



NY State Economic Development Power Allocation Board

ANDREW M. CUOMO
Governor

ECONOMIC DEVELOPMENT POWER ALLOCATION BOARD

MINUTES

*December 11, 2017 – 10:00 a.m.
Via Videoconference from
Clarence D. Rappleyea Building, White Plains, New York*

*New York Power Authority Offices:
123 Main Street, 16th Floor, White Plains, NY
5777 Lewiston Road, Lewiston, NY*

1. Approval of the December 11, 2017 Proposed Meeting Agenda
2. Approval of the Minutes of the Meeting of July 24, 2017
3. 2018 Proposed Schedule of Meetings
4. Recharge New York Power Program Allocations
5. Transfer of Recharge New York Power and Hydropower Allocations
6. Resolution – Robert Catell

OTHER BUSINESS

7. Next Meeting

A regular meeting of the Economic Development Power Allocation Board was held via videoconference at the following participating locations:

- 1) New York Power Authority, 123 Main Street, White Plains, NY
- 2) New York Power Authority, 5777 Lewiston Road, Lewiston, NY

The following Members of the Board were present:

Eugene L. Nicandri, Acting Chair
Robert B. Catell, Member
George Maziarz, Member

The following Member of the Board was excused:

Sam Hoyt, Chair

Also in attendance were:

Justin Driscoll	Executive Vice President & General Counsel, NYPA
Karen Delince	Vice President & Corporate Secretary, NYPA
Keith Hayes	Acting Executive Vice President Commercial Operations, NYPA
David Work	Acting Vice President Economic Development, NYPA
Timothy Muldoon	Manager - Power Contracts & Tariffs
Maribel Cruz	Manager – Business Power Allocations & Compliance, NYPA
Yale Brown	Business Power Allocations & Compliance, Analyst II, NYPA
Lorna Johnson	Senior Associate Corporate Secretary, NYPA
Sheila Quatrocci	Senior Assistant Corporate Secretary, NYPA

Introduction

Acting Chair Nicandri welcomed the Economic Development Power Allocation Board (“EDPAB”) members, Robert Catell and Senator George Maziarz (retired), and Authority senior staff to the meeting. He 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. Approval of the Proposed Meeting Agenda

Upon motion made by Member Robert Catell and seconded by Member George Maziarz, the Agenda for the December 11, 2017 meeting was adopted.

Members Eugene Nicandri and George Maziarz declared no conflicts of interest based on the list of entities being considered for power allocations.

Member Robert Catell said that, although determined not a conflict, he wanted to disclose his affiliation with NYU Winthrop Hospital. He is on a Development Committee which raises money for the nonprofit group of the hospital and therefore has no business relationship with them. He discussed his affiliation with the attorneys and it was determined that it would not be a conflict of interest.

2. **Approval of the Minutes**

Upon motion made by Member George Maziarz and seconded by Member Robert Catell, the Minutes of the Meeting held on July 24, 2017 were unanimously approved.

3. Adoption of the 2018 Schedule of EDPAB Meetings

Upon motion made by Member George Maziarz and seconded by Member Robert Catell, the 2018 Schedule of Meetings was adopted.

Proposed Schedule of EDPAB Meetings in 2018

January 29, 2018	10:00 a.m.
March 19, 2018	10:00 a.m.
May 21, 2018	10:00 a.m.
July 30, 2018	10:00 a.m.
September 26, 2018	10:00 a.m.
December 10, 2018	10:00 a.m.

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

RESOLVED, That the schedule of EDPAB Meetings for the year 2018, as set forth in the foregoing memorandum of the Vice President & Corporate Secretary, be, and hereby is, approved.

4. Recharge New York Power Program Allocations

SUMMARY

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

1. recommend that the New York Power Authority (“Authority” or “NYPA”) Trustees (“Trustees”) award allocations of Recharge New York (“RNY”) Power available for “retention” purposes to the businesses listed in Exhibit “A”;
2. recommend that the Trustees award allocations of RNY Power available for “expansion” purposes to the businesses listed in Exhibit “B”;
3. recommend that the Trustees award allocations of RNY Power available for eligible small businesses and not-for-profit corporations to the entities listed in Exhibit “C”; and
4. determine that the applicants listed in Exhibit “D” will not be recommended for an allocation of RNY Power.

