> 4:4 <b>leading (1)</b> 3:12 <b>legislative (1)</b> 4:4 <b>length (1)</b> 4:22 <b>Lewiston (1)</b> 3:20 <b>light (1)</b> 5:16 <b>local (1)</b> 9:4 <b>located (1)</b> 6:23 <b>Lockport (1)</b> 7:23 <b>long-term (1)</b> 11:18 <b>Lorna (1)</b> 4:18</p> <p><b>Observer (1)</b> 3:22</p>	<p><b>Inc (1)</b> 9:18 <b>include (1)</b> 10:2 <b>includes (2)</b> 9:19;10:10 <b>including (1)</b> 10:16 <b>Independent (1)</b> 9:17 <b>individuals (1)</b> 12:1 <b>Industries (1)</b> 8:7 <b>inspection (1)</b> 4:15 <b>interim (1)</b> 11:15 <b>introduce (1)</b> 6:4 <b>invest (1)</b> 8:5 <b>investment (7)</b> 7:11,16;8:10,14,18;9:21;10:1</p>

<p><b>process (1)</b> 11:18</p> <p><b>program (1)</b> 11:1</p> <p><b>programs (1)</b> 11:3</p> <p><b>Project (3)</b> 6:18;7:1;11:11</p> <p><b>proposed (9)</b> 3:3;4:2,14;5:15; 6:7,14;9:1,15;11:20</p> <p><b>provide (2)</b> 6:7;9:15</p> <p><b>provided (2)</b> 7:1;11:4</p> <p><b>provision (1)</b> 9:7</p> <p><b>provisions (3)</b> 9:14;10:11,14</p> <p><b>public (7)</b> 3:1,10;4:1;5:19; 6:19;11:6,17</p> <p><b>published (1)</b> 3:11</p> <p><b>pursuant (1)</b> 4:1</p>	<p><b>requested (1)</b> 11:12</p> <p><b>require (2)</b> 10:12;11:10</p> <p><b>required (2)</b> 3:2,9</p> <p><b>requirement (1)</b> 10:2</p> <p><b>resale (1)</b> 11:10</p> <p><b>respect (1)</b> 9:20</p> <p><b>result (1)</b> 10:9</p> <p><b>retaining (1)</b> 8:22</p> <p><b>retains (1)</b> 9:21</p> <p><b>retention (3)</b> 8:9,13,17</p> <p><b>return (2)</b> 7:7;8:4</p> <p><b>review (2)</b> 5:19,22</p> <p><b>right (2)</b> 9:22;10:6</p> <p><b>risk (1)</b> 10:8</p> <p><b>RP (3)</b> 6:23;9:2;10:21</p>	<p>10:19,22;11:4,6,7, 10,13,14</p> <p><b>set (1)</b> 3:9</p> <p><b>seven (1)</b> 6:15</p> <p><b>shall (2)</b> 5:14;7:3</p> <p><b>short-term (1)</b> 11:15</p> <p><b>sign-in (2)</b> 4:19;6:3</p> <p><b>six (1)</b> 3:11</p> <p><b>soon (1)</b> 11:13</p> <p><b>Speaker (1)</b> 4:7</p> <p><b>Specifically (2)</b> 7:8;8:6</p> <p><b>specifies (2)</b> 10:20,22</p> <p><b>spending (3)</b> 7:19;8:1,21</p> <p><b>start (1)</b> 11:14</p> <p><b>State (3)</b> 3:10;4:6;9:6</p> <p><b>stated (1)</b> 11:19</p> <p><b>statement (4)</b> 4:17,22;5:1;12:2</p> <p><b>statements (2)</b> 4:20;5:2</p> <p><b>Street (1)</b> 5:6</p> <p><b>submissions (2)</b> 5:4,13</p> <p><b>submitted (1)</b> 5:13</p> <p><b>Subsection (1)</b> 6:20</p> <p><b>summarize (1)</b> 9:14</p> <p><b>summary (1)</b> 6:14</p> <p><b>supply (1)</b> 9:16</p> <p><b>System (1)</b> 9:17</p>	<p><b>Temp (1)</b> 4:6</p> <p><b>temporarily (1)</b> 12:1</p> <p><b>term (3)</b> 8:10,14,18</p> <p><b>terminate (1)</b> 9:22</p> <p><b>terms (2)</b> 5:14;8:3</p> <p><b>three (2)</b> 8:4;11:3</p> <p><b>three-year (1)</b> 10:22</p> <p><b>threshold (2)</b> 10:3,5</p> <p><b>Times (1)</b> 3:21</p> <p><b>today (1)</b> 6:14</p> <p><b>today's (1)</b> 4:13</p> <p><b>Tonawanda (1)</b> 8:11</p> <p><b>total (1)</b> 7:23</p> <p><b>transcript (2)</b> 5:12,18</p> <p><b>Transmission (1)</b> 11:3</p> <p><b>Trustees (4)</b> 3:3;5:14;7:6;8:2</p> <p><b>Trustees' (1)</b> 5:22</p> <p><b>Tube (1)</b> 7:17</p> <p><b>tubular (1)</b> 7:18</p> <p><b>turn (1)</b> 11:22</p> <p><b>two (1)</b> 10:14</p>	<p style="text-align: center;"><b>V</b></p> <p><b>Vice (2)</b> 6:5,12</p> <p style="text-align: center;"><b>W</b></p> <p><b>Ways (1)</b> 4:9</p> <p><b>website (2)</b> 4:16;5:20</p> <p><b>week (1)</b> 3:12</p> <p><b>weeks (1)</b> 3:12</p> <p><b>Welded (1)</b> 7:17</p> <p><b>Western (4)</b> 3:4;7:8;8:6,21</p> <p><b>whereby (1)</b> 11:16</p> <p><b>White (3)</b> 4:15;5:7,20</p> <p><b>wishing (1)</b> 12:1</p> <p><b>within (1)</b> 6:23</p> <p><b>WNY-1 (1)</b> 10:19</p> <p><b>working (1)</b> 11:14</p> <p><b>written (3)</b> 4:20,22;5:13</p> <p><b>wwnypagov (1)</b> 5:21</p>
