



**NY Power
Authority**

**Canal
Corporation**

**Conferral Report Prepared by the Power
Authority of the State of New York Pursuant
to Public Authorities Law § 1005(27-a)(d) for
Conferral Year 2023**

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INTRODUCTION

The 2023-24 Enacted State Budget (“2023-24 State Budget”) amended the Public Authorities Law (“PAL”) to require the New York Power Authority (“NYPA” or the “Power Authority”), beginning in 2025, and biennially thereafter, to develop and publish a strategic plan that identifies, among other things, NYPA’s renewable energy generating priorities for the two-year period covered by the strategic plan.¹ To help inform NYPA’s development of its strategic plans, PAL § 1005(27-a)(d), added to the Power Authority Act through Part QQ of Chapter 56 of the Laws of 2023, instructs NYPA to confer annually with stakeholders to solicit their views on, among other things, the State’s progress on meeting the renewable energy goals of the CLCPA.²

The Power Authority is making this Conferral Report available to the public in accordance with PAL § 1005(27-a)(d) which provides:

No later than one hundred eighty days after the effective date of this subdivision, and annually thereafter, the authority shall confer with the New York state energy research and development authority, the office of renewable energy siting, the department of public service, climate and resiliency experts, labor organizations, and environmental justice and community organizations concerning the state’s progress on meeting the renewable energy goals established by the climate leadership and community protection act. When exercising the authority provided for in paragraph (a) of this subdivision, the information developed through such conferral shall be used to identify projects to help ensure that the state meets its goals under the climate leadership and community protection act. Any conferral provided for in this paragraph shall include consideration of the timing of projects in the interconnection queue of the federally designated electric bulk system operator for New York state, considering both capacity factors or planned projects and the interconnection queue’s historical completion rate. A report on the information developed through such conferral shall be published and made accessible on the website of the authority.

This Conferral Report satisfies the above-referenced requirement, provides background into the conferral process, summarizes the viewpoints of the conferees, and provides the Power Authority’s observations on the 2023 conferral process.

The Power Authority will conduct a conferral process annually, and report information collected through each conferral process, as required by PAL § 1005(27-a)(d).

In addition, as required by PAL § 1005(27-a)(e), the Power Authority will make a draft of the biennial strategic plan, and periodic updates, available for public comment before finalization, providing additional opportunities for public input on the matters discussed therein.

¹ PAL § 1005(27-a)(e).

² PAL § 1005(27-a)(d).

BACKGROUND

Enacted in 2019, the Climate Leadership and Community Protection Act (“CLCPA” or “Climate Act”) establishes pioneering objectives and requirements aimed at addressing climate change and guiding the State towards a sustainable, clean energy-based economy.³ The CLCPA codified several targets, enhanced through executive action by Governor Kathy Hochul,⁴ intended to reduce greenhouse gas emissions and facilitate integration of new renewable resources and energy storage into New York’s electric grid, notably:

- > Generate 70% renewable energy on the grid by 2030, and a 100% zero emission electric system by 2040.
- > Install 6,000 megawatts (“MW”) of solar capacity by 2025. Governor Hochul has established a more ambitious target of 10,000 MW of solar capacity by 2030.⁵
- > Integrate 3,000 MW of energy storage capacity by 2030. Governor Hochul has established an even more ambitious target of 6,000 MW by 2030.⁶
- > Build 9,000 MW of offshore wind generation by 2035.

The 2023-24 State Budget includes amendments to the Power Authority Act (Title 1 of Article 5 of the PAL) giving NYPA new authority to, among other things, plan, design, develop, finance, construct, own, operate, maintain and improve, either alone, or jointly with other entities through the use of public-private agreements, renewable energy generating projects to: (1) support the State’s renewable energy goals established in the CLCPA; (2) provide or maintain an adequate and reliable supply of electric power and energy in the State, including but not limited to, high need areas and communities served by small natural gas power plants as defined in this section; and (3) support the newly-authorized Renewable Energy Access and Community Help (“REACH”) Program for the purpose of providing bill credits to low-income and moderate-income ratepayers in Disadvantaged Communities.⁷

In connection with this expanded authority, NYPA must, beginning in 2025, and biennially thereafter, develop and publish a renewable energy generation strategic plan that identifies, among other things, the State’s progress towards achieving the CLCPA’s renewable energy goals and renewable energy generating priorities for the two-year period covered by the strategic plan.⁸

³ Chapter 106 of the Laws of 2019.

⁴ On September 20, 2021, Governor Hochul announced on the first day of Climate Week the expansion of the NY-Sun program to achieve at least 10,000 MW of distributed solar installation by 2030. The Public Service Commission (“PSC” or “Commission”) adopted this goal in a subsequent order.

⁵ On September 20, 2021, Governor Hochul announced on the first day of Climate Week the expansion of the NY-Sun program to achieve at least 10,000 MW of distributed solar installation by 2030. The PSC adopted this goal in a subsequent order.

⁶ The CLCPA provided for 3,000 MW of energy storage by 2030. On January 5, 2022, Governor Hochul announced in her State of the State address an intention to double the State’s energy storage from the legislated 3,000 MW to 6,000 MW of storage by 2030. The PSC adopted this goal in New York’s 6 gigawatt (“GW”) Energy Storage Roadmap.

⁷ Part QQ of Chapter 56 of the Laws of 2023. PAL §§ 1005(27-a)-(27-d); *see also* Public Service Law (“PSL”) § 66-p.

⁸ PAL § 1005(27-a)(e).

To help inform NYPA’s development of its biennial strategic plans, PAL § 1005(27-a)(d) instructs NYPA to confer annually with stakeholders to solicit their views on the State’s progress on meeting the renewable energy goals of the CLCPA. PAL § 1005(27-a)(d) further directs that the conferral process consider the timing of projects in the interconnection queue administered by the New York Independent System Operator (“NYISO”), the capacity factors of such projects, and the historical completion rate of such projects in the NYISO interconnection queue. The statute directs NYPA to publish a report on the information developed through this conferral process on NYPA’s website. As required by PAL § 1005(27-a)(d), NYPA completed the initial conferral process called for by the statute on or about November 1, 2023, and published this Conferral Report on the NYPA website.

CLIMATE ACT PROGRESS

In preparation for conferrals with individual stakeholders, and to report on Climate Act progress, NYPA met with key New York State energy regulatory entities, including the Department of Public Service (“DPS”), the New York State Energy Research and Development Authority (“NYSERDA”), and the Office of Renewable Energy Siting (“ORES”) to collect information on the State’s progress on meeting the CLCPA goals. NYPA also reviewed and synthesized information contained in public documents issued by DPS, the PSC and NYSERDA referenced herein. Through information provided by or resulting from the efforts of NYSERDA, DPS, ORES, and the PSC, the following provides a current snapshot of the State’s progress in meeting the renewable energy goals of the CLCPA.

New York is transitioning to an electricity system powered by renewable energy sources such as wind, solar, and hydropower. This accelerated renewable energy development is guided by the goals of the CLCPA, which are summarized in the Background section of this Conferral Report.

When considering progress to date on achieving the goals in the CLCPA, it is important to understand that the contracted portfolio of renewable energy projects is in a persistent state of flux. The progress summarized below is a static snapshot as of the date of this Conferral Report and is subject to continuing fluctuation as existing contracted projects are completed and enter into operation on the power system, are delayed, or are withdrawn, and as new projects are added, or as previously withdrawn projects revive and are added anew. Changing economic, supply chain, permitting and electric system conditions create a dynamic environment for projecting progress with renewable energy goals of the CLCPA. For example, the Commission recently denied petitions requesting additional financial relief to offshore and onshore renewable energy generation projects that were previously awarded contracts by NYSERDA.⁹ This denial may lead some projects to withdraw from their current contractual commitments. To mitigate the impact of these potential withdrawals, as discussed below, NYSERDA plans to issue a new accelerated solicitation for renewable resources, providing new opportunities for existing awarded and

⁹ Case 15-E-0302, et al., Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard, Order Denying Petitions Seeking to Amend Contracts with Renewable Energy Projects (October 12, 2023).

contracted projects that may withdraw and for new project proposals.¹⁰

Moreover, in October 2023, Governor Hochul announced the release of a 10-Point Action Plan (“Action Plan”), produced by NYSERDA, to expand and support the growing large-scale renewable energy industry in New York, reaffirming the State’s commitment to achieving the Climate Act goals.¹¹ Included within the Action Plan is a directive to NYSERDA to launch accelerated procurements to backfill any contracted land-based or offshore projects contracts that are terminated. The accelerated procurement process will simplify bid requirements and incorporate inflation indexing to promote more durable project economics and promote critical labor protections. This Action Plan reinforces New York State’s leadership and dedication to timely clean energy development, sustainability, and economic growth, and will advance the State’s progress towards achieving the goals of the CLCPA.

To advance this accelerated procurement process, on October 26, 2023, NYSERDA released two Requests for Information to take in industry feedback on how to best accelerate the procurement of both offshore wind and new land-based renewables, such as onshore wind, hydro, and solar.¹² On November 17, 2023, Governor Kathy Hochul announced that these expedited solicitations will be released by NYSERDA on November 30, 2023, with bids due in January 2024.¹³ Therefore, although it is possible that the number of currently-contracted renewable projects could decrease in the near future, and some level of attrition can be expected regardless of the Commission’s decision to deny additional financial relief to previously-contracted projects, any withdrawn projects will have new and timely opportunities to secure new contracts with NYSERDA with updated competitive pricing, keeping New York on track to meet the ambitious goals of the CLCPA.

70% Renewables by 2030. As of the date of this Conferral Report, New York has enough operating, contracted, and under-development renewable energy projects to supply 79% of the State’s 2030 electricity needs with renewable energy.¹⁴ In 2021, roughly 27% of the electricity consumed in New York came from renewable sources, with 84% of this from hydroelectric generation.¹⁵ NYPA’s renewable hydroelectric power comprises approximately 20% of New York State’s electric energy consumption. As of January 2023, the State had a pipeline of contracted and awarded large-scale renewable energy generation projects (“large-scale projects”),

¹⁰ *New York State’s 10-Point Action Plan to Expand a Thriving Large-Scale Renewable Industry*, NYSERDA, October 2023. <https://www.nyserdera.ny.gov/-/media/Project/Nyserda/Files/Programs/Offshore-Wind/10-point-plan.pdf>

¹¹ *New York State’s 10-Point Action Plan to Expand a Thriving Large-Scale Renewable Industry*, NYSERDA, October 2023. <https://www.nyserdera.ny.gov/-/media/Project/Nyserda/Files/Programs/Offshore-Wind/10-point-plan.pdf>

¹² See ORECRFI23-1 and RESRFI23-1, available at <https://portal.nyserdera.ny.gov/servlet/servlet.FileDownload?file=00P8z000003L77AEAS> and <https://portal.nyserdera.ny.gov/servlet/servlet.FileDownload?file=00P8z000003L6kwEAC>.

¹³ Per New York State website at <https://www.governor.ny.gov/news/governor-hochul-announces-progress-renewable-energy-solicitations-part-10-point-action-plan>

¹⁴ Per New York State website at <https://www.governor.ny.gov/news/governor-hochul-announces-nations-largest-ever-state-investment-renewable-energy-moving>

¹⁵ *Clean Energy Standard Annual Progress Report: 2021 Compliance Year, Final Report*. NYSERDA, January 2023.

representing roughly 62,000 annual gigawatt-hours (“GWh”), or an additional ~39%.¹⁶ The most recent NYSERDA awards include three offshore wind and 22 land-based projects totaling 6.4 GW of capacity, which when built will provide roughly 12% of New York’s electricity needs in 2030.¹⁷ These recent land-based large-scale renewable awards are comprised of 14 new solar projects, six wind repowering projects, one new wind project, and one return-to-service hydroelectric project, totaling a combined 2,410 MWs.

6,000 MW of solar capacity by 2025 and 10,000 MW by 2030. On April 14, 2022, the Commission expanded the installation target of the NY-Sun program from 6,000 MW to 10,000 MW of distributed solar generation projects.¹⁸ On June 23, 2023, the Commission directed NYSERDA to file a report, no later than January 5, 2024, detailing the incremental distributed solar capacity beyond the 10,000 MW goal that could be procured within the existing budget authorized for the NY-Sun program.¹⁹ As of the date of this Conferral Report, New York State has 5,037 MW of distributed solar energy generation in operation, and an additional 3,242 MW in the NY-Sun development pipeline. These totals include recent awards from the NY-Sun and Solar for All initiatives. For example, in 2022, NYSERDA awarded 745.5 MW of projects under the NY-Sun initiative. In October 2022, NYSERDA and National Grid announced awards to 21 projects totaling 121.4 MW under the Expanded Solar for All program,²⁰ and in October 2023 issued a Request for Proposals to procure an additional 178.6 MW for Expanded Solar for All.

6,000 MW of energy storage capacity by 2030. As of the date of this Conferral Report, New York State has 324 MW of energy storage in operation and 899 MW in the pipeline, for a total of 1,223 MW. This 1,223 MW of operational, contracted and awarded energy storage represents 41% of the 3,000 MW CLCPA goal and 20% of the 6,000 MW 2030 energy storage target. Approximately 12,000 MW of proposed energy storage projects are in either distribution-level or wholesale-level NYISO interconnection queues in New York.²¹ On December 28, 2022, DPS and NYSERDA filed “New York’s 6 GW Energy Storage Roadmap: Policy Options for Continued Growth in Energy Storage” with the Commission, recommending new programs be developed for bulk, retail, and residential storage projects across the State.²²

¹⁶ *First Annual Informational Report on Overall Implementation of the Climate Leadership and Community Protection Act*. New York State Department of Public Service (July 2023).

¹⁷ Per New York State website at <https://www.governor.ny.gov/news/governor-hochul-announces-nations-largest-ever-state-investment-renewable-energy-moving>

¹⁸ Case 21-E-0629, et al., Advancement of Distributed Solar, Order Expanding NY-Sun Program (April 14, 2022).

¹⁹ Case 21-E-0629, In the Matter of Advancement of Distributed Solar, Order Adopting NY-Sun Midpoint Modifications (June 23, 2023).

²⁰ Per New York State Website <https://www.nyserda.ny.gov/About/Newsroom/2022-Announcements/2022-10-17-NYSERDA-and-National-Grid-Announce-Round-1-Results>

²¹ Case 22-M-0149, Proceeding on Motion of the Commission Assessing Implementation of and Compliance with the Requirements and Targets of the Climate Leadership and Community Protection Act, New York State Department of Public Service First Annual Informational report on Overall Implementation of the Climate Leadership and Community Protection Act (July 20, 2023).

²² Case 18-E-0130, In the Matter of Energy Storage Deployment Program, New York’s 6 GW Energy Storage Roadmap: Policy Options for Continued Growth in Energy Storage (December 18, 2022).

9,000 MW of offshore wind generation by 2035. As of the date of this Conferral Report, New York State has awarded 8,392 MW of offshore wind generation. Most recently, in October 2023, New York announced that a trio of offshore wind projects with a combined capacity of more than 4 GW had been awarded conditional contracts in NYSERDA’s latest solicitation. These projects include Attentive Energy One (1,404 MW) developed by TotalEnergies, Rise Light & Power and Corio Generation; Community Offshore Wind (1,314 MW) developed by RWE Offshore Renewables and National Grid Ventures; and Excelsior Wind (1,314 MW) developed by Vineyard Offshore (Copenhagen Infrastructure Partners).²³

NYISO GENERATOR INTERCONNECTION

NYPA conferred with the New York Independent System Operator (“NYISO”) to relate the NYISO generator interconnection process to the State’s progress on meeting the renewable energy goals established by the CLCPA. NYPA also discussed with the NYISO the timing of projects in the NYISO’s interconnection queue, considering both capacity factors of planned projects and the interconnection queue’s historical completion rate. NYPA also analyzed numerous public documents to gather additional information about these matters.

Background

The NYISO, operating under the oversight of the Federal Energy Regulatory Commission (“FERC”), administers interconnection of new generation to ensure that electric system resources (e.g., generation, storage) are supported by the infrastructure necessary to transmit the generated and stored electricity and support reliable operation of the State’s electric grid. The process interconnects resources in a manner that meets minimum interconnection standards that are established by reliability standards organizations and at the least cost.²⁴

The NYISO’s interconnection processes are regulated by FERC and are set forth in tariffs that are approved by FERC, primarily in the NYISO’s Open Access Transmission Tariff (“OATT”) Attachments P, S, X and Z. Generators that seek to interconnect to the transmission system in New York State and to make wholesale sales of electricity must receive approval and an interconnection agreement signed by the NYISO and the connecting transmission owner. Proposed large generators (greater than 20 MW), including storage and loads, interconnect to the NYISO through the Large Facility Interconnection Process. Small generators (20 MW or less) have their own interconnection process under the FERC tariff, which is somewhat less involved. Generators sized up to and including 5 MW, and that do not involve federal-jurisdictional transmission or wholesale electricity sales, interconnect to the power system under PSC procedures, which are not part of the NYISO’s interconnection queue.

²³ “New York backs offshore wind big time: Hochul agrees largest US procurement,” by David Foxwell, Riviera, October 24, 2023.

²⁴ The NYISO’s interconnection processes are regulated by FERC and are set forth in tariffs approved by FERC and posted on the NYISO’s website: <https://www.nyiso.com/regulatory-viewer> - primarily in the OATT Attachments P, S, X and Z.

NYISO's Interconnection Process

Proposed generation projects are currently processed by the NYISO according to a first-come, first-served process. Developers who submit a complete application to the NYISO have their generation projects placed in an interconnection queue. The interconnection processes utilize a series of increasing specific studies: (1) Feasibility Studies, (2) System Impact Studies or System Reliability Impact Studies, and (3) Facilities Studies, which analyze projects together in a Class Year study for a group of projects. The study processes require the cooperation of the project developers, the NYISO, the connecting transmission owner, affected transmission owners, affected system operators outside New York, and other stakeholders. At the conclusion of the studies, developers will know their interconnection facilities and costs. If they choose to proceed, developers post collateral to cover their interconnection costs, and sign an interconnection agreement with the NYISO and the Connecting Transmission Owner.²⁵

Historical Completion Rate of the NYISO Interconnection Queue

The surge in proposed renewable resource and transmission projects together has created a significant backlog in the interconnection of renewable generation projects to the New York transmission system. Some delays are caused by developers themselves. For example, developers may fail to provide the NYISO necessary data to study proposed projects, or may fail to achieve required regulatory milestones in permitting processes connected to their interconnection requests.

In 2018, the NYISO interconnection queue contained approximately 120 projects. As of July 2023, 467 active projects were under evaluation in NYISO's interconnection queue.²⁶ Based on 2022 data, the median time to complete the NYISO interconnection study process and execute an interconnection agreement was three to four years.²⁷ Processing time in the interconnection process varies among projects and is impacted by a number of factors. Developers have the flexibility to make certain elections under the current NYISO process that may extend the timeline for the study process. For example, developers often propose modifications to their projects during the interconnection study process. Developers can also choose to wait in the queue for months or years before they enter the final required interconnection study. In early 2023, the NYISO completed the grouped interconnection study process, known as the Class Year, for over 50 proposed projects, consisting of over 7,000 MWs of renewable energy generating projects, including two offshore wind farms.²⁸ The NYISO is currently studying a group of over 80

²⁵ Federal Energy Regulatory Commission, Docket No. RM22-14-000, Improvements to Generator Interconnection Procedures and Agreements, Order No. 2023, 184 FERC ¶ 61,054 (July 28, 2023), at ¶¶ 38-39.

²⁶ NYISO, Fact Sheet: Integrating NY's Clean Energy Resources, available at <https://www.nyiso.com/documents/20142/35688159/Interconnection-Process-Fact-Sheet.pdf/255e4a40-34a2-ffdc-3121-7fce2279b4b6>.

²⁷ According to the Lawrence Berkeley National Laboratory, the NYISO was one of four independent system operators with study times over three years. See [Queued Up: Characteristics of Power Plants Seeking Transmission Interconnection | Electricity Markets and Policy Group \(lbl.gov\); PowerPoint Presentation \(lbl.gov\) at slide 27](#).

²⁸ New York State Office of the Comptroller, Renewable Electricity in New York State; Review and Prospects (August 2023), at 13, available at: <https://www.osc.state.ny.us/files/reports/pdf/renewable-electricity-in-nys.pdf>.

proposed projects, consisting of 12,000 MWs of renewable energy.

The group of projects under review consists predominately of wind and solar, which will have capacity factors determined by the number of hours a generator is expected to produce energy over a year compared to its nameplate capability. Currently, according to NYISO's Installed Capacity Manual, land-based wind has an unforced capacity percentage of 16% in the summer and 34% in the winter, offshore wind has an unforced capacity percentage of 35% in the summer and 53-54% in the winter, and solar has unforced capacity percentages that range between zero and two percent in the winter and 26 and 46% in the summer.²⁹

The NYISO will implement a new capacity accreditation methodology for all generators starting with the May to October 2024 summer capability period. This new method is intended to reflect the reliability contributions to system resource adequacy from the growing diversity of resource types that may be intermittent, limited duration, or fuel constrained. This method will also capture the interdependencies among these diverse resource types that occur as the relative proportions of each change within the generation fleet as public policy is implemented over time. Capacity accreditation factors will be calculated for each type of generation. These values are used to objectively determine the reliability contribution of each resource class, and therefore, the amount of unforced capacity that a generator of that type can sell in the NYISO's capacity markets.³⁰

The NYISO estimates that the class year study of these projects will be completed in 2024. Developers can decide whether to move forward with their projects after the interconnection studies are completed. Generation interconnection delay is a national phenomenon and is not unique to New York. In its recent interconnection reform order, Order No. 2023 (summarized below), the FERC found that:

As of the end of 2022, there were over 10,000 active interconnection requests in interconnection queues throughout the United States, representing over 2,000 GW of potential generation and storage capacity. This potential generation is the largest interconnection queue size on record, more than four times the total volume (in GW) of the interconnection queues in 2010, and a 40% increase over the interconnection queue size from just the year prior. These trends are not exclusive to any one region of the country. Instead, every single region has faced an increase in both interconnection queue size and the length of time interconnection customers are spending in the interconnection queue prior to commercial operation in recent years. Interconnection customers are waiting longer in the interconnection queues nationwide.³¹

²⁹ See NYISO Installed Capacity Manual issued April 27, 2023, available at: https://www.nyiso.com/documents/20142/2923301/icap_mnl.pdf

³⁰ See 179 FERC 61,102, Order Accepting Tariff Revisions Subject to Condition, Docket No. ER22-772-001 (May 10, 2022).

³¹ Federal Energy Regulatory Commission, Docket No. RM22-14-000, Improvements to Generator Interconnection Procedures and Agreements, Order No. 2023, 184 FERC 61,054 (July 28, 2023), at 38-39.

NYISO Interconnection Process Reforms Thus Far

Notably, the NYISO has made some changes to speed up interconnection reviews. These include eliminating certain duplicative study requirements, allowing some projects needing additional study to do so outside the class year process so as not to slow down review of other projects, and lowering milestone permitting requirements that must be completed to proceed through the process. Completed in 2023, the Class Year 2019 group of projects seeking to connect to New York’s electric grid contained over 8,000 MW of nameplate capacity, consisting of 38 solar projects totaling 1,738 MW, 12 wind projects totaling 3,108 MW and 26 energy storage projects totaling 1,069 MW.³²

The NYISO has stated that further reforming its interconnection processes consistent with maintaining electricity system reliability is its highest priority. To address the significant surge in proposed interconnections as part of the historic transition that is underway on the electric grid, the NYISO initiated a comprehensive interconnection queue reform initiative with its stakeholders in late 2022.³³ This initiative is ongoing, and the NYISO has indicated that its reforms under development will be further enhanced by many of the process enhancements adopted in FERC Order No. 2023.

FERC’s 2023 Interconnection Reform Order

In the midst of this effort, on July 28, 2023, FERC issued a landmark order on reforming the generator interconnection process nationwide. These include changes to weed out projects that are not viable and holding up the interconnection process. Entitled “Improvements to Generator Interconnection Procedures and Agreements” (Order No. 2023), FERC describes its reforms as primarily falling into three categories:

1. First-Ready, First-Served Cluster Study Process:

- Amends the process from a first-come first-served individual project queue and study regime to a first-ready first-served cluster study process that is designed to move generators that are ready to proceed more quickly through interconnection.
- Sets strict timeframes for completion of studies.
- Establishes project readiness, site control, and financial commitment requirements for generators to participate in a cluster study that groups analysis of interconnection of those generators together, with limited opportunities to make project changes.

³² See Smith, Zachary G. “A new class year: the changing nature of power generation in New York State, and how NYISO is accommodating it,” Power Grid International, February 17, 2020, available at <https://www.power-grid.com/solar/a-new-class-year-the-changing-nature-of-power-generation-in-new-york-state-and-how-nyiso-is-accommodating-it/?source=email#gref>.

³³ See Improvements to Generator Interconnection Procs. & Agreements, Reply Comments of the New York Independent System Operator, Inc., Docket No. RM22-14-000 at 2 (Dec. 14, 2022).

- Increases developers’ study deposits and makes them non-refundable.
 - Requires more publicly available interconnection information, including a “heatmap” to provide “an interactive visual representation of available interconnection capacity” so developers can identify fruitful points of interconnection for their generation projects.
2. *Reforms to increase the speed of interconnection queue processing by independent system operators and other transmission providers:*
- Penalizes developers that withdraw from cluster studies, with increasing levels the later in the process a developer withdraws.
 - Eliminates the “reasonable efforts” standard that excused late studies and delays in the interconnection process.
 - Penalizes the NYISO and connecting transmission owners for late studies, beginning after a few cycles of the cluster study process, with the ability to appeal penalties to FERC.
3. *Reforms to Incorporate Technical Advancements in the Interconnection Process:*
- Requires transmission providers to use operating assumptions in interconnection studies that reflect the proposed charging behavior of electric storage resources.
 - Requires transmission providers to evaluate alternative transmission technologies in its cluster studies (*e.g.*, advanced power flow control devices).
 - Establishes modeling and performance standards for non-synchronous generating facilities.

The NYISO has been drafting revisions to its tariffs and procedures to implement the process changes in Order No. 2023. Stakeholders are reviewing NYISO’s proposals in public meetings, On October 25, FERC extended the deadline for compliance filings to April 3, 2024. The NYISO has stated that it intends to file a partial compliance filing before that date to end certain study processes that will be superseded by its new interconnection procedures under Order No. 2023.

STAKEHOLDER CONFERRAL

NYPA's Approach to the 2023 Conferral Process

As part of the initial 2023 conferral process, NYPA conducted conferral discussions with approximately 50 stakeholder organizations from across the State. A list of stakeholders who participated in the conferral process is attached to this Report as Appendix A.

These discussions were conducted in-person and virtually. Stakeholders were also given the opportunity to submit public statements or other materials as part of the conferral process, with the option to submit them electronically via a special NYPA conferral email address established for this purpose: NYPAREnewablesConferral@nypa.gov. As of the date of this Conferral Report, the Power Authority received written comments or submissions from 11 of the stakeholders. Copies of these submissions have been made available on NYPA's website. Since these comments are readily accessible, they are not included in the summary of comments received during NYPA's meetings with conferees.

This section of the Conferral Report summarizes the viewpoints of participating stakeholders. It is not intended to be a comprehensive, exhaustive, detailed enumeration of all comments submitted in this process, nor is this summary intended to reflect NYPA's valuation of any comments received. Although stakeholders provided information on a wide variety of topics, the summary of their viewpoints contained herein focuses primarily on those topics discussed or addressed that are germane to the conferral process topics.

Conferral process topics of discussion included, but were not limited to, the following areas of discussion, as time and interest permitted:

- (1) Discussion of State's progress on meeting the CLCPA goals, including opportunities, challenges, suggestions, and recommendations;
- (2) Discussion of NYPA's newly established renewable energy generation authority, including potential project technologies, locations, characteristics, recommendations and requirements; and
- (3) Discussion of the NYISO interconnection process and queue, including recommendations and suggestions for avoiding delays in the process moving forward.

Although the statute does not require this, NYPA also invited commentary on the issue of training and workforce development, including recommendations for creating clean energy jobs, workforce training and re-training programs, and maximizing opportunities for members of disadvantaged communities.

This first conferral process (2023) is just the beginning of many stakeholder and public engagement opportunities between the Power Authority and interested members of the public under the 2023 Enactment. The Power Authority will conduct further public and stakeholder engagement in formulating its strategic plans, starting in 2024. Each year, and as we progress, the Power Authority will solicit views of interested parties to make sure its work to bring more renewables to New Yorkers is well-informed, effective and transparent.

Summary of Conferral Process Comments

Stakeholder feedback from the conferral process is set forth below, with each participating stakeholder being placed into a relevant interest category, such as “Municipalities” or “Generator Interests.” Where possible, similar stakeholder feedback from multiple entities was harmonized into thematic issues of discussion. Some conferees expressed a preference not to be identified with specific comments, and these preferences are reflected below.

Agriculture

NYPA conferred with the New York Farm Bureau (“Farm Bureau”) and the New York State Department of Agriculture and Markets (“Ag and Markets”) to gain perspectives on agricultural issues related to renewable energy development.

Stakeholders pointed out that New York is home to more than 26,000 farms, with nearly 6.5 million farmed acres, in 154 different agricultural districts, making the sector an important stakeholder in the State’s energy transition. Farmers depend on the environment and its health for their livelihood, and therefore, view themselves as part of the solution to climate change.

One stakeholder indicated that protecting agricultural farmland is one of its biggest priorities in the renewables space. Agrivoltaics and solar panels are also significant issues, and one stakeholder is interested in pilot studies regarding co-locating solar with farm animals and crops.

Anaerobic digesters are of great interest to agricultural market, but currently are cost prohibitive. Farms are partnering to share a singular anaerobic digester.

Farmers have concerns regarding electrification of most farm equipment such as tractors, and transmission development to the extent it interferes with the use of private property.

One stakeholder supported hydroelectric power, biofuel,³⁴ and alternative energies and believes more research and funding should be devoted to these sources. Some agricultural businesses include solar panels as a value-added income.

A representative indicated that workforce training to instruct farmers and farm labor on how to safely use electrical equipment is needed.

Farmers need the environment, and therefore they need to be part of the solution to climate change. Some agricultural representatives include solar panels as a value-added income.

³⁴ Note that the definition of “Renewable Energy Systems” under PSL § 66-p(b) does not include biofuel generation, and as such, biofuel generation is ineligible to contribute toward the achievement of the renewable energy goals of the CLCPA. On May 18, 2023, the Commission initiated a proceeding to initiate the process of transitioning to a zero-emissions electric system by 2040. One of the objectives of this proceeding is to determine what types of generation technology, including biofuels or bioenergy, will qualify as a zero-emissions technology. *See* Case 15-E-0302, Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard, Order Initiating Process Regarding Zero-Emissions Target (May 18, 2023).

Ag and Markets is committed to working to minimize the impact of renewable generation assets on farmers and farming communities. It related that agriculture can have a large positive influence on the renewable energy process (capturing methane to produce electricity, methane digesters, etc.). Ag and Markets stated that it would like to explore entering into a cooperative agreement with NYPA to address these and other opportunities to promote farm-friendly renewable projects and programs.

Colleges and Universities

NYPA conferred with institutions, ranging from community colleges to universities, including New York Community Colleges Energy Equity Forum, Cornell University (Atkinson Center for Sustainability, Department of Ecology & Environmental Biology, and School of Industrial and Labor Relations), State University of New York (“SUNY”) Maritime College, and SUNY University at Buffalo.

Comments from organizations representing New York institutions of higher education (“Institutions”) include the following:

Some Institutions believe that New York State needs to provide more support and funding to achieve CLCPA goals and should collaborate with other east coast states to expand and support transmission and wind energy projects. To meet CLCPA targets, some Institutions suggested that New York should increase its offshore wind target to at least 20 GWs. Some Institutions pointed out that communities are concerned that renewable energy projects will be challenged by supply chain disruptions, increasing costs and a changing political landscape.

Institutions emphasized that the future energy mix for New York State must be varied. In addition to renewables, the system should include nuclear energy, additional transmission infrastructure, more energy storage including use of pump storage, thermal energy storage and liquid metals storage. Some Institutions said that NYPA should increase its infrastructure investment in transmission to support the new renewable energy resources.

One Institution said that NYPA is poised to play a central role in developing new renewable generation because it has played a central role in in developing New York State hydroelectric power as well as transmission, and has strong connections with the wind and manufacturing sectors. Another Institution stated that the Power Authority has had a strong role in the rollout of solar in public schools and building that NYPA can scale up. It stated that NYPA as a public entity can move in a direction where energy is a public good, that NYPA can provide solar projects to schools and public entities efficiently, and that there will be benefit to the State in reducing total costs. Some Institutions commented that NYPA is well positioned to be helpful to disadvantaged communities as a public authority with strong business skills and a well-rounded organization. Other Institutions stated that NYPA is well positioned to bring its business model into workforce development.

The Institutions consulted are focusing on research to drive policy changes, changes in corporate practices, and labor consequences around the energy transition. The Institutions stated that they

are committed to workforce development, including jobs that are being phased out, opportunities for worker, ensuring jobs are high-quality, sustainable and high-wage, with labor and equity standards and workforce infrastructure standards. Some Institutions said that offshore wind has the best potential to produce renewable energy while also producing high-quality jobs.

One college commented on the potential for NYPA to push renewable energy initiatives forward. It stated that the college can act as platform for engaging with local communities and students to further renewable energy projects. The college emphasized that offshore wind is of great interest to it, especially for workforce development.

The New York Community Colleges Energy Equity Consortium (NYCCEE) emphasized that to meet CLCPA goals, efforts will need to focus on converting the current workforce to work in renewable resource development. It stated that challenges include decreased enrollment and that policy discussions on climate change are not occurring at trade schools. NYCCEE said that it focuses on four areas in workforce training; offshore wind, solar, advanced manufacturing and building electrification.

One commenter stated that the NYISO's interconnection process should reorganize the queue to allow smaller projects to be treated differently.

Community Organizations and Environmental Justice Advocates

NYPA conferred with numerous organizations representing local and disadvantaged community interests and environmental justice interests ("Community" or "EJ" representatives), including Bronx Council for Environmental Quality, El Puente, Coalition of Attorneys Representing Municipalities and Citizens in New York State Wind and Solar Project Siting Proceedings, Harlem River Working Group, New York City Environmental Justice Alliance, NY Renews, PEAK Coalition, PUSH Buffalo, South Bronx Unite, Sustainable Westchester and Urban Green Council.

Community and EJ representatives generally supported the CLCPA, with a key focus on how disadvantages communities, such as the Bronx, are affected. Some groups expressed concern that there is a growing campaign against the CLCPA and that NYPA can help the State with communications in support of it. Many groups said that the State has not allocated enough resources for public education campaigns in support of the CLCPA, and that more should be done to correct misinformation surrounding the transition to renewable energy.

Community and EJ representatives generally expressed support for NYPA playing an active role in developing new renewable resources. Some representatives viewed NYPA's role as filling "gaps" where the private sector falls short or project economics do not work, while other stakeholders saw NYPA as having a broader role in adding new renewable energy resources. Stakeholders in urban areas said that NYPA has a role in distributed-solar generation especially in underserved communities. Some stakeholders favored locally-owned or controlled renewable energy resources, and said that NYPA can partner with low-income communities to become investors in renewables. They also support new thermal energy systems, but said that it is unclear how reliable it will be on a large scale. Some EJ and Community representatives said that NYPA should increase its work on energy efficiency projects in communities in conjunction with its new

renewable generation authority. Several organizations also expressed interest in forming virtual power plants using decentralized solar, storage and flexible power consumers.

Many EJ and Community representatives stated that community engagement is critical to equitable implementation of the renewable energy transition and achieved the CLCPA goals. They emphasized that communities must be incorporated into discussion of new energy projects prior to their being built, as there may be negative consequences for people in local communities. Downstate EJ interests pointed out that there is a disparity in burdens experienced by New York City communities from existing and new industry, highways and energy facilities, when compared with upstate communities. Projects like Clean Path New York and Champlain Hudson Power Express to deliver renewable energy directly to New York City were cited as good projects for New York City.

One group of upstate Community representatives focused on using nuclear power for clean energy production, and suggested that NYPA should use its new authority or seek authority to build nuclear power for clean energy. The group pointed out that when the Indian Point nuclear power plant was closed, fossil fuel production increased and decarbonization suffered. They said that reaching 70% renewable energy may be impossible if efforts are just focused on solar and wind, and that there is a lot of resistance to solar and wind projects in upstate communities due to land use and visual impacts.

Downstate Community and EJ representatives expressed concerns at the continued operation and re-permitting of NYPA's small natural gas power plants, as also referred to as "peakers." EJ interests expressed confusion why NYPA is continuing to submit permit applications for the peaker plants, because they believe that operation of those plants contradicts the CLCPA goals and NYPA's progress towards them. Many EJ and community organizations said that NYPA should prioritize phasing out the peaker plants with a transition to a source that produces cleaner energy and decreases air pollution. One organization stated that the waterfront-based power generation cut the community off from accessing the waterfront, and that waterfront access should be restored when the peakers are closed.

Many Community and EJ representatives in New York City stated that NYPA should replace the peaker plants with battery storage and support education on the benefits of energy storage. They stated that there is a need for distributed energy storage throughout the city to support grid reliability and resiliency. Some stakeholders stated that there is a lot of misinformation about battery storage, and that NYPA can step in and develop a strategy to educate communities on the benefits and safety of stationary storage. One representative also emphasized the importance of adding more energy storage in order to integrate renewable energy.

A number of downstate Community and EJ groups said that there is a disparity in implementing solar and storage, with more solar and storage being developed upstate. They said that more solar generation is needed in New York City, and that solar is crucial so that inner city fossil fuel plants can be retired. One organization suggested that solar be added to street poles to offset the need for power plants. Some community representatives said that they support use of hydrogen combustion power plants to replace fossil fuel generation, while others oppose it. One representative opposed

the use of carbon sequestration, and said that the focus of the energy transition should remain on renewable resources over combustion.

Sustainable Westchester (“SW”) stated that NYPA could play a strong role in its efforts to decarbonize. It stated that most municipalities in Westchester participated in community solar projects, and that NYPA could leverage its existing Community Choice Aggregation projects on a larger scale to gather more support for renewable energy and further increase participation. SW pointed out that additional transmission projects are needed to reduce congestion on the power system, to lower related congestion costs, and to move more renewable power from upstate to downstate.

Some stakeholders said that they would like to see NYPA play more of a leadership role with respect to project siting and using its leverage with private developers. They said that private developers’ perspective seems to be transactional, or profit-driven, and that the communities want to be heard and involved in project design and planning processes. They stated that NYPA should focus on building trust first, with attention to the fact that every community has different needs and priorities.

All EJ and Community groups expressed support for the Renewable Energy Access and Community Help (“REACH”) program, and suggested that affordable housing units that are in the process of being electrified could be targeted specifically. They said that REACH bill credits are very important because communities have experienced large bill increases for transmission and grid projects. Some stakeholders stated that bill credits must be distributed on an equitable basis for disadvantaged communities. Others commented that NYPA should ensure that bill credits are long-term for the life of the project.

All EJ and Community stakeholders stated strong support for workforce development and said they believe that there is a huge opportunity to provide green energy jobs for the future generation of workers. They said that NYPA can help create training centers or provide funds for workforce development. Some community and EJ representatives said that funds should be directed to establishing pre-apprenticeship programs, and that unions could work with communities to build a “pipeline” for apprenticeship programs. They pointed out that care should be taken in developing new programs in parallel with existing programs. Other representatives said that NYPA should ensure that disadvantaged communities that have been affected by peaker plants should have direct access to green energy jobs located in their communities.

Some upstate and downstate Community and EJ groups stated that the NYISO interconnection process delays projects and that NYPA can work with the NYISO to reform the interconnection queue.

Consumer Interests

NYPA conferred with organizations representing the interests of New York businesses, including Multiple Intervenors (“MI”) and Power for Economic Prosperity (“PEP”). MI is an association of large industrial, commercial, and institutional energy consumers with manufacturing and other facilities located throughout New York. PEP is an association of manufacturing companies that rely on low-cost Niagara Project hydropower in order to maintain their operations in the Buffalo/Niagara region of Western New York. NYPA also conferred with the New York Energy Alliance (“NYEA”), which is a newly formed organization of several New York residents who support abundant and reliable energy and electricity for families and businesses through the advancement of nuclear energy.

These groups (collectively, “Consumer Groups”) are primarily concerned with ensuring that electricity and energy remains affordable and reliable in New York as we transition to renewable and emission-free electricity. Some of the Consumer Groups expressed concern with the pace of transition required by the CLCPA, and the feasibility of meeting the goals the CLCPA in time, and the potential effects that such a rapid transition might have on affordability and reliability.

Some Consumer Groups asserted that the NYISO interconnection process causes too long a delay for projects seeking to connect and are open to efficiency reforms. Certain Consumer Groups expressed concern that intermittent resources will not have adequate capacity to serve New York’s grid reliably without other backup sources, such as energy storage or gas turbines. Some Consumer Groups expressed interest in NYPA developing nuclear generation. Certain Consumer Groups noted that NYPA’s hydro projects are great examples of NYPA providing tremendous value to New Yorkers and should be replicated in any efforts that emerge from the NYPA’s new authority under its new renewable authority. Some Consumer Groups expressed a preference for such efforts to focus first on the retention of jobs and economic development.

Environmental and Energy Policy Advocates

NYPA conferred with a number of organizations that advocate for environmental and/or energy concerns, including Citizens Campaign for the Environment (“CCE”), Environmental Advocates of New York (“EANY”), New York League of Conservation Voters (“NYLCV”), Public Utility Law Project (“PULP”), and the Queens Climate Project (collectively, “E&E Policy Advocates”).

The E&E Policy Advocates were very supportive of New York’s CLCPA efforts, including efforts to advance offshore wind, onshore wind, solar (both distributed and utility-scale) and energy storage. Some E&E Policy Advocates said that they are interested in seeing the development of virtual power plants.

Some E&E Policy Advocates expressed concern with the State’s ability to meet the renewable energy goals of the CLCPA, in particular the offshore wind energy goal, given the Commission’s October 12, 2023, decision to deny several renewable energy developer petitions for additional financial relief to existing contracts. Some E&E Policy Advocates were supportive of NYPA developing more energy storage projects and doing more to support emissions reductions and

efficiency through geothermal heating and cooling projects. They said that such projects reduce the need for added renewable generation and associated transmission as buildings are decarbonized and electrified. Some E&E Policy Advocates expressed concern with deforestation and agricultural land conversions in the State's pursuit of renewable energy and noted the need for identification of opportunities for agrivoltaics. Most E&E Policy Advocates were supportive of NYPA developing renewables to support the State's efforts to meet the renewable energy goals of the CLCPA.

The E&E Policy Advocates were supportive of New York meeting the goals of the CLCPA, but some were concerned with ensuring that electricity and energy remains affordable and reliable as we transition to renewable and emission-free electricity. In addition, these advocates stressed that new benefits to low-income consumers should be additive to existing programs and not supplant them, and as such were supportive of the REACH program established under PAL §1005(27-b). One E&E Policy Advocate suggested that NYPA facilitate power purchase agreements to reduce the cost of the energy transition on ratepayers, and also assist low-income New Yorkers with residential retrofits that only middle- and upper-class families have traditionally been able to afford. Some E&E Policy Advocates asserted that the transition to renewables has been funded solely from ratepayer funds, and other funding sources should be utilized to bring more equity to the process.

E&E Policy Advocates asserted that community outreach was critical, and some specifically noted the need for youth-focused education programs that will serve to empower younger generations to help address the climate crisis. Some E&E Policy Advocates suggested that communicating the benefits of the energy transition should be done in a way that is readily understandable and helpful to combat disinformation or misconceptions, noting that a lack of understanding among the public and/or local officials can result in project delays or opposition.

Some E&E Policy Advocates asserted that the NYISO interconnection process is too slow and is creating delays, while others noted that there are even long delays when connecting small behind-the-meter rooftop solar in certain utility districts. Some E&E Policy Advocates noted NYPA's historic success in advancing transmission projects and advocated for additional work to be done to address electrical system limitations that prevent the successful deliverability of renewable energy. Some E&E Policy Advocates asserted that disadvantaged communities have been burdened by pollution from fossil-based energy sources, such as "peaker" facilities, which should be converted to community assets or renewable energy hubs to create health benefits and increase energy affordability.

Some E&E Policy Advocates underscored the need to ensure that New Yorkers that are currently employed in fossil fuel industries are given ample opportunity to retrain to be gainfully employed in the renewable energy or energy storage industry. Certain E&E Policy Advocates noted the need for job training to be paired with other services that allow mid-career transitions, such as childcare and transportation for low-income New Yorkers. Some E&E Policy Advocates asserted that there is not enough broad understanding amongst the general public of existing and future job opportunities in the energy transition, and more could be done to make such opportunities clear, understandable, and concrete. One E&E Policy Advocate suggested a requirement that at least

40% of the workforce needed to construct renewable generation reside in a disadvantaged community. Another E&E Policy Advocate suggested that opportunities for Minority- and Women-Owned Businesses be promoted and required and that opportunities for workforce training be targeted at all ages of the workforce and should not be limited to only technical jobs.

Generator Stakeholders

NYPA conferred with several organizations representing the interests of energy generators and developers, including independent renewable developers, the Alliance for Clean Energy New York (“ACENY”), the Independent Power Producers of New York (“IPPNY”), and the New York Offshore Wind Alliance (“NYOWA”) (collectively, “Generator Stakeholders”). ACENY and NYOWA are two renewable energy advocacy organizations with collective membership that includes a large percentage of New York’s private sector renewable energy developers. IPPNY is a trade organization representing independent renewable and non-renewable generators and developers representing a large percentage of New York’s electricity generators.

The Generator Stakeholders noted substantial progress made by the State in advancing the renewable energy goals of the CLCPA through NYSERDA’s renewable energy certificate procurement and contracting. One Generator Stakeholder suggested that NYPA should assess NYSERDA’s efforts to meet the CLCPA renewable energy goals as a part of the conferral process, and that the conferral process and strategic plan should be coordinated with and informed by the CLCPA biennial review process. Some Generator Stakeholders noted that COVID-19, inflationary pressure, and supply chain bottlenecks have placed some contracted projects into financial jeopardy.

While some Generator Stakeholders expressed a willingness to partner with NYPA in the development of renewable energy generation and/or energy storage projects, some of the Generator Stakeholders expressed concerns with NYPA developing renewable energy projects, asserting that NYPA may have an advantage over private sector renewable energy developers that may reduce competition in the New York marketplace. A Generation Stakeholder suggested that NYPA should focus on competitively procuring renewables resources and storage resources through the use of long-term power purchase agreements, rather than NYPA developing and owning those resources. It also made the assertion that NYPA’s development of renewable energy would subject NYPA customers to costs and risks currently borne solely by renewable energy companies and storage companies.

Some of the Generator Stakeholders suggested that NYPA focus on continuing to develop transmission solutions to relieve renewable congestion and curtailment. One Generator Stakeholder expressed interest in repurposing “peaker” stations to support the integration of new renewable energy into the downstate electric grid. In addition, Generator Stakeholders noted that generator interconnection queues throughout the United States have been overwhelmed and backlogged with generator interconnection requests. One Generator Stakeholder suggested that any NYPA efforts related to generator interconnection process reforms should first focus on the implementation of FERC Order 2023.

The Generator Stakeholders recommended that NYPA coordinate any workforce development activities or efforts with existing activities and efforts taking place within the State to maximize NYPA's impact.

Labor Organizations

NYPA conferred with several labor organizations, including the International Union of Operating Engineers, International Brotherhood of Electrical Workers, NYC Building Trades Council, and Communications Workers of America ("Labor Stakeholders").

Labor Stakeholders expressed a willingness to work with the Power Authority and the State to help achieve Climate Act goals. Labor Stakeholders expressed the view that clean energy economy is a huge opportunity for developing well-compensated, long-term union jobs and career paths.

Some Labor Stakeholders expressed concern that much of the State's solar economy resides with smaller, independent contractors, using non-union labor. Labor Stakeholders noted that wind projects, which are larger and more involved, provide better opportunity for labor and for union jobs. They reported being much less enthusiastic about the solar energy sector – the jobs are typically less skilled, lower paying, and non-union.

Labor Stakeholders stressed the importance of creating a well-trained and fairly-compensated union workforce to support construction of renewable generation and transmission assets that the State will need to meet Climate Act goals. Labor Stakeholders indicated that they are willing to train workers to learn new skill sets that will be necessary to address new technologies that renewables will present. Labor Stakeholders said that they are already preparing workers to support the transition to a clean energy economy. They said that the State needs to focus on attrition rates for journey persons who will be retiring and plan recruitments, and that NYPA can also support the development of training programs. Some Labor Stakeholders indicated that there are a lot of workforce programs in the clean energy space, but that there is a need to ensure that programs are not duplicating efforts. Labor Stakeholders also shared that disadvantaged communities should be targeted for hiring in the bid process.

Labor Stakeholders expressed support for the REACH program, and observed that NYPA's role in REACH will be critical to electricity affordability for disadvantaged communities.

Some Labor Stakeholders expressed the view that the time frames expressed in the CLCPA are unrealistic, given the many obstacles for placing renewables in service, including supply chain issues, procurement and siting processes, an absence of other resources, like vessels needed for offshore wind, and construction time and delays. Some Labor Stakeholders expressed the view that elected officials need to better appreciate the practical implications of how project construction works before simply establishing goals in law.

Some Labor Stakeholders expressed concern about private developers proposing or initiating projects, then abandoning them. The potential for thousands of new jobs will not come to fruition if this is permitted to happen, and could lead to outsourcing.

Labor Stakeholders stated that project labor agreements and labor peace agreements should be included in RFPs for new renewable electric generation projects.

Labor Stakeholders indicated that the Climate Act and the 2023 Budget Enactment present huge opportunities to bring renewables-related manufacturing back to New York with good jobs.

Some Labor Stakeholders indicated that there should be more focus on hydrogen and nuclear technologies.

Some Labor Stakeholders expressed that electricity must be affordable.

Some Labor Stakeholders stated that they believe transmission lines should be buried.

Municipalities

NYPA conferred with organizations representing the interests of municipal entities across the State, including the New York Conference of Mayors, New York State Association of Counties, New York State Association of Towns (collectively, the “Organizations”). NYPA also met with representatives of the City of New York (the Mayor’s Office of Climate & Environmental Justice), as well as ElectrifyNYC, a program run by community-based organizations and local government partners “dedicated to helping New Yorkers implement clean, cost-effective cooling, heating, and energy solutions in their homes.”³⁵

Municipal Stakeholders expressed a desire to work with the Power Authority to explore potential renewable projects and to understand more about the State’s vision for reaching CLCPA goals.

Many Municipal Stakeholders said that they are interested in supporting renewable energy projects, since projects can provide economic development opportunities for communities. However, Municipal Stakeholders stated that communities stated that they desire to learn more about the State’s vision for achieving CLCPA goals, and desire more information on what types of technologies will be considered to be renewable energy.

Some Municipal Stakeholders said that State agency personnel should engage in more local community meetings and host webinars on the need for renewables to explain the basics and garner more support for the State’s transition to renewables.

Some Municipal Stakeholders said that developers should get communities involved and discuss projects as early as possible. Municipal Stakeholders expressed frustration over developers overloading communities with information and technical language. They said that plain language communication and early communication is critical. Some Municipal Stakeholders requested assistance in marketing campaigns to combat what they referred to as misinformation.

Municipal Stakeholders indicated that large municipalities tended to be more supportive of CLCPA goals than smaller communities, which may be less informed about State energy priorities due to more limited resources, and larger municipalities, such as Buffalo, appeared to be more interested in workforce development and training than smaller communities.

³⁵ See <https://www.nyc.gov/site/electrifynyc/about/what-is-electrifynyc.page>

Municipal Stakeholders indicated that some local governments are not supportive of the State siting law (Executive Law § 94-c), because they believe it interferes with local control over property development, and enables developers to utilize land, especially agricultural resources, and impact other local resources (*e.g.*, vistas) for profit. They also related that some communities and residents feel burdened by projects and that renewable energy projects are imposed upon them. Some Municipal Stakeholders expressed concern that upstate communities could be unfairly burdened (*e.g.*, renewable generation and transmission lines) to benefit downstate communities.

Municipal Stakeholders expressed support for host benefit agreements for developers of large renewable generations projects.

It was reported that some member municipalities, especially municipal utilities, have expressed concern about capacity of the grid to support deployment of renewable generation projects to achieve Climate Act goals, and potential impacts on grid stability.

Municipal Stakeholders expressed concern about the feasibility of building out electric vehicle infrastructure for fleet vehicles and large trucks due to supply chain issues, maintenance, and expenses. They said that parking lots and rooftops are a great opportunity for solar installations, and the State should do more to facilitate this low impact option. One stakeholder mentioned pending legislation that would facilitate such projects in parks.

Municipal Stakeholders indicated that members in general expressed support of REACH, but indicated that community-wide initiatives like building out broadband access, should be a priority because they help entire communities and meet an immediate and critical need.

Municipal Stakeholders indicated that members strongly support workforce development in disadvantaged communities. “PUSH Buffalo” was cited as a successful model.

Municipal Stakeholders opined that the State needs to begin focusing on the grade school level to prepare for a future workforce, but some members have expressed skepticism of long-term job potential from renewable energy projects.

Municipal Stakeholders and their members expressed a desire to learn more about thermal energy technology and potential opportunities.

New York City Mayor’s Office of Climate & Environmental Justice

The New York City Mayor’s Office of Climate & Environmental Justice (“MOCEJ”) strongly supports the Climate Act, which aligns with New York City’s own goals and policies.

Representatives expressed concern that inflation and supply delays, reliability needs determined by the NYISO for summer 2025 in its recent Short-Term Assessment of Reliability, and the time it takes to deploy new renewable energy projects, could threaten timely attainment of Climate Act and New York City goals.

MOCEJ suggested that NYPA should consider repurposing “peaker” facilities for community use, specifically for host communities. Examples of potential uses include offshore wind interconnection, renewable energy generation and storage facilities, parks and waterfront access.

MOCEJ noted that it will be important for the appropriate entity to ensure that REACH is implemented effectively and asserted that some customers are not receiving credits to which they are entitled under existing programs. MOCEJ suggested that NYPA could benefit from consulting with the New York City Housing Authority.

MOCEJ suggested that job programs should focus on tangible benefits creating real lasting linkages and pathways to employment that facilitate employment across the State, but that also create opportunities for local hiring.

MOCEJ suggested that the NYISO interconnection queue for renewable energy projects should be further streamlined, and noted that project costs and siting are significant hurdles in deploying solar and storage in New York City.

MOCEJ recommended that NYPA think broadly regarding siting and storage throughout New York State, with a goal of making it affordable and accessible for smaller municipalities. MOCEJ expressed an eagerness for working and coordinating with NYPA to help address the challenges of greening New York City’s energy grid and phasing out fossil fuel plants.

NYS Office of General Services

NYPA conferred with staff of the New York State Office of General Services (“OGS”). OGS commented that coordination between New York State agencies will be critical for helping the State realize CLCPA goals. It supported giving NYPA a larger role in understanding climate goals that individual agencies are trying to achieve, and planning and coordinating with State agencies to avoid duplicative efforts and improve efficiencies. OGS noted that it confers with NYPA on energy-related projects on an almost daily basis. As part of this approach, OGS suggested that a coordinated approach would enable OGS to look at its property and facility portfolio to potentially solve for good positive renewable development outcomes. It recommended that as part of its expanded authority, NYPA identify one or more renewable generation project models that will make financial sense for State agencies to support agency build-out of renewable energy projects.

Public Power

NYPA conferred with two organizations representing public power interests (“Public Power”), the Municipal Electric Utilities Association of New York State and the New York Association of Public Power.

Public Power representatives commented that their obligations lie with their municipal utility members and end use customers. They said that most of their supply already comes from renewable hydroelectric power in New York, which has worked well for them. Public Power interests stated that they support achievement of the objectives of the CLCPA and have their own independent energy efficiency programs. They raised concerns about cost impacts on their members, for example, the costs of curtailment of hydroelectric resources caused by new

renewable energy facilities added to the power system upstate. Representatives commented on the costs of implementing a clean energy standard for their customers, who are already fully or mostly “green” from a power supply perspective.

Representatives of Public Power stated that extending the REACH program to municipal electric utilities could be problematic and there will be a need to define initiative details. It is unclear, they said, how NYPA would implement a bill credit system for their members, how they would identify low-income and moderate-income customers to whom the bill credits would apply, and how they would establish a mechanism to provide the credits on customers’ bills.

Public Power representatives stated that they would be interested in NYPA’s workforce development programs that could assist their operations.

With respect to interconnection, Public Power representatives said that it is important not to let impatience with the process drive changes that ultimately could be more harmful to outcomes on the power system.

OBSERVATIONS AND CONCLUSIONS

1. Participating stakeholders from around the State provided NYPA with valuable insights and perspectives throughout the conferral process. NYPA met with and received comments from a broad spectrum of interests, including community and environmental justice organizations, agriculture interests, State and local government entities, community colleges, colleges and universities, environmental and energy policy organizations, municipal utilities, large and small consumer interests, labor interests and unions, and generator developers. NYPA will consider this information in developing its first strategic plan. NYPA will receive additional stakeholder input as it moves forward with the development of NYPA’s first strategic plan and implementation of other responsibilities assigned to NYPA under the 2023-24 State Budget.
2. The conferral process confirmed that there is tremendous stakeholder support for achieving the goals of the CLCPA. The Clean Energy Standard, established by the Commission and administered by NYSERDA, has resulted in significant progress towards procuring contracts for renewable energy attributes. Some stakeholders have expressed concerns related to feasibility, interconnection delays, affordability, system reliability, and environmental and land use impacts of new renewable generation. In contrast, many stakeholders expressed optimism with progress to date and identified a multitude of opportunities related to climate action and leadership, disadvantaged community benefits, economic development, workforce development, and agrivoltaics.
3. NYPA observes that many communities are still trying to fully understand the implications of the CLCPA and how it will impact them. Many consider the CLCPA as in a “nascent” phase and are just starting to investigate the potential ramifications for their specific local context. A common theme was curiosity and concern about the State’s capacity and ability

to achieve the goals and objectives set forth in the CLCPA. Some communities consider the goals lofty, and there is a perception among some that the implementation of the CLCPA may not be practical or achievable on the current timetable. Many stakeholders commented that the State needs to do more to educate local communities on the purpose of the Climate Act, how the State intends to implement it in the long term, and what the impacts will be on communities and residents.

4. Currently, under the Clean Energy Standard, there are enough awarded, contracted, and operational projects to meet and exceed the goal of 70% renewable energy by 2030, and with recent announcements, the State is nearing completion of its contracting efforts to meet the offshore wind goal of 9 GW. That said, some commentors expressed concern with the feasibility of achieving these goals, noting recent delays caused by COVID-19, supply chain shortages, human resources shortages (including skilled engineers and trained labor) and most significantly, inflation. Some commenters noted that the economic viability of some of these projects has recently been called into question by developers seeking additional financial relief for previously contracted projects – requests that were recently denied by the Commission.³⁶ The Commission denied these requests for price modifications, and recommended that NYSERDA continue its procurement efforts for land-based renewables and offshore wind on an expedited basis, allowing developers to cancel existing contracts and bid back in with competitive pricing that takes into consideration current market conditions.³⁷
5. Consistent with the Commission’s recommendation, Governor Kathy Hochul announced the release of a 10-Point Action Plan, directing NYSERDA to launch accelerated procurements to backfill any land-based renewable or offshore wind contracts that are terminated. On November 17, 2023, Governor Hochul announced that these expedited solicitations will be released by NYSERDA on November 30, 2023, with bids due in January 2024.³⁸ Therefore, although it is possible that the number of contracted renewable projects may decrease in the near future, the withdrawn projects will have new near-term opportunities to secure new contracts with updated competitive pricing, keeping New York on track to meet the ambitious goals of the CLCPA.
6. The conferral process confirmed strong stakeholder support for renewable energy as a means to address the impacts of climate change through reducing and eliminating greenhouse gas emissions from the State electric system. While all stakeholders embraced these environmental benefits, some stakeholders expressed concerns related to environmental and land use impacts of the State’s transition to solar and wind energy. Most

³⁶ Case 15-E-0302, et al., Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard, Order Denying Petitions Seeking to Amend Contracts with Renewable Energy Projects (October 12, 2023).

³⁷ *Id.* at 48-49.

³⁸ Per New York State website at <https://www.governor.ny.gov/news/governor-hochul-announces-progress-renewable-energy-solicitations-part-10-point-action-plan>

notable among these concerns was related to agricultural land being used for solar energy production. Of these commenters, almost all similarly expressed interest in the opportunity presented by agrivoltaics to address these concerns. Similarly, many stakeholders focused on the opportunities presented by the implementation of the CLCPA, particularly those opportunities to provide meaningful benefits to disadvantaged communities. In addition, stakeholders underscored the opportunities for New York's skilled trade labor force to flourish from increased construction activity and workforce development efforts, opportunities that are already starting to come to fruition.

7. Stakeholders were largely supportive of NYPA's new authority to develop renewables, establish the REACH program, facilitate a just transition away from fossil fuel, and support workforce development. Many stakeholders embraced NYPA taking a larger role in renewable development and were hopeful that their relationship to such development would be less concerned with profit and more oriented to community impacts and benefits moving forward. All commenters seemed to agree that downstate "peaker" plants should be transitioned away from fossil fuel consumption, but there is no consensus on what should be done with such sites. Some stakeholders want to see NYPA's small natural gas power plants replaced with offshore wind interconnections, renewable energy generation, and storage facilities, while others want to see those sites reused for public parks and waterfront access. NYPA will continue to solicit community views on the future of these sites.
8. NYPA's development of renewable energy does not necessitate risks to be borne by existing NYPA customers, as suggested by some commentators.
9. All stakeholder groups universally agreed that a trained and adequate workforce will be critical to support the State's transition to clean energy. Therefore, it is critical that relevant agencies coordinate with labor unions and training institutions to ensure that adequate resources exist to train the workforce of the future. The Power Authority and the State Department of Labor ("DOL"), including the new Office of Just Energy Transition within the DOL, as well as the State's labor unions, can play vital roles in addressing this need and avoiding redundancy in the funding and implementation of training programs. NYPA notes that the State's labor unions have indicated that they are already beginning to expand their training resources to address the skill sets needed for clean energy jobs.
10. Some stakeholders expressed concerns related to the affordability of achieving the renewable energy goals of the CLCPA.
11. NYPA observes that communities generally support the REACH program to help low income New Yorkers with their energy bills, but are waiting to see how the program will operate and benefit communities. These details will be determined in a new proceeding initiated by NYPA before the Commission in the coming months.

12. Several stakeholders suggested that the State should focus on other technologies, not just wind and solar, to produce electricity, although we note that these technologies may not qualify as renewable energy under the Climate Act.
13. Many stakeholders commented on the pace at which renewable energy projects move through the NYISO interconnection process. The conferral process has highlighted that this problem is not unique to New York, and interconnection queues across the United States have seen unprecedented increases in the amount of new proposed generation seeking to connect. Stakeholders were hopeful that this problem will be resolved through the ongoing implementation of FERC Order No. 2023.
14. Many stakeholders expressed concern about the continued reliability of New York's power system as it becomes increasingly reliant on intermittent resources, such as wind and solar. Some commentators reflected on NYPA's long history and experience in the State's electric energy system as an asset for long-term statewide electric system planning and coordination. NYPA notes the State's continued progress on multiple fronts that will help New York maintain a reliable electric system as it progresses toward achieving the CLCPA goals. These include movement toward attaining the energy storage goals of the CLCPA, such as the recently filed Energy Storage Roadmap and NYPA's recently commissioned Northern New York Energy Storage Project; the advancement of significant transmission upgrades, including NYPA's Smart Path Connect and Propel NY projects; electric load reduction through the use of thermal networks and geothermal technology; and the Commission's proceeding establishing a process to select the appropriate technology to provide the grid-firming capacity required for the zero-emission electric system of 2040.
15. In accordance with the 2023-24 State Budget, the Power Authority will use the information collected through the conferral process as we embark on the preparation of our first strategic plan in 2025. Among other priorities that will be addressed in its strategic plans, NYPA intends to build out renewable generation equivalent to the capacity that will be lost by the ultimate retirement of its fossil fuel plants, consistent with a key finding contained the in Public Power & Climate Leadership Report (March 2023), commissioned by the Public Power New York Coalition.

APPENDIX A

LIST OF CONFEREES

1. Alliance for Clean Energy New York
2. Association of Towns of the State of New York
3. Bronx Council for Environmental Quality
4. Citizens Campaign for the Environment
5. Climate Jobs NY
6. Coalition of Attorneys Representing Municipalities And Citizens in New York State Wind and Solar Project Siting Proceedings
7. Communications Workers of America
8. Cornell University
 - A. Atkinson Center for Sustainability
 - B. Department of Ecology and Evolutionary Biology
 - C. School of Industrial and Labor Relations
9. El Puente
10. Electrify NYC (Electrify New York City); The New York City Mayor's Office of Climate & Environmental Justice
11. Environmental Advocates NY
12. Harlem River Working Group
13. Independent Power Producers of New York
14. International Brotherhood of Electrical Workers
15. International Union of Operating Engineers
16. Multiple Intervenors
17. Municipal Electric Utilities Association of New York State
18. New York State Conference of Mayors and Municipal Officials
19. New York Energy Alliance
20. New York Farm Bureau
21. NYS Building & Construction Trades Council
22. New York State Department of Agriculture and Markets
23. New York Association of Public Power
24. New York Community Colleges Energy Equity
25. New York League of Conservation Voters
26. NY Renews

27. NYC Department of Citywide Administrative Services
28. New York City Environmental Justice Alliance
29. New York State AFL-CIO
30. New York State Association of Counties
31. New York State Laborers-Employers Cooperation and Education Trust
32. New York State Office of General Services
33. The PEAK Coalition
34. Power for Economic Prosperity
35. Public Utility Law Project of New York, Inc.
36. PUSH Buffalo
37. Queens Climate Project
38. SMART, the International Association of Sheet Metal, Air, Rail and Transportation Workers
39. South Bronx Unite
40. State University of New York at Buffalo
41. SUNY Maritime College
42. Sustainable Westchester
43. Urban Green Council
44. US Light Energy
45. Workforce Development Institute

STATE AGENCIES AND FEDERAL ENTITIES CONSULTED

1. New York Independent System Operator
2. NYS Department of Environmental Conservation
3. NYS Public Service Commission
4. New York State Energy Research & Development Authority
5. Office of Renewable Energy Sitting