BACKGROUND

On April 14, 2011, Governor Andrew M. Cuomo signed into law the RNY Power Program as part of Chapter 60 (Part CC) of the Laws of 2011 (“Chapter 60”). The program makes available 910 megawatts (“MW”) of “RNY Power,” 50% of which will be provided by the Authority’s 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 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; at least 200 MW of RNY Power shall be dedicated to the purpose of attracting new businesses and encouraging expansion of existing businesses statewide; and up to 100 MW shall be dedicated for eligible not-for-profit corporations and eligible small businesses statewide.

Under the statute, “eligible applicant” is defined 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. At its meeting on April 24, 2012, EDPAB defined a retail business as 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, consistent with the rules previously promulgated by EDPAB for implementation of the Authority’s Economic Development Power program.

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 a RNY Power allocation, the Authority must offer each eligible applicant that has received an award of RNY Power the option to decline to purchase the RNY Market Power component of such award. If the applicant declines to purchase the RNY Market Power component from the Authority, the Authority has no responsibility for supplying RNY Market Power component of the award.

As part of Governor Andrew M. Cuomo'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.

Applications for RNY Power are subject to a competitive evaluation process and are evaluated based on the following criteria set forth in the statutes providing for the RNY Power Program (the "RNY Statutes"):

- “(i) 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;
- (ii) the extent to which a recharge New York power allocation will result in new capital investment in the state by the applicant;
- (iii) the extent to which a recharge New York power allocation is consistent with any regional economic development council strategies and priorities;
- (iv) the type and cost of buildings, equipment and facilities to be constructed, enlarged or installed if the applicant were to receive an allocation;
- (v) the applicant's payroll, salaries, benefits and number of jobs at the facility for which a recharge New York power allocation is requested;
- (vi) 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;
- (vii) 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;

(viii) 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;

(ix) 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;

(x) 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 authority;

(xi) 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

(xii) 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 allocation is requested is located.”

Based on the evaluation of these criteria, the applications were scored and ranked. Evaluations also considered input from the relevant Regional Economic Development Council under the third and eighth criteria.

In arriving at recommendations for RNY Power 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.

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 scored relatively high were recommended for allocations of 33% of the requested amount or average historic demand, whichever was lower. These allocations were capped at 5 MW. Applicants currently receiving hydropower allocations under other Authority power programs were recommended for allocations of RNY Power of 25% of the requested amount, subject to the caps as stated above.

RNY Power allocations have been awarded by the Trustees on eighteen prior occasions spanning from April 2012 through July 2017. Of the 200 MW block of RNY Power made available pursuant to Chapter 60 for business “expansion” purposes, 92.4 MW remain unallocated. Of the 100 MW of RNY Power that is set aside for not-for-profit corporations and

small businesses pursuant to Chapter 60, 7.5 MW remain unallocated. Of the remaining RNY Power made available pursuant to Chapter 60, 58.5 MW remain unallocated.

DISCUSSION

1. Retention-Based RNY Power Allocations

Staff recommends that EDPAB recommend to the NYPA Trustees that the applications listed on Exhibit “A” be awarded *retention*-based RNY Power allocations in the amounts indicated. Each business has stated a willingness to create or retain jobs in New York State. Additionally, these applicants will be committing to capital investments in exchange for the recommended RNY Power allocations.

The RNY Power “retention” allocations identified in Exhibit “A” are each recommended for a term of seven years unless otherwise indicated. 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. The Authority’s standard RNY Power contract template, approved by the Trustees at their March 27, 2012 meeting, contains provisions addressing such things as 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 mutually agreed upon commitments, relating to among other things, employment levels, power utilization, and capital investments. In addition, there is a requirement that a recipient of an allocation perform an energy efficiency audit at its facility not less than once during the first five years of the term of the allocation.

2. Expansion-Based RNY Power Allocations

Staff recommends that EDPAB recommend to the NYPA Trustees that the applications listed on Exhibit “B” be awarded *expansion*-based RNY Power allocations in the amounts indicated 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. These applications sought a RNY Power allocation for expansion only, in the case of a new business or facility. Each such allocation would be for a term of seven years unless otherwise indicated.

As with the evaluation process used for the retention recommendations described above, applications for the expansion-based RNY Power were scored based on the statutory criteria, albeit with a focus on information regarding each applicants’ specific project to expand or create their new facility or business (*e.g.*, the expansion project’s cost, associated job creation, and new electric load due to the expansion).

