

**EXHIBIT 4a-A**

**Non-Compliance with Job Retention Commitment – Recommended Reductions in Contract Demands and RNY Power Allocations and Adjustments to Job Retention Commitments**

**AccuMED Innovative Technologies, LLC (Buffalo, Erie County) AppID 4561**

Allocation: 80 kW (effective 12-1-2015)  
Contract Demand: 80 kW (effective 12-1-2015)  
Power Utilization: 100%  
Cumulative Capital Spending: \$2,028,154 or 51% of 5-year commitment  
Job Commitment: 190 jobs (effective 12-1-2015)  
Jobs Reported: 107 jobs or 56%

**Background:** AccuMed Technologies manufactures medical devices. During 2014, one of its largest customers shifted manufacturing supply from AccuMed to in-house production, forcing AccuMED to reduce staffing. Additionally this has led to moving a significant amount of manufacturing and operations to its plant in the Dominican Republic, which explains the significant decrease in employee headcount.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 50 kW, and authorize an adjustment of the job commitment to not less than 125 jobs.*

**Air Products Inc. - Medina (Medina, Orleans County) AppID 10270**

Allocation: 250 kW  
Contract Demand: 250 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$76,759 or 15% of 5year commitment  
Job Commitment: 9 jobs  
Jobs Reported: 6 jobs, or 67%

**Background:** Air Products, Inc., formerly EPCO Carbon dioxide Products, Inc. manufactures purified liquid carbon dioxide. It sells its product to both wholesalers and end users of carbon dioxide. Air Products' capital spending for the 2015 year that was budgeted for Medina, went to other CO2 facilities. Due to corporate reorganization, Air Products had to reduce employment at its Medina facility.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 190 kW, and authorize an adjustment of the job commitment to not less than 7 jobs.*

**Air Techniques, Inc. (Melville, Suffolk County) AppID 9947**

Allocation: 440 kW  
Contract Demand: 440 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$2,889,098 or 46% of 5year commitment  
Job Commitment: 315 jobs  
Jobs Reported: 222 jobs, or 70%

**Background:** Manufactures dental and medical products. Air Techniques has experienced a decline in sales due to newer technologies in dental equipment which has resulted in a decreased demand in its particular line of dental and medical equipment. This decline has prompted the company to reduce cost and to eliminate staff. It is currently trying to fill 18 full time positions for 2016.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 350 kW, and authorize an adjustment of the job commitment to not less than 252 jobs.*

**Albert Einstein College of Medicine at Yeshiva University (Bronx, Bronx County) AppID 3651**

Allocation: 1,430 kW  
Contract Demand: 1,430 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$54,903,000 or 84% of 5year commitment  
Job Commitment: 2,875 jobs  
Jobs Reported: 2,413 jobs or 84%

**Background:** Albert Einstein College of Medicine at Yeshiva University is a higher education teaching medical hospital. Albert Einstein has reached an operating joint venture with Montefiore Medical Academic Health systems, which resulted in a transfer of staffing positions. Additionally, the company faced a decrease in funding, which resulted in additional staff reductions.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 1,390 kW, and authorize an adjustment of the job commitment to not less than 2,413 jobs.*

**AMF Bowling, Inc. (Lowville, Lewis County) AppID 7419**

Allocation: 476 kW  
Contract Demand: 476 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$1,261,497 or 63% of 5year commitment  
Job Commitment: 95 jobs  
Jobs Reported: 85 jobs or 89%

**Background:** AMF Bowling, Inc. manufactures bowling pins. AMF has met employment commitments in previous reporting periods. The company did not provide any information explaining its job shortfall for the 2014-2015 reporting period.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 470 kW, and authorize an adjustment of the job commitment to not less than 94 jobs.*

**Angion Biomedica Corp. (Uniondale, Nassau County) AppID 9894**

Allocation: 250 kW  
Contract Demand: 250 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$117,909 or 12% of 5year commitment  
Job Commitment: 30 jobs  
Jobs Reported: 26 jobs or 87%

**Background:** Angion Biomedica is a research and development laboratory. Angion Biomedica is currently undergoing a major acquisition and expects this will ultimately result in an increase in staff in the future.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 240 kW, and authorize an adjustment of the job commitment to not less than 29 jobs.

**Arkwin Industries (Westbury, Nassau County) AppID 9283**

Allocation: 700 kW  
Contract Demand: 700 kW  
Power Utilization: 98%  
Cumulative Capital Spending: \$3,929,100 or 38% of 5 year commitment  
Job Commitment: 320 jobs  
Jobs Reported: 252 jobs, or 79%

**Background:** Arkwin Industries Inc. manufactures aerospace components. According to Arkwin Industries, much of its success was predicated on its ability to participate in Lockheed Martin's F-35 Joint Strike Fighter program ("JSF"). In recent years, the JSF program has suffered numerous delays. Arkwin expects full ramp up of production may be reached by 2017. When this occurs, Arkwin should be poised to meet employment commitments.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 620 kW, and authorize an adjustment of the job commitment to not less than 285 jobs.

**Burton Industries, Inc. (North Babylon, Suffolk County) AppID 5250**

Allocation: 400 kW (effective 12-1-2015)  
Contract Demand: 400 kW (effective 12-1-2015)  
Power Utilization: 100%  
Cumulative Capital Spending: \$852,235 or 114% of 5 year commitment  
Job Commitment: 47 jobs (effective 12-1-2015)  
Jobs Reported: 31 jobs or 66%

**Background:** Burton Industries Inc. provides metal heat-treating services. During the first half of 2013, a division of Burton Industries, the North East Finishing Company (NEFCO) was separated from Burton Industries. NEFCO is no longer part of Burton Industries and separately employs approximately 20 people. Burton Industries no longer has any financial interest in this division and no longer controls employment at NEFCO.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 300 kW, and authorize an adjustment of the job commitment to not less than 36 jobs.

