

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held in the City of  
New York on February 23, 2016

COMMISSIONERS PRESENT:

Audrey Zibelman, Chair  
Patricia L. Acampora  
Gregg C. Sayre  
Diane X. Burman, concurring

CASE 15-E-0302 - Proceeding on Motion of the Commission to  
Implement a Large-Scale Renewable Program and a  
Clean Energy Standard.

CASE 14-M-0101 - Proceeding on Motion of the Commission in  
Regard to Reforming the Energy Vision.

CASE 14-M-0094 - Proceeding on Motion of the Commission to  
Consider a Clean Energy Fund.

CASE 13-M-0412 - Petition of New York State Energy Research and  
Development Authority to Provide Initial  
Capitalization for the New York Green Bank.

CASE 10-M-0457 - In the Matter of the System Benefits Charge IV.

CASE 07-M-0548 - Proceeding on Motion of the Commission  
Regarding an Energy Efficiency Portfolio  
Standard.

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

RESOLUTION ACCEPTING DRAFT GENERIC SUPPLEMENTAL  
ENVIRONMENTAL IMPACT STATEMENT AS COMPLETE

(Issued and Effective February 24, 2016)

BY THE COMMISSION:

On April 25, 2014, the Commission instituted a  
proceeding to align electric utility practices and the regulatory

paradigm with technological advances in information management and power generation and distribution, a policy initiative referred to as the "Reforming the Energy Vision" or REV program. Likewise, on May 8, 2014, the Commission instituted a related proceeding to consider the establishment of a "Clean Energy Fund." These proceedings are examining issues that are highly interrelated and that will affect the State's pre-existing suite of clean energy programs, including the NY-Sun Initiative, the New York Green Bank, the Energy Efficiency Portfolio Standard (EEPS), the Renewable Portfolio Standard (RPS) and the Technology and Market Development (T&MD) program. In compliance with the State Environmental Quality Review Act (SEQRA), the Commission prepared a Generic Environmental Impact Statement analyzing the probable environmental impacts related to the potential actions under consideration in the REV and Clean Energy Fund proceedings and their effect on the other interrelated clean energy programs.<sup>1</sup> In its February 26, 2015 Order in the Reforming the Energy Vision (REV) Proceeding, the Commission instituted a REV large-scale renewable (LSR) track.<sup>2</sup> On June 1, 2015, a new proceeding was established to receive all filings related to the large-scale renewable track.<sup>3</sup> On January 21, 2016, the Commission expanded its ongoing review of its renewable energy programs to include consideration of implementing a new Clean Energy Standard mandating that 50 percent of all electricity

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<sup>1</sup> Cases 14-M-0101 et al., Reforming the Energy Vision, Resolution Accepting Final Generic Environmental Impact Statement as Complete (issued February 6, 2015).

<sup>2</sup> Case 14-M-0101, Supra, Order Adopting Regulatory Policy Framework and Implementation Plan (issued February 16, 2015), at p. 83.

<sup>3</sup> Case 15-E-0302, Large-Scale Renewable Program, Notice Instituting Proceeding, Soliciting Comments and Providing for Technical Conference (issued June 1, 2015).

consumed in New York by 2030 be supplied by renewable resources, and the establishment of a support mechanism under the Clean Energy Standard to sustain the operations of eligible nuclear facilities, as major sources of emissions-free power, separate from the renewable energy goal.<sup>4</sup>

The Generic Environmental Impact Statement (GEIS) accepted by the Commission as complete on February 6, 2015 did not evaluate the potential environmental impacts of the scope of actions necessary to achieve the new Clean Energy Standard goals as well as the new support mechanism to sustain the operations of eligible nuclear facilities. The proposed supplemental actions by the Commission involve the design and implementation of programs to: (a) achieve a goal that 50 percent of all electric energy consumed in New York by 2030 be supplied by renewable resources; (b) support the construction of new electric generating facilities in New York State utilizing renewable resources; (c) prevent premature closure of certain nuclear energy electric generating facilities; and (d) promote the progress of REV market objectives. Accordingly, a Draft Generic Supplemental Environmental Impact Statement (Draft GSEIS) has been prepared in order to supplement the GEIS by analyzing potential environmental impacts associated with the new Clean Energy Standard goals and the new support mechanism to sustain the operations of eligible nuclear facilities, as well as the interplay between these new programs and the actions that were previously evaluated in the GEIS.

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<sup>4</sup> Case 15-E-0302, Large-Scale Renewable Program and a Clean Energy Standard, Order Expanding Scope of Proceeding and Seeking Comments (issued January 21, 2016).

