

1 STATE OF NEW YORK
2 PUBLIC SERVICE COMMISSION

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4 Case 03-E-0188 - Proceeding on Motion of the
5 Commission Regarding a Retail Renewable Portfolio
6 Standard.
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7 Straw Proposal Meeting
8 3 Empire State Plaza
9 19th Floor
10 Albany, New York

11 Friday, January 15, 2010
12 10:30 a.m.
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1 MR. PARELLA: I am Joseph Parella from the
2 Department of Public Service. I would like to welcome
3 you all here today. Thank you for coming, taking time
4 out of your busy schedules to help us put together a
5 proposal on this geographic balancing issue.

6 Just a couple of logistical matters. There
7 is a sign in sheet going around. Please sign your names
8 to the sheet, please. And as we go through the day, and
9 you want to make a presentation or offer up any
10 comments, if you could please introduce yourself and
11 your organization.

12 We have a court reporter here today and she
13 is going to put together a transcript for us, and it
14 would help her greatly if you introduce yourself and the
15 organization you are with, and if you could do that
16 every time you speak up that would be great.

17 The one other piece of information I need
18 from you is: Other than Con Edison, are there any other
19 groups or individuals who will be making a presentation
20 in addition to the Department of Public Service
21 presentation? So, just the DPS and Con Ed, then. Okay,
22 very good.

23 I just want to give you a little bit of a
24 summary of why we are here today, and then we can go

1 around the room and do introductions. In its recent
2 order, which I think was out on January 8th or 9th, the
3 Commission addressed the geographic balancing issue
4 which has come up in response to SAPA notices, and at
5 the technical conference that the Commission held in
6 October.

7 And what the Commission said was that
8 parties who are concerned about this issue raised some
9 valid points, and that staff should put together a
10 proposal that deals with this issue for ISO zones G, H,
11 I and J.

12 The Commission gave staff three months to
13 report back on this matter, and suggested that a budget
14 of up to, and that's an important phrase here, up to \$30
15 million annually was an important consideration in
16 addressing this matter.

17 The Commission said for planning purposes
18 that it would like to focus whatever proposal staff
19 finally recommends on three technologies: Larger scale
20 PV, anaerobic digesters, and fuel cells.

21 The Commission also said that it would
22 likely base its decision on this geographic balancing
23 matter in concert with its decision on the customer
24 sited tier, which will be taken up at the same time at

1 either the March or later session.

2 Finally, the Commission said that when it
3 looks at the geographic balancing proposal that staff
4 develops, and the customer sited tier proposal, that it
5 hopes that whatever plan staff proposes optimizes the
6 expenditure and deployment of these resources.

7 So, are there any questions before we start
8 on what the Commission had to say in its January order?

9 MS. MILETICH: The way that you are speaking
10 about this, and I'm just trying to recall what the order
11 actually said, the geographic balancing proposal, that
12 is related to the customer sited tier and those
13 activities?

14 MR. PARELLA: The Commission would like to
15 link consideration of both when it addresses the matter
16 in March or April, and they are definitely related,
17 because the three technologies the Commission wants to
18 focus on for planning purposes are also in the customer
19 sited tier.

20 MS. MILETICH: And they are not in any way
21 related to the main tier.

22 MR. PARELLA: PV, for instance, is an
23 eligible technology in the main tier.

24 MS. MILETICH: So, the geographic proposal

1 could potentially apply to that as well?

2 MR. PARELLA: The Commission wanted to focus
3 on -- well, the Commission did say it was interested in
4 larger PV installations as part of this initiative.
5 Now, how large they would be, I am not sure.

6 Let's go around the room first before we
7 start asking more questions again.

8 I'm Joseph Parella from the Department of
9 Public Service.

10 MS. PALMERO: I'm Tina Palmero from the
11 Department of Public Service.

12 MS. MILETICH: Radmila Miletich with IPPNY,
13 Independent Power Producers of New York.

14 MS. JOHNSON: David Johnson, from the law
15 firm of Read & Laniado, for Independent Power Producers
16 of New York.

17 MR. DANIELS: Tim Daniels, Constellation
18 Energy.

19 MR. TIERNEY: Good morning. Bob Tierney,
20 UTC Power. Manufacture fuel cells.

21 MR. KAMEN: Good morning. Ron Kamen, Earth
22 Kind Solar and New York Solar Energy Industries
23 Association.

24 MR. ZALCMAN: Fred Zalcman, Sun Edison.

1 MR. SOBOLEWSKI: Terry Sobolewski, Sun
2 Power.

3 MS. ADAMS: Heather Adams, Central Hudson
4 Gas and Electric.

5 MR. CAMPAGIORNI: Anthony Campagiorni,
6 Central Hudson Gas and Electric.

7 MS. QUIN: Jane Quin, Orange & Rockland
8 Utilities.

9 MS. NELSON: Denise Nelson, Con Edison.

10 MR. GALLAGHER: Jim Gallagher, City of New
11 York.

12 MR. HAMMOND: I'm Steve Hammond.

13 MR. CORNEAU: Keith Corneau, Empire State
14 Development.

15 MR. MORRIS: Jackson Morris, Pace Energy and
16 Climate Center.

17 MR. SARCO: Peter Sarco, NYSERDA.

18 MR. LEVY: Dana Levy, NYSERDA. My group
19 runs the customer sited tier.

20 MR. NACHMIAS: Stuart Nachmias, Con Edison
21 and O&R.

22 MR. RAVID: Christopher Ravid, Con Edison
23 and O&R.

24 MR. BARWIG: Floyd Barwig, Department of

1 Public Service.

2 MR. MYERS: Warren Myers, staff.

3 MR. RIENZO: Tom Rienzo, staff.

4 MR. STEWART: John Stewart, DPS.

5 MR. FRANCIS: Frank Francis, Brookfield.

6 MR. BARONE: Tom Barone, NYSERDA.

7 MS. STRAUSS: Valerie Strauss, Alliance.

8 MR. REIS: Jim Reis from NYSERDA.

9 MR. COLGROVE: Mike Colgrove from NYSERDA

10 New York City.

11 MS. ANDREWS: Sue Andrews, NYSERDA.

12 MR. JEFF DANIELS: Jeff Daniels, Con Edison.

13 MR. ROSE: James Rose, Network for New

14 Energy Choices.

15 MS. JOSEPH: Janet Joseph, NYSERDA.

16 MR. PLUMMETT: Neal Plummatt, Plummatt and

17 Associates.

18 MR. WIGER: Scott Wiger, Plummatt and

19 Associates.

20 MR. HOFFSTATTER: Lloyd Hoffstatter.

21 MR. PETERSON: Jeff Peterson, NYSERDA.

22 MR. POWERS: Paul Powers, Empire Advocates.

23 MR. IRISH: Jeff Irish, Hudson Valley Clean

24 Energy.

1 MR. LARSEN: Scott Larsen, NYSERDA.

2 MR. PARELLA: Continue with the questions.

3 MS. MILETICH: Well, I was just trying to
4 understand what the exact scope of the proposal is and
5 whether or not it would affect any activities in the
6 main tier, to the extent that there may be utilities.

7 MR. PARELLA: I think there was an interest
8 from the Commissioners to focus on the technologies that
9 they enumerated, and they are mostly associated with the
10 customer sited tier; however, we are here to get input
11 from everyone.

12 I didn't read in the order that there was a
13 prohibition to include technologies that might be more
14 appropriate for the main tier, but I think there is --
15 but we will see how the day goes and what people have to
16 suggest, but I didn't see a prohibition in the order.

17 MR. GALLAGHER: I was going to say that I
18 agree with your interpretation. I mean the way I read
19 the order is that for the purpose of this meeting it's
20 neither main tier nor customer tier. It's just design
21 an appropriate program.

22 I think some of the issues that we discuss,
23 are we talking about behind the meter? Are we talking
24 about putting power directly into the grid? And a lot

1 of the nuances are going to dictate where this program
2 ends up.