**Byrne Dairy, Inc. – Ice Cream Center (Syracuse, Onondaga County) AppID 9883**

Allocation: 236 kW  
Contract Demand: 236 kW  
Power Utilization: 100% of commitment  
Cumulative Capital Spending: \$429,897 or 32% of 5year commitment  
Job Commitment: 28 jobs  
Jobs Reported: 21 jobs, or 75% of commitment

**Background:** Byrne Dairy Inc. produces milk and juice products. This is the third year that Byrne Dairy reported an employment shortfall that brought it below the relevant compliance rate. Byrne Dairy stated it employed temporary employees but was not able to retain them as permanent staff. The company did not provide any additional information regarding its reported job shortfall.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 200 kW, and authorize an adjustment of the job commitment to not less than 24 jobs.

**Cambridge Valley Machining (Cambridge, Washington County) AppID 9496**

Allocation: 220 kW  
Contract Demand: 220 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$4,534,437 or 56% of 5year commitment  
Job Commitment: 117 jobs  
Jobs Reported: 83 jobs, or 71% of commitment

**Background:** Cambridge Valley Machining manufactures machine components. In late 2014, its largest customer had financial difficulties which caused a significant decrease in production at Cambridge Valley Machining. In July 2015, it hired 10 new employees and are seeking to hire an additional 15 employees. The company recently submitted current job numbers for July 2015 through January 2016 but has not achieved compliance threshold levels at this time.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 180 kW, and authorize an adjustment of the job commitment to not less than 95 jobs.

**Citigroup NA - (Long Island City, Queens County) AppID 5919**

Allocation: 3,476 kW  
Contract Demand: 3,476 kW  
Power Utilization: 100% of commitment  
Cumulative Capital Spending: \$20,132,723 or 11% of 5year commitment  
Job Commitment: 4,730 jobs  
Jobs Reported: 4,091 jobs, or 86% of commitment

**Background:** Citigroup NA - Long Island City, provides banking services. The company did not provide any information explaining its job shortfall for the 2014-2015 reporting period.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 3,340 kW, and authorize an adjustment of the job commitment to not less than 4,541 jobs.

**Citigroup, Inc. – Greenwich St (New York, New York County) AppID 10216**

Allocation: 2,920 kW  
Contract Demand: 2,920 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$60,000,000 or 24% of 5year commitment  
Job Commitment: 5,792 jobs  
Jobs Reported: 4,218 jobs, or 73% of commitment

**Background:** Citigroup, Inc. Greenwich provides banking services. The company did not provide any information explaining its job shortfall for the 2014-2015 reporting period.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 2,420 kW, and authorize an adjustment of the job commitment to not less than 4,807 jobs.

**Computer Associates International (Islandia, Suffolk County) AppID 8549**

Allocation: 2,560 kW  
Contract Demand: 2,560 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$3,478,494 or 39% of 5year commitment  
Job Commitment: 1,800 jobs  
Jobs Reported: 1,540 jobs, or 86% of commitment

**Background:** Computer Associates International is an I.T. data center. The company did not provide any information explaining its job shortfall for the 2014-2015 reporting period.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 2,460 kW, and authorize an adjustment of the job commitment to not less than 1,728 jobs.

**Cooper Power Systems (Olean, Cattaraugus County) AppID 9988**

Allocation: 836 kW  
Contract Demand: 836 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$3,775,270 or 47% of 5year commitment  
Job Commitment: 205 jobs  
Jobs Reported: 179 jobs, or 87% of commitment

**Background:** Cooper Power Systems produces surge-arrester products. This is the third year the company reported employment levels below the compliance threshold. Cooper Power Systems is currently going through product line transitions between its North American facilities along with expanding product lines. The company hopes these changes will eventually increase jobs at its facility.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 810 kW, and authorize an adjustment of the job commitment to not less than 199 jobs.*

**Dayton T. Brown (Bohemia, Suffolk County) AppID 9603**

Allocation: 120 kW  
Contract Demand: 120 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$2,405,154 or 33% of 5 year commitment  
Job Commitment: 213 jobs  
Jobs Reported: 156 jobs or 73%

**Background:** Dayton T. Brown performs test systems for industrial, commercial and military requirements. Dayton T. Brown has experienced a work delay, especially with government contracts. It anticipates an increase in work and increased sales in 2016.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 100 kW, and authorize an adjustment of the job commitment to not less than 177 jobs.*

**Flagpoles Inc. / P&K Tubular (East Setauket, Suffolk County) AppID 11414**

Allocation: 120 kW  
Contract demand; 120 kW  
Power Utilization: 100% of commitment  
Cumulative Capital Spending: \$976,128 or 44% of 5year commitment  
Job Commitment: 94 jobs  
Jobs Reported: 76 jobs, or 81% of commitment

**Background:** Flagpoles manufactures poles for tented structures and flags. This is the third year the company has reported below the compliance threshold. A large portion of its sales are associated with government contracts. The company reported that due to the decline in government spending, Flagpoles' sales have decreased and it has been limited in its ability to maintain or hire any additional staff. Sales in its commercial department were also down. The company states additional hiring will commence once the defense business operations begin.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 110 kW, and authorize an adjustment of the job commitment to not less than 86 jobs.*

