



Economic Development Power Allocation Board

KATHY HOCHUL
Governor

JUDGE CECILY MORRIS
Chair

ECONOMIC DEVELOPMENT POWER ALLOCATION BOARD

MINUTES

December 11, 2023 – 9:00 a.m.

Meeting Held Via Videoconference

<u>Subject</u>	<u>Page No.</u>	<u>Exhibits</u>
Introduction	2	
1. Adoption of the December 11, 2023 Proposed Meeting Agenda	2	
2. Adoption of the Minutes of the Meeting of September 11, 2023	2	
3. Recharge New York Power - New, Extended and Modified Allocations	2	
4. Transfer of RNY Power Allocations	11	
5. Adoption of the 2024 Proposed schedule	12	
<u>OTHER BUSINESS</u>		
6. Next Meeting	12	
Closing	13	



Economic Development Power Allocation Board

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A regular meeting of the Economic Development Power Allocation Board was held via video conference, at approximately 3:30 p.m.

The following Members of the Board were present:

Judge Cecily Morris, Chair
Dennis Trainor, Member
Andrew Silver, Member

Also in attendance were:

Lori Alesio	Interim Executive Vice President and General Counsel
Karen Delince	Vice President and Corporate Secretary, NYPA
Maribel Cruz-Brown	Senior Vice President – Customer Solutions, NYPA
Yale Brown	Senior Business Power Allocations & Compliance Analyst, NYPA
Mark Schwartzburt	Lead Power Contracts and Tariffs Analyst, NYPA
Karen White	Director – Community Affairs - STL
Lorna Johnson	Senior Associate Corporate Secretary, NYPA
Sheila Quatrocci	Senior Associate Corporate Secretary, NYPA
Michele Stockwell	Senior Assistant – Corporate Secretary, NYPA

Introduction

Chair Cecily Morris welcomed members of the Board Dennis Trainor and Andrew Silver and Authority senior staff to the meeting. She said that the meeting had been duly noticed as required by the Open Meetings Law and called the meeting to order pursuant to the EDPAB Bylaws, Article III, Section 2.

1. Adoption of the December 11, 2023 Proposed Meeting Agenda

On motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the Agenda for the December 11, 2023 meeting was adopted.

Chair Cecily Morris and Members Dennis Trainor and Andrew Silver declared no conflicts of interest based on the list of entities being considered for power allocations.

2. Approval of the Minutes

On motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the Minutes of the Meeting held on September 11, 2023 were unanimously approved.

Chair Cecil Morris invited Ms. Maribel Cruz-Brown, Senior Vice President of Customer Solutions, to present staff's recommendations to the Board.

Ms. Maribel Cruz-Brown said that staff is requesting that the members approve the administration and awards of ReCharge New York Power Allocations which will be presented by Mr. Yale Brown, Senior Business Power Allocations & Compliance Analyst and a ReCharge New York Power Allocation Transfer which will be presented by Mr. Mark Schwartzburt, Lead Power Contracts and Tariffs Analyst.

She continued that she wanted to thank the members for their service over the year highlighting that, in 2023 the Board awarded more than 70 ReCharge New York power allocations to businesses and not-for-profits across the state. She then invited Mr. Yale Brown to provide highlights of staff's recommendation relating to the ReCharge New York Power - New, Extended, and Modified Allocations to the members present the item to the members.

3. Recharge New York Power - New, Extended and Modified Allocations

SUMMARY

The Economic Development Power Allocation Board ("EDPAB" or "Board") is requested to:

- (a) recommend that the New York Power Authority ("Authority" or "NYPA") Trustees ("Trustees") extend each of the seven allocations of Recharge New York ("RNY") Power ("Allocation" or collectively "Allocations") awarded to the businesses listed in Exhibit "A" for a term of seven years. The term would commence on the expiration of each such existing Allocation, or in the Authority's discretion, on a date to be agreed upon by the parties, for a term not to exceed seven years (collectively, the "Extended Term"), subject to the following conditions:

- i. A customer whose Allocation would be extended would have to agree to provide supplemental commitments for, among other things, jobs and capital investments, as it has in its current RNY Power agreement(s) with the Authority (collectively, "Current RNY Power Agreement") for the length of any Extended Term, through the incorporation of such supplemental commitments in the proposed final contract that is executed by the parties. With respect to capital investments, the vast majority of RNY Power customers (i.e., those who do not have project/expansion capital investment commitments) would be expected to meet a minimum capital investment commitment.
 - ii. Unless otherwise noted, each of the customers identified in Exhibit "A" is in compliance with its contractual obligations to the Authority under its Current RNY Power Agreement;
- (b) recommend that the Trustees approve four modifications related to the previously approved RNY Power allocation extensions and/or related supplemental commitments for the customers listed in Exhibit "B";
 - (c) recommend that the Trustees award eight new allocations of RNY Power available for "retention" purposes to the businesses listed in Exhibit "C" in the amounts indicated therein;
 - (d) recommend that the Trustees award two new allocations of RNY Power available for "expansion" purposes to the businesses listed in Exhibit "D" in the amounts indicated therein;
 - (e) recommend that the Trustees award 35 new allocations of RNY Power available for eligible small businesses and/or not-for-profit corporations to the entities listed in Exhibit "E" in the amounts indicated therein;
 - (f) determine that the applicants listed in Exhibit "F" are not eligible to receive an RNY Power allocation;
 - (g) terminate the application review process for the applicant listed in Exhibit "G"; and
 - (h) determine that the applicant listed in Exhibit "H" would not be recommended to receive an RNY Power allocation.

The Board is further requested to recommend that, in addition to any other terms and conditions that the Authority determines in its discretion to be appropriate for the sale of any Allocations recommended herein, such terms and conditions include:

- (1) provisions for effective periodic audits of the recipient of an allocation for the purpose of determining contract and program compliance, and for the partial or complete withdrawal of an allocation if the recipient fails to maintain commitments, relating to such things as employment levels, power utilization, capital investments, and/or energy efficiency measures;
- (2) requirements for an agreement by the recipient of an allocation to undertake at its own expense an energy audit of its facilities at which the allocation is consumed, which may be modified by the Authority on a showing of good cause by the recipient, and that the recipient provide the Authority with a copy of any such audit or a report describing the results of such audit;
- (3) a requirement for an agreement by the recipient of an allocation to make its facilities available at reasonable times and intervals for energy audits and related assessments that the Authority desires to perform; and
- (4) a requirement that if the actual metered load at the facility where the allocation is utilized is less than the allocation, such allocation will be reduced accordingly.