The respective amounts of the expansion-related allocations listed in Exhibit “B” are largely intended to provide approximately 70% of the individual expansion projects’ estimated new electric load. Because these projects have estimated new electric load amounts, and to ensure that an applicant’s overestimation of the amount needed would not cause that applicant to receive a higher proportion of RNY Power to new load, the allocations in Exhibit “B” are

recommended on an “up to” amount basis. Each of these applicants would be required to, among other commitments, add the new electric load as stated in its application, and would be allowed to use up to the amount of their RNY Power allocation in the same proportion of the RNY Power allocation to requested load as stated in Exhibit “B.” The contracts for these allocations would also contain the standard provisions previously summarized in the last paragraph of Section 1 above.

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

Staff recommends that EDPAB recommend to the NYPA Trustees that the small business and not-for-profit applicants listed on Exhibit “C” be awarded RNY Power allocations in the amounts indicated therein. The applicants have committed to retain or create jobs in New York State and make capital investments in exchange for the recommended RNY Power allocations as described in Exhibit “C”.

4. Applications Not Recommended

Based on its review of the applications of the companies listed in Exhibit “D”, staff recommends that the Board not recommend the applications listed on Exhibit “D” for RNY Power for the reasons described in Exhibit “D”.¹

RECOMMENDATION

For the reasons stated above, staff recommends that the Board: (1) recommend that the Authority Trustees award allocations of RNY Power for retention purposes to the businesses listed in Exhibit “A” in the amounts indicated therein; (2) recommend that the Trustees award allocations of RNY Power for expansion purposes to the businesses listed in Exhibit “B” in the amounts indicated therein; (3) recommend that the Trustees award allocations of RNY Power to the small business and not-for-profit applicants listed in Exhibit “C” in the amounts indicated therein; and (4) determine that the applicants listed in Exhibit “D” will not be recommended for allocations of RNY Power for the reasons discussed in Exhibit “D”.

Acting Chair Nicandri invited Mr. Keith Hayes, Vice President of Economic to present the Recharge New York Power (“RNY”) Program item to the Board.

Mr. Hayes said staff is requesting that EDPAB recommend that the Authority’s Trustees approve the award of 38 allocations of Recharge New York large business retention, large business expansion and small business and not-for-profit based power to 29 applicants.

Upon motion made by Member Robert Catell and seconded by Member George Maziarz, the Recharge New York Power Program allocations, as recommended by staff, were approved by the Board.

Upon motion made and seconded, the staff's recommendation 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") award allocations of Recharge New York ("RNY") Power for retention purposes to the businesses listed in Exhibit "A" to the attached memorandum of the Vice President, Economic Development (the "Attached Memorandum") in the amounts indicated therein for the reasons indicated in Exhibit "A" and the Attached Memorandum; and be it further

RESOLVED, That the Board recommends that the Authority Trustees award allocations of RNY Power for expansion purposes to the businesses listed in Exhibit "B" to the Attached Memorandum in the amounts indicated therein for the reasons indicated in Exhibit "B" and the Attached Memorandum; and be it further

RESOLVED, That the Board recommends that the Authority Trustees award allocations of RNY Power to the small businesses and not-for-profit corporations listed in Exhibit "C" to the Attached Memorandum in the amounts indicated therein for the reasons indicated in Exhibit "C" and the Attached Memorandum; and be it further

¹ In view of the recommended disposition of the applications listed on Exhibit "D", staff has not considered the eligibility of the applicants so indicated on Exhibit "D", and is not making any recommendations concerning eligibility at this time.

December 11, 2017

RESOLVED, That the applicants listed in Exhibit “D” are not recommended for RNY Power for the reasons discussed in the Attached Memorandum and Exhibit “D”.