**Henry Schein, Inc. (Melville, Suffolk County) AppID 11649**

Allocation: 1,050 kW  
Contract Demand: 1,050 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$3,814,500, or 95% of 5 year commitment  
Job Commitment: 1,384 jobs  
Jobs Reported: 1,238 jobs or 89% of commitment

**Background:** Henry Schein, Inc. is a dental products distributor. The company did not provide any information explaining its job shortfall for the 2014-2015 reporting period.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 1,040 kW, and authorize an adjustment of the job commitment to not less than 1,370 jobs.*

**International Fiber Corp. / Solvaira Specialties (North Tonawanda, Niagara County) AppID 8928**

Allocation: 900 kW  
Contract demand; 900 kW  
Power Utilization: 100% of commitment  
Cumulative Capital Spending: \$1,570,753 or 63% of 5year commitment  
Job Commitment: 84 jobs  
Jobs Reported: 51 jobs, or 61% of commitment

**Background:** International Fiber Corp./Solvaira Specialties produces powered cellulose and fibers. Decreased product demand coupled with increased competition resulted in reduced staff. The company plans to increase revenues through sales and marketing.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 640 kW, and authorize an adjustment of the job commitment to not less than 60 jobs.*

**Intertek Testing Services NA, Inc. (Cortland, Cortland County) AppID 10157**

Allocation: 600 kW (effective 12-1-2015)  
Contract Demand: 600 kW (effective 12-1-2015)  
Power Utilization: 100% of commitment  
Cumulative Capital Spending: \$3,847,864 or 55% of 5year commitment  
Job Commitment: 414 jobs (effective 12-1-2015)  
Jobs Reported: 352 jobs, or 85%

**Background:** Intertek Testing Services provides testing, inspecting and product certification services. The company did not provide any explanation regarding its job shortfall.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 570 kW, and authorize an adjustment of the job commitment to not less than 393 jobs.*

**ITT Corp. (EDO) (Bohemia, Suffolk County) AppID 3954**

Allocation: 350 kW (effective 12-1-2015)  
Contract Demand: 350 kW (effective 12-1-2015)  
Power Utilization: 100%  
Cumulative Capital Spending: \$966,055 or 39% of 5year commitment  
Job Commitment: 211 jobs (effective 12-1-2015)  
Jobs Reported: 143 jobs or 68%

**Background:** ITT Corp. (EDO) manufactures antennas. During the 2013-2014 reporting period, the company reported job shortfalls as a result of the effect of the defense budget sequestration, which had implications on its receipt of Department of Defense contracts. The company did not provide any information explaining its job shortfall for the 2014-2015 reporting period.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 270 kW, and authorize an adjustment of the job commitment to not less than 165 jobs.*

**Kerry Biofunctional Ingredients, Inc. (Norwich, Chenango County) AppID 32622**

Allocation: 560 kW  
Contract Demand: 560 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$1,124,619 or 19% of 5year commitment  
Job Commitment: 112 jobs  
Jobs Reported: 97 jobs or 87%

**Background:** Kerry Biofunctional Ingredients, Inc. produces pharmaceutical lactose/excipients, casein hydrolysates, flavors and tablet coatings. The company reports headcount has decreased due to relocation of a portion of business to Ireland. Kerry Biofunctional anticipates that headcount will not increase over the next year.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 540 kW, and authorize an adjustment of the job commitment to not less than 109 jobs.*

**Kraft Foods Global, Inc. - Avon (Avon, Livingston County) AppID 9347**

Allocation: 2,670 kW  
Contract Demand: 2,670 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$13,914,195 or 139% of 5year commitment  
Job Commitment: 389 jobs  
Jobs Reported: 343 jobs or 88%

**Background:** Kraft Foods Global, Inc. manufactures packaged food products. The company indicates headcount is low due to variability in demand for its products, and such variability has impeded the company's ability to meet its job commitments.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 2,620 kW, and authorize an adjustment of the job commitment to not less than 381 jobs.

**Land O'Lakes, Inc. (Hicksville, Nassau County) AppID 5745**

Allocation: 950 kW  
Contract Demand: 950 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$8,597,780 or 48% of 5year commitment  
Job Commitment: 267 jobs  
Jobs Reported: 234 jobs or 88%

**Background:** Land O' Lakes, Inc. manufactures puddings. The company purchased Kozy Shack almost 3 years ago. The company reports difficulty integrating business practices as well as having to reduce duplicate positions. It is currently looking to fill open positions.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 930 kW, and authorize an adjustment of the job commitment to not less than 262 jobs.

**Lehigh Northeast Cement Company (Glens Falls, Warren County) AppID 7250**

Allocation: 4,820 kW  
Contract Demand: 4,820 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$11,431,164 (No 1 year commitment)  
Job Commitment: 115 jobs  
Jobs Reported: 94 jobs or 82%

**Background:** Lehigh Northeast Cement company manufactures cement. The company did not provide any comment regarding the jobs shortfall.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 4,430 kW, and authorize an adjustment of the job commitment to not less than 106 jobs.

**Linita Design Manufacturing Corp. (Lackawanna, Erie County) AppID 3894**

Allocation: 86 kW  
Contract Demand: 86 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$557,070 or 28% of 5year commitment  
Job Commitment: 40 jobs  
Jobs Reported: 26 jobs or 65%

**Background:** Linita Design Manufacturing Corporation manufactures and designs steel. The company states that it has undergone a corporate culture shift and expects to increase compliance levels in 2016.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 60 kW, and authorize an adjustment of the job commitment to not less than 30 jobs.