The sale of any Allocation as proposed herein will be governed by the form of the RNY Power contract that was approved by the Trustees on March 26, 2019, and existing Authority Service Tariff RNY-1.

BACKGROUND

On April 14, 2011, the RNY Power Program was signed into law as part of Chapter 60 (Part CC) of the Laws of 2011. The RNY Power Program is codified primarily in Economic Development Law (“EDL”) §188-a and Public Authorities Law §1005(13-a) (the “RNY Statutes”). The program makes available 910 megawatts (“MW”) of “RNY Power,” 50% of which will be provided by certain Authority hydropower resources and 50% of which will be procured by the Authority from other sources. RNY Power contracts can be for a term of up to seven years in exchange for job and capital investment commitments. RNY Power is available to businesses and not-for-profit corporations for job retention and business expansion and attraction.

As part of New York State’s initiative to foster business activity and streamline economic development, applications for all statewide economic development programs, including the RNY Power Program, have been incorporated into a single on-line Consolidated Funding Application (“CFA”) marking a fundamental shift in how State economic development resources are marketed and allocated. Beginning in September 2011, the CFA was available to applicants. The CFA continues to serve as an efficient and effective tool to streamline and expedite the State’s efforts to generate sustainable economic growth and employment opportunities. All applications that are considered for an RNY Power allocation are submitted through the CFA process.

RNY Power is available to businesses and not-for-profit corporations for job retention and business expansion and attraction purposes. Specifically, Chapter 60 provides that at least 350 MW of RNY Power shall be dedicated to facilities in the service territories served by the New York State Electric and Gas, National Grid, and Rochester Gas and Electric utility companies; and at least 200 MW of RNY Power shall be dedicated to the purpose of attracting new businesses and encouraging expansion of existing businesses statewide. In July 2021, legislation was enacted increasing the dedicated amount of RNY Power from 100 MW to no more than 150 MW for eligible not-for-profit corporations and eligible small businesses statewide.

“Eligible applicant” is defined by statute to mean an eligible business, eligible small business, or eligible not-for-profit corporation; however, an eligible applicant shall not include retail businesses as defined by EDPAB, including, without limitation, sports venues, gaming or entertainment-related establishments or places of overnight accommodations.

RNY Power allocation awards are comprised of 50% hydropower and 50% Authority-procured market power. Prior to entering into a contract with an eligible applicant for the sale of RNY power, and prior to the provision of electric service relating to the RNY power allocation, the Authority shall offer each eligible applicant the option to decline to purchase the RNY market power component of such allocation. If an eligible applicant declines to purchase the RNY market power component, the Authority has no responsibility for supplying such market power to the eligible applicant.

Under applicable law, applications for RNY Power are first considered by EDPAB. EDPAB is authorized to recommend applicants to the Authority’s Trustees that it believes should receive an award of RNY Power based on applicable statutory criteria and other pertinent considerations. The criteria provided for in the RNY Statutes are summarized in Exhibit “I” to this memorandum. An allocation recommended by EDPAB qualifies the subject applicant to enter into a contract with the Authority for the purchase of the RNY Power if the Authority makes an allocation award.

In arriving at recommendations for EDPAB’s consideration, Staff, among other things, attempted to maximize the economic benefits of low-cost NYPA hydropower, the critical state asset at the core of the RNY Power Program, while attempting to ensure that each recipient receives a meaningful RNY Power allocation.

Unless otherwise noted in Exhibits “C”, “D”, and “E” (recommendations for new RNY Power allocations), new business applicants with relatively high scores were recommended for allocations of retention RNY Power of 50% of the requested amount or average historic demand, whichever was lower. These allocations were capped at 10 MW for any recommended allocation. Not-for-profit corporation applicants that score relatively high are typically recommended for allocations of 33% of the requested amount or average historic demand, whichever is lower. These allocations are capped at five MW. Applicants currently receiving hydropower allocations under other Authority power programs are typically recommended for allocations of RNY Power of 25% of the requested amount, subject to the caps as stated above.

RNY Power allocation extensions have been awarded by the Trustees on eighteen prior occasions spanning from October 2018 through July 2023. These recommendations pertain to existing RNY Power customers receiving an Extended Term of seven years.

RNY Power allocations pertaining to new applicants have been awarded by the Trustees on thirty-eight prior occasions spanning from April 2012 through July 2023. Currently, approximately 26 MW of RNY Power remains unallocated. This figure reflects Trustee actions taken on RNY Power applications prior to any actions that EDPAB recommends today. If today’s recommendations by EDPAB are approved by the Trustees, it is anticipated that approximately 15 MW of RNY Power would remain unallocated.

Applications for new RNY Power allocations have been considered, where applicable, under NYPA’s Green Jobs Evaluation Incentive Plan and the Diversity, Equity, and Inclusion (“DEI”) Evaluation and Incentive Plan. These plans were approved by the Trustees on December 9, 2020 and December 7, 2021, respectively.

The sale of RNY Power allocations that are recommended by EDPAB today for Trustee approval would be governed by the form of RNY Power contract that was approved by the Trustees on March 26, 2019, and existing Authority Service Tariff RNY-1. The terms and conditions in the RNY Power contract form are consistent with the terms and conditions pertaining to the sale of Allocations as described above.

DISCUSSION

1. Extension of Existing Allocations

For the current round of recommendations, Authority staff have reviewed applications from seven RNY Power customers who are requesting that their existing RNY Power allocations be extended. Exhibit “A” lists, among other things, the name of each such customer, the amount of its current Allocation, and each customer’s supplemental commitments for jobs and capital investments associated with its extension recommendation. A copy of each application has also been made available to the Board. Staff’s review has included on a customer-specific basis consideration of such issues as the amount of each Allocation that would be extended, the supplemental commitments that these customers have made under their Existing Contract and are prepared to make as consideration for an extension, and the customer’s compliance status under its Existing Contract, including its compliance with supplemental commitments for jobs and capital investments.

Staff recommends that EDPAB recommend to the NYPA Trustees that the full Allocations be extended for each company as indicated in Exhibit “A”.

Staff has concluded that the businesses listed in Exhibit “A”, which are located throughout the State, continue to bring valuable benefits to the State. In total, the Allocations listed in Exhibit “A” are supporting the retention of nearly 600 jobs and \$5.6 million in capital investments throughout New York State, and the Authority will require customers to commit to the same or substantially similar supplemental commitments for jobs and capital investments that are contained in Exhibit “A” for the Extended Term.

Staff believes that an extension of each Allocation listed in Exhibit “A” is warranted and is consistent with the statutory criteria that are used to evaluate applications for an award of RNY Power

which are summarized in Exhibit "I". As described above, each Allocation would be extended for a term not to exceed seven years.