<b>R</b>	<b>S</b>	<b>T</b>	<b>U</b>	<b>Y</b>
<p><b>rata (1)</b> 10:7</p> <p><b>rate (3)</b> 10:22,23,23</p> <p><b>rates (1)</b> 10:20</p> <p><b>reasonable (1)</b> 10:10</p> <p><b>received (1)</b> 5:17</p> <p><b>recent (1)</b> 10:15</p> <p><b>recess (2)</b> 12:1,3</p> <p><b>Recharge (1)</b> 10:16</p> <p><b>reconsider (1)</b> 5:14</p> <p><b>record (2)</b> 4:23;5:1</p> <p><b>recycling (1)</b> 7:14</p> <p><b>reduce (2)</b> 9:22;10:6</p> <p><b>Regarding (1)</b> 9:1</p> <p><b>remain (1)</b> 5:2</p> <p><b>Replacement (3)</b> 3:5;6:16,22</p> <p><b>reporter (1)</b> 4:21</p> <p><b>reporting (1)</b> 10:2</p>	<p><b>sale (7)</b> 3:4,4;6:8,15;9:11, 12;10:15</p> <p><b>sale-for-resale (2)</b> 6:21;9:9</p> <p><b>sales (2)</b> 9:2;10:16</p> <p><b>second (1)</b> 7:22</p> <p><b>Secretary (2)</b> 3:8;5:5</p> <p>secretarysoffice@nypagov (1) 5:11</p> <p><b>Section (2)</b> 3:10;6:19</p> <p><b>sell (2)</b> 6:20;11:16</p> <p><b>Senate (3)</b> 4:6,8,10</p> <p><b>Senior (2)</b> 6:5,12</p> <p><b>sent (1)</b> 4:3</p> <p><b>Sentinel (1)</b> 3:20</p> <p><b>serve (1)</b> 10:18</p> <p><b>served (1)</b> 11:9</p> <p><b>Service (8)</b></p>	<p style="text-align: center;"><b>1</b></p> <p><b>table (2)</b> 4:19;6:3</p> <p><b>target (1)</b> 10:23</p> <p><b>Tariff (2)</b> 10:19,22</p> <p><b>tariffs (1)</b> 11:7</p> <p><b>taxes (1)</b> 9:18</p>	<p style="text-align: center;"><b>1</b></p> <p><b>ultimately (1)</b> 11:2</p> <p><b>Under (3)</b> 6:19;9:3;11:10</p> <p><b>uninterrupted (1)</b> 11:11</p> <p><b>Union (1)</b> 3:21</p> <p><b>up (1)</b> 3:12</p> <p><b>USA (1)</b> 7:17</p> <p><b>utilities (2)</b> 9:4,10</p> <p><b>utilities' (1)</b> 11:6</p> <p><b>utilization (1)</b> 9:23</p>	<p style="text-align: center;"><b>Y</b></p> <p><b>Yahoo (1)</b> 11:5</p> <p><b>Yahoo! (1)</b> 7:21</p> <p><b>years (3)</b> 8:10,14,19</p> <p><b>York (12)</b> 3:2,4,8,10;4:6; 6:13;7:8;8:6,22;9:6, 17;10:16</p>

<p><b>100-person (1)</b> 7:22</p> <p><b>10601 (1)</b> 5:7</p> <p><b>108 (1)</b> 7:11</p> <p><b>115 (1)</b> 8:1</p> <p><b>11-P (1)</b> 5:6</p> <p><b>121 (1)</b> 7:19</p> <p><b>123 (1)</b> 5:6</p> <p><b>13 (1)</b> 6:20</p> <p><b>16 (1)</b> 8:13</p> <p><b>1980s (1)</b> 9:2</p> <p><b>1987 (1)</b> 7:3</p> <p><b>1st (1)</b> 11:14</p>	<p>6:22 <b>459 (1)</b> 8:22</p>			
	<b>5</b>			
	<p><b>5 (2)</b> 3:21;4:10</p> <p><b>50 (1)</b> 8:9</p> <p><b>500 (1)</b> 7:13</p>			
	<b>6</b>			
	<p><b>6 (2)</b> 3:22;4:11</p>			
	<b>7</b>			
	<p><b>7,200 (1)</b> 7:21</p>			
	<b>9</b>			
<b>2</b>	<p><b>90 (2)</b> 10:3,5</p> <p><b>914 (1)</b> 5:9</p>			
<p><b>2 (2)</b> 3:18;4:7</p> <p><b>2013 (5)</b> 8:2;9:11;10:21; 11:11,13</p> <p><b>21 (2)</b> 5:3;8:2</p> <p><b>21st (1)</b> 11:21</p> <p><b>24 (1)</b> 8:17</p> <p><b>25 (1)</b> 7:16</p> <p><b>250 (2)</b> 6:21;8:11</p>				
<b>3</b>				
<p><b>3 (2)</b> 3:19;4:8</p> <p><b>30 (2)</b> 6:23;9:11</p> <p><b>30-day (1)</b> 4:13</p> <p><b>390-8040 (1)</b> 5:9</p>				
<b>4</b>				
<p><b>4 (2)</b> 3:20;4:9</p> <p><b>4,000 (1)</b> 7:17</p> <p><b>4,600 (1)</b> 8:7</p> <p><b>445 (1)</b></p>				