



KATHY HOCHUL  
Governor

## Economic Development Power Allocation Board

JUDGE CECILY MORRIS  
Chair

### ECONOMIC DEVELOPMENT POWER ALLOCATION BOARD

#### MINUTES

March 25, 2025

#### TABLE of CONTENTS

	<u>Page No.</u>	<u>Exhibits</u>
Introduction	3	
1. Adoption of the March 25, 2025 Proposed Meeting Agenda	3	
2. Adoption of the Minutes of the Meeting of January 28, 2025		
3. Recharge New York Power - New, Extended and Modified Allocations	3	A-H
4. Transfer of RNY Power Allocations	16	
<b><u>OTHER BUSINESS</u></b>		
5. Next Meeting	18	
Closing	18	

A regular meeting of the Economic Development Power Allocation Board (“EDPAB”) was held via video conference, at approximately 8:00 a.m.

The following Members of the Board were present:

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

**Also in attendance were:**

Lori Alesio	Executive Vice President and General Counsel, NYPA
Maribel Cruz-Brown	Senior Vice President – Customer Solutions, NYPA
Karen Delince	Vice President and Corporate Secretary, NYPA
Eric Bowers	Vice President, Economic Development and Key Account Management, NYPA
Elki Posillipo	Manager, Business Power Allocations and Compliance
Mark Schwartzburt	Expert Customer Contracts Analyst, NYPA
Yale Brown	Expert BPAC Analyst, NYPA
Sheila Quatrocci	Senior Associate Corporate Secretary, NYPA
Michele Stockwell	Senior Assistant – Corporate Secretary, NYPA
Fiona Khan	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 March 25, 2025 Proposed Meeting Agenda**

On motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the Agenda for the March 25, 2025 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 Dennis Trainor and seconded by Member Andrew Silver, the Minutes of the Meeting held on January 28, 2025 were unanimously approved.

***Chair Cecily Morris invited Mr. Eric Bowers, Vice President Economic Development to make an introduction.***

*Mr. Eric Bowers said that the staff is requesting that the members approve the recommendations for Recharge New York Power-New, Extended and Modified Allocations which will be presented by Yale Brown, Expert BPAC Analyst and Recommendations for the Transfer of RNY Power Allocations which will be presented by Mark Schwartzburt, Expert Customer Contracts Analyst.*

### **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") Board of Trustees ("Trustees") extend each of the 17 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 customer 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 15 modifications related to the previously approved RNY Power allocations, extensions, and/or related supplemental commitments for the customers listed in Exhibit “B”;
- (c) recommend that the Trustees award three 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 three 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 five 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 three applicants listed in Exhibit “F” are not eligible to receive an RNY Power allocation; and
- (g) authorize termination of the application review process for the three applicants listed in Exhibit “G”.

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:

- (a) 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;
- (b) 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;
- (c) 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
- (d) 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 “H” 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 twenty-two prior occasions spanning from October 2018 through December 2024. 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 forty-two prior occasions spanning from April 2012 through December 2024. Currently, approximately 40 MW of RNY Power remains unallocated. This figure reflects actions taken by the Trustees 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 34 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 approval by the NYPA Trustees 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 has reviewed applications from 17 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 Trustees that the Allocations be extended for each company as indicated in Exhibit "A".

Staff has concluded that the businesses listed in Exhibit "A", which are located in the State where indicated, continue to bring valuable benefits to the State. In total, the Allocations listed in Exhibit "A" are supporting the retention of nearly 10,400 jobs and more than \$555 million in capital investments throughout New York State. 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 "H". 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 Trustees that the 15 modifications relating to the previously approved RNY Power allocations, extensions, and/or related supplemental commitments listed in Exhibit "B" be approved for the reasons presented below. If approved, these modifications would be implemented through the customers' respective power contracts.

- i. Three modifications are related to extension applicants being recommended for additional RNY Power as indicated in Exhibit "B", Section 1. Staff has reviewed each of these applications, and a copy of each application has been made available to EDPAB. In each case, the applicants have experienced load growth and are able to commit to additional jobs. In the case of NYU Langone Hospitals ("NYULH"), it was determined that a combined campus approach would be appropriate for the customer moving forward. This configuration would provide the customer with more flexibility with respect to combined job and capital spending commitments across its various sites. In addition, the proposed modification for NYULH would incorporate additional sites into the extension contract, to

support the organization's acquisition of additional hospitals, such that the customer may elect to receive RNY Power at facilities that are not currently enrolled in the program.