**Lockheed Martin (Liverpool, Onondaga County) AppID 12995**

Allocation: 3,000 kW  
Contract Demand: 3,000 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$47,149,480 or 47% of 5year commitment  
Job Commitment: 1,835 jobs  
Jobs Reported: 1,610 jobs or 88%

**Background:** Lockheed Martin produces radar systems. The company reports government sequestration and spending cuts as the reason for the jobs shortfall. Lockheed Martin has recently acquired Sikorsky Aircraft which may help to improve employment.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 2,940 kW, and authorize an adjustment of the job commitment to not less than 1,798 jobs.

**Maines Paper Food Service, Inc. (Conklin, Broome County) AppID 10212**

Allocation: 666 kW  
Contract Demand: 666 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$14,345,864 or 95% of 5year commitment  
Job Commitment: 1,336 jobs  
Jobs Reported: 1,091 jobs or 82%

**Background:** Maines Paper Food Service, Inc. is a food service distributor and warehouse. The company did not provide any comment regarding the jobs shortfall.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 610 kW, and authorize an adjustment of the job commitment to not less than 1,229 jobs.

**Mayer Brothers Apple Products, Inc. (Barker, Niagara County) AppID 10235**

Allocation: 250 kW  
Contract Demand: 250 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$2,117,512 or 141% of 5year commitment  
Job Commitment: 106 jobs  
Jobs Reported: 82 jobs or 77%

**Background:** Mayer Brothers Apple Products, Inc. manufactures bottled water, juice and cider. The company sites major customer order cutbacks as the reason for the jobs shortfall. It anticipates hiring additional positions in the year to come, as well as an increase in subsequent years due to anticipated growth in bulk cider sales.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 220 kW, and authorize an adjustment of the job commitment to not less than 92 jobs.

**Navylist Medical, Inc. (Glens Falls, Warren County) AppID 3758**

Allocation: 796 kW  
Contract Demand: 796 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$5,625,100 or 75% of 5year commitment  
Job Commitment: 680 jobs  
Jobs Reported: 519 jobs or 76%

**Background:** Navylist Medical, Inc. manufactures medical devices. The company did not provide any comment regarding the jobs shortfall.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 690 kW, and authorize an adjustment of the job commitment to not less than 585 jobs.

**NBTY, Inc. (Bayport, Suffolk County) AppID 9431**

Allocation: 1,026 kW  
Contract Demand: 1,026 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$1,532,445 or 153% of 5year commitment  
Job Commitment: 412 jobs  
Jobs Reported: 344 jobs or 84%

**Background:** NBTY manufactures vitamins and nutritional supplements. Production changes and fluctuation in demand resulted in a change in operations from a 24/7 to a 24/5 workflow. Due to this change, positions were not filled and a number of positions were transferred to other locations.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 950 kW, and authorize an adjustment of the job commitment to not less than 383 jobs.

**New York Container Terminal, Inc. (Staten Island, Richmond County) AppID 5790**

Allocation: 436 kW  
Contract Demand: 436 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$38,372,006 or 8% of 5year commitment  
Job Commitment: 520 jobs  
Jobs Reported: 350 jobs or 67%

**Background:** New York Container Terminal, Inc. is a shipping terminal. The company reports the increase in NY and NJ tolls and contract renegotiation with its customer base as the reason for its low employment numbers. NYCT anticipates an increase in employment as a result of a new contract at the end of the year.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 340 kW, and authorize an adjustment of the job commitment to not less than 400 jobs.

**Northrop Grumman Systems Corporation (Bethpage, Nassau County) AppID 9549**

Allocation: 1,420 kW (effective 12-1-2015)  
Contract Demand: 1,420 kW (effective 12-1-2015)  
Power Utilization: 99%  
Cumulative Capital Spending: \$16,846,769 (No 1 year commitment)  
Job Commitment: 1300 jobs (effective 12-1-2015)  
Jobs Reported: 448 jobs or 34%

**Background:** Northrop Grumman Systems Corporation is an R&D, engineering and design firm. The company has downsized this facility and moved business to Florida.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 630 kW, and authorize an adjustment of the job commitment to not less than 572 jobs.

**Pall Corporation (Hauppauge, Suffolk County) AppID 11465**

Allocation: 646 kW  
Contract Demand: 646 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$3,499,806 or 350% of 5year commitment  
Job Commitment: 101 jobs  
Jobs Reported: 81 jobs or 80%

**Background:** Pall Corporation provides water filtration. The company reports resignations and re-organization as the reason for its jobs shortfall. The company is currently looking to fill five open positions.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 580 kW, and authorize an adjustment of the job commitment to not less than 91 jobs.

**Printex Packaging Corporation (Islandia, Suffolk County) AppID 17732**

Allocation: 136 kW  
Contract Demand: 136 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$526,400 or 28% of 5year commitment  
Job Commitment: 68 jobs  
Jobs Reported: 43 jobs or 63%

**Background:** Printex Packaging Corporation manufactures clear plastic packaging cartons and displays. The company did not provide any additional comment regarding its job shortfall.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 100 kW, and authorize an adjustment of the job commitment to not less than 50 jobs.

**Rebekah Rehab (Bronx, Bronx County) AppID 10410**

Allocation: 160 kW  
Contract Demand: 160 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$444,483 or 22% of 5year commitment  
Job Commitment: 228 jobs  
Jobs Reported: 178 jobs or 78%

**Background:** Rebekah Rehab provides health services. The company did not provide any comment regarding its jobs shortfall.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 140 kW, and authorize an adjustment of the job commitment to not less than 201 jobs.