The Commission resolves:

1. The Draft Generic Supplemental Environmental Impact Statement (Draft GSEIS) prepared in connection with proposed actions by the Commission regarding establishing a Clean Energy Standard (CES), and including establishing within the CES a support mechanism to sustain the operations of nuclear energy electric generating facilities as major sources of emissions-free electricity, is accepted as complete.

2. Written comments on the Draft GSEIS will be accepted if received at the Commission's Albany office on or before the close of business on Friday, April 1, 2016.

3. A Notice of Completion of Draft Generic Supplemental Environmental Impact Statement, including the deadline for public comments, shall be issued and filed by the Secretary in the accordance with the requirements of the SEQRA regulations at 6 NYCRR Part 617 and in substantial conformance with the Appendix attached hereto.

4. In the Secretary's sole discretion, the deadlines set forth in this order may be extended. Any request for an extension must be in writing, must include a justification for the extension, and must be filed at least one day prior to the affected deadline.

5. These proceedings are continued.

By the Commission,

KATHLEEN H. BURGESS  
Secretary

STATE OF NEW YORK  
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NOTICE OF COMPLETION OF DRAFT GENERIC  
SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

(Issued                    )

NOTICE is hereby given that the New York State Public Service Commission (Commission), as lead agency, has completed and accepted a Draft Generic Supplemental Environmental Impact Statement (Draft GSEIS) in connection with proposed actions by the Commission regarding establishing a Clean Energy Standard (CES), and including establishing within the CES a support mechanism to sustain the operations of nuclear energy electric generating facilities as major sources of emissions-free electricity. The address of the lead agency is Three Empire State Plaza, Albany, NY 12223-1350. The Draft GSEIS has been prepared in accordance with Article 8 of the Environmental

Conservation Law [State Environmental Quality Review Act (SEQRA)]. The proposed actions are "unlisted actions" as classified pursuant to SEQRA and would be located throughout the geographic area of the State of New York.

Copies of the Draft GSEIS are available to the public at the Commission's Albany office at Three Empire State Plaza, Albany, NY 12223-1350 (Central Files, 14th Floor) and at the Commission's New York City Office at 90 Church Street, New York, NY 10007-2919 (Central Files, 4th Floor). An electronic copy of the Draft GSEIS is also available on the Commission's website at <http://www.dps.state.ny>. For additional information contact Christina Palmero, New York State Department of Public Service, Three Empire State Plaza, Albany, New York 12223-1350 at (518)474-1612.

The proposed actions by the Commission supplement other actions already being considered to align electric utility practices and the regulatory paradigm with technological advances in information management and power generation and distribution, a policy initiative referred to as the "Reforming the Energy Vision" or REV program, and the institution of a Clean Energy Fund program. The proposed supplemental actions by the Commission involve the design and implementation of programs to:

- (a) achieve a goal that 50 percent of all electric energy consumed in New York by 2030 be supplied by renewable resources;
- (b) support the construction of new electric generating facilities in New York State utilizing renewable resources;
- (c) prevent premature closure of certain nuclear energy electric generating facilities; and
- (d) promote the progress of REV market objectives.

The Draft Generic Supplemental Environmental Impact Statement has been prepared in order to analyze potential environmental impacts associated with establishing a Clean Energy

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Standard (CES), and including establishing within the CES a support mechanism to sustain the operations of nuclear energy electric generating facilities as major sources of emissions-free electricity.

Written comments on the Draft GSEIS will be accepted if received at the Commission's Albany office on or before the close of business on Friday, April 1, 2016. Comments may be submitted by e-filing through the Department's Document Matter and Management System (DMM)<sup>1</sup> or by e-mail to the Secretary at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov). Those unable to submit their comments electronically may mail or deliver their comments to Honorable Kathleen H. Burgess, Secretary, New York State Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350. All comments submitted to the Secretary will be posted on the Commission's website and become part of the official case record.

(SIGNED)

KATHLEEN H. BURGESS  
Secretary

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<sup>1</sup> How to register with DMM, <http://www.dps.ny.gov/e-file/registration.html>

Commissioner Diane X. Burman, concurring:

As reflected in my comments at the February 23, 2016 session, I concur on this item only to the extent that I approve the release of the draft SEIS for public comment and wholly without prejudice to any future substantive issue set forth in the draft SEIS document that will be presented in the future to the Commission including approval and adoption of the final SEIS and any regulatory action that the Commission may be called upon to render on the clean energy standard.