- ii. Five modifications are related to combining previously-approved extension allocations with current extension recommendations, or combining current extension recommendations together, as listed in Exhibit "B", Section 2. Staff has reviewed each of these applications, and a copy of each application has been made available to EDPAB. It was determined that a combined allocation approach would be appropriate for each of these customers moving forward. The proposed modifications would result in a more streamlined process administratively, thereby reducing the need for multiple customer allocations with separate contract terms.
- iii. One modification is related to a job commitment adjustment for a previously-approved extension allocation to 365 Data Centers NY One LLC ("365 Data") as indicated in Exhibit "B", Section 3. In recent discussions with the customer, it was determined that 365 Data inadvertently provided an extension-related job commitment of 4 jobs while the correct amount should have been 3 jobs. For this reason, the proposed modification would adjust the company's job retention commitment to 3 jobs. The modification would not result in any changes to 365 Data's current allocation amount or extension-related capital investment commitment.
- iv. Six modifications are related to combining previously-approved extension allocations as indicated in Exhibit "B", Section 4. These customers were approved for multiple extension allocations at different points in time to accommodate each individual award. As a result, these companies currently receive separate extension-related awards. It was determined that a combined allocation approach would be appropriate for each of these customers moving forward. The proposed modifications would result in a more streamlined process administratively, thereby reducing the need for multiple customer allocations with separate contract terms. In each case, the proposed modifications would not result in any changes to the company's total RNY awarded amount or corresponding supplemental commitments.

In summary, staff supports the requested modifications, and therefore requests that EDPAB recommend that the NYPA Board of 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 three 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 three 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 five 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 three applicants listed in Exhibit "F" are ineligible to receive an RNY Power allocation for the reasons listed in Exhibit "F".

#### 7. Termination of Application Review Process

Staff recommends that the Board authorize termination of the application review process for the three applicants 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.

### FISCAL INFORMATION

The actions recommended herein will not have a negative impact on the Authority's finances.

### RECOMMENDATION

For the reasons stated above, staff recommends EDPAB:

- (1) Recommend to the NYPA Trustees that each of the existing 17 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 15 modifications related to the RNY Power allocations, extensions, and/or related supplemental commitments described in Exhibit “B” in the amounts indicated therein for the reasons discussed above and in Exhibit “B”;
- (4) Recommend that the NYPA Trustees award the three new allocations of RNY Power for retention purposes to the businesses listed in Exhibit “C” in the amounts indicated therein;
- (5) Recommend that the NYPA Trustees award the three new allocations of RNY Power for expansion purposes to the businesses listed in Exhibit “D” in the amounts indicated therein;
- (6) Recommend that the NYPA Trustees award the five new allocations of RNY Power for the small business and/or not-for-profit applicants identified in Exhibit “E” for retention and expansion purposes in the amounts indicated therein;
- (7) Determine that the three applicants listed in Exhibit “F” are not eligible to receive an RNY Power allocation for the reasons listed in Exhibit “F”; and
- (8) Authorize termination of the application review process for the three applicants listed in Exhibit “G” for the reasons listed in Exhibit “G”.

*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 43 recommendations, consisting of the Contract extensions for 17 allocations of ReCharge NY Power to existing customers totaling 22.7 MW’s and supporting nearly 10,400 jobs; 15 modifications related to existing ReCharge NY allocations, extensions, and/or related supplemental commitments; and 11 new allocations of ReCharge NY large business retention, large business expansion, and small business and not-for-profit-based power totaling 5.2 MW’s and supporting nearly 1,700 jobs. All applications were submitted through the State’s Consolidated Funding Application system.*

*He said as in the past, the new applications were evaluated on a competitive basis in consideration of the 12 criteria in the Recharge NY legislation. Some of the key criteria include 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. 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.*

*He ended his report by stating that the recommendations for new RNY Power allocations include 1 applicant with qualifying green jobs and 3 applicants with facilities located in Disadvantaged Communities. If today’s recommendations are approved, it is anticipated that approximately 34 MW’s of RNY Power would remain available to allocate. The awarded applicants will be offered ReCharge NY contracts for a term of up to 7 years. 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.*