**SCA Tissue North America LLC (South Glens Falls, Saratoga County) AppID 3900**

Allocation: 5,806 kW  
Contract Demand: 5,806 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$10,749,414 or 25% of 5year commitment  
Job Commitment: 288 jobs  
Jobs Reported: 255 jobs or 89%

**Background:** SCA Tissue North America manufactures tissue products. The company reports headcount reduction as a result of lower goods volume compared to last year.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 5,750 kW, and authorize an adjustment of the job commitment to not less than 285 jobs.

**SCA Tissue North America LLC (Greenwich, Washington County) AppID 3901**

Allocation: 686 kW  
Contract Demand: 686 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$1,578,783 or 13% of 5year commitment  
Job Commitment: 120 jobs  
Jobs Reported: 99 jobs or 83%

**Background:** SCA Tissue North America manufactures tissue products. The company did not provide any comment regarding its jobs shortfall.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 640 kW, and authorize an adjustment of the job commitment to not less than 112 jobs.

**Snyder Industries, Inc. (Tonawanda, Niagara County) AppID 6884**

Allocation: 466 kW  
Contract Demand: 466 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$1,401,717 or 4% of 5year commitment  
Job Commitment: 106 jobs  
Jobs Reported: 74 jobs or 70%

**Background:** Snyder Industries, Inc. manufactures machinery. The company reports the downturn in the coal mining industry as having a significant impact on business. As a result, employment levels have dropped off.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 370 kW, and authorize an adjustment of the job commitment to not less than 85 jobs.

**St. John's University (Jamaica, Queens County) AppID 9435**

Allocation: 1,000 kW  
Contract Demand: 1,000 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$27,859,503 or 21% of 5year commitment  
Job Commitment: 3,413 jobs  
Jobs Reported: 1,981 jobs or 58%

**Background:** St. John's University reports Voluntary Separation Opportunity, the increase in minimum hourly rate, along with a decrease in part time employees as the reason for its jobs shortfall.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 680 kW, and authorize an adjustment of the job commitment to not less than 2,321 jobs.

**Syracuse Plastics – (Liverpool, Onondaga County) AppID 8104**

Allocation: 220 kW  
Contract Demand: 220 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$1,440,000 or 96% of 5year commitment  
Job Commitment: 42 jobs  
Jobs Reported: 33 jobs or 79%

**Background:** Syracuse Plastics manufactures plastic parts and components. The Company states that a new major customer responsible for its expansion into a new line of work moved manufacturing of its product to another state resulting in the loss of 20 jobs. The company has been unable to replace this customer. In addition, several of its existing customers have decreased manufacturing orders. The company is currently working with existing NYS customers on new product launches which it anticipates will increase employment numbers.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 200 kW, and authorize an adjustment of the job commitment to not less than 37 jobs.

**The Kingston Hospital (Kingston, Ulster County) AppID 9998**

Allocation: 340 kW  
Contract Demand: 340 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$11,407,301 or 69% of 5year commitment  
Job Commitment: 917 jobs  
Jobs Reported: 668 jobs or 73%

**Background:** The Kingston Hospital sites the consolidation of HealthAlliance campuses and movement of employees between them as the reason for its jobs shortfall.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 280 kW, and authorize an adjustment of the job commitment to not less than 761 jobs.

**Town Sports International, LLC (Elmsford, Westchester County) AppID 24532**

Allocation: 196 kW  
Contract Demand: 196 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$384,513 or 31% of 5year commitment  
Job Commitment: 100 jobs  
Jobs Reported: 83 jobs or 83%

**Background:** Town Sports International, LLC is a laundry facility and linen service. The company reports a restructuring of the company. It anticipates expansion of business operations and meeting the compliance threshold in 2016.

**Recommendation:** Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 180 kW, and authorize an adjustment of the job commitment to not less than 93 jobs.

**Ultralife Batteries (Newark, Wayne County) AppID 9806**

Allocation: 590 kW (effective 12-1-2015)  
Contract Demand: 590 kW (effective 12-1-2015)  
Power Utilization: 100%  
Cumulative Capital Spending: \$1,551,759 or 121% of 1year commitment  
Job Commitment: 261 jobs (effective 12-1-2015)  
Jobs Reported: 166 jobs or 64%

**Background:** Ultralife Batteries manufactures batteries and communications systems. The company did not provide any comment regarding its job shortfall.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 440 kW, and authorize an adjustment of the job commitment to not less than 193 jobs.*

**Universal Photonics, Inc. (Vernon, Oneida County) AppID 9227**

Allocation: 110 kW (effective 12-1-2015)  
Contract Demand: 110 kW (effective 12-1-2015)  
Power Utilization: 100%  
Cumulative Capital Spending: \$4,870,025 or 128% of 5-year commitment  
Job Commitment: 59 jobs (effective 12-1-2015)  
Jobs Reported: 45 jobs or 76%

**Background:** Universal Photonics, Inc. provides critical surface preparation materials. The company reports a slowdown in overseas business as the reason for its jobs shortfall.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 100 kW, and authorize an adjustment of the job commitment to not less than 51 jobs.*

**Upstate Niagara Coop Inc. (Rochester, Monroe County) AppID 5023**

Allocation: 700 kW  
Contract Demand: 700 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$2,187,865 or 55% of 5year commitment  
Job Commitment: 184 jobs  
Jobs Reported: 158 jobs or 86%

**Background:** Upstate Niagara Coop Inc. produces dairy products. The company reports an error when filling out its original application for this location.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 670 kW, and authorize an adjustment of the job commitment to not less than 177 jobs.*

**Women's Housing & Economic Development Corp. (Bronx, Bronx County) AppID 9675**

Allocation: 10 kW (effective 12-1-2015)  
Contract Demand: 10 kW (effective 12-1-2015)  
Power Utilization: 100%  
Cumulative Capital Spending: \$1,746,256 or 32% of 5year commitment  
Job Commitment: 237 jobs (effective 12-1-2015)  
Jobs Reported: 162 jobs or 68%

**Background:** Women's Housing & Economic Development (“WHEDCO”) is a green building program for affordable housing. WHEDCO’s Staff has decreased each year, and this is the third consecutive year it reported below the compliance threshold. Due to the nature of its workforce, many of WHEDCO’s employees work less than 20 hours a week, and therefore cannot be counted towards its employment commitment under the standard RNY Power contract template.