Economic Development Power Allocation Board
 Recommendations - RNY Power Allocations for Retention Purposes

Exhibit "A"
 December 11, 2017

Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation	Jobs Retained	Jobs Created	Total Job Commitment	Capital Investment (\$)	Contract Term (years)
1	Syracuse Label Co., Inc.	North Syracuse	Onondaga	Central New York	NGRID	Manufacturer of printing labels	200	100	86	2	88	\$2,000,000 ⁽²⁾	7
Central New York Region Sub-totals:								100	6	2	8	\$2,000,000	
2	Oerlikon Metco (US) Inc.	Westbury	Nassau	Long Island	LIPA	Manufacturer of surface technologies	2,349	1,170	275	0	275	\$5,000,000 ⁽¹⁾	7
3	Seviroli Foods, Inc.	Garden City	Nassau	Long Island	LIPA	Manufacturer of pasta specialties	1,895	946	268	30	298	\$5,200,000	7
Long Island Region Sub-totals:								2,116	543	30	573	\$10,200,000	
4	AptarGroup, Inc.	Congers	Rockland	Mid-Hudson	ONR	Manufacturer of dispensing systems	1,139	566	209	0	209	\$7,500,000 ⁽¹⁾	7
5	Speyside Holdings LLC	Highland Mills	Orange	Mid-Hudson	ONR	Crushed stone quarry	853	426	12	0	12	\$3,000,000 ⁽¹⁾	7
Mid-Hudson Region Sub-totals:								992	221	0	221	\$10,500,000	
6	Manitoba Corporation	Lancaster	Erie	Western New York	NYSEG	Recycling center for scrap metals	493	246	38	2	40	\$125,000	7
Western New York Region Sub-totals:								246	38	2	40	\$125,000	

Totals

3,454	808	34	842	\$22,825,000
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- (1) These companies are also recommended for expansion-related allocations of RNY for separate and distinct job creation and capital investment commitments associated with proposed business expansions.
- (2) This applicant was previously approved for a retention-based RNY power allocation. Due to load growth over time, and the company's ability to add additional jobs, the applicant is now being recommended for an additional incremental retention allocation.

Economic Development Power Allocation Board
 Recommendations - RNY Power Allocations for Expansion Purposes

Exhibit "B"
 December 11, 2017

Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation ⁽¹⁾	Base Employment ⁽³⁾	Job Creation Commitment	Project Capital Investment (\$)	Contract Term (years)
1	Currier Plastics, Inc.	Auburn	Cayuga	Central New York	NYSEG	Manufacturer of plastic molded products	444	310	150	20	\$9,900,000 ⁽⁴⁾	7
2	Green Empire Farms, Inc.	Oneida	Madison	Central New York	NGRID	Hydroponic greenhouse farm	19,193	6,500	0	65	\$42,010,000	7
	Central New York Region Sub-totals:							6,810	0	85	\$51,910,000	
3	IDEX Health & Science LLC	West Henrietta	Monroe	Finger Lakes	RGE	Research & development of optofluidics	1,220	850	174	30	\$3,000,000	7
	Finger Lakes Region Sub-totals:							850	174	30	\$3,000,000	
4	Candid Litho Printing Ltd.	East Farmingdale	Suffolk	Long Island	LIPA	High-tech printing & graphics production	513	356	90	30	\$3,192,550	7
5	Oerlikon Metco (US) Inc.	Westbury	Nassau	Long Island	LIPA	Manufacturer of surface technologies	707	400	275	4	\$5,500,000 ⁽²⁾	7
	Long Island Region Sub-totals:							756	90	34	\$8,692,550	
6	AptarGroup, Inc.	Congers	Rockland	Mid-Hudson	ONR	Manufacturer of dispensing systems	250	176	209	20	\$10,000,000 ⁽²⁾	7
7	Speyside Holdings LLC	Highland Mills	Orange	Mid-Hudson	ONR	Crushed stone quarry	853	596	12	6	\$4,000,000 ⁽²⁾	7
	Mid-Hudson Region Sub-totals:							772	0	26	\$14,000,000	
8	Upstate Niagara Cooperative, Inc.	Campbell	Steuben	Southern Tier	NYSEG	Cheese production facility	5,000	3,500	0	125	\$10,000,000	7
	Southern Tier Region Sub-totals:							3,500	0	125	\$10,000,000	

Totals

12,688	264	300	\$87,602,550
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- (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) These companies are also being recommended for retention-based RNY Power allocations 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.
- (3) The number of new jobs committed will be above a base employment level specified in the power sale contract with the applicant.
- (4) This applicant was previously approved for a retention-based RNY Power allocation. The base employment refers to the applicant's retained jobs which are already associated with an existing power allocation.