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

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

RESOLVED, That the Economic Development Power Allocation Board ("Board") recommends that the New York Power Authority ("NYPA") Board of Trustees ("Trustees") extend each of the existing 17 allocations of Recharge New York ("RNY") Power ("Allocation" or collectively "Allocations") in the manner described in the accompanying memorandum of the Senior Vice President, Customer Solutions (the "Memorandum") 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 NYPA Trustees approve the 15 modifications/adjustments to the RNY Power allocations, extensions, and/or related supplemental commitments for the reasons indicated in the Memorandum; and be it further

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

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

RESOLVED, That the Board recommends that the NYPA Trustees approve the five new RNY Power allocations for retention and expansion purposes to the small businesses and/or not-for-profit applicants in the amounts indicated in the Memorandum; and be it further

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

RESOLVED, That the Board authorize termination of the application review process for the three identified applicants for the reasons discussed in the Memorandum.

Economic Development Power Allocation Board											Exhibit "A"	
Extension Recommendations - RNY Power Allocations for Retention Purposes (Large Businesses, Small Business, and/or NFP Corporations)											March 25, 2025	
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	Syracuse Label Co., Inc.	North Syracuse	Onondaga	Central New York	NGRID	Manufacturer of custom-made labels	266	266	88	\$750,000	(1) 7	
2	Westrock - Southern Container, LLC	Camillus	Onondaga	Central New York	NGRID	Manufacturer of corrugated sheets & boxes	630	630	130	\$10,000,000	7	
	Central New York Region Sub-totals:						896	896	218	\$10,750,000		
3	American Rock Salt Company LLC	Mount Morris	Livingston	Finger Lakes	RGE	Distributor of rock salt products	2,650	2,650	300	\$40,000,000	(1) 7	
4	Chapin Manufacturing, Inc.	Batavia	Genesee	Finger Lakes	NGRID	Manufacturer of air compressed sprayers	1,016	1,016	193	\$400,000	(1) 7	
5	Quality Vision International Inc.	Rochester	Monroe	Finger Lakes	RGE	Manufacturer of measurement devices	326	326	260	\$2,000,000	7	
	Finger Lakes Region Sub-totals:						3,992	3,992	753	\$42,400,000		
6	Curtiss-Wright Flow Control Corporation	Farmingdale	Suffolk	Long Island	LIPA	Manufacturer of valves & safety systems	460	460	422	\$10,000,000	7	
7	DiCarlo Distributors, Inc.	Holtsville	Suffolk	Long Island	LIPA	Wholesale food distributor	100	100	220	\$1,000,000	7	
8	MVS Mailers, Inc.	Hauppauge	Suffolk	Long Island	LIPA	Full-service direct mail solutions	36	36	25	\$250,000	7	
9	Nassau Candy Distributors, Inc.	Hicksville	Nassau	Long Island	LIPA	Manufacturer of confectionery products	616	616	751	\$5,000,000	7	
10	NYU Langone Hospitals	Multiple Cities	Nassau & Suffolk	Long Island	LIPA	Hospitals & healthcare services	2,402	3,080	6,461	\$440,828,995	(2) 7	
11	Peconic Landing at Southold, Inc.	Greenport	Suffolk	Long Island	LIPA	Retirement & assisted-living community	126	200	200	\$9,300,000	(2) 7	
12	Topidem Inc.	Amityville	Suffolk	Long Island	LIPA	Manufacturer of pharmaceutical products	126	150	350	\$3,000,000	(2) 7	
	Long Island Region Sub-totals:						3,866	4,642	8,429	\$469,378,995		
13	Advanced Coating Technologies, LLC	Middletown	Orange	Mid-Hudson	ONR	Manufacturer of aircraft engines	2,100	2,100	195	\$1,000,000	7	
	Mid-Hudson Region Sub-totals:						2,100	2,100	195	\$1,000,000		
14	Pratt Paper (NY), Inc.	Staten Island	Richmond	New York City	CONED	Manufacturer of corrugated packaging solutions	10,000	10,000	270	\$15,000,000	7	
	New York City Region Sub-totals:						10,000	10,000	270	\$15,000,000		
15	Potters Industries, LLC	Potsdam	St. Lawrence	North Country	NGRID	Manufacturer of engineered glass materials	280	280	31	\$700,000	7	
	North Country Region Sub-totals:						280	280	31	\$700,000		
16	Protective Industries, Inc.	Buffalo	Erie	Western New York	NGRID	Manufacturer of plastic caps & plugs	366	366	299	\$1,000,000	7	
17	Upstate Niagara Cooperative, Inc.	West Seneca	Erie	Western New York	NYSEG	Production of dairy products	398	398	195	\$15,000,000	(1) 7	
	Western New York Region Sub-totals:						764	764	494	\$16,000,000		
Totals							21,898	22,674	10,390	\$555,228,995		
(1) The customer's extension recommendation includes a modification to combine multiple allocations into one RNY Power allocation extension.												
(2) The customer's extension recommendation includes a modification to accommodate an increased RNY Power award as a result of load growth and additional job commitments.												