3 I think for the purpose of today we should
4 probably put aside whether it's main tier or customer
5 sited tier.

6 MS. MILETICH: So, on this point we are
7 talking about overall utility involvement in that
8 potential period no matter what section of the RPS.

9 Is that what you're saying?

10 MR. PARELLA: I think we are trying to
11 develop a geographic balancing proposal that satisfies
12 the Commissioners' concerns.

13 MS. PALMERO: Just more specific to your
14 point, Rad, under the notes of the straw proposal it
15 talks about utility and non-utility entities being
16 eligible to participate in the solicitation for the
17 straw proposal anyway.

18 MS. MILETICH: That's why I am asking.

19 MR. PARELLA: Are there any other general
20 questions or concerns folks want to raise before Tina
21 goes through her presentation?

22 MS. PALMERO: I have some extra copies of
23 the staff proposal over on that table if you need one.
24 I don't want to go ahead and read through the whole

1 thing, but I will just touch upon the thinking of
2 putting this together as a straw.

3 As Joe articulated, the Commission asked
4 staff to consult with parties to develop a plan,
5 including a solicitation method, to address this
6 geographic balancing within zones G, H, I and J.

7 And in preparing the straw proposal that
8 staff put out on the RPS list serve, the RPS list serve,
9 we had some guiding principles that either came directly
10 out of the order, or things that we believed would help
11 in designing a program.

12 There are five of them listed. As Joe
13 stated, the program -- we would like to see the program
14 optimize the planning and budgeting and deployment of
15 all resources within the RPS program, so we don't have
16 duplicative efforts going forward.

17 We believe that the Commission was in its
18 order looking for larger installations. Again, the
19 customer sited tier has primarily focused on some of the
20 smaller eligible technologies directly. Obviously,
21 customer sited PV obviously has been mostly on the
22 residential side. So, again, looking for some of these
23 larger installations and we've noted in here above 50
24 kilowatt.

1 The other issue that was noted in the order
2 is that, for those fuel based technologies, there is a
3 strong interest to have those fuel based technologies
4 use a renewable fuel stock. The RPS order, the initial
5 RPS order has laid out what eligible biomass fuel stock
6 is. So, within those parameters we would like to see
7 renewable fuels used for anaerobic digesters and fuel
8 cells.

9 The Commission also pointed out that it was
10 interested in accounting for the knowledge and expertise
11 of the distribution companies within those zones, and
12 looking for places along the distribution system where
13 it would be an added value to put some renewable
14 resources along those systems for added support.

15 And so, in trying to come up with a very
16 sort of simple straw proposal, the six line straw
17 proposal, which is a competitive block installation,
18 It's very straightforward. Has the size over 50
19 kilowatt.

20 There would be a split in the budget. \$5
21 million would be for zones G and H. \$25 million would
22 be for zones I and J. And that was based on an historic
23 annual average of the energy use by those zones to come
24 up with that list. The selection criteria would

1 primarily be cost, levelized cost of energy per dollar
2 per kilowatt hour.

3 We were contemplating, and we put on the
4 table, this additional adder that would be established
5 for projects installed along the distribution system,
6 but utilities would have to identify where those
7 desirable locations are. Not necessarily an exact
8 point, but within a zone on a distribution system.

9 That would make it more fair and equitable
10 for all those who were bidding on or entering a bid in a
11 solicitation, to make sure that the information was out
12 there so it didn't give -- so it wouldn't be
13 disadvantageous for somebody that wasn't a utility.

14 In terms of payments, it would likely be a
15 combination of install capacity and performance payment.
16 How that split would be is open for discussion, as well
17 as how much the adder for projects installed along a
18 distribution system that would provide additional
19 distribution support, that's also open for discussion.

20 And so the notes along the -- on the bottom
21 of that sheet just talks about the things I have
22 discussed. Value added portion of the solicitations to
23 be identified up front. A panel would convene to go
24 over the solicitations and evaluate the proposals and

1 bids.

2 A couple of key things. These larger scale
3 projects are expected to be more cost effective on a
4 unit per incentive basis than the existing customer
5 sited tier.

6 Again, I know that program will not be
7 decided by the Commission until a future date, but for
8 those of you who have either participated or are
9 knowledgeable on the former customer sited tier program,
10 we would be looking to receive economies of scale. So,
11 the assumption would be that they would be more cost
12 effective than those in the customer sited tier,
13 formerly in the customer sited tier.

14 So, that's essentially it. Pretty brief.
15 Pretty straightforward. I know there's going to be a
16 lot of questions about it and some suggestions on how to
17 improve it. That's what we are looking for.

18 So, with that, we will just open it up for
19 discussion.

20 MR. FRANCIS: We agree with the concept of
21 geographic balance, however, to exclude certain
22 resources, certain eligible resources from the mix, we
23 think that is not an appropriate way to go.

24 And an example of the rationale behind that

1 is: We have developers who have invested millions of
2 dollars in controllable lines to help to alleviate the
3 congestion in New York City in zone J. And controllable
4 lines do have the ability to bring in renewable energy
5 into zone K.

6 We think that this should be opened up to
7 all eligible resources as long as they deliver into the
8 zones noted in the program, instead of just restricted
9 into the listed resources, anaerobic fuel cells. We
10 think it should be opened up to all eligible resources
11 as long as they deliver into those affected zones.

12 The way it is right now, we do have
13 renewable energy coming in from Canada into New York,
14 into NYSERDA program. It's pretty much essentially the
15 same thing. If you can bring renewable energy in from
16 PJM across the controllable line into zone K, I think
17 they should have the opportunity to participate. They
18 are serving the function of the RPS program the concept
19 of geographic balance is intended for.

20 So, that's our comment. We think it should
21 be opened up on the broader scale to all eligible
22 resources.

23 MS. PALMERO: Thank you.

24 MR. ZALCMAN: I have some comments on the

1 proposal, but maybe if I could just start by asking a
2 few questions of clarification.

3 MS. PALMERO: Sure.

4 MR. ZALCMAN: It talks about providing block
5 incentives on the base of levelized cost of energy. I
6 am assuming that the program is only funding the
7 required incentive, not the full install cost of the
8 system.

9 MS. PALMERO: That is correct.

10 MR. ZALCMAN: And the adder, would that
11 basically come out of this pot of money, or would that
12 be an additional revenue stream provided by the
13 utilities to offset otherwise required distribution
14 system costs?

15 MS. PALMERO: It would come out of this pot
16 of money. I guess we were envisioning it similarly to
17 the economic development adder like they have in the
18 main tier. There would be this additional adder.

19 What the weight would be, whether it would
20 be like the 70/30 that's in the main tier, or different
21 split, that's still to be determined, but that was the
22 initial thinking was it would definitely come out of
23 this block of money.

24 MR. ZALCMAN: Thanks.

1 MR. GALLAGHER: Just on that point, it seems
2 like some PV installations, which you are going to be
3 working during the summer when power is most expensive,
4 should earn a premium. I am not sure the incentive
5 alone from the RPS is going to be adequate.

6 It would be nice to find a way to, just like
7 with the main tier, they could get paid locational base
8 marginal prices for the value of the power.

9 So, I think that should be an option that's
10 open at least to further discussion.

11 MR. TIMOTHY DANIELS: We would be opposed to
12 allowing utilities to bid into the program. New York
13 has had a long standing policy, about ten years now,
14 discouraging utilities to own generation. A lot of
15 reasons behind that.

16 Some may see this as sort of a small -- this
17 isn't a large resource, we're not talking about a 500
18 megawatt plant, but I think a lot of the same principles
19 apply.

20 What I would say, as right now putting on my
21 developer hat, there is a very good argument that it's
22 almost impossible to set up a level playing field in
23 terms of bidding. The utility is almost always going to
24 have some kind of advantage in the way the bidding

1 structure is set up. And allowing utilities to bid into
2 these programs is going to discourage other developers
3 to participate.

4 And I want to point to the example. I mean,
5 obviously the Commission wants to make sure this program
6 is coordinated with the needs of the distribution
7 system. Obviously the utility needs to be directly
8 involved with that.