Economic Development Power Allocation Board
 Recommendations - RNY Power Allocations for Retention and Expansion Purposes (Small Business and/or NFP Corporations)

Exhibit "C"
 December 11, 2017

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	Apple Acres, LLC	Lafayette	Onondaga	Central New York	NGRID	Apple farm and orchard	145	70	25	0	\$200,000	(1)	7
2	Copper John Corporation	Auburn	Cayuga	Central New York	NYSEG	Manufacturer of archery accessories	24	10	6	0	\$200,000	(1)	7
3	North Ridge Dairy	Fulton	Oswego	Central New York	NGRID	Dairy farm and milk production	355	176	42	0	\$3,500,000	(1)	7
Central New York Region Sub-totals:								256	73	0	\$3,900,000		
4	RT Solutions, LLC	Avon	Livingston	Finger Lakes	NGRID	Compost to soil agribusiness	41	20	12	0	\$166,800	(1)	7
Finger Lakes Region Sub-totals:								20	12	0	\$166,800		
5	Gilbert Displays, Inc.	Melville	Suffolk	Long Island	LIPA	Manufacturer of custom exhibits & displays	318	156	125	30	\$1,000,000		7
6	Kangadis Food Inc.	Hauppauge	Suffolk	Long Island	LIPA	Manufacturer of olive oils	195	96	59	23	\$1,000,000		7
7	MMR Care Corp.	Farmingdale	Nassau	Long Island	LIPA	Rehabilitation and nursing center	205	100	138	0	\$50,000		7
8	NYU Winthrop Hospital	Mineola	Nassau	Long Island	LIPA	University-affiliated medical practices	543	180	216	0	\$6,495,000	(5)	7
9	NYU Winthrop Hospital	Mineola	Nassau	Long Island	LIPA	University-affiliated medical practices	768	256	234	0	\$2,768,000	(6)	7
10	Topiderm Inc.	North Amityville	Suffolk	Long Island	LIPA	Manufacturer of pharmaceutical products	253	126	239	0	\$4,275,000	(1)	7
Long Island Region Sub-totals:								914	1,011	53	\$15,588,000		
11	Allstate Apple Exchange, Inc.	Milton	Ulster	Mid-Hudson	CHUD	Apple farm and orchard	187	90	20	0	\$250,000	(1)	7
Mid-Hudson Region Sub-totals:								90	20	0	\$250,000		
12	Samaritan Senior Village, Inc.	Watertown	Jefferson	North Country	NGRID	Nursing home & assisted living facility	649	216	261	0	\$1,000,000		7
13	Westelcom Network, Inc.	Watertown	Jefferson	North Country	NGRID	Data center for Internet service provider	158	76	22	0	\$140,000		7
North Country Region Sub-totals:								292	283	0	\$1,140,000		

Retention-Based Totals

1,572	1,399	53	\$21,044,800
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Expansion-Based Allocations

Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation (3)	Base Employment	Job Creation Commitment	Project Capital Investment (\$)		Contract Term (years)
14	Apple Acres, LLC	Lafayette	Onondaga	Central New York	NGRID	Apple farm and orchard	333	166	25	12	\$5,637,500	(1), (2)	7
15	Copper John Corporation	Auburn	Cayuga	Central New York	NYSEG	Manufacturer of archery accessories	45	20	6	4	\$1,242,648	(1), (2)	7
16	North Ridge Dairy	Fulton	Oswego	Central New York	NGRID	Dairy farm and milk production	75	36	42	7	\$1,785,500	(1), (2)	7
Long Island Region Sub-totals:								222	0	23	\$8,665,648		
17	RT Solutions, LLC	Avon	Livingston	Finger Lakes	NGRID	Compost to soil agribusiness	125	60	12	8	\$1,142,665	(1), (2)	7
Finger Lakes Region Sub-totals:								60	0	8	\$1,142,665		
18	Broadway National Group LLC	Hauppauge	Suffolk	Long Island	LIPA	Property management-related services	203	100	99	51	\$10,000,000	(4)	7
19	Piece Management, Inc.	Westbury	Nassau	Long Island	LIPA	Manufacturer of millwork solutions	159	76	42	13	\$6,300,000	(4)	7
20	Topiderm Inc.	North Amityville	Suffolk	Long Island	LIPA	Manufacturer of pharmaceutical products	100	50	239	75	\$120,000,000	(1), (2)	7
Long Island Region Sub-totals:								226	141	139	\$136,300,000		
21	Allstate Apple Exchange, Inc.	Milton	Ulster	Mid-Hudson	CHUD	Apple farm and orchard	100	50	20	8	\$1,000,000	(1), (2)	7
Mid-Hudson Region Sub-totals:								50	0	8	\$1,000,000		
22	Bartell Machinery Systems, L.L.C.	Rome	Oneida	Mohawk Valley	NGRID	Manufacturer of industrial equipment	100	50	145	12	\$5,400,000	(7)	7
Mohawk Valley Region Sub-totals:								50	20	12	\$5,400,000		
23	The New York and Presbyterian Hospital	New York	New York	New York City	CONED	Hospital & ambulatory care center	2,000	666	0	409	\$1,112,677,560		7
New York City Region Sub-totals:								666	0	409	\$1,112,677,560		
24	Resurgence Brewing Company, LLC	Buffalo	Erie	Western New York	NGRID	Brewery for craft beer production	260	130	0	20	\$2,500,000		7
Western New York Region Sub-totals:								130	0	20	\$2,500,000		