Economic Development Power Allocation Board											Exhibit "B"
Modifications to Existing Allocations, Extensions, and/or Related Supplemental Commitments											March 25, 2025
1. Modifications Resulting in Additional Extension-Related Power Recommendations											
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	NYU Langone Hospitals	Multiple Cities	Nassau & Suffolk	Long Island	LIPA	Hospitals & healthcare services	2,402	3,080	6,461	\$440,828,995	7
2	Peconic Landing at Southold, Inc.	Greenport	Suffolk	Long Island	LIPA	Retirement & assisted-living community	126	200	200	\$9,300,000	7
3	Topiderm Inc.	Amityville	Suffolk	Long Island	LIPA	Manufacturer of pharmaceutical products	126	150	350	\$3,000,000	7
2. Modifications to Combine Previously-Approved Extension Allocations with Current Extension-Related Power Recommendations, or Combine Current Extension Recommendations											
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)
4	American Rock Salt Company LLC	Mount Morris	Livingston	Finger Lakes	RGE	Distributor of rock salt products	2,650	2,650	300	\$40,000,000	7
5	Chapin Manufacturing, Inc.	Batavia	Genesee	Finger Lakes	NGRID	Manufacturer of air compressed sprayers	1,016	1,016	193	\$400,000	7
6	DiCarlo Distributors, Inc.	Holtsville	Suffolk	Long Island	LIPA	Wholesale food distributor	376	376	220	\$1,000,000	7
7	Syracuse Label Co., Inc.	North Syracuse	Onondaga	Central New York	NGRID	Manufacturer of custom-made labels	266	266	88	\$750,000	7
8	Upstate Niagara Cooperative, Inc.	West Seneca	Erie	Western New York	NYSEG	Production of dairy products	398	398	195	\$15,000,000	7
3. Modifications to Extension-Related Job Commitments Only											
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)
9	365 Data Centers NY One LLC	Commack	Suffolk	Long Island	LIPA	Data center & information technology services	2,850	2,850	3	\$7,915,000	7
4. Modifications to Combine Previously-Approved Extension Allocations											
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)
10	Ametek Thermal Systems, Inc.	Garden City	Nassau	Long Island	LIPA	Manufacturer of heat exchangers	810	810	172	\$4,500,000	7
11	Commitment 2000, Inc.	Buffalo	Erie	Western New York	NGRID	Manufacturer of bread products	252	252	62	\$1,350,000	7
12	Crescent Duck Farm, Inc.	Aquebogue	Suffolk	Long Island	LIPA	Duck farm & poultry processing	536	536	75	\$2,750,000	7
4. Modifications to Combine Previously-Approved Extension Allocations (continued)											
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)
13	DeIorio Foods, Inc.	Utica	Oneida	Mohawk Valley	NGRID	Manufacturer of frozen dough products	1,250	1,250	200	\$6,250,000	7
14	Norwich Pharmaceuticals, Inc.	Norwich	Chenango	Southern Tier	NYSEG	Manufacturer of pharmaceutical products	950	950	300	\$35,000,000	7
15	Southern Glazer's Wine and Spirits of Upstate New York, LLC	Syracuse	Onondaga	Central New York	NGRID	Distribution facility for wine & spirits	350	350	610	\$6,000,000	7