2. Modifications to Existing Allocations, Extensions, and/or Related Supplemental Commitments

Staff requests that EDPAB recommend to the NYPA Trustees that the modifications relating to the previously approved RNY Power allocation extensions and/or related supplemental commitments listed in Exhibit "B" be approved for the reasons presented below.

Bloomberg L.P. ("Bloomberg") was previously approved for a retention-based RNY Power allocation extension in the amount of 6,230 kW with commitments of 176 retained jobs and \$200 million in capital spending. The company, which operates a data center for financial services, currently utilizes the allocation at its facility in Orangeburg, New York (Rockland County). Prior to the extension approval, the unused portion of 1,770 kW from Bloomberg's original 8,000 kW allocation was rescinded. As a result, the subsequent RNY Power allocation extension was approved in the reduced amount of 6,230 kW. In recent communications with the customer, it was determined that an extension-related increase of 1,770 kW to restore the original allocation amount to 8,000 kW is warranted. Bloomberg has experienced employment growth that has more than doubled its original commitment of 80 jobs to its current extension-related commitment of 176 retained jobs. In addition, the company has committed to \$200 million in capital spending, which is significant for an extension-related commitment. For these reasons, the Trustees are requested to approve a modification to the retention-based RNY Power allocation extension to Bloomberg to reflect an awarded amount of 8,000 kW. The proposed modification would not result in any changes to the current extension-related commitment levels.

East/West Industries, Inc. ("East/West") was previously approved for a retention-based RNY Power allocation extension in the amount of 46 kW with an original commitment from the previous contract of 43 jobs and was subsequently approved for an increased commitment of 84 retained jobs, and \$0.1 million in capital spending. The company, which is a manufacturer of aircraft safety products, currently utilizes the allocation at its facility in Ronkonkoma, New York (Suffolk County). As a result of a completed expansion project, East/West has experienced load growth necessitating its request for additional RNY Power. The company has also experienced employment growth which has nearly doubled its original commitment of 43 jobs to its current extension-related commitment of 84 jobs. For these reasons, the Trustees are requested to approve a modification to the retention-based RNY Power allocation extension to East/West to reflect an increased awarded amount of 70 kW. The proposed modification would not result in any changes to the current extension-related commitment levels.

Framerica Corporation ("Framerica") was previously approved for a retention-based RNY Power allocation extension in the amount of 496 kW with commitments of 135 retained jobs and \$0.65 million in capital spending. The company, which is a manufacturer of picture frame moulding, currently utilizes the allocation at its facility in Yaphank, New York (Suffolk County). In addition to the retention-based allocation, Framerica recently submitted an RNY Power application to extend its expansion-based allocation of 350 kW (of which the customer is using 96 kW). As a result, it was determined that a consolidation of both allocations would be appropriate for the company moving forward. For this reason, the Trustees are requested to approve modifications to the retention-based RNY Power allocation extension to reflect an awarded amount of 592 kW (496 kW plus 96 kW) with commitments of 276 retained jobs. The proposed modification would not result in a change to the capital investment commitment of \$0.65 million associated with the current retention-based RNY Power allocation extension. The proposed modification would also accommodate the takeback of the unused portion of 254 kW of the customer's current expansion allocation (350 kW minus 96 kW).

Johnston Paper Company, Inc. ("Johnston") was previously approved for a retention-based RNY Power allocation extension in the amount of 60 kW with commitments of 125 retained jobs and \$3.7 million in capital spending. The company, which is a distributor of food service disposables and janitorial products, currently utilizes the allocation at its facility in Auburn, New York (Cayuga County). In addition to the retention-based allocation, Johnston recently submitted an RNY Power application to extend its 70 kW expansion-based allocation. As a result, it was determined that a consolidation of both RNY allocations

would be appropriate for the company moving forward. For this reason, the Trustees are requested to approve modifications to the retention-based RNY Power allocation extension to reflect a combined awarded amount of 130 kW with a slightly-reduced commitment of 110 retained jobs to reflect current business conditions, and \$0.4 million in capital spending. Regarding the current expansion allocation, Johnston reported capital spending of \$7.1 million on its project, exceeding its commitment of \$4.7 million. As a result, a capital investment commitment of \$0.4 million representing future expenditures would be appropriate for the proposed modification contained herein.

Staff has no objection to the requested modifications, and therefore requests that EDPAB recommend that the NYPA Trustees approve the modifications listed in Exhibit "B".

3. Retention-Based RNY Power Allocations

Staff recommends that EDPAB recommend to the NYPA Trustees that the applicants listed in Exhibit "C" be awarded retention-based RNY Power allocations in the amounts indicated therein. Each business has stated a willingness to retain jobs in New York State. Additionally, these applicants will be committing to capital investments in exchange for the recommended RNY Power allocations. Unless otherwise indicated in Exhibit "C", these applicants seek an RNY Power allocation for job retention purposes only. The retention-based allocations are each recommended for a term of seven years unless otherwise indicated. The Authority's RNY Power sale contract form would also contain the provisions summarized above.

4. Expansion-Based RNY Power Allocations

Staff recommends that EDPAB recommend to the NYPA Trustees that the applicants listed in Exhibit "D" be awarded expansion-based RNY Power allocations in the amounts indicated which would be sourced from the 200 MW block of RNY Power dedicated pursuant to statute for the businesses that propose to expand existing businesses or create new business in the State. Unless otherwise indicated in Exhibit "D", these applicants seek an RNY Power allocation for expansion of an existing business or a new business/ facility. Each such allocation would be for a term of seven years unless otherwise indicated. The Authority's RNY Power sale contract form would also contain the provisions summarized above.

5. Small Business and/or Not-for-Profit RNY Power Allocations

Staff recommends that EDPAB recommend to the NYPA Trustees that the small business and/or not-for-profit applicants listed in Exhibit "E" be awarded RNY Power allocations in the amounts indicated therein each for a seven-year term. The applicants have committed to retain and/or create jobs in New York State and make capital investments in exchange for the recommended RNY Power allocations as described in Exhibit "E". The contracts for these allocations would also contain the provisions summarized above.

6. Applicants Not Eligible

Staff recommends that the Board determine that the applicants listed in Exhibit "F" are not eligible to receive an RNY Power allocation for the reasons listed in Exhibit "F".

7. Termination of Application Review Process

Staff recommends that the Board terminate the application review process for the applicant listed in Exhibit "G" for the reasons listed in Exhibit "G". In the past, some applicants in these circumstances have refiled if able to advance a more complete RNY Power application.

8. Applicants Not Recommended

Staff recommends that the Board determine that the applicant listed in Exhibit "H" would not be recommended to receive an RNY Power allocation for the reasons listed in Exhibit "H".