Expansion-Based Totals

1,404	161	619	\$1,267,685,873
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Retention & Expansion-Based Totals

2,976	1,560	672	\$1,288,730,673
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- (1) These applicants are being recommended for both RNY retention and expansion-based allocations.
- (2) The number of new jobs committed will be above a base employment level specified in the applicant's retention-based allocation recommendation.
- (3) 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.
- (4) There will be a base employment level associated with the applicant's RNY expansion-based allocation.
- (5) This applicant is being recommended for an allocation at its facility located at 120 Mineola Blvd. in Mineola.
- (6) This applicant is being recommended for an allocation at its facility located at 222 Station Plaza in Mineola.
- (7) This applicant was previously approved for a retention-based RNY Power allocation. The base employment refers to the applicant's retained jobs which are already associated with an existing power allocation.

Economic Development Power Allocation Board
 ReCharge New York Power Program
 Informational Item - Applicant/Application Not Recommended for RNY Power Allocation

Exhibit "D"
 December 11, 2017

Line	Company	City	County	Economic Development Region	IOU	Description	Reason ⁽¹⁾
1	Field Craft Farms LLC	Williamson	Wayne	Finger Lakes	RGE	Dual-purpose cattle ranching & farming	The facility lacks demand metering preventing RNY Power delivery and billing.
2	Tractor Supply Company	Frankfort	Herkimer	Mohawk Valley	Not Applicable	Distribution and warehousing services	The applicant is served by a municipal electric utility which is not in a position to accept and account for RNY Power to individual customers. In addition, the applicant already enjoys competitive electric rates by virtue of the utility's receipt of low-cost NYPA hydropower.
3	GallopNYC	Forest Hills	Queens	New York City	CONED	Provider of therapeutic horsemanship programs	The facility lacks demand metering preventing RNY Power delivery and billing.

(1) Given the proposed disposition of these applications, the eligibility of these applicants for an RNY Power allocation has not been considered at this time.

5. **Transfer of ReCharge New York Power and Hydropower Allocations**

SUMMARY

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

1. Transfer of a 366 kilowatt (“kW”) RNY Power allocation from Adchem Corporation to Berry Specialty Tapes, LLC, in order to address a change in ownership of the business.
2. Transfer of 550 kW RNY Hydropower allocation from Delphi Automotive Systems LLC to Delphi Powertrain Systems LLC, in order to address internal corporate organizational changes.
3. Transfer of a 70 kW RNY Hydropower allocation from the facility of Giovanni Food Company, Inc. located in Syracuse, NY, to a new facility that Giovanni operates in Baldwinsville, NY.
4. Transfer of (i) a 50 kW RNY Hydropower allocation awarded to Jiffy-tite Company, Inc. for use at its Lancaster, NY facility to Oetiker Group, and (ii) a pending 140 kW RNY Power allocation awarded to Jiffy-tite Company, Inc. for use at its Batavia, NY facility to the Oetiker Group to address ownership to address a change in ownership of the business.
5. Transfer of a 90 kW RNY Hydropower allocation from Town Sports International, LLC to Elmsford Elite Laundry, LLC to address a change in ownership of the business.

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

DISCUSSION

The following discussion provides the basis for the recommended actions for each of the allocations discussed in this memorandum.

1) Adchem Corporation

Adchem Corporation (“Adchem”) has a 366 kW RNY Power allocation for use at its facility in Riverhead, NY where it manufactures specialty pressure sensitive adhesive tapes. Adchem has been purchased by Berry Specialty Tapes, LLC (“Berry”).