Economic Development Power Allocation Board												Exhibit "C"
Recommendations - RNY Power Allocations for Retention Purposes												March 25, 2025
Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation	Jobs Retained	Jobs Created	Capital Investment (\$)	Contract Term (Years)
1	Page Material Management, LLC	Oswego	Oswego	Central New York	NGRID	Warehousing of temperature-controlled metals	831	416	13	0	\$2,500,000	(1) 7
	<b>Central New York Region Sub-totals:</b>							<b>416</b>	<b>13</b>	<b>0</b>	<b>\$2,500,000</b>	
2	Otsego SNF Operations Associates LLC	Cooperstown	Otsego	Mohawk Valley	NYSEG	Rehabilitation & nursing center	432	216	116	0	\$50,000	7
	<b>Mohawk Valley Region Sub-totals:</b>							<b>216</b>	<b>116</b>	<b>0</b>	<b>\$50,000</b>	
3	ITT Endline Inc.	Orchard Park	Erie	Western New York	NYSEG	Manufacturer of shock absorption devices	643	320	234	0	\$10,800,000	7
	<b>Western New York Region Sub-totals:</b>							<b>320</b>	<b>234</b>	<b>0</b>	<b>\$10,800,000</b>	
	<b>Totals</b>							<b>952</b>	<b>363</b>	<b>0</b>	<b>\$13,350,000</b>	
(1) 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 "D"
Recommendations - RNY Power Allocations for Expansion Purposes												March 25, 2025
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	Waffle8er LLC	Rochester	Monroe	Finger Lakes	RGE	Manufacturer of frozen food products	3,475	2,430	0	80	\$24,000,000	7
	<b>Finger Lakes Region Sub-totals:</b>							<b>2,430</b>	<b>0</b>	<b>80</b>	<b>\$24,000,000</b>	
2	Hudson Co, LLC	Pine Plains	Dutchess	Mid-Hudson	CHUD	Custom wood flooring & paneling mill	500	350	22	8	\$4,424,566	(3) 7
	<b>Mid-Hudson Region Sub-totals:</b>							<b>350</b>	<b>22</b>	<b>8</b>	<b>\$4,424,566</b>	
3	Micro Bird USA Holding LLC	Plattsburgh	Clinton	North Country	NYSEG	Manufacturer of transit & school buses	915	640	274	51	\$30,000,000	(4) 7
	<b>North Country Region Sub-totals:</b>							<b>640</b>	<b>0</b>	<b>51</b>	<b>\$30,000,000</b>	
	<b>Totals</b>							<b>3,420</b>	<b>22</b>	<b>139</b>	<b>\$58,424,566</b>	
(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) The applicant is planning to relocate existing jobs at its current facility to the proposed project site. The base employment level refers to the existing jobs that would be relocated for the expansion project.												
(4) The applicant is purchasing the facility of a current RNY customer, Nova Bus (US) Inc., and planning further expansion at the site. The base employment level refers to the current jobs that would be retained at the site by the new applicant which were already associated with existing power allocations at the site under the previous ownership. The appropriate amount related to the applicant's retained jobs has been removed from the totals above as these commitments were previously approved for the allocations now being recommended for transfer to the new applicant in a separate Board item at the March 25, 2025 Trustee meeting.												

Economic Development Power Allocation Board												Exhibit "E"
Recommendations - RNY Power Allocations for Retention & Expansion Purposes (Small Business and/or NFP Corporations)												March 25, 2025
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 Minoa LLC	Minoa	Onondaga	Central New York	NGRID	Rehabilitation & nursing center	90	46	74	0	\$50,000	7
	Central New York Region Sub-totals:							46	74	0	\$50,000	
2	Ontario Operations Associates LLC	Canandaigua	Ontario	Finger Lakes	RGE	Rehabilitation & nursing center	130	66	76	0	\$50,000	7
	Finger Lakes Region Sub-totals:							66	76	0	\$50,000	
3	The New York and Presbyterian Hospital	Cortlandt Manor	Westchester	Mid-Hudson	CONED	Hospital & healthcare services	918	350	941	0	\$15,000,000	7
	Mid-Hudson Region Sub-totals:							350	941	0	\$15,000,000	
4	Oliver Gear Inc.	Tonawanda	Erie	Western New York	NGRID	Manufacturer of precision metal components	228	126	28	0	\$500,000	7
	Western New York Region Sub-totals:							126	28	0	\$500,000	
Retention-Based Totals								588	1,119	0	\$15,600,000	
Expansion-Based Allocations												
Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation (1)	Base Employment	Job Creation Commitment	Project Capital Investment (\$)	Contract Term (years)
5	NY Lighting Group Inc.	Bronx	Bronx	New York City	CONED	Assembly & distribution of clean energy products	384	266	8	46	\$4,600,000 (2)	7
	New York City Region Sub-totals:							266	8	46	\$4,600,000	
Expansion-Based Totals								266	8	46	\$4,600,000	
Retention & Expansion-Based Totals								854	1,127	46	\$20,200,000	
(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 applicant anticipates a baseline level of 8 current jobs at the proposed project site. The project is expected to create at least 46 new jobs resulting in 54 total jobs committed.												