9 But there is a fairly long history in Con
10 Edison territory of programs being developed that
11 utilize non-utility development, development dollars,
12 and yet support the system. There's targeted DSM
13 program which has been operating for several years, been
14 quite successful, and the targeted demand response
15 program I guess two or three years operating now.

16 So, there are ways of structuring this that
17 allow private sector development and leverage that with
18 the utility's knowledge to make sure that you optimize
19 the benefit to ratepayers in terms of distribution
20 system support.

21 MS. PALMERO: I understand that and
22 appreciate that comment, but the thinking was there are
23 utility-owned facilities that perhaps some of these
24 eligible technologies could be placed on, and so that

1 was the thinking.

2 And in terms of them having this advantage
3 over non-utilities, if it's because they could
4 potentially have influence over the whole
5 interconnection into their system, I am not sure where
6 else.

7 MR. TIMOTHY DANIELS: I think it's -- I
8 would point out two things.

9 One would be information that's available.
10 A lot of programs -- and I am generalizing. I am
11 thinking of other states where this has been attempted.
12 Sometimes a utility has information that's proprietary,
13 it can't be shared with developers, and it gives them an
14 advantage in the bidding.

15 The other place is if the Commission does go
16 in this direction, a lot of thought would have to be
17 given to the cost allocation and the risk management,
18 because we have seen in other states when these programs
19 are developed there's supposed to be a level playing
20 field.

21 You will see when you start digging down
22 that the risk allocation in some way -- for example, if
23 this is structured, if there is any risk that is passed
24 through the delivery portion of the bill, you have a

1 cost risk. That immediately creates an unlevel playing
2 field.

3 So, this would have to be set up so the
4 utility has all the same risk a non-utility has.

5 MS. PALMERO: That's what we would hope to
6 set up, a very even playing field.

7 And in terms of them having additional
8 knowledge about their distribution system, the intent
9 was for the utilities up front to come in and publicly
10 state these distribution systems, or within these areas,
11 these would be good sections to provide additional
12 distribution support.

13 So, those would be like the adders within
14 the solicitation. If you can place a project within
15 these certain areas, this would give you this additional
16 adder. And everyone would know what those locations
17 are. The utility couldn't come in and say, well, this
18 is going to provide distribution support and somebody
19 else didn't know about that location. It would all be
20 upfront.

21 But I can appreciate the things you are
22 saying with maybe some other knowledge, but we would
23 hope to try to flush all those out.

24 MR. TIERNEY: I have got a question,

1 actually a couple of questions, on guiding principle
2 number three, and I am sure some follow on questions
3 once I hear the answers.

4 Can you tell me a little bit about the logic
5 of creating that principle in terms of limiting
6 renewable feedstock and how you envision the production
7 incentive payments. From reading that it sounds like
8 there would still be eligible -- natural gas system
9 would be eligible for some sort of an up front payment,
10 but progress payments or production of the energy would
11 be not allowed to have a payment, if I read between the
12 lines.

13 MS. PALMERO: I will try to explain what the
14 thinking is here.

15 We see that there is a lot of untapped
16 methane in these zones, especially down in New York City
17 where we have got some of these waste water treatment
18 facilities. I know a lot of those are NYPA customers so
19 they wouldn't necessarily be eligible unless there is a
20 way you could get a customer associated with that.

21 So, the feeling was if you could put a fuel
22 cell in a location that could utilize some of this
23 methane gas, recognizing that there might be some
24 instances where you would have to use natural gas to

1 supplement, but the actual payment would only be based
2 on the portion of the renewable fuel that is being used.

3 So, you could use both natural gas and the
4 renewable feedstock, but you would only get paid for the
5 renewable fuel that you are using under this program.

6 So, it's a good question with the actual up
7 front capacity payment, how that would be structured,
8 because if you were mostly going to be using natural
9 gas, and maybe just a small percentage of a renewable
10 fuel, I guess we would have to think about that a little
11 bit more, how much would be an up front payment as
12 opposed to a production payment, but that was the
13 thinking.

14 MR. TIERNEY: Thank you. Just a couple of
15 follow on questions if I may.

16 Waste water treatment plants clearly are a
17 source of methane. Beyond that, I'm not a hundred
18 percent sure where that would be in the city
19 environment. And, you are right, a lot of the waste
20 water treatment plants are owned by NYPA. We have eight
21 or nine fuel cells that are already supporting those.
22 We'll have to scratch our heads a little bit and figure
23 out where else that might be.

24 I guess one other question in regards to the

1 bio fuel, would it need to be directly fed into the fuel
2 cell? California has just passed an allowance for what
3 they are identifying as directed bio fuel.

4 What that means is somebody may find an
5 opportunity to clean up methane and work with the
6 utility to put it into the pipeline, but then you would
7 contract with them or that source for the methane, but
8 of course you wouldn't be getting the same molecules
9 that you would be putting into the system, and would you
10 envision some scenario like that qualifying for
11 incentives?

12 MS. PALMERO: I think we would be open to
13 that. I would have to think about -- we would have to
14 think about that a little bit more and delve into that.

15 MR. TIERNEY: It's like a gas REC
16 essentially.

17 I guess the last comment, obviously some of
18 the things driving renewable energy is the reduction of
19 greenhouse gases. And fuel cells, in and of themselves,
20 don't necessarily result -- fuel cells on natural gas
21 don't necessarily result in reduction of greenhouse
22 gases.

23 However, if they are used in combined heat
24 and power scenario, we have seen significant reductions

1 of greenhouse gases.

2 I would urge the Commission to look at
3 allowing natural gas and paying for capacity payments,
4 but maybe there is a certain threshold for heat use that
5 maybe puts it on a more equal footing with some of the
6 ultimate goals of the program.

7 Thank you.

8 MR. GALLAGHER: Just to follow up on this
9 NYPA point. And I think it's complicated somewhat and,
10 first of all, clarification. The waste treatment
11 facilities are owned by the city.

12 MS. PALMERO: Right, but they have NYPA
13 power, you are right.

14 MR. GALLAGHER: But the point I wanted to
15 make about NYPA customers -- and we have been talking
16 about potentially paying a premium to customers that are
17 installing PV or some other renewable at the point in
18 the distribution system that's providing distribution
19 system benefits.

20 And the point I want to make is NYPA
21 customers are also Con Ed delivery customers and they
22 pay Con Ed delivery rates. In fact, a recent Commission
23 order directed that NYPA customers pay for certain Con
24 Edison demand reduction programs.

1 So, the line gets blurred somewhat when we
2 are talking about the distribution system benefits.
3 Systems that are installed on NYPA customer facilities
4 in certain locations will provide local distribution
5 system benefits. So, I'm just making that point that
6 requires further attention.

7 MS. PALMERO: Thanks, Jim.

8 MS. ADAMS: We are just looking I guess for
9 more guidance and clarification in terms of announcing
10 opportunities where there are distribution benefits, how
11 are we going to quantify them, how often we need to
12 reevaluate them.

13 MS. PALMERO: Well, thinking of a
14 solicitation once a year. At some point prior to the
15 solicitation we would ask the utilities to come forth
16 with information on areas along their distribution
17 facilities.

18 Trying to -- I know in terms of the
19 confidentiality of this information, I don't think it
20 would be, but the utilities will come in saying either
21 along this system, between these two points, we could
22 use distribution support. And that would be made
23 available to all bidders within that solicitation.

24 So, if a project that bid into the

1 solicitation was within this area along the distribution
2 system, they would get this adder. So, to answer your
3 question: I think it would be a once a year if that's
4 how frequently we were going to provide the
5 solicitation.

6 And if a utility came in with a project that
7 was in an area that was advantageous for the
8 distribution system, but it wasn't on the filing that
9 they made prior to the solicitation, it wouldn't count
10 because it wasn't made available to all bidders.

11 Very basic, so, if you have any other
12 suggestions on how to count that distribution adder we
13 would be receptive to further input.

14 MR. NACHMIAS: I wanted to go back to a
15 question for the gentleman about the fuel cells. If it
16 were natural gas, for example, not a renewable fuel.

17 And I understand that if it were a CHP type
18 set up it would provide efficiencies but it wasn't clear
19 how that fits under the RPS or how it's different from
20 other DG technology other than that fuel cell that might
21 provide in a CHP context that same benefit.

22 MR. TIERNEY: That's a question for me?

23 Fuel cells on natural gas are qualified as
24 class one renewables in the State of New York, so they

1 are renewable power.

2 MS. PALMERO: He's referencing the fact that
3 they were in the customer sited tier of the -- the
4 former customer sited tier program in the RPS where fuel
5 cells on natural gas were eligible.

6 MR. PARELLA: I think we need to be clear
7 that I think our intent, our preference, Tina, is if
8 fuel cells are to be considered we would like to see
9 them fueled by a renewable fuel source.

10 MR. GALLAGHER: One option I would suggest
11 to you is open, for example, if you can get incremental
12 methane out of a waste treatment facility, inject it
13 into the system to offset natural gas that's used in a
14 fuel cell, I think you would get the same benefit. You
15 don't have to run it directly through the fuel cell.

16 MS. JOSEPH: If we are, indeed, looking at
17 primarily renewable resources for fuel cells, and by
18 definition for anaerobic digesters, this issue of
19 determining the eligibility of feedstocks from the waste
20 water treatment plants in New York City is just an
21 absolute threshold issue.

22 If those feedstocks are not eligible, the
23 renewable supplies, other than PV, in the metro area
24 become quite limited. There might be some supplies via

1 food digestion, for example, at Hunts Point, but it's
2 really a very threshold issue.

3 Depending upon the determination of whether
4 those biological feedstock are in or out, it might
5 become just a PV program in the metro area, which could
6 have merits as well. So, I just want to underscore that
7 that's a very threshold issue.

8 MS. PALMERO: You are not talking about the
9 actual feedstock because the feedstock is an eligible
10 technology, but you are talking about the NYPA -- the
11 relationship of the customer, right?

12 MS. JOSEPH: Right. That's a real threshold
13 issue.

14 And then one other just comment I will put
15 on the table somewhat unrelated. In terms of having the
16 utilities identify the critical areas in their
17 distribution systems, I think that's certainly something
18 that could be done through a collaborative mechanism,
19 maybe even establishing an advisory group for this
20 geographic balance component going forward.

21 I think also, on the tail end, we would all
22 benefit if the utilities were deeply engaged in
23 conducting an analysis of the economic value of the
24 resources in the distribution system.

1 We have been grappling with this throughout
2 the RPS technical workshop. So, I think there is a very
3 significant role in identifying the geographical -- the
4 specific locations for the resources, and then also in
5 sort of analyzing from a fairly hard economic
6 perspective the realized value of the resources. So, I
7 would put that on the table.

8 Just lastly, there are some institutional
9 market barriers in the metropolitan area that we are all
10 aware of, and I think that we would need to be
11 addressing those sort of in a complementary manner with
12 the program.

13 It might not even need to be RPS resources.
14 For example, we have talked with Con Ed and others, on
15 the PV side we know we need to do a little bit more in
16 terms of training the building inspectors in the
17 metropolitan area. So, we shouldn't forget that there
18 are market barriers in the metropolitan area that even
19 sometimes the RPS dollars might not address.

20 So, just wanted to put those comments on the
21 table.

22 MR. PARELLA: Thank you, Janet.

23 Regarding your first comment, getting way
24 ahead of myself, but I think as part of the next steps

1 we are going to ask for written comments.

2 Jim, it would be really helpful if the city
3 really provided some information and perspective on this
4 NYPA-New York City relationship. That would be really,
5 really useful.

6 MS. NELSON: As Ms. Joseph had mentioned, we
7 do have a presentation we would like to make afterwards,
8 and I think there will be some overlaps so I don't want
9 to go too far astray, but on some of the points that
10 have been discussed so far.

11 First of all, we do work in a very congested
12 area, so, I think that everybody is aware that the costs
13 of upgrading and maintaining our system are significant.
14 These efforts towards understanding some of the benefits
15 there are certainly very much appreciated.

16 And some of my questions, specific to your
17 proposal and to that point, perhaps this is getting a
18 little bit ahead of myself, have to do with some of the
19 timing of when our analysis would be done and provided,
20 and then when these projects, if there would be a
21 requirement for the projects to be on line by a certain
22 time.

23 And then, in getting to Janet's point also,
24 what kind of follow up or measurement, because certainly

1 in order for our -- to value what that benefit is, it
2 needs to perform and that's something very, very
3 important.

4 So, again, perhaps this is further down the
5 road in the development of the programs, but it's
6 something that would be very important in terms of
7 really capturing that value towards longer term being
8 able to offset some infrastructure and costs.

9 MS. PALMERO: Any comments you have about
10 that, because that's a good point, if we are going to
11 provide a part of this as a production incentive what's
12 the term of that production incentive? Is it three
13 years? Five years? Does it go out beyond?

14 So, if you have some feedback on what you
15 think is a good term for that, that would be helpful.

16 MR. TIMOTHY DANIELS: Has staff thought
17 about -- this is getting back to the utility and
18 non-utility competing in the bidding process.

19 One bit of information that I think would be
20 difficult to bid if a non-utility entity didn't have
21 information on some of the interconnects.

22 What I mean by that is: We have this fault
23 current map that Con Ed updates and is on their website.
24 For dispatchable resources, a non-utility entity could

1 determine, if given information -- which I assume Con Ed
2 would do, they have done with their targeted program --
3 information on the number of accounts in a particular
4 network that are in different size ranges, they could
5 determine sort of a market potential almost for that
6 area.

7 But solar is a little more difficult because
8 with solar, unless you are going to build it small
9 enough so it's absolutely never going to export, in most
10 cases there's going to be some kind of exporting, some
11 net metering aspect to it.

12 Right now with the Con Edison system, and
13 Con Ed can correct me, maybe I'm wrong on this, but if
14 you look at a case by case basis, and depending on the
15 feeders that are involved, in some cases there is
16 allowance for some export as long as it doesn't back
17 feed into the system.

18 I am not an engineer, but it's back fed into
19 the system at some point. That's information that if
20 you are trying to figure out to go to network how much
21 solar would be available, unless a non-utility entity
22 had that information it would be very difficult to
23 determine.

24 They would have to bid very conservatively.

1 They would have to assume that they could only install
2 systems at facilities where there would be no exporting.
3 Whereas, a Con Edison distribution engineer can look at
4 that and do it kind of easily, but there's a capability.
5 They could look at that information and determine where
6 there might be a possibility of some sort of exporting
7 it in individual sites.

8 So, I mean I am guessing you probably
9 haven't gotten into that detail. Maybe I would throw it
10 out there as one of the issues that have to be worked
11 through.

12 MS. PALMERO: I am just thinking in terms of
13 one of the remedies for that is whether we do this in a
14 collaborative fashion or if the utilities submit some
15 kind of filing with these areas along their network that
16 would be subject to this adder, if they could also
17 identify sort of the threshold limits on those portions
18 of their network projects. Up to a certain size could
19 be sustained on this portion of the network.

20 So, it would give some additional
21 information. I am not sure if that would work but I'm
22 just trying to think.

23 MR. TIMOTHY DANIELS: The issue of which
24 sites you could do the net metering at comes down I

1 think, really, to more specific sites. Maybe it's just
2 a little cluster.

3 The issue there is that for non-utility
4 bidders to have the same information, Con Edison would
5 have to say potentially like those four buildings you
6 could potentially do some. In those three you can't.

7 In the past, I don't think in these similar
8 types of -- like in the targeted program, that level of
9 specificity was never given because the thinking was
10 that went beyond that kind of confidentiality issues.

11 MS. PALMERO: Right. We will have to think
12 about that to make sure we make it as level a playing
13 field as we can and if we can't then we will alter that.

14 MR. LEVY: I've got two quick comments.

15 First, regarding the issue of customers that
16 don't pay into the RPS, there's been an advisory opinion
17 that's on file that has been instrumental during the
18 customer sited tier program up until now that has
19 indicated that the customers which do not pay into the
20 RPS can be still considered if there's "sufficient
21 public benefit".

22 That's been taken on a case by case basis.
23 Would that be under consideration as well in this
24 program? Would it be possible to consider that

1 customers that don't pay into the RPS can still be
2 perhaps eligible if this issue of sufficient public
3 benefit holds true? That's item number one.

4 Item number two that I wanted to mention is
5 that NYSERDA has been promoting installation of systems
6 at sites that can serve as facilities of refuge during
7 natural or a manmade disaster, or a grid outage, and we
8 have been providing an adder in the fuel cell program to
9 systems that are capable of running during the grid
10 outage and are sited at a facility that can serve as a
11 facility of refuge.

12 So, in the discussion of adders in the
13 programs, that might be an additional adder to consider
14 aligned with important public policies.

15 Thank you.

16 MS. PALMERO: Certainly. Thanks, Dana.

17 Dave, did you have --

18 MR. JOHNSON: I have a question.

19 How does the current customer sited tier
20 work with respect to the utility participation? Is the
21 customer the utility or is it always a customer, a given
22 customer, so it's a relationship between the company
23 installing the fuel cell or the PV, and a particular
24 customer, or is it with the utility? And in this

1 program would it work the same way or be different?

2 MS. PALMERO: The former customer sited tier
3 it was -- in the case of PV, it was the installer who
4 applied for the incentives. NYSERDA had a list of
5 eligible installers that went through NYSERDA-sponsored
6 training and they were the ones that were applying on
7 behalf of their -- a customer, mostly residential and
8 some commercial and non-for-profit.

9 But the understanding was the eligible
10 installer who applied for the incentive, all the
11 incentive would go back to that customer. So the
12 customer would get the full advantage of it, but it was
13 the installer. So, there wasn't this utility
14 relationship other than the fact that they had to apply
15 for interconnection and work with the utility, but the
16 utilities were not applying in the former customer sited
17 tier program.

18 This is a little different that because of
19 the Commission's desire to optimize some of these larger
20 installations along the distribution network, especially
21 in New York City, that they are interested in getting
22 utility input.

23 And so, again, as a first blush with the
24 straw, we thought it would be appropriate if utilities

1 could then bid into the process as long as the playing
2 field was level.

3 MR. JOHNSON: I guess in this situation an
4 example would be: You have a fuel cell developer. You
5 don't have a particular relationship with the customer.
6 They would be selling the energy to the utility and then
7 the utility would resell that to the local distribution
8 customers?

9 Or would the fuel cell developer install a
10 fuel cell at a particular customer's location and then
11 competing with the utility to provide the service to
12 that particular customer.

13 MS. PALMERO: It's interesting, because
14 there's so many different scenarios that could play out,
15 and I guess the thinking was we would put out the rules
16 and what we got back, there could be some very creative
17 arrangements.

18 I think the one thing is we just wanted to
19 make sure that customers who were paying into the RPS
20 really get the benefit of the program. So, if there
21 could be some arrangement where a fuel cell was located
22 on a city property, but somehow there is always the
23 thing where you can lease the land for a dollar, and I
24 don't know, there's all these different kinds of

1 arrangements that can be made so it benefits the utility
2 customer, the distribution customer paying into the RPS
3 that would be considered.

4 So, I guess my answer is it could be an
5 either/or situation. There could be a lot of variations
6 on these projects. Again, I think the Commission is
7 very interested in making sure, though, that those who
8 are paying into the program are receiving the benefit.

9 I think one arrangement that's a little
10 concerning is if we didn't have some kind of control,
11 for instance, not to pick on New York City, but if all
12 the projects were put on New York City property that
13 were NYPA customers, we would have to sort of figure out
14 what that benefit was to those that are paying into the
15 RPS.

16 But, as you said, a lot of NYPA customers
17 pay into the Con Ed or their delivery customers of Con
18 Ed who then pay the RPS charge. So, I guess there's got
19 to be some kind of further development on that
20 relationship.

21 Did I just totally confuse the --

22 MR. JOHNSON: In a standard RFP if a utility
23 is going out and soliciting for, let's say, energy
24 capacity, they are going to offer a long term contract

1 to buy the energy from the project. And the project
2 wouldn't have to go out and be searching for individual
3 customers and make arrangements with them. They would
4 just have one contract with the utility and it would be
5 a lot simpler than if there is process where you would
6 be both competing to sell to the utility and then
7 potentially to other customers that might be located
8 near the distribution location.

9 MR. PARELLA: Let's do this. We understand
10 that the utility involvement, ownership issue, how they
11 would play in this game is really important to a lot of
12 interest groups, and I don't want to really get bogged
13 down in a discussion of whether that's good or bad here.
14 We are going to ask for written comments and we
15 encourage people, if they have a specific concern, let
16 us know in the written comments.

17 I would really like to sort of focus on some
18 of the other issues or concerns folks might have, if
19 that's okay.

20 We understand it's a concern and a lot of
21 thought went into our preparation of this document
22 because we know it's out there. And we definitely want
23 to hear from you, but we also have a lot of ground today
24 to cover on some other matters, and if we could move

1 along that would be good.

2 Maybe not.

3 MR. GALLAGHER: Just a point. The main tier
4 right now, the main tier program as it's designed,
5 developers get payments. And whether they pay into the
6 RPS or not, the requirement on the developer is simply:
7 You have to put renewables into the grid.

8 And you can build a new facility. You can
9 build on NYPA-owned property. You can do anything. As
10 long as you put power into the grid you get paid.

11 MS. PALMERO: But that's getting streamed
12 back to the RPS customers who pay into, the RECs get
13 streamed back to the customers through their utility.

14 So, different than the customer sited tier
15 where you were getting money to put these installations
16 on residential or commercial buildings.

17 So, I understand what you are saying, that
18 the developer doesn't pay into it, but the attributes
19 that are created by that project that NYSERDA buys gets
20 streamed back to the RPS paying customers.

21 MR. GALLAGHER: Right. I understand that,
22 but what I am saying is you can still have a project
23 developed by a third party on, say, a NYPA facility or a
24 non-utility customer, that if it's putting the power

1 into the grid it's achieving the same benefits.

2 Okay, Joe, we will move on to something
3 else.

4 MR. ZALCMAN: Maybe not quite. Maybe this
5 is another way to parse the issue.

6 I think there is -- and obviously the
7 utility issue is controversial and tricky, but I think
8 there is an important distinction between projects on
9 the customer side of the meter and projects on the
10 utility side of the revenue meter.

11 If what you envision by utility
12 participation is projects that the utility develops on
13 the customer side of the meter, that really puts the
14 utility in direct competition with third party
15 developers, and seems you are losing the leveraging.

16 The developers are bringing private capital
17 to bear to develop renewable projects. If a utility
18 participates in a solicitation, where does that
19 incremental cost come from? Is it coming from the
20 customer on whose premise the facility is located and
21 receives the energy from that system? Or is it coming
22 from other customers?

23 I think in the latter case, you have got the
24 lion's share of customers paying for benefits that are

1 concentrated on the host. I think if you are talking
2 about utility participation, where the power flows into
3 the grid for the benefit of all customers, that is
4 perhaps a different situation.

5 And there, I think, we would just expect,
6 again, that if the utility is conducting this that it
7 issue a competitive solicitation to allow third parties
8 to participate in that process.

9 MR. GALLAGHER: Can I just ask the solar
10 people here, and possibly the utilities, do you
11 anticipate doing only behind the meter projects, or do
12 you expect to have some projects putting directly into
13 the grid?

14 Has anyone thought that one through yet?

15 MR. TIMOTHY DANIELS: We are a solar
16 developer. We have projects in all the surrounding
17 states.

18 So, I think that we are looking -- not in
19 New York right now, but we are looking at projects
20 behind the meter and feeding into the grid, but in most
21 cases, depending on how the incentives are set up,
22 usually it's more economic to have it behind the meter.

23 That tends to be where 90, 95 percent of the
24 development is, but obviously you look out west you see

1 there are huge wholesale grid feed projects being
2 developed.

3 MR. PARELLA: I am confused with how people
4 are defining feeding into the grid. Are we talking
5 about a one megawatt project that conforms with the ISO
6 rules?

7 MR. TIMOTHY DANIELS: I would say that
8 feeding into the grid in most cases I'm talking about
9 something that might start at, let's say, five to ten
10 megawatts.

11 MR. PARELLA: So, you are talking about main
12 tier.

13 MR. TIMOTHY DANIELS: It really would be
14 structured as a main tier.

15 MR. PARELLA: I just wanted to get
16 clarification.

17 MR. TIMOTHY DANIELS: Although there are
18 some places where there will actually be solar panels on
19 a facility because it just structurally it makes sense.
20 You would have a place to put them out of the way, it's
21 unused space, but yet they are connected on the utility
22 side of the meter.

23 They might be sized below the customer's
24 peak demands. So, Most of that power, electrons are

1 flowing immediately back into the customer's facility,
2 but from the ISO's perspective it would seen as a
3 wholesale generator.

4 MS. NELSON: To get to Jim's question, Con
5 Edison does see that there are some opportunities where
6 utility size solar projects in particular, in the New
7 York City area, do make sense, and that there are
8 opportunities for that.

9 Warehouses, for example, there is not
10 significant electrical demand for some of these
11 buildings, yet they have flat rooftops, low
12 construction, and we see that, being on the utility side
13 of the meter, if that energy produced is -- particularly
14 if it's solar and it's day time energy, where we have
15 higher hourly clearing prices, that energy can be back
16 fit or can essentially offset some of the otherwise
17 wholesale procurement that's going to need to be made on
18 behalf of the customer.

19 So, in that sense, that power that gets
20 generated by these projects benefits all of the
21 customers through the reduction in some of that peak
22 energy purchases.

23 So, we do see that there are opportunities
24 there. I don't know if we are talking five to ten

1 megawatt, but certainly one to two megawatt.

2 MR. KAMEN: First, this is a great step.
3 It's a nice step to see New York taking this initiative.

4 We look at this \$30 million of geographic
5 equity as really being -- coming out of the main tier
6 with these economic benefits that are going to be
7 associated with it now being the step taken that needs
8 to happen to quantify these benefits in the load
9 pockets, the constrained areas in particular, the zones
10 that you guys are targeting.

11 We think that the customer sited tier piece
12 of it has been really successful over the last five
13 years. It really ballooned the solar market. 60
14 percent a year there's been in growth notwithstanding
15 all the other issues that are out there.

16 But when you take a look at some of the
17 surrounding states and the fact that New Jersey now has
18 a five gigawatt goal and we are looking at a relatively
19 small amount of megawatts, still, we think there's a lot
20 that needs to be done.

21 This is one small piece of a plan that we
22 are going to be working on where there is various levels
23 of opportunity, everything from the small customer sited
24 tier bearing on the residential, and the small piece,

1 less than 50 kw, to where this one is now kind of a sort
2 of secondary tier.

3 But ultimately we need utility scale, much
4 larger projects. While this we think can play a kind of
5 pilot role in maybe initiating some of that, what we
6 don't want to see happen is that, if you take a look at
7 yesterday's announcement that NYSERDA went out and got
8 10 megawatts for \$6 million, \$1.60 a watt, basically
9 sort of premium out there, and you divide that into \$30
10 million, you get about 20 megawatts worth of resource
11 with current prices.

12 Maybe it's a little bit less because it's
13 Con Ed area, there will be higher costs, etc., so that
14 20 megawatt needs to be distributed so that's not just a
15 few projects that buy it up and leave the rest of the
16 market out.

17 So, what we would like to see is a couple
18 different things. One, that, yeah, there's a
19 collaborative effort that quantifies the fact that you
20 target those areas. If it's only 20 megawatts, maybe
21 the whole program initially gets targeted to those
22 areas, that there's some split between third parties and
23 smaller installers of 50 kw up to a hundred, or a couple
24 hundred kw, to allow other businesses that are growing

1 and striving to now move into this main tier piece, that
2 we allocate a piece to utility side projects that
3 there's specific piece that they do and that are allowed
4 to do, whether it's power purchase agreements or other
5 ways that make sense, but specific to find they are not
6 competing unfairly, because ultimately we think that
7 utilities need to be involved in a much greater area in
8 rate base, a whole host of additional projects that will
9 make economic sense as to look at the additional
10 benefits that we are going to get out of these pilot
11 projects.

12 In terms of the contracts and the
13 performance contracts, we think you should structure it
14 over ten years. Ultimately we want to have everything
15 driving toward the same pricing and the piece.

16 And I think that we need to be really
17 careful with this, that we want to encourage the next
18 step of growth and start getting towards the gigawatts,
19 but we don't want to lose the small and medium size
20 piece.

21 You talk about over 50 kw. 50 kw is still a
22 relatively small project in Manhattan or the boroughs.
23 So, we want to make sure that that 50 kw, a hundred to
24 500 kw block is there and it's clear and we're

1 incentivizing as the behind the meter piece in a way
2 that makes and that gets competitive bidding going and
3 doesn't have just a few parties buying up the large
4 pieces of it.

5 MR. GALLAGHER: I just want to agree
6 completely with what Ron just said about this project,
7 in itself, is more I would say in line with being a
8 pilot, and if we ultimately do want to get to utility
9 scale projects. I think in terms of correcting the
10 regional equity problems, this project itself, even over
11 five years, does not do that.

12 The testimony that we put in is the
13 downstate area is already committed to close to \$300
14 million for the RPS program, and I think we really need
15 to find a way to move toward the utility scale programs
16 and large scale main tier programs in the city and
17 downstate.

18 We will probably only see six megawatts to
19 20 megawatts coming out of this program. At the same
20 time, I think what staff has circulated is a good
21 proposal and I think it goes in the right direction.

22 There's some technical details that we will
23 probably need to work out, but I think we always need to
24 keep in mind that this isn't the ultimate goal. We want

1 to go further than this. Looking for utility scale
2 opportunities, I think, is really something that we
3 should consider as move forward.

4 MS. NELSON: I, first, would like to agree
5 with both of the comments here on the need for larger
6 projects and utility scale projects, but I also want to
7 point out that, as Con Edison looks at its own customers
8 and hears from its own customers, and assesses how we
9 use energy in our service territory, that it's also
10 important to recognize that even the below 50 kilowatt
11 in terms of solar particularly is important and can be
12 meaningful.

13 We have 3 million customers and the average
14 utility bill is quite small, but when you add it all up
15 you see we have got huge demand in New York City and
16 it's made up of a lot of small customers, and each one
17 of those can do their part.

18 As we have seen through other energy
19 efficiency programs that these help at individual
20 customers' level. As we look at the solar programs, we
21 think that there is a large untapped potential below 50
22 kilowatts also.

23 These are some of the comments and some of
24 the thoughts that we've been putting into this that we

1 did want to share. I don't want to take up too much
2 time, but I do hope to be able to elaborate on it later,
3 but that these are some of the considerations that we
4 feel are important. And we are hearing from our
5 customers that they would like to be doing some of this
6 themselves, and there are barriers that need to be
7 broken down.

8 And we feel that there is a utility role and
9 that working with NYSERDA we can get to some of this to
10 get to some of the smaller projects as well.

11 MS. PALMERO: Just to follow up on that, the
12 former customer sited tier that obviously targeted the
13 smaller installations, so you are saying even go above
14 and beyond that not in terms of funding, but having a
15 utility role with respect to these smaller installations
16 above and beyond what the customer sited tier was set
17 out to do.

18 MS. NELSON: We just think that with
19 partnering with NYSERDA, we think NYSERDA has done a
20 good job and has good program infrastructure in place,
21 and certainly developed a lot of good processes, but
22 that there is great name awareness of NYSERDA at a level
23 that when you get to the smaller customers, I think by
24 bringing the two names together there can be some

1 greater benefit and awareness that will help in bringing
2 some of these programs to the customers.

3 MR. IRISH: We are a PV installer, designer
4 and installer in the Hudson Valley area.

5 First of all, I shudder every time I hear
6 you refer to the customer sited tier in the past tense.
7 We have 35 employees that hope that it's not solely in
8 the past.

9 But I would like to see the 50 kilowatt
10 limit removed. And building on the comments just --
11 that we just heard from Con Ed, I think that it's a myth
12 that larger scale PV systems would be more cost
13 effective from a kilowatt per dollar incentive basis
14 than smaller systems.

15 NYSERDA just had a competitive bid, PON
16 1686, that was announced yesterday, the awarding was
17 announced yesterday, and they had \$10 million that was
18 up for bid. Six megawatts was one. As Ron Kamen
19 referred to or mentioned earlier, half of it went to
20 residential, small systems, and that was in a
21 competitive situation.

22 I think that demonstrates that residential
23 and small systems can be competitive on a basis, dollar
24 per kilowatt per dollar basis with larger systems.

1 MR. PARELLA: It might be useful to remind
2 folks that the Commission will be taking up the customer
3 sited tier program and funding levels sometime in the
4 first quarter, if not at the March session, or April.

5 As we said in our opening remarks, they want
6 to look at what's -- what comes out of this process in
7 concert with the decision it makes in the customer sited
8 tier.

9 So, you need to keep that in mind that
10 whatever we decide here and the impacts it has on small
11 or larger customers might be remedied, in part, by what
12 the Commission decides to do with the customer sited
13 tier.

14 So, let's keep that in mind. Okay?

15 MR. KAMEN: Just to be clear, our position
16 with the customer sited tier is it should be at least 50
17 million, which was beyond the level of the staff
18 proposal, and it should be targeted towards the same
19 constituency and billed over time.

20 I think Jeff's point is well taken in that
21 if you allow people to build blocks into this program it
22 doesn't have to then have a minimum or 50 kw is the
23 minimum, that basically people can build in block -- you
24 structure it so that they have to bid 50, whatever

1 number of megawatts or portion of megawatts that you get
2 to the same end result.

3 But in terms of Con Ed's piece, absolutely,
4 there needs to be continued development, and our
5 proposal to get to two gigawatts, about 800 megawatts,
6 would come from smaller, less than 80 kw size systems.

7 And, clearly, that market needs to be
8 developed because that's where most of the load
9 ultimately resides.

10 MS. ADAMS: A lot of these previous points
11 are well taken about developing the smaller tier.
12 Something we would like to keep in mind is that if we
13 are really going to grow solar seriously in New York
14 State and move toward utility scale size, we also have
15 to consider the benefits to the distribution system.

16 With the smaller systems you are just not
17 going to get there. We're not going to be able to take
18 a few 25 kw systems on circuit and defer capital
19 investment projects. So, we do have to keep in mind
20 there should be a balance there.

21 MR. KAMEN: I agree with you. However, one
22 of the things we saw from the last solicitation is by
23 bundling a number of smaller residential projects you
24 get the same benefit. And if those are in targeted load

1 areas, that can be a tremendous security. So, you need
2 to start scaling absolutely. We need to start hitting
3 that.

4 In terms of utility scale, we think that
5 utilities should be involved at 5, 10, 20 megawatt and
6 bigger projects because they are everywhere else in the
7 country, and that that should be where we start
8 incentivizing and capitalizing and socializing the cost
9 of those types of investment, and getting you guys
10 involved in in terms of power purchase agreements, if
11 not in actual ownership, for that generation.

12 So, we want to get to multiple gigawatts.
13 We want utilities on the larger scale wholesale piece of
14 it, but on the residential, rather, the distributed side
15 of it, we need to keep building the market and keep
16 building blocks of that market, keep getting the
17 technology out there and grinding the process out.

18 MR. PARELLA: We get it. This is another
19 issue.

20 Are there any other new issues, concerns,
21 people want to introduce on the staff proposal?

22 MR. HOFFSTATTER: We are currently involved
23 in a number of installations throughout New York State
24 and other states, but we do a large part of our work in

1 the areas we are talking about as being affected, lower
2 Westchester, New York City.

3 We are working constantly with Con Edison,
4 New York City DOB, to try to simplify and get through
5 the interconnection process in a timely manner. That
6 seems to be one of the biggest concerns, barriers, etc.,
7 to the whole process.

8 I think, while we are dealing with literally
9 on the wire by wire basis, it's something that needs to
10 be considered as a whole, so that not only us but new
11 companies as well can come in, both on large and small
12 scale projects, being able maybe to aggregate small
13 scale projects in residential and co-op type situations
14 to provide some of the scaling that we are talking
15 about, but to simplify the process so that these
16 projects can go in a timely manner.

17 Labor, other considerations, working
18 particularly in New York City, are exacerbated by just
19 where we are trying to work, from getting to work,
20 whatever.

21 So, the less number of trips back to a site
22 to do something, the less number of -- these issues we
23 can deal with the better. So, I recommend that we
24 incorporate or look at some kind of -- it's been talked

1 about, but actually doing now some kind of standard
2 interconnection process for both the customer side and
3 utility side of the meter applications.

4 Thank you.

5 MS. PALMERO: Thanks.

6 MR. LANDARD: Good morning. I'm managing
7 Director of Deepwater Wind. We are a developer of
8 offshore wind projects in Rhode Island and New Jersey,
9 and hopefully soon in New York. So, I would like to
10 thank you for the opportunity to speak with you today.

11 The main point, I think, that we would like
12 to raise is the idea of using some of these funds to
13 allocate them to NYSERDA to do some of the research that
14 would, down the road, expedite the siting and the
15 permitting of offshore wind facilities.

16 The timeline for permitting an offshore wind
17 facility in federal waters is fairly long, but there's a
18 lot of work that could be done early, and NYSERDA, I
19 think, is positioned well to do that.

20 Specifically, if some of the RPS dollars
21 could be -- for the downstate allocation -- could be
22 used for meteorological towers, developing what the wind
23 resources are in federal waters; also looking at what
24 current and wave forces are out there for a tidal and

1 wave energy, as well as also helping us understand what
2 the forces are so that we develop our foundations so
3 that they can withstand the pressures out there.

4 Also, Avian radar is very, very important.
5 Right now the US Fish and Wildlife Service asks for a
6 two year study before we can even go in for permitting.

7 If NYSERDA could do some of that work ahead
8 of time, any of the developers, whether it's Deepwater
9 or any our competitors, would be able to show that data
10 ahead of time and shorten the permitting period.

11 So, I should be very clear that we're not
12 asking for this for Deepwater Wind. We are really
13 asking for the industry.

14 And lastly, there are marine mammals and
15 other marine life that could be studied out there. The
16 National Marine Fisheries Association or group, and also
17 NOAA and some of the other groups would be interested in
18 this.

19 This is similar to what Rhode Island has
20 done. Rhode Island has something called the Ocean
21 Special Area Management Plan, Ocean SAMP, and they are
22 spending millions of dollars studying the ocean so that
23 they can identify where to site offshore wind
24 facilities.

1 It's similar to what New Jersey is doing
2 with a \$6 million ecological baseline study that will
3 then give us what the baseline is, so that after some
4 offshore wind facilities are developed we can go back to
5 baseline and get a very good understanding of whether
6 there has been any effects of developing these offshore
7 wind facilities.

8 In Rhode Island right now we have -- we are
9 very close to getting final approval from the Utility
10 Commission up there to put up to eight turbines in state
11 waters for up to 30 megawatts of power, and we will be
12 in the water in 2012 and operating those turbines by
13 2012, probably the first offshore wind turbines in the
14 country. And within -- moving quickly from that to a
15 385 megawatt Rhode Island Sound wind facility that will
16 observe Rhode Island.

17 And in New Jersey, along with our partner
18 Public Service Enterprise Group, we were selected by the
19 state to be the pilot project developer of a 350
20 megawatt offshore facility. The Governor in that state
21 a couple years ago decided that in order to create a
22 critical mass that could create the job development and
23 job creation and economic development that they are
24 interested in moved from just having us be the developer

1 to choosing two other developers as well.

2 So, the goal in New Jersey is 1,000
3 megawatts offshore by 2012. That will not be met. And
4 then 3,000 megawatt by 2020, that's still, we think
5 feasible, if the federal government permitting process
6 rationalizes itself and moves forward.

7 So really, in summary, what we would like to
8 ask you to do is consider some of those funds to get to
9 NYSERDA to do the research that would expedite down the
10 road the permitting.

11 And we would like you to start thinking
12 about how to fund these relatively large facilities, and
13 where the RPS funds get expended. A 350 megawatt
14 facility will generate about 1.3 million megawatt hours
15 of power a year. We look to 20 year term contracts.
16 That's what we think the life of our facilities are.

17 So, I don't want to be too aggressive here,
18 but maybe some type of carve out for ocean renewables is
19 something to be considered down the road in the 2014,
20 2015 timeline, but it's still something to think about
21 now.

22 That is what New Jersey is doing. They are
23 creating something called the ocean REC, the ocean
24 renewable energy certificate, where the suppliers, the

1 third party suppliers in New Jersey, will be required to
2 buy a certain amount of them each year.

3 Because we have an auction process in New
4 Jersey, we can't have PPAs because we never know who the
5 suppliers are. We need revenue certainty. And the
6 electric distribution companies were not too excited
7 about PPAs. Never could quite understand that, but
8 that's not where they want to go, so we try to go to a
9 back up position, which is having a regulatory mandate
10 that the basic generation suppliers purchase these ORECs
11 from us so that we can get that socialization and the
12 support we need to move forward.

13 MS. PALMERO: Thank you.

14 MR. GALLAGHER: I want to respond to that
15 point. While I agree with you, and the city made
16 similar recommendations that the Commission consider
17 using RPS funds for some of the offshore wind
18 preliminary research, my concern now is not to do it as
19 a carve out of this \$30 million.

20 MR. PARELLA: Up to \$30 million.

21 MR. GALLAGHER: Don't do it as a carve out
22 out of this, but do it as an increment above this pot of
23 money. I just believe that when you look at how far
24 this is going to go, this is not going to go very far.

1 The other point I wanted to make is the
2 offshore wind collaborative, which the city is involved
3 in, you also have NYPA and LIPA involved and I think
4 they need to step up to the table as well. It's
5 appropriate to use NYSERDA funds, I believe, to fund
6 some of the research, but definitely LIPA and NYPA have
7 responsibilities as well.

8 MR. LANDARD: Jim, we do agree with you that
9 the carve out should be in addition to the \$30 million.
10 We are very strong supporters of the solar and anaerobic
11 digesters and the other customer sited tier work that
12 you are looking at here. So, we don't want to step on
13 that.

14 And we understand our magnitude is in a
15 different ball game than a lot of what we are talking
16 about here today.

17 So, and also, we would welcome the
18 opportunity, and I can speak for all the developers, the
19 offshore wind developers, working with LIPA, NYPA,
20 NYSERDA, to help give our expertise, what we have known
21 and learned about how to do some of the research,
22 because we are developing in Rhode Island. Blue Water
23 is developing in Delaware. And there would be an
24 opportunity so that your staffs don't have to get up to

1 speed. We could probably get them up to speed quicker
2 by telling you what we have learned.

3 MS. NELSON: On this point of offshore wind,
4 this is something naturally Con Edison is involved in
5 and it's something that, as staff considers the points
6 that were raised today, I just wanted to add some of the
7 -- that the consideration also include some of the
8 benefits that offshore wind brings in that it's
9 generally a higher capacity factor and also higher on
10 peak capacity factor.

11 Although offshore is generally more
12 expensive than onshore to develop, it does have some of
13 the other benefits, as well as being closer to the load
14 center. Transmission costs also need to be considered
15 equally in terms of getting into land, but then also on
16 land to bring upstate down to the point.

17 SPEAKER: We have also identified some
18 interconnect points that would not require virtually any
19 upgrades at this point. And 1.3 million megawatt hours
20 a year, that's a significant savings to customers. We
21 do have costs, obviously.

22 We appreciate your comments on the benefits
23 and we are bringing our energy from a completely
24 opposite direction than most of the energy flow on the

1 east coast so we avoid a lot of the congestion.

2 MR. PARELLA: Thank you.

3 Anyone else have any comments on the staff
4 proposal?

5 MR. GALLAGHER: Just very quickly, and let
6 me leave you with a few other specific comments.

7 One thought would be for the PV that you
8 also consider an adder for storage. We are encouraging
9 storage to go with a number of the PV installations we
10 are putting in city buildings, but I think it does add a
11 lot of value to the project.

12 Second, I would recommend that you do two
13 solicitations per year, rather than one.

14 Third, I would strongly recommend including
15 the city in some way in their marketing efforts with
16 NYSERDA, with Con Edison. I think, for example, the
17 Economic Development Corporation, we have our own list
18 of builders, developers and the like that we routinely
19 work with, and the city owns over 4,000 properties with
20 about 20 million square feet Con Ed served space, so
21 there's a lot of potential for cooperation there.

22 Lastly, just a question. One thing that I
23 am left wondering when I reviewed the proposal is what
24 kind of price threshold are we even talking about here?

1 The way the main tier works is you have a certain amount
2 of money. You put out the main tier solicitation. You
3 award contracts until the money -- you run out of money.

4 Are you thinking of something similar here?
5 So there wouldn't necessarily be a cut off point in
6 terms of economics?

7 MS. PALMERO: There could be like there is
8 with the main tier. There's a price threshold. We are
9 trying to make this even more competitive than the
10 customer sited tier. If we were getting bids that were
11 well beyond that, I think there would have to be some
12 kind of threshold but, yeah, up to a certain amount of
13 money. So, you are right.

14 I am just curious. Why two solicitations a
15 year as opposed to one?

16 MR. GALLAGHER: I think that there is
17 potential in the city that we can do this a lot more
18 quickly. I don't see the need to wait a year.

19 MS. PALMERO: I guess I'm just thinking of
20 the pots of money. If it's up to 30 million a year, I
21 thought it might be more advantageous to go out once a
22 year with a larger sum of money because if you go out
23 twice a year then you are cutting that pot in half.

24 MR. GALLAGHER: That's a good point. I

1 think one thing we could do is see what the response is
2 to the first solicitation and consider going out again,
3 because I think especially with the first time people
4 are just going to be learning about this.

5 MS. PALMERO: Okay.

6 MR. PARELLA: Anything else?

7 MR. ZALCMAN: This is kind of a getting down
8 into the weeds kind of a detail, but especially given
9 that it is a finite pot of money, it will be very
10 important that the solicitation have significant
11 milestones to ensure that the projects that are being
12 bid, and actually secure funding, move forward and you
13 don't have just paper megawatts.

14 We see that throughout the country where
15 there aren't project milestones and the megawatts just
16 simply don't materialize.

17 MR. PARELLA: I am sure we can build some of
18 the contracting procedures that we have in the main tier
19 into a customer sited tier geographic balancing
20 solicitation also.

21 So, that's it on the feedback on the staff
22 proposal? Sounds like everyone just wants to sign on
23 right now.

24 MR. CHAPMAN: Written comments, what's the

1 timeline on that?

2 MR. PARELLA: Yesterday we had a meeting on
3 alternate contracting options, contracts for
4 differences, and we gave folks two weeks, to January
5 29th, to file comments. I suspect we will probably want
6 to do something like that here also.

7 It's noon, so we have a choice. We can
8 break for lunch and then do Con Ed's presentation or we
9 can do Con Ed's presentation now.

10 Denise, how long do you think that would be?

11 MS. NELSON: 15 