The customer requests a formal transfer of its RNY Power allocation from Adchem to Berry. Berry would continue to operate the manufacturing business at the Riverhead facility, and take the transfer of the allocation subject to the terms and conditions that have been applicable to Adchem in accordance with Adchem’s RNY power contract with the New York Power Authority (“NYPA”).

2) Delphi Automotive Systems LLC (Delphi Technical Center Rochester)

Delphi Automotive Systems LLC (“Delphi Automotive”) is a global engineering company focusing on the automobile industry, whose business includes product development, as well as, test and validation of engine components and fuel delivery systems. It has a 550 kW RNY Hydropower allocation that it uses at its facility in West Henrietta, NY.

The ownership of the business created a new limited liability company which is named Delphi Powertrain Systems LLC (“Delphi Powertrain”).

The customer requests a formal transfer of the RNY Hydropower allocation to Delphi Powertrain, which would continue to conduct business at the West Henrietta facility. The transfer would be subject to the terms and conditions that have been applicable to Delphi Automotive under its power sale contract with NYPA.

3) Giovanni Food Company, Inc.

Giovanni Food Company, Inc. ("Giovanni") has a 70 kW RNY Hydropower allocation that it uses at its facility in Syracuse, NY, where it manufactures and distributes its own brands of pasta sauce, and packs and distributes pasta, pizza, and BBQ sauces and salsa for private label brands. The facility warehouses and ships the finished goods.

Giovanni has moved to a new facility in Baldwinsville, NY to accommodate growth. It is requesting a formal transfer of its RNY Hydropower allocation from the Syracuse facility to the Baldwinsville facility. The transfer would be made subject to the terms and conditions that have been applicable to Giovanni at the Syracuse facility under its power contract with NYPA.

4) Jiffy-tite Company, Inc.

Jiffy-tite Company, Inc. ("Jiffy-tite") manufactures quick-connect fluid couplers for the automotive industry. The fittings are used in the transmission and cooling systems of GM, Chrysler, Ford and other vehicles. It has a 50 kW RNY Hydropower allocation which it uses at its facility in Lancaster, NY. NYPA has also awarded it a 140 kW RNY allocation to support an expansion at its Batavia location, but the allocation has not yet been taken down.

Jiffy-tite has been purchased by Oetiker Group which it plans to rebrand the business as Oetiker NY, Inc.

The customer requests a formal transfer of the 50 kW RNY Hydropower allocation and the pending 140 kW RNY Power allocation from Jiffy-tite to the Oetiker Group company that will operate the facilities. The Oetiker Group would continue to operate the Lancaster and Batavia facilities, and take the transfers subject to the terms and conditions that have been applicable to Jiffy-tite under its power sale contract with NYPA.

5) Town Sports International, LLC

Town Sports International, LLC ("TSI") has a 90kW RNY Hydropower allocation that it uses to support a laundry business at its facility in Elmsford, NY. TSI provides linen service to TSI sports clubs, like New York Sports Club, and several hotels in the New York metropolitan area.

TSI has been acquired by Elmsford Elite Laundry, LLC ("Elmsford"), a sister company. The customer requests a formal transfer of the RNY Hydropower allocation to Elmsford, which would continue to operate the business at the current facility, and take the transfer subject to the terms and conditions that have been applicable to TSI under its power sale contract with NYPA.

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

RECOMMENDATION

Staff recommends that the Board approve the transfer of the allocations currently sold to of Adchem, Delphi Automotive, Giovanni, Jiffy-tite, and TSI as discussed above, subject to the following conditions: (1) approval of the transfers by the Authority; (2) there be no material reductions in the base employment levels or capital investment commitments due to the transfers as provided for above; and (3) the transfers are addressed in contract documents containing such terms and conditions determined by the Authority to be appropriate to effectuate each transfer.

Acting Chair Nicandri invited Mr. Keith Hayes to present staff's recommendation to the Board.

Mr. Hayes provided highlights of staff's recommendation to the Board. He said staff is requesting that the Board approve the transfers of ReCharge NY power allocations for five customers, each of whom are experiencing business changes necessitating such transfers.

Upon motion made by Member George Maziarz and seconded by Member Robert Catell, staff's recommendations were 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") approves transfer of the 366 kilowatt ("kW") Recharge New York ("RNY") Power allocation awarded to Adchem Corporation for use at its facility Riverhead, NY, to Berry Specialty Tapes, LLC, for its use at the same facility, as described in the attached Memorandum, subject to the following conditions: (1) approval of the transfer by the Authority; (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 Authority to be appropriate to effectuate the transfer; and be it further

RESOLVED, That the Board approves the transfer of the 550 kW RNY Hydropower allocation awarded to Delphi Automotive Systems LLC for use at its facility in West Henrietta, NY to Delphi Powertrain Systems LLC for use at the same facility, as described in the attached Memorandum, subject to the following conditions: (1) approval of the transfer by the Authority; (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 Authority to be appropriate to effectuate the transfer; and be it further

RESOLVED, That the Board approves the transfer of the 70 kW RNY Hydropower allocation awarded to Giovanni Food Company, Inc., for use at its facility in Syracuse, NY to its facility in Baldwinsville, NY as described in the Attached Memorandum, subject to the following conditions: (1) approval of the transfer by the Authority; (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 Authority to be appropriate to effectuate the transfer; and be it further

RESOLVED, That the Board approves the transfer of the (i) the 50 kW RNY Hydropower allocation awarded to Jiffy-tite Company, Inc. for use at its facility in Lancaster, NY, and (ii) 140 kW RNY Power allocation awarded to Jiffy-tite Company, Inc. for use at its facility in Baldwinsville, NY, to Oetiker Group (or the appropriate corporate affiliate thereof, as determined by the New York Power Authority) for use at the same facilities in Lancaster and Baldwinsville, NY, respectively, as described in the attached Memorandum, subject to the following conditions: (1) approval of the transfers by the Authority; (2) there be no material reductions in the base employment levels or capital investment commitments due to the transfers as provided for above; and (3) the transfers are addressed in contract documents containing such terms and conditions determined by the Authority to be appropriate to effectuate each transfer; and be it further

RESOLVED, That the Board approves the transfer of the 90 kW RNY Hydropower allocation awarded to Town Sports International, LLC for use at its facility in Elmsford, NY to Elmsford Elite Laundry, LLC, for use at the same facility, as described in the attached Memorandum, subject to the following conditions: (1) approval of the transfer by the Authority; (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 Authority to be appropriate to effectuate the transfer.

6. **Resolution - Robert Catell**

Whereas, Robert B. Catell has served as a member of the New York State Economic Development Power Allocation Board since 2010, helping to enhance the business landscape by directing low-cost power aimed at job retention, job creation and economic development efforts across New York State; and

Whereas, as a lifelong New Yorker, Mr. Catell has spent nearly 60 years as a respected, dedicated and nationally recognized figure in the energy industry, from serving as chairman and chief executive officer of KeySpan Corporation and KeySpan Energy Delivery, chairman of National Grid, U.S., and on multiple boards, advisory groups and business organizations on Long Island, in New York City and across the state; and

Whereas, Mr. Catell's strong work ethic and leadership brought about change decades ago to convince environmentalists and businesses to work together in promoting a cleaner environment, especially in spreading the word on natural gas as a primary fuel; and

Whereas, Mr. Catell was directly involved in approving more than 860 allocations of low-cost power to close to 780 customers under the ReCharge New York program, tied to the creation and retention of more than 366,000 jobs, and a capital investment commitment of \$31.8 billion in New York State; and

Whereas, Mr. Catell is stepping down after seven years of service on the New York State Economic Development Power Allocation Board; and

Now Therefore Be It Resolved, that the members of the Economic Development Power Allocations Board and New York Power Authority Board of Trustees convey their deepest thanks and appreciation to Robert B. Catell for his years of dedicated service and that we wish him the best as he moves forward to future endeavors.

Member Catell said that the Authority is a place where he felt that he has been able to do some good. The Program works; it is meaningful to economic development and

helps a lot of organizations. He ended by saying that it has been a pleasure for him to work with members of the Board and Authority staff.

Upon motion made by Acting Chair Nicandri and seconded by Member George Maziarz, the following resolution was unanimously approved by the Board.

Other Business

No other business to report.

7. **Next Meeting**

Acting Chair Nicandri said that the next meeting of the Board is scheduled to be held on Monday, January 29, 2018 at 10:00 a.m.

Closing

Upon motion made by Member George Maziarz and seconded by Member Robert Catell, the meeting was adjourned by Acting Chair Nicandri at approximately 11:45 a.m.