<b>Economic Development Power Allocation Board</b>						<b>Exhibit "F"</b>
<b>Recharge New York Power Program</b>						<b>March 25, 2025</b>
<b>Informational Item - Applicants Not Eligible</b>						
<b>Company</b>	<b>City</b>	<b>County</b>	<b>Economic Development Region</b>	<b>IOU</b>	<b>Description</b>	<b>Reason</b>
Elizabeth Fast Ferry LLC	Glen Cove	Nassau	Long Island	LIPA	Electric ferry transportation services	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.
Village of Freeport	Freeport	Nassau	Long Island	LIPA	Municipality supplying electric services to village residents	The applicant is a public entity and is therefore ineligible for an RNY Power allocation.
Whiteboard Inc.	New Hartford	Oneida	Mohawk Valley	NGRID	Daycare center	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						Exhibit "G"	
ReCharge New York Power Program						March 25, 2025	
Informational Item - Terminate Application/Review Process							
Line	Company	City	County	Economic Development Region	IOU	Description	Reason
1	CLR New Paltz LLC	New Paltz	Ulster	Mid-Hudson	CHUD	Rehabilitation & nursing center	The applicant has been unresponsive to requests by staff for additional information, preventing a complete analysis of the application.
2	Future Records LLC	Brooklyn	Kings	New York City	CONED	Music records business	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
3	Parker Wells Way Community Bridge Program and Entity	Schenectady	Schenectady	Capital District	NGRID	Women's shelter	The applicant has been unresponsive to requests by staff for additional information, preventing a complete analysis of the application.

<b>Economic Development Power Allocation Board</b>						<b>Exhibit "H"</b>
<b>Statutory Criteria - RNY Power Program</b>						<b>March 25, 2025</b>
<b>Line</b>	<b>Criteria Description</b>					
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 RNY Power Allocations**

##### **SUMMARY**

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

1. Transfer of a 90 kilowatt ("kW") allocation and a 130 kW RNY Power allocation awarded to Nova Bus (US) Inc. ("Nova Bus"), for use at its facilities at 252 Banker Road, Plattsburgh, NY 12901, and 260 Banker Road, Plattsburgh, NY 12901, to Micro Bird USA LLC ("Micro Bird"), to address organizational changes.
2. Transfer of a pending 100 kW RNY Power allocation awarded to 230 Hill Road LLC ("230 Hill"), for use at its 90 Brentwood Drive, Wappingers Falls, NY 12590, New York facility, to Reserve Snacks Inc. ("Reserve"), to address organizational changes.
3. Transfer of a pending 120 kW and 200 kW RNY Power allocations awarded to Howlett Farms Feed, LLC ("Howlett LLC"), for use at its 2773 Pratt Road, Batavia, NY 14020, New York facility, to Howlett Farms, Inc. ("Howlett Inc."), to address organizational changes.
4. Transfer of a 150 kW RNY Power allocation awarded to Mindshift Technologies, Inc. ("Mindshift"), for use at its 500 Commack Rd., Commack, NY 11725, New York facility, to Ricoh USA, Inc. ("Rico") to address organizational changes.

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

##### **DISCUSSION**

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

##### **1) Nova Bus (US) Inc.**

Nova Bus was awarded a 90 kW allocation and a 130 kW allocation of RNY Power for use at its facilities located in Plattsburgh, NY. These facilities manufacture buses.

On December 16, 2024, Nova Bus sold its facility to Valiant Real Estate USA Inc. for Micro Bird's use. Micro Bird plans no changes to the business that Nova Bus conducted at the facilities located in New York.

Nova Bus and Micro Bird request that the 90 kW and 130 kW RNY Power allocations be transferred from Nova Bus to Micro Bird. Micro Bird has indicated that it will honor all the terms and commitments made by Nova Bus under the Agreements for the Sale of Recharge New York and Energy with the Authority covering the allocations.

##### **2) 230 Hill Road LLC**

230 Hill was awarded a 100 kW RNY Power allocation for use at its facility in Wappingers Falls, NY. 230 Hill purchased the site for the purpose of facilitating the business operations of Reserve, a related company. Reserve manufactures specialty popcorn chips called "popped snacks."