RECOMMENDATION

For the reasons stated above, staff recommends that EDPAB:

- (1) Recommend to the NYPA Trustees that each of the existing seven Allocations of RNY Power listed in Exhibit "A" be extended for a term of seven years as described above, to commence on the expiration of such Allocation, or at the Authority's discretion on a date to be agreed upon by the parties for a term not to exceed seven years;
- (2) Recommend to the NYPA Trustees that, in addition to any other terms and conditions that the Authority determines in its discretion to be appropriate for the sale of the Allocations recommended herein, such terms and conditions include:
 - (a) provisions for effective periodic audits of the customer whose Allocation is extended for the purpose of determining contract and program compliance, and for the partial or complete withdrawal of an Extended Allocation if the business fails to maintain mutually agreed upon commitments, including those relating to employment levels, capital investments, power usage and energy efficiency measures;
 - (b) a requirement that the customer whose Allocation is extended undertake at its own expense energy audit of its facilities at which the Extended Allocation is consumed at least once during the term of the allocation absence good cause, and provide the Authority with a copy of any such audit or, at the Authority's option, a report describing the results of such audit, and provide documentation requested by the authority relating to the implementation of any efficiency measures at the facilities;
 - (c) an agreement by the customer whose Allocation is extended to make its facilities available for energy audits and related assessments that the authority desires to perform, if any, and provide information requested by the Authority or its designee in surveys, questionnaires and other information requests relating to energy efficiency and energy-related projects, programs and services; and
 - (d) an agreement by the customer whose Allocation is extended that if the actual metered load at the facility where the allocation is utilized is less than the allocation, such allocation will be reduced accordingly;
- (3) Recommend that the NYPA Trustees approve the modifications related to the RNY Power allocation extensions and/or related supplemental commitments described in Exhibit "B" for the reasons discussed above and in Exhibit "B";
- (4) Recommend that the NYPA Trustees award the new allocations of RNY Power for retention purposes to the businesses listed in Exhibit "C" as indicated therein;
- (5) Recommend that the NYPA Trustees award the new allocations of RNY Power for expansion purposes to the businesses listed in Exhibit "D" as indicated therein;
- (6) Recommend that the NYPA Trustees award the new allocations of RNY Power for the small business and/or not-for-profit applicants identified in Exhibit "E" for retention and expansion purposes as indicated therein;
- (7) Determine that the applicants listed in Exhibit "F" are not eligible to receive an RNY Power allocation for the reasons listed in Exhibit "F";
- (8) Terminate the application review process for the applicant listed in Exhibit "G" for the reasons listed in Exhibit "G"; and
- (9) Determine that the applicant listed in Exhibit "H" would not be recommended to receive an RNY Power allocation for the reasons listed in Exhibit "H".

Mr. Yale Brown provided highlights of the staff's recommendation to the members. He said that the members are requested to recommend that the New York Power Authority's ("NYPA") Board of Trustees approve contract extensions for 7 allocations of ReCharge New York Power to existing customers; approve modifications related to 4 ReCharge New York extension allocations and/or related supplemental commitments; and award new allocations of ReCharge New York large business retention, large business expansion, and small business and not-for-profit-based power to 41 applicants. He added that all applications were submitted through the State's Consolidated Funding Application system.

He continued that, as in the past, new applications were evaluated on a competitive basis in consideration of the 12 criteria in the Recharge NY legislation which includes job commitments, capital investment, and an applicant's risk of closure or leaving the state if they are not awarded a ReCharge NY Power allocation. He further stated that applications for new RNY Power allocations have been considered, where applicable, under NYPA's Green Jobs Evaluation Incentive Plan, and the Diversity, Equity, and Inclusion ("DEI") Evaluation and Incentive Plan. The recommendations also include 1 business with qualifying green jobs and 20 companies with facilities located in Disadvantaged Communities.

The recommendations consist of the following:

- *7 extension allocations totaling 1.4 MW's and supporting nearly 600 jobs;*
- *4 modifications related to existing ReCharge New York extension allocations and/or related supplemental commitments;*
- *8 new large business retention allocations totaling 2.9 MW's and supporting the retention of nearly 1,930 jobs;*
- *2 new large business expansion allocations totaling 0.1 MW's and supporting the creation of 90 new jobs; and*
- *35 new small business and not-for-profit based allocations totaling 5.9 MW's and supporting more than 10,760 jobs.*

He further continued that If the recommendations are approved, it is anticipated that approximately 15 MW's of RNY Power would remain available to allocate and the awarded applicants will be offered ReCharge NY contracts for a term of up to 7 years. In addition, the contract has provisions for the partial or complete withdrawal of an allocation if the recipient fails to maintain mutually agreed upon commitments, relating to among other things, employment, power utilization, and capital investment.

Mr. Brown ended that the Board is being asked today to recommend that the Authority's Board of Trustees approve contract extensions for 7 allocations of ReCharge New York Power to existing customers; modifications related to 4 ReCharge New York extension allocations and/or related supplemental commitments; and award 45 new ReCharge New York large business retention, large business expansion, and small business and not-for-profit based power allocations.

On motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the Recharge New York Power – New, Extended and Modified Allocations as recommended by staff, was approved by the Board.

The following resolution was unanimously adopted by members of the Board present.

RESOLVED, That the Economic Development Power Allocation Board ("Board") recommends that the Board of Trustees ("Trustees") of the Power Authority of the State of New York ("Authority") extend each of the existing seven allocations of Recharge New York ("RNY") Power ("Allocation" or collectively "Allocations") in the manner described in the report of the Senior Vice President, Customer Solutions (the "Report") for a term of seven years, to commence (1) on the expiration of each such Allocation, or (2) at the Authority's discretion on a date to be agreed upon by the Authority and the customer, for a term not to exceed seven years; and be it further

RESOLVED, That the Board also recommends that in addition to any other terms and conditions that the Authority determines in its discretion to be appropriate for the sale of the Allocations recommended herein, such terms and conditions include:

- (1) provisions for effective periodic audits of the customer whose Allocation is extended for the purpose of determining contract and RNY Power program compliance, and for the partial or complete withdrawal of an Extended Allocation if the customer fails to maintain mutually agreed upon commitments, including specifically commitments relating to, among other things, employment levels, power utilization, capital investments, and/or energy efficiency measures;
- (2) a requirement that the customer whose Allocation is extended (a) undertake at its own expense an energy audit of its facilities at which the Extended Allocation would be consumed at least once during the term of the Extended Allocation absence good cause as determined by the Authority, and (b) provide the Authority with a copy of any such audit or, at the Authority's option, a report describing the results of such audit, and provide documentation requested by the authority relating to the implementation of any efficiency measures at the facilities; and
- (3) an agreement by the customer whose Allocation is extended to make its facilities available for audits and related assessments that the authority desires to perform, if any, and provide information requested by the authority or its designee in surveys, questionnaires and other information requests relating to energy efficiency and energy-related projects, programs and services; and
- (4) an agreement by the customer whose Allocation is extended that if the actual metered load at the facility where the allocation is utilized is less than the allocation, such allocation will be reduced accordingly.