**Recommendation:** *The minimal RNY Power allocation WHEDCO currently receives provides the company with critical energy savings. Therefore, staff recommends that the Trustees authorize an adjustment of WHEDCO's job commitment to not less than 185 jobs to account for WHEDCO's unique employment/employee structure, without modifying the amount of WHEDCO's contract demand or RNY Power Allocation at this time.*

**XLI Corporation (Rochester, Monroe County) AppID 7576**

Allocation: 130 kW  
Contract Demand: 130 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$255,318 or 10% of 5year commitment  
Job Commitment: 63 jobs  
Jobs Reported: 49 jobs or 78%

**Background:** XLI Corporation manufactures machine components. Customer plant closures and business transitions resulted in fewer orders and lower sales for XLI. In order for the company to remain solvent it had to make various cost saving reductions including staffing reductions.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 110 kW, and authorize an adjustment of the job commitment to not less than 55 jobs.*

**Yeshiva University (New York, New York County) AppID 7104**

Allocation: 100 kW  
Contract Demand: 100 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$383,829 or 15% of 5year commitment  
Job Commitment: 183 jobs  
Jobs Reported: 147 jobs or 80%

**Background:** Yeshiva University provides higher education. The company did not provide any information explaining its job shortfall for the 2014-2015 reporting period.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 90 kW, and authorize an adjustment of the job commitment to not less than 165 jobs.*

**EXHIBIT 4a-B**

**Non-Compliance with 1-Year Capital Investment Commitment – Recommended Reductions in Contract Demands and RNY Power Allocations and Adjustments to Job Retention Commitments and Capital Investment Commitments**

**Canada Dry Bottling Company of New York, Inc. (Melville, Suffolk County) AppID 4492**

Allocation: 30 kW (Effective 12-1-2015)  
Contract Demand: 30 kW  
Power Utilization: 100%  
1-year Capital Investment Commitment: \$23,920 (Effective 12-1-2015)  
Capital Investment reported: \$0  
Cumulative Capital Spending: 0%  
Job Commitment: 38 jobs (Effective 12-1-2015)  
Jobs Reported: 55 jobs or 145%

**Background:** Canada Dry is a beverage distributor and is under the ownership of the Pepsi Cola Bottling Company of NY. The company has not met the capital spending commitment due to a decision by its corporate parent to redirect investment to other facilities.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 10 kW, and authorize an adjustment of the job commitment to not less than 38 jobs and the capital investment commitment to zero.*

**Dab-O-Matic Corporation (Mount Vernon, Westchester County) AppID 10043**

Allocation: 136 kW  
Contract Demand: 136 kW  
Power Utilization: 100%  
1-year Capital Investment Commitment: \$425,000  
Capital Investment reported: \$93,681 or 22%  
Cumulative Capital Spending: \$289,482 or 68%  
Job Commitment: 83 jobs  
Jobs Reported: 68 jobs or 82%

**Background:** Dab-O-Matic manufactures flow applicators. The company indicates that unfavorable economic conditions forced it to cut back on capital expenditures during the reporting period. Additionally, it reported an average of 17 jobs less than the previous reporting period.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 130 kW, and authorize an adjustment of the job commitment to not less than 76 jobs and the capital investment commitment to not less than \$391,000. This recommendation is based on its job commitment shortfall 82%.*

**EXHIBIT 4a-C**

**Non-Compliance with RNY Power Allocation Utilization Commitment – Recommended Reductions in Contract Demands and RNY Power Allocations and Adjustments to Job Retention Commitments**

**Barnes and Noble, Inc. (Westbury, Nassau County) AppID 9482**

Allocation: 750 kW  
Contract Demand: 750 kW  
Power Utilization: 79%  
1-year Capital Investment Commitment: \$\$8,300,000  
Cumulative Capital Spending: 177% of 1 year commitment  
Job Commitment: 255 jobs  
Jobs Reported: 248 jobs, or 97% of commitment

**Background:** Barnes & Noble is the business center for bookstore retail businesses. Last year, the company was to make modifications and reallocate its RNY allocation to additional electric accounts to better utilize its full allocation. It is still below the compliance threshold for power utilization.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 670 kW, and authorize an adjustment of the job commitment to not less than 227 jobs.*

**S. Howes, Inc. (Silver Creek, Chautauqua County) AppID 10387**

Allocation: 40 kW  
Contract Demand: 40 kW  
Power Utilization: 43%  
1-year Capital Investment Commitment: \$350,000  
Cumulative Capital Spending: 400% of 1 year commitment  
Job Commitment: 22 jobs (effective 12-1-2015)  
Jobs Reported: 25 jobs or 114%

**Background:** S. Howes, Inc. manufactures and designs process equipment. The company did not provide any information regarding its kW utilization shortfall.

