

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

Case 03-E-0188 - Proceeding on Motion of the Commission  
Regarding a Retail Renewable Portfolio  
Standard.

RULING CONCERNING PROCEDURE AND SCHEDULE

(Issued February 20, 2003)

Eleanor Stein, Administrative Law Judge:

On February 19, 2003, the Commission instituted this proceeding to develop and implement a renewable portfolio standard for electric energy retailed in New York State to address an increasing concern with climate effects of and over-dependence on fossil-fired generation. The Commission's stated expectation is that the proceeding should commence with a facilitated, collaborative process engaging the broad range of interests involved. It also expects this case to proceed expeditiously. In the instituting order, the Commission directed the Office of Hearings and Alternative Dispute Resolution to establish a suitable procedure and schedule to accomplish these goals.

This ruling will commence the process of establishing procedures and a schedule for the opening stages of this proceeding, culminating in the preparation of a draft policy statement and development of a draft generic environmental impact statement pursuant to 16 NYCRR Part 7, both to be issued for comment prior to adoption of a final policy statement and a final generic environmental impact statement.

Procedural Conference

An on-the-record procedural conference will be held in this proceeding on Tuesday, March 4, 2003, commencing at 10:30 a.m. at the Commission's Albany offices, Three Empire

State Plaza. Parties may enter appearances at this conference. The conference will be limited to discussion of procedural matters, including developing a framework and a method for the collaborative work on the issues presented.

Interested persons are encouraged to request active party status as early as possible, by sending an email indicating your interest in participating, with complete contact information, including email, to Laurie Gibbs (laurie\_gibbs@dps.state.ny.us or 518-486-2802). An active party list will be compiled and posted on the Commission's web site (www.dps.state.ny.us). In addition, a working email list will be compiled and maintained.

#### Comments

Parties will be afforded an immediate opportunity for general initial and reply comments. These comments should concern the overall policy and legal issues implicated in this proceeding, rather than detailed engineering, financial, or cost concerns. The purposes of this initial round of comments are to discern the principal interests of the parties, to determine the scope of the policy considerations and environmental impact review, and to begin to identify common ground to serve as a basis for collaborative meetings to be held April 7 and 8, 2003.

The Commission listed threshold issues for comment. While this list is by no means exhaustive, and parties may comment on other matters of concern to them, they are encouraged to address the listed issues in this first comment cycle.

#### Schedule

The opening steps in this proceeding will entail identification of legal, policy, and factual issues, and facilitation of discussions among parties to seek out

opportunities for negotiated outcomes. Following is the working schedule encompassing these steps, culminating with my status report as required by the instituting order.

March 4	Procedural Conference
March 21	Initial Comments filed
March 28	Reply Comments filed
April 7-8	Collaborative meetings
May 2	Administrative Law Judge's status report to Chairman

(SIGNED)

ELEANOR STEIN