230 Hill now seeks to transfer the pending 100 kW RNY Power allocation to Reserve to support Reserve's operations. Reserve has indicated to NYPA that it will honor all the terms and commitments



approved by the Board regarding the award of the allocation to 230 Hill. If this transfer is approved, the Authority will enter into a power sale agreement with Reserve.

### 3) Howlett Farms Feed, LLC

Howlett LLC was awarded a 120 kW and 200 kW RNY Power allocations for use at its facility located in Batavia, NY. The facility recently installed a grain dryer as part of a grant that was recently awarded to Howlett Inc. Howlett LLC produces and stores grain, and Howlett Inc. plans no changes to the business that Howlett LLC conducted at the facility located in New York.

Howlett LLC and Howlett Inc. request that the pending 120 kW and 200 kW Power allocations be transferred from Howlett LLC to Howlett Inc. Howlett Inc. has indicated that it will honor all of the commitments associated with the RNY Power allocations.

### 4) Mindshift Technologies, Inc.

Mindshift was awarded a 150 kW RNY Power allocation for use at its facility located in Commack, NY. This facility manages IT and network infrastructure for businesses.

On April 1, 2021, Ricoh merged into and survived Mindshift. Ricoh plans no changes to the business that Mindshift conducted at the facility in New York.

Ricoh requests that the 150 kW RNY Power allocation be transferred from Mindshift to Ricoh. Ricoh has indicated that it will honor all of the commitments associated with the RNY Power allocation.

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

## RECOMMENDATION

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

*Chair Morris invited Mark Schwartzburt, Expert Customer Contracts Analyst, to provide highlights of staff's recommendations to the members.*

*Mr. Mark Schwartzburg 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 a transfer of Recharge New York ("RNY") Power allocations: 1) for a customer that has sold its bus manufacturing business and assets at a facility in Plattsburgh to another business entity that will continue the same business operations at the facility in Plattsburgh; 2) for an allocation awardee that facilitated the business of a sister entity by purchasing the land and facilities for the manufacturing of specialty popcorn chips in Wappinger Falls; 3) for an allocation awardee that wishes to align the award for grain processing with the sister business entity at the same location in Batavia that received a grant for grain processing machinery; and 4) for a customer in Commack that manages IT and network infrastructure for businesses and has merged with its parent company.*

*He said that this request is subject to approval of the transfer of the RNY Power allocations by the Authority; there being no material reductions in the base employment level or capital investment commitment*

*associated with the allocations 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 Recharged New York Power Allocations, as recommended by staff, was approved by the Board.

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

RESOLVED, That the transfer of a 90 kilowatt ("kW") allocation and a 130 kW allocation of Recharge New York ("RNY") Power awarded to Nova Bus (US) Inc., for use at its facilities at 252 Banker Road, Plattsburgh, NY 12901, and 260 Banker Road, Plattsburgh, NY 12901, to Micro Bird USA LLC, as described in the foregoing memorandum 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.

RESOLVED, That the transfer of a pending 100 kW RNY Power allocation awarded to 230 Hill Road LLC, for use at its 90 Brentwood Drive, Wappingers Falls, NY 12590, New York facility, to Reserve Snacks Inc., as described in the foregoing memorandum be, and hereby is, approved subject to the following conditions: (1) approval of the transfer by the 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.

RESOLVED, That the transfer of a pending 120 kW and 200 kW RNY Power allocations awarded to Howlett Farms Feed, LLC, for use at its 2773 Pratt Road, Batavia, NY 14020, New York facility, to Howlett Farms, Inc., as described in the foregoing memorandum be, and hereby is, approved subject to the following conditions: (1) approval of the transfer by the 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.

RESOLVED, That the transfer of a 150 kW RNY Power allocation awarded to Mindshift Technologies, Inc., for use at its 500 Commack Rd., Commack, NY 11725, New York facility, to Ricoh USA, Inc., as described in the foregoing memorandum be, and hereby is, approved subject to the following conditions: (1) approval of the transfer by the 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.

## OTHER BUSINESS

No other business to report

### **5. Next Meeting**

Chair Cecily Morris said that the next meeting of the Board is scheduled to be held on Tuesday, May 20, 2025, at 8:00 am.

### **Closing**

On motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the meeting was adjourned at approximately 8:12 a.m.

A handwritten signature in cursive script that reads "Karen Delince".

Karen Delince  
Vice President and Corporate Secretary