**Recommendation:** *Staff recommends that the Trustees authorize a reduction in the allocation and contract demand to not less than 20 kW, and authorize an adjustment of the job commitment to not less than 12 jobs.*

**EXHIBIT 4a-D**

**Reported Non-Compliance with Supplemental Commitments – No Action Recommended**

**1. Job Commitments**

**Automotive Corporation, Inc. (Batavia, Genesee County) AppID 3845**

Allocation: 226 kW  
Contract Demand: 226 kW  
Power Utilization: 100%  
Capital Spending: Zero capital investment commitment customer  
Job Commitment: 160 jobs  
Jobs Reported: 141 jobs, or 88% of commitment

**Background:** Automotive Corporation Inc. manufactures automotive components. The company was slightly below its 90% compliant threshold by 3 jobs. Due to various contracts ending in 2015, it had slightly reduced hiring. Since it last reported in August 2015, the company has increased its staffing levels and is now in compliance.

**Recommendation:** Staff recommends that the Trustees take no action at this time.

**Cold Spring Harbor Laboratory (Cold Spring Harbor, Nassau County) AppID 7057**

Allocation: 1,200 kW  
Contract Demand: 1,200 kW  
Power Utilization: 100% of commitment  
Cumulative Capital Spending: \$17,060,984 or 27% of 5year commitment  
Job Commitment: 985 jobs  
Jobs Reported: 800 jobs, or 81% of commitment

**Background:** Cold Spring Harbor Laboratory is an academic research facility. The company had experienced delays in the completion and occupancy of a new facility that would have required additional staff. The company has recently submitted recent employment numbers for July 2015 through January 2016 and it is reporting levels well above the compliance threshold at 993 jobs, or 101%.

**Recommendation:** Staff recommends that the Trustees take no action at this time.

**JPMorgan Chase – Brooklyn (Brooklyn, Kings County) AppID 9317**

Allocation: 6226 kW  
Contract Demand: 6226 kW  
Power Utilization: 100% of commitment  
Cumulative Capital Spending: \$51,324,688 or 17% of 5year commitment  
Job Commitment: 4,012 jobs  
Jobs Reported: 3,543 jobs, or 88%

**Background:** JPMorgan/Chase provides banking and financial services. JPMorgan Chase has densified many office spaces resulting in relocation of employees across its buildings. The company has trended

upward with an employment number of 3,869 since June 2015. As a result, it is above the compliance threshold at 96%.

**Recommendation:** *Staff recommends that the Trustees take no action at this time.*

**Madelaine Chocolates (Rockaway Beach, Queens County) AppID 3277**

Allocation: 610 kW  
Contract Demand: 500 kW  
Power Utilization: 99%  
Cumulative Capital Spending: \$6,509,330 or 260% of 5year commitment  
Job Commitment: 400 jobs  
Jobs Reported: 87 jobs or 22%

**Background:** Madelaine Chocolates manufactures chocolates. The company reported slow and steady progress to rebuild business after suffering greatly during Hurricane Sandy. The company reports the focus of major spending on equipment and building repair. As a result, since submitting its report, its employment has nearly doubled its employment to 146 full time employees as of February 2016. The company reports that approximately 35 new employees will be hired in May of 2016.

**Recommendation:** *In view of the impacts of Hurricane Sandy on this customer, the earnest efforts the customer has made to rebuild its workforce, and the company's forecast for new hires, Staff recommends that the Trustees take no action at this time. Staff intends to continue to conduct quarterly compliance reviews with of the company to determine the company's anticipated timeframe to meet its jobs commitments.*

**NYSE Euronext (New York, New York County) AppID 10116**

Allocation: 1,686 kW  
Contract Demand: 1,686 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$34,194,000 or 342% of 5year commitment  
Job Commitment: 400 jobs  
Jobs Reported: 348 jobs or 87%

**Background:** New York Stock Exchange did not meet its job commitment level for the Reporting Period ending in June 2015. However, subsequently, between March 2015 and December 2015, the company reported average monthly jobs of 645, bringing it well above a 90% compliance rate.

**Recommendation:** *Staff recommends that the Trustees take no action at this time.*

**Owens-Brockway Glass Container, Inc. (Auburn, Cayuga County) AppID 9144**

Allocation: 3,500 kW  
Contract Demand: 3,500 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$6,909,814 or 69% of 5year commitment  
Job Commitment: 260 jobs  
Jobs Reported: 230 jobs or 88%

**Background:** Owens-Brockway Glass Container, Inc. manufactures glass containers. As of June 2015, Owens-Brockway has exceeded its job commitment. The company's current employment is at an average of 246 as of December 2015 bringing it above the compliance threshold at 95%.

**Recommendation:** *Staff recommends that the Trustees take no action at this time.*

**Richardson Brands Company (Canajoharie, Montgomery County) AppID 9225**

Allocation: 346 kW  
Contract Demand: 346 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$2,299,415 or 92% of 5year commitment  
Job Commitment: 200 jobs  
Jobs Reported: 162 jobs or 81%

**Background:** Richardson Brands Company manufactures candy. The company reports that a new production line was launched in June 2015 and fully functional as of September 2015. The company's current employment was at an average of 203 as of December 2015, bringing it above its compliance threshold at 102%.

**Recommendation:** *Staff recommends that the Trustees take no action at this time.*

**Veeco Instruments (Plainview, Nassau County) AppID 4982**

Allocation: 476 kW  
Contract Demand: 476 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$2,270,827 or 136% of 5year commitment  
Job Commitment: 182 jobs  
Jobs Reported: 161 jobs or 88%

**Background:** Veeco Instruments manufactures technological equipment. Since June 2015, the company reported 178 jobs, or 98% of its commitment, and is on track to meet its commitment entirely by Summer 2016.

