

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held in the City of  
Albany on April 8, 2004

COMMISSIONERS PRESENT:

William M. Flynn, Chairman  
Thomas J. Dunleavy  
Leonard A. Weiss  
Neal N. Galvin

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

ORDER CONCERNING  
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

(Issued and Effective April 8, 2004)

BY THE COMMISSION:

On February 19, 2003, the Commission instituted a proceeding to formulate a policy statement on retail Renewable Portfolio Standards (RPS) in New York State and to establish implementation measures of the policy.

On March 18, 2003, the Commission considered an environmental assessment (EA) prepared by its staff and concluded that the EA demonstrated that the proceeding to consider an RPS in Case 03-E-0188, may have a significant affect on the environment. The action involves changes in policy, practices and economic arrangements affecting the choice and development of new sources of electric generation. The Commission determined that preparation of a broad-based Generic Environmental Impact Statement (GEIS) would be more appropriate than a site-specific EIS because the proposed action by itself would not involve any activities that will cause a direct effect on the environment at any specific location. Instead, the

action would likely create circumstances that subsequently induce activities that may affect the environment.

Notice of the Commission's Declaration of Lead Agency Determination to prepare a GEIS was issued on March 18, 2003 and published in the NYS Environmental Notice Bulletin (ENB) on April 2, 2003.<sup>1</sup>

At this time, the Commission deems the draft GEIS complete and directs the Secretary to issue it for comment by the parties and the public. The Secretary shall also cause publication of a Notice of Completion of the draft GEIS and commencement of the public comment period in the ENB. The comment period will be no less than 30 days after the notice is published in the ENB.

The Commission orders:

1. A Notice of Completion of Draft Generic Environmental Impact Statement in this proceeding shall be issued by the Secretary and filed for publication in the Environmental Notice Bulletin in accordance with the requirements of 6 NYCRR Part 617.

2. This proceeding is continued.

By the Commission,

(SIGNED)

JACLYN A. BRILLING  
Secretary

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<sup>1</sup> Case 03-E-0188 - Proceeding on Motion of the Commission Regarding a Retail Renewable Portfolio Standard, Notice of Determination of Significance.