

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held in the City of  
Albany on October 23, 2014

COMMISSIONERS PRESENT:

Audrey Zibelman, Chair  
Patricia L. Acampora  
Garry A. Brown  
Gregg C. Sayre  
Diane X. Burman

- 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  
ENVIRONMENTAL IMPACT STATEMENT AS COMPLETE

(Issued and Effective October 24, 2014)

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 process  
cumulatively referred to as the "Reforming the Energy Vision" or

REV program. Likewise, on May 8, 2014, the Commission instituted a related proceeding to consider establishment of a "Clean Energy Fund". These proceedings are examining issues that are highly interrelated and that will affect the State's 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.

The proposed actions by the Commission regarding Reforming the Energy Vision and establishing a Clean Energy Fund involve: (a) increased penetration of distributed energy generation technologies including solar, wind, fuel cells, hydroelectric, and various combustion technologies (including natural gas) to address peak load demand on New York's electric system assisted by Distributed System Platform Providers; (b) increased customer participation and penetration of energy efficiency technologies and demand management measures to address peak load demand on New York's electric system; (c) modifications in the current regulatory, tariff, and market design and incentive structures to best promote the goals and objectives of Reforming the Energy Vision and establishing a Clean Energy Fund; (d) ensuring continuity of the State's clean energy programs in a manner that complements the existing suite of clean energy programs, including NY-Sun Initiative, New York Green Bank, Energy Efficiency Portfolio Standard (EEPS), Renewable Portfolio Standard (RPS) and Technology and Market Development (T&MD); (e) providing flexibility to allocate funds among a portfolio of clean energy programs in response to evolving circumstances; (f) fostering a more rapid, significant, and sustainable increase in the adoption of clean energy services and technologies; (g) enhancing program efficiency and leverage; (h) providing access to clean energy for low-income

customers that may not otherwise benefit from the new markets that develop; and (i) managing the transition from ratepayer surcharges to more sustainable market-based clean energy activities.

The proposed actions are "unlisted actions" as classified pursuant to Article 8 of the Environmental Conservation Law [State Environmental Quality Review Act (SEQRA)] and would be located throughout the geographic area of the State of New York. The Commission is the "lead agency" for the purposes of environmental impact review pursuant to SEQRA and has previously determined that the proposed actions may have an adverse impact on the environment such that an environmental impact statement should be prepared before completing the environmental impact review.<sup>1</sup>

The preparation of a broad-based generic Environmental Impact Statement (EIS) is more appropriate than a site-specific EIS because the proposed actions by themselves would not cause a direct impact on the environment at any specific location. The Commission has caused a draft generic EIS to be prepared in order to analyze potential environmental impacts associated with Reforming the Energy Vision and establishing a Clean Energy Fund. After reviewing and considering the draft generic EIS, the Commission concludes that it is acceptable and complete and will direct the Secretary to issue it for public comment. A Notice of Completion of Draft Generic Environmental Impact Statement, including the deadline for public comments, shall be issued and filed by the Secretary in the accordance with the requirements of 6 NYCRR Part 617 including publication in the Environmental Notice Bulletin (ENB).

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<sup>1</sup> Case 14-M-0101, Reforming the Energy Vision, Notice of Determination of Significance (issued April 25, 2014); Case 14-M-0094, Clean Energy Fund, Notice of Determination of Significance (issued May 8, 2014).

The Commission resolves:

1. The Draft Generic Environmental Impact Statement (Draft GEIS) prepared in connection with proposed actions by the Commission regarding Reforming the Energy Vision and establishing a Clean Energy Fund is accepted as complete.

2. Written comments on the Draft GEIS will be accepted if received at the Commission's Albany office on or before the close of business on Friday, December 5, 2014.

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

4. The Secretary in her sole discretion may extend the deadlines set forth in this resolution. 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. This proceeding is continued.

By the Commission,

KATHLEEN H. BURGESS  
Secretary

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NOTICE OF COMPLETION OF  
DRAFT GENERIC 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 Environmental Impact Statement (Draft GEIS) in connection with proposed actions by the Commission regarding Reforming the Energy Vision and establishing a Clean Energy Fund. The address of the lead agency is Three Empire State Plaza, Albany, NY 12223-1350. The Draft GEIS 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.

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Copies of the Draft GEIS 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 GEIS is also available on the Commission's website at <http://www.dps.state.ny>. For additional information contact James Austin, New York State Department of Public Service, Three Empire State Plaza, Albany, New York 12223-1350 at (518)486-2464.

The proposed actions by the Commission regarding Reforming the Energy Vision and establishing a Clean Energy Fund involve: (a) increased penetration of distributed energy generation technologies including solar, wind, fuel cells, hydroelectric, and various combustion technologies (including natural gas) to address peak load demand on New York's electric system assisted by Distributed System Platform Providers; (b) increased customer participation and penetration of energy efficiency technologies and demand management measures to address peak load demand on New York's electric system; (c) modifications in the current regulatory, tariff, and market design and incentive structures to best promote the goals and objectives of Reforming the Energy Vision and establishing a Clean Energy Fund; (d) ensuring continuity of the State's clean energy programs in a manner that complements the existing suite of clean energy programs, including NY-Sun Initiative, New York Green Bank, Energy Efficiency Portfolio Standard (EEPS), Renewable Portfolio Standard (RPS) and Technology and Market Development (T&MD); (e) providing flexibility to allocate funds among a portfolio of clean energy programs in response to evolving circumstances; (f) fostering a more rapid, significant, and sustainable increase in the adoption of clean energy

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services and technologies; (g) enhancing program efficiency and leverage; (h) providing access to clean energy for low-income customers that may not otherwise benefit from the new markets that develop; and (i) managing the transition from ratepayer surcharges to more sustainable market-based clean energy activities. The Draft Generic Environmental Impact Statement has been prepared in order to analyze potential environmental impacts associated with Reforming the Energy Vision and establishing a Clean Energy Fund.

Written comments on the Draft GEIS will be accepted if received at the Commission's Albany office on or before the close of business on Friday, December 5, 2014. Comments may be submitted by e-filing through the Department's Document Matter and Management System (DMM)<sup>2</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>2</sup> How to register with DMM,  
<http://www.dps.ny.gov/e-file/registration.html>