**Recommendation:** *Staff recommends that the Trustees take no action at this time.*

## 2. Power Utilization Commitments

**Elmhurst Dairy, Inc. (Jamaica, Queens County) AppID 4588**

Allocation: 730 kW  
Contract Demand: 730 kW  
Power Utilization: 81%  
Cumulative Capital Spending: \$7,704,971 or 22% of 5year commitment  
Job Commitment: 240 jobs  
Jobs Reported: 293 jobs or 122%

**Background:** Elmhurst Dairy produces milk and juice products. The company made modifications to its electric meters designated to receive ReCharge NY Power and redistributed the allocations to additional electric accounts to better utilize its full allocation.

*Recommendation:* Staff recommends that the Trustees take no action at this time.

**Sutherland Global Services (Rochester, Monroe County) AppID 11380**

Allocation: 600 kW (76 kW effective 2/1/2016)  
Contract Demand: 600 kW (76 kW effective 2/1/2016)  
Power Utilization: 28%  
Cumulative Capital Spending: \$3,508,988 or 100% of 5year commitment  
Job Commitment: 2,975 jobs  
Jobs Reported: 2,989 jobs or 100%

**Background:** Sutherland Global Services provides back-office processing. This is the second year the company did not meet its power allocation commitment. The company requested a kW reduction to 76 kW to better meet its power needs. This change went into effect February 2016.

*Recommendation:* Staff recommends that the Trustees take no additional action at this time.

**The Gap (New York City, New York County) AppID 24193**

Allocation: 486 kW  
Contract Demand: 486 kW  
**Power Utilization: 75%**  
Cumulative Capital Spending: \$1,125,650 or 56% of 5year commitment  
Job Commitment: 675 jobs  
Jobs Reported: 755 jobs or 112%

**Background:** The Gap is a global brand headquarters. Due to an enrollment error with its Investor Owned Utility that delivers its power, not all accounts had been credited with or received RNY Power, resulting in an under-utilization of its RNY Power allocation. This error has since been corrected.

*Recommendation:* Staff recommends that the Trustees take no action at this time.

**3. No Contract Demand/RNY Power Allocation Reduction Calculated/Required**

**Alken Industries, Inc. (Ronkonkoma, Suffolk County) AppID 9616**

Allocation: 80 kW  
Contract Demand: 80 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$106,637 or 3% of 5year commitment  
Job Commitment: 50 jobs  
Jobs Reported: 44 jobs or 88%

**Background:** Alken Industries, Inc. manufactures and assembles aircrafts parts. Alken was found to be non-compliant with its jobs commitment based on reported information. However, because the shortfall is relatively minor, the methodology used to calculate reduction of contract demand and allocation does not result in a reduction of the contract demand and allocation.

*Recommendation:* Staff recommends that the Trustees take no action at this time.

**Margaretville Hospital (Margaretville, Delaware County) AppID 9999**

Allocation: 40 kW  
Contract Demand: 40 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$7,473,531 or 176% of 5yr. commitment  
Job Commitment: 101 jobs  
Jobs Reported: 86 jobs or 85%

**Background:** Margaretville Hospital is part of the HealthAlliance network. Mount Saint Mary's Hospital was found to be non-compliant with its jobs commitment based on reported information. However, because the shortfall is relatively minor, the methodology used to calculate reduction of contract demand and allocation does not result in a reduction of the contract demand and allocation.

**Recommendation:** *Staff recommends that the Trustees take no action at this time.*

**Mount Saint Mary's Hospital (Lewiston, Niagara County) AppID 5421**

Allocation: 330 kW  
Contract Demand: 330 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$7,846,616 or 18% of 5year commitment  
Job Commitment: 725 jobs  
Jobs Reported: 644 jobs or 89%

**Background:** Mount Saint Mary's Hospital operates as a healthcare facility. Mount Saint Mary's Hospital was found to be non-compliant with its jobs commitment based on reported information. However, because the shortfall is relatively minor, the methodology used to calculate reduction of contract demand and allocation does not result in a reduction of the contract demand and allocation.

**Recommendation:** *Staff recommends that the Trustees take no action at this time.*

**SCA Tissue North America LLC (Saratoga Springs, Saratoga County) AppID 3902**

Allocation: 80 kW  
Contract Demand: 80 kW  
Power Utilization: 100%  
Cumulative Capital Spending: \$237,772 (\$0 1year commitment)  
Job Commitment: 21 jobs  
Jobs Reported: 18 jobs or 86%

**Background:** SCA Tissue North America manufactures tissue products. SCA Tissue North America was found to be non-compliant with its jobs commitment based on reported information. However, because the shortfall is relatively minor, the methodology used to calculate reduction of contract demand and allocation does not result in a reduction of the contract demand and allocation.

**Recommendation:** *Staff recommends that the Trustees take no action at this time.*

**EXHIBIT 4a-E**

**Non-Compliance with Compliance Reporting Requirement – Electric Service for RNY Power to be Suspended**

<b>RNY Power Customer</b>	<b>RNY Power Allocation (kW)</b>	<b>Job Commitment</b>	<b>5-Year Capital Investment Commitment</b>	<b>Location</b>	<b>County</b>
AT&T - White Plains	250	530	None	White Plains	Westchester
Friedberg Jewish Community Center	20	436	\$ 10,000,000	Oceanside	Nassau
Graphic Image Inc.	90	125	\$ 800,000	Melville	Suffolk
PCI Paper Conversions, Inc.	386	126	\$ 1,739,000	Syracuse	Onondaga