AND BE IT FURTHER RESOLVED, That the Board recommends that the Trustees approve the modifications/adjustments to the RNY Power allocation extensions and/or related supplemental commitments for the reasons indicated in the Report; and be it further

RESOLVED, That the Board recommends that the Trustees approve the new RNY Power allocations for retention purposes in the amounts indicated therein; and be it further

RESOLVED, That the Board recommends that the Trustees approve the new RNY Power allocations for expansion purposes in the amounts indicated therein; and be it further

RESOLVED, That the Board recommends that the Trustees approve the new RNY Power allocations for retention and expansion purposes in the amounts indicated therein; and be it further

RESOLVED, That the Board determines that the identified applicants are not eligible to receive an RNY Power allocation for the reasons discussed in the Report; and be it further

RESOLVED, That the Board terminates the application review process for the identified applicant for the reasons discussed in the Report; and be it further

RESOLVED, That the Board determines to not recommend an RNY Power allocation for the identified applicant for the reasons discussed in the Report.



Economic Development Power Allocation Board

KATHY HOCHUL
Governor

JUDGE CECILY MORRIS
Chair

Economic Development Power Allocation Board											Exhibit "A"
Extension Recommendations - RNY Power Allocations for Retention Purposes (Large Businesses, Small Business, and/or NFP Corporations)											December 11, 2023
Retention-Based Allocations											
Line	Company	City	County	Economic Development Region	IOU	Description	Current kW Amount	Recommended kW Amount	Job Commitments	Capital Investment Commitment (\$)	Contract Term (Years)
1	Torrey North, Inc.	Lyndonville	Orleans	Finger Lakes	NGRID	Dairy farm for milk production	156	156	26	\$2,000,000	7
	Finger Lakes Region Sub-totals:						156	156	26	\$2,000,000	
2	Cox & Company, Inc.	Plainview	Nassau	Long Island	LIPA	Manufacturer of ice protection systems	466	466	200	\$500,000	(1) 7
3	G.S.E. Dynamics, Inc.	Hauppauge	Suffolk	Long Island	LIPA	Manufacturer of military structures	256	256	82	\$1,000,000	(2) 7
4	Poly-Pak Industries, Inc.	Melville	Suffolk	Long Island	LIPA	Manufacturer of packaging products	390	390	200	\$1,000,000	(1) 7
5	Rising Sun Woodworking, Inc.	Cutchogue	Suffolk	Long Island	LIPA	Custom cabinetry & millwork	20	20	21	\$400,000	7
6	The Habco Corp.	Amityville	Suffolk	Long Island	LIPA	Cheese processing & packaging	120	120	40	\$500,000	7
7	V.E. Power Door Co., Inc.	Brentwood	Suffolk	Long Island	LIPA	Manufacturer of door & gate operators	20	20	22	\$150,000	7
	Long Island Region Sub-totals:						1,272	1,272	565	\$3,550,000	
Totals							1,428	1,428	591	\$5,550,000	

(1) The company's extension-related job commitment is below the evaluation threshold as compared to its original employment commitment. However, at this time, a reduction to the extension kW amount is not being recommended.

(2) The recommendation and associated commitments will apply to multiple facilities/addresses. This configuration will be implemented accordingly in the customer's power contract.

Economic Development Power Allocation Board											Exhibit "B"
Modifications to Extension Allocations and/or Related Supplemental Commitments											December 11, 2023
Line	Company	City	County	Economic Development Region	IOU	Description	Current kW Amount	Recommended kW Amount	Final Job Commitments	Final Capital Investment Commitment (\$)	Contract Term (years)
1	Johnston Paper Company, Inc.	Auburn	Cayuga	Central New York	NYSEG	Distributor of food service disposables & janitorial products	70	130	110	\$400,000	(1) 7
	Central New York Region Sub-totals:						70	70	0	\$0	
2	East/West Industries, Inc.	Ronkonkoma	Suffolk	Long Island	LIPA	Manufacturer of aircraft safety products	46	70	84	\$100,000	(2) 7
3	Framerica Corporation	Yaphank	Suffolk	Long Island	LIPA	Manufacturer of picture frame moulding	350	592	276	\$650,000	(3) 7
	Long Island Region Sub-totals:						396	120	91	\$0	
4	Bloomberg L.P.	Orangeburg	Rockland	Mid-Hudson	ONR	Data center for financial services	6,230	8,000	176	\$200,000,000	(4) 7
	New York City Region Sub-totals:						6,230	1,770	0	\$0	
Totals							6,696	1,960	91	\$0	

(1) The modification consists of a recommendation to combine the company's previously-extended retention allocation with its expansion-based extension request. The appropriate components have been removed from the totals as these amounts were already included in the previously-approved retention-based extension allocation.

(2) The extension modification recommendation accommodates load growth as a result of a completed expansion project. The appropriate components have been removed from the totals as these amounts were already included in the previously-approved retention-based extension allocation.

(3) The modification consists of a recommendation to combine the company's previously-extended retention allocation with its expansion-based extension request. The recommendation also accommodates the takeback of the unused portion of the customer's current expansion allocation. The appropriate components have been removed from the totals as these amounts were already included in the previously-approved retention-based extension allocation.

(4) The extension modification recommendation reinstates the previously unused portion of the company's original allocation. The appropriate components have been removed from the totals as these amounts were already included in the previously-approved retention-based extension allocation.

Economic Development Power Allocation Board Recommendations - RNY Power Allocations for Retention Purposes												Exhibit "C" December 11, 2023	
Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation	Jobs Retained	Jobs Created	Capital Investment (\$)	Contract Term (Years)	
1	CLR Schenectady LLC	Schenectady	Schenectady	Capital District	NGRID	Rehabilitation & nursing center	484	266	253	0	\$50,000	7	
Capital District Region Sub-totals:								266	253	0	\$50,000		
2	Natural Organics, Inc.	Melville	Suffolk	Long Island	LIPA	Manufacturer of vitamins & supplements	1,217	610	288	0	\$1,000,000	(1), (2) 7	
Long Island Region Sub-totals:								610	288	0	\$1,000,000		
3	Abraham Operations Associates LLC	Bronx	Bronx	New York City	CONED	Rehabilitation & nursing center	557	306	247	0	\$50,000	(2) 7	
4	Amsterdam Nursing Home Corporation (1992)	New York	New York	New York City	CONED	Rehabilitation & nursing center	417	230	215	0	\$50,000	7	
5	Boro Park Operating Co., LLC	Brooklyn	Kings	New York City	CONED	Rehabilitation & nursing center	518	260	276	0	\$50,000	7	
6	DOJ Operations Associates LLC	Bronx	Bronx	New York City	CONED	Rehabilitation & nursing center	582	320	212	0	\$50,000	7	
7	Prospect Park Operating, LLC	Brooklyn	Kings	New York City	CONED	Rehabilitation & nursing center	617	340	140	0	\$50,000	7	
New York City Region Sub-totals:								1,456	1,090	0	\$250,000		
8	Arvos Ljungstrom LLC	Wellsville	Allegany	Western New York	NGRID	Manufacturer of air preheater devices	891	580	297	0	\$12,500,000	7	
Western New York Region Totals:								580	297	0	\$12,500,000		
Totals								2,912	1,928	0	\$13,800,000		
(1) This company is also recommended for an expansion-related allocation of RNY for separate and distinct job creation and capital investment commitments associated with the proposed business expansion. (2) The recommendation and associated commitments will apply to multiple facilities/addresses. This configuration will be implemented accordingly in the customer's power contract.													

Economic Development Power Allocation Board Recommendations - RNY Power Allocations for Expansion Purposes												Exhibit "D" December 11, 2023	
Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation ⁽¹⁾	Base Employment ⁽²⁾	Job Creation Commitment	Project Capital Investment	Contract Term (Years)	
1	Natural Organics, Inc.	Melville	Suffolk	Long Island	LIPA	Manufacturer of vitamins & supplements	150	106	288	30	\$2,900,000	(3), (4) 7	
2	Positive Promotions, Inc.	Hauppauge	Suffolk	Long Island	LIPA	Manufacturer of specialty print products	53	36	486	60	\$2,202,000	(5) 7	
Long Island Region Sub-totals:								142	85	90	\$5,102,000		
Totals								142	85	90	\$5,102,000		
(1) All expansion-based RNY Power allocations are recommended to be "up to" the amount indicated pending the applicant's compliance with contractual commitments, including commitments relating to job creation, capital investment spending and power utilization. (2) The number of new jobs committed will be above a base employment level specified in the power sale contract with the applicant. (3) This company is also being recommended for a retention-based RNY Power allocation associated with separate and distinct contractual commitments relating to such matters as job retention, capital investment spending, and power utilization associated with an existing business. (4) The recommendation and associated commitments will apply to multiple facilities/addresses. This configuration will be implemented accordingly in the customer's power contract. (5) The applicant was previously approved for RNY Power allocations. The base employment level refers to the applicant's current retained jobs, most of which are already associated with existing power allocations.													

Economic Development Power Allocation Board Recommendations - RNY Power Allocations for Retention & Expansion Purposes (Small Business and/or NFP Corporations)											Exhibit "E" December 11, 2023	
Retention-Based Allocations												
Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation	Jobs Retained	Jobs Created	Capital Investment (\$)	Contract Term (Years)
1	CLR Glens Falls LLC	Queensbury	Warren	Capital District	NGRID	Rehabilitation & nursing center	132	66	140	0	\$50,000	7
2	CLR Granville LLC	Granville	Washington	Capital District	NYSE G	Rehabilitation & nursing center	160	80	94	0	\$50,000	7
3	CLR Troy LLC	Troy	Rensselaer	Capital District	NGRID	Rehabilitation & nursing center	82	46	92	0	\$50,000	7
4	Delmar SNF Operations Associates, LLC	Delmar	Albany	Capital District	NGRID	Rehabilitation & nursing center	239	116	167	0	\$50,000	7
5	IR Operations Associates LLC	Granville	Washington	Capital District	NYSE G	Rehabilitation & nursing center	108	50	126	0	\$50,000	7
6	Warren Operations Associates LLC	Queensbury	Warren	Capital District	NGRID	Rehabilitation & nursing center	166	80	89	0	\$50,000	7
7	Washington Operations Associates LLC	Argyle	Washington	Capital District	NGRID	Rehabilitation & nursing center	218	106	104	0	\$50,000	7
Capital District Region Sub-totals:							544	812	0	\$350,000		
8	Westgate Operations Associates LLC	Rochester	Montre	Finger Lakes	RGE	Rehabilitation & nursing center	108	50	123	0	\$50,000	7
Finger Lakes Region Sub-totals:							50	123	0	\$50,000		
9	Citation Healthcare Labels, LLC	Hauppauge	Suffolk	Long Island	LIPA	Manufacturer of clinical supply labels	168	80	126	0	\$750,000	(1), (4) 7
10	Clever Devices Ltd.	Woodbury	Nassau	Long Island	LIPA	Manufacturer of transit technology solutions	74	36	216	0	\$1,000,000	(1) 7
Long Island Region Sub-totals:							116	342	0	\$1,750,000		
11	230 Hill Road LLC	Wappingers Falls	Dutchess	Mid-Hudson	CHUD	Manufacturer of popped snack products	47	20	18	0	\$500,000	(1) 7
12	Millbrook Distillery, LLC	Wassau	Dutchess	Mid-Hudson	NYSE G	Manufacturer of craft beverages	35	20	3	0	\$500,000	7
13	Schnur Operations Associates LLC	White Plains	Westchester	Mid-Hudson	CONE D	Rehabilitation & nursing center	227	126	107	0	\$50,000	7
Mid-Hudson Region Sub-totals:							166	128	0	\$1,850,000		
14	Fulton Operations Associates LLC	Gloversville	Fulton	Mohawk Valley	NGRID	Rehabilitation & nursing center	173	86	125	0	\$50,000	7
Retention-Based Allocations												
Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation	Jobs Retained	Jobs Created	Capital Investment (\$)	Contract Term (Years)
15	Utica Operations Associates LLC	Utica	Oneida	Mohawk Valley	NGRID	Rehabilitation & nursing center	343	190	142	0	\$50,000	7
Mohawk Valley Region Sub-totals:							276	267	0	\$100,000		
16	Bronx Center for Rehabilitation and Healthcare LLC	Bronx	Bronx	New York City	CONE D	Rehabilitation & nursing center	276	150	116	0	\$50,000	7
17	Concord Nursing Home, Inc.	Brooklyn	Kings	New York City	CONE D	Rehabilitation & nursing center	141	80	77	0	\$50,000	7
18	Cornell University - the Well Cornell Medical College	New York	New York	New York City	CONE D	Medical school & biomedical research	9,852	3,280	7,500	0	\$338,400,000	(4) 7
19	GAMCO Corporation	Flushing	Queens	New York City	CONE D	Manufacturer of glass facade systems	65	36	50	0	\$250,000	7
20	Hollis Operating Co., LLC	Jamaica	Queens	New York City	CONE D	Rehabilitation & nursing center	192	96	186	0	\$50,000	7
21	Hope Center Operations LLC	Bronx	Bronx	New York City	CONE D	Rehabilitation & nursing center	113	66	36	0	\$50,000	7
22	Rockaway Operations Associates LLC	Far Rockaway	Queens	New York City	LIPA	Rehabilitation & nursing center	65	36	34	0	\$50,000	7
23	SV Operating Three LLC	Staten Island	Richmond	New York City	CONE D	Rehabilitation & nursing center	341	190	215	0	\$50,000	7
24	University Nursing Home, LLC	Bronx	Bronx	New York City	CONE D	Rehabilitation & nursing center	40	26	28	0	\$50,000	7
25	Warburg Receiver LLC	Brooklyn	Kings	New York City	CONE D	Rehabilitation & nursing center	348	190	119	0	\$50,000	(4) 7
26	Williamsbridge Manor Nursing Home, LLC	Bronx	Bronx	New York City	CONE D	Rehabilitation & nursing center	80	46	31	0	\$50,000	7
New York City Region Sub-totals:							4,196	8,392	0	\$339,100,000		
27	CLR Carthage LLC	Carthage	Jefferson	North Country	NGRID	Rehabilitation & nursing center	103	50	137	0	\$50,000	7
28	Brox Operations Associates LLC	Elizabethtown	Essex	North Country	NYSE G	Rehabilitation & nursing center	155	76	115	0	\$50,000	7
North Country Region Sub-totals:							126	252	0	\$100,000		
29	Stauben Operations Associates LLC	Bath	Stauben	Southern Tier	NYSE G	Rehabilitation & nursing center	59	36	99	0	\$50,000	(4) 7
Southern Tier Region Sub-totals:							36	99	0	\$50,000		
Retention-Based Allocations												
Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation	Jobs Retained	Jobs Created	Capital Investment (\$)	Contract Term (Years)
30	Delaware Operations Associates LLC	Buffalo	Erie	Western New York	NGRID	Rehabilitation & nursing center	167	80	133	0	\$50,000	7
31	Waterfront Operations Associates LLC	Buffalo	Erie	Western New York	NGRID	Rehabilitation & nursing center	234	130	130	0	\$50,000	7
Western New York Region Sub-totals:							210	263	0	\$100,000		
Retention-Based Totals							5,720	10,678	0	\$342,650,000		
Expansion-Based Allocations												
Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation	Base Employment	Job Creation Commitment	Project Capital Investment (\$)	Contract Term (years)
32	Citation Healthcare Labels, LLC	Hauppauge	Suffolk	Long Island	LIPA	Manufacturer of clinical supply labels	40	20	126	25	\$3,545,000	(3), (4) 7
33	Clever Devices Ltd.	Woodbury	Nassau	Long Island	LIPA	Manufacturer of transit technology solutions	20	10	216	50	\$4,700,000	(1), (3) 7
Long Island Region Sub-totals:							30	0	78	\$8,245,000		
34	230 Hill Road LLC	Wappingers Falls	Dutchess	Mid-Hudson	CHUD	Manufacturer of popped snack products	200	100	18	3	\$140,000	(1), (3) 7
Mid-Hudson Region Sub-totals:							100	0	3	\$140,000		
35	Fuller Tool Incorporated	Herkimer	Herkimer	Mohawk Valley	NGRID	Manufacturer of fixtures & anages	126	60	8	2	\$1,250,000	7
Mohawk Valley Region Sub-totals:							60	8	2	\$1,250,000		
Expansion-Based Totals							190	8	80	\$9,635,000		
Retention & Expansion-Based Totals							5,910	10,686	80	\$352,285,000		

(1) The applicants are being recommended for both RNY retention and expansion based allocations.
(2) All expansion-based RNY Power allocations are recommended to be "up to" the amount indicated pending the applicant's compliance with contractual commitments, including commitments relating to job creation, capital investment spending, and power utilization.
(3) The number of new jobs committed will be above a base employment level specified in the applicant's retention-based allocation recommendation.
(4) The recommendation and associated commitments will apply to multiple facilities/addresses. This configuration will be implemented accordingly in the customer's power contract.

Economic Development Power Allocation Board ReCharge New York Power Program Informational Item - Applicants Not Eligible							Exhibit "F" December 11, 2023
Line	Company	City	County	Economic Development Region	IOU	Description	Reason
1	Revel Transit Inc.	New York	New York	New York City	CONED	Electric vehicle charging hubs	The applicant's business falls within EDPAB's definition of a retail business. Specifically, the applicant operates a business that is primarily used in making retail sales of goods or services to customers who personally visit such facilities to obtain goods or services.
2	Niagara Breeze and Sun Systems, LLC	Buffalo	Erie	Western New York	NGRID	Multi-use community providing digital technology assistance	The applicant's business falls within EDPAB's definition of a retail business. Specifically, the applicant operates a business that is primarily used in making retail sales of goods or services to customers who personally visit such facilities to obtain goods or services.

Economic Development Power Allocation Board ReCharge New York Power Program Informational Item - Terminate Application/Review Process							Exhibit "G" December 11, 2023
Line	Company	City	County	Economic Development Region	IOU	Description	Reason
1	Long Island Egress Pros Inc.	Holbrook	Suffolk	Long Island	LIPA	Installation of safety windows	The applicant submitted an incomplete application, preventing a complete analysis of the application. The applicant may consider reapplying if and when able to advance a more complete RNY Power application

Economic Development Power Allocation Board ReCharge New York Power Program Informational Item - Applicant/Application Not Recommended for RNY Power Allocation							Exhibit "H" December 11, 2023
Line	Company	City	County	Economic Development Region	IOU	Description	Reason
1	Donald Mcfee Memorial Ambulance Service, Inc.	Mexico	Oswego	Central New York	NGRID	Ambulatory healthcare services	The applicant's power demand is insufficient to support an award of RNY Power and to meet other program requirements. Similarly, an RNY Power allocation based on such power demand is unlikely to have a meaningful impact on the applicant's operating costs.

Economic Development Power Allocation Board Statutory Criteria - RNY Power Program							Exhibit "I" December 11, 2023
Line	Criteria Description						
1	The significance of the cost of electricity to the applicant's overall cost of doing business, and the impact that a Recharge New York power allocation will have on the applicant's operating costs;						
2	The extent to which a Recharge New York power allocation will result in new capital investment in the state by the applicant;						
3	The extent to which a Recharge New York power allocation is consistent with any regional economic development council strategies and priorities;						
4	The type and cost of buildings, equipment and facilities to be constructed, enlarged or installed if the applicant were to receive an allocation;						
5	The applicant's payroll, salaries, benefits and number of jobs at the facility for which a Recharge New York power allocation is requested;						
6	The number of jobs that will be created or retained within the state in relation to the requested Recharge New York power allocation, and the extent to which the applicant will agree to commit to creating or retaining such jobs as a condition to receiving a Recharge New York power allocation;						
7	Whether the applicant, due to the cost of electricity, is at risk of closing or curtailing facilities or operations in the state, relocating facilities or operations out of the state, or losing a significant number of jobs in the state, in the absence of a Recharge New York power allocation;						
8	The significance of the applicant's facility that would receive the Recharge New York power allocation to the economy of the area in which such facility is located;						
9	The extent to which the applicant has invested in energy efficiency measures, will agree to participate in or perform energy audits of its facilities, will agree to participate in energy efficiency programs of the authority, or will commit to implement or otherwise make tangible investments in energy efficiency measures as a condition to receiving a Recharge New York power allocation;						
10	Whether the applicant receives a hydroelectric power allocation or benefits supported by the sale of hydroelectric power under another program administered in whole or in part by the New York Power Authority;						
11	The extent to which a Recharge New York power allocation will result in an advantage for an applicant in relation to the applicant's competitors within the state; and						
12	In addition to the foregoing criteria, in the case of a not-for-profit corporation, whether the applicant provides critical services or substantial benefits to the local community in which the facility for which the Recharge New York power allocation is requested is located.						

4. Transfer of Recharge New York Power Allocation

SUMMARY

The Economic Development Power Allocation Board (“Board”) is requested to approve the transfer of the Recharge New York (“RNY”) Power allocation listed below, subject to the conditions discussed in this memorandum:

1. Transfer of a 140 kW RNY Power allocation awarded to Midstate Spring, Inc. (“Midstate”), for use at its 4054 New Court Ave., Syracuse, New York facilities, to its facilities located at 1025 Hiawatha Blvd., Syracuse, New York.

The Board has previously approved transfers of RNY Power allocations in similar circumstances.

If the Board approves the requested transfer, the Trustees of the New York Power Authority (“Authority”) will also be requested to approve the transfer.

DISCUSSION

The following discussion describes the facts relating to the recommended transfer.

- 1) Midstate Spring, Inc.

Midstate was awarded a 140 kW RNY Power allocation, for use at its facilities at 4054 New Court Ave. in Syracuse, where Midstate produces high precision custom springs and wire frames for original equipment manufacturers.

In November 2023, Midstate completed its move to new facilities at 1025 Hiawatha Blvd., Syracuse, New York. The new location will allow for growth and remains in the National Grid service territory.

Midstate requests that the 140 kW RNY Power allocation be transferred from the 4054 New Court Avenue facilities to Midstate’s new 1025 Hiawatha Blvd facilities. Midstate is engaged in the same business at the new facilities. The company has indicated to NYPA that it will honor all terms and commitments, including employment, power utilization, and capital investment commitments associated with the 140 kW RNY Power allocation.

RECOMMENDATION

Staff recommends that the Board approve the transfer discussed above, subject to the following conditions: (1) approval of the transfer of the RNY Power allocation by the NYPA Board of Trustees; (2) there be no material reductions in the base employment level or capital investment commitment associated with the allocation that would be transferred; and (3) the transfer is addressed in contract documents containing such terms and conditions determined by the Authority to be appropriate to effectuate the transfer.

For the reasons stated, I recommend the approval of the above-requested action by adoption of the resolution below.

Ms. Maribel Cruz-Brown invited Mr. Yale Brown, Senior Business Power Allocations & Compliance Analyst, to provide highlights of staff’s recommendation to the members.

Mr. Brown said that staff is requesting the Board to approve the transfer of a Recharge New York (“RNY”) Power allocation. Some of the reasons customers ask for a transfer include a business’s

reorganization, which can include a corporate entity change, e.g., "Inc." to "LLC"; a merger or a split resulting in a change of Federal Tax ID; sale of the business to another business, e.g., a merger, resulting in a change of Federal Tax ID; and moving from one location in New York State to another location in New York State. This request is for a customer that has moved its manufacturing facilities from one location in Syracuse to another location in Syracuse, necessitating such transfer.

He continued that the Board is requested to approve the transfer of a 140 kW RNY power allocation awarded to Midstate Spring, Inc. ("Midstate"), currently used at its 4054 New Court Ave., Syracuse, New York, facilities, to its facility located at 1025 Hiawatha Boulevard, Syracuse, New York. Midstate produces high precision custom springs and wire frames for original equipment manufacturers.

He further continued that this request is subject to approval of the transfer of the RNY Power allocation by the Authority; there being no material reductions in the base employment level or capital investment commitment associated with the allocation that would be transferred; and the transfer is addressed in contract documents containing such terms and conditions determined by the Authority to be appropriate to effectuate the transfer.

On motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the transfer of New York Recharge Power Allocations as recommended by staff, was approved by the Board.

The following resolution was unanimously adopted by members of the Board present.

RESOLVED, That the transfer of a 140 kW Recharge New York Power allocation awarded to Midstate Spring, Inc. for use at its facilities located at 4054 New Court Ave., Syracuse, New York, to facilities located at 1025 Hiawatha Blvd., Syracuse, New York, as described in the report be, and hereby is, approved subject to the following conditions: (1) approval of the transfer by the New York Power Authority ("NYPA") Board of Trustees; (2) there be no material reduction in the base employment level or capital investment commitment due to the transfer as provided for above; and (3) the transfer is addressed in contract documents containing such terms and conditions determined by the NYPA to be appropriate to effectuate the transfer.

5. Adoption of the 2024 Proposed Meeting Schedule

On motion made by member Dennis Trainor and seconded by member Andrew Silver, the 2024 proposed meeting schedule was unanimously adopted.

OTHER BUSINESS

No other business to report.

6. Next Meeting

Chair Cecily Morris said that the next meeting of the Board will be held on February 5, 2024 at 9:00 a.m.

Closing

On motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the meeting was adjourned at approximately 3:45 p.m.

Karen Delince

Karen Delince
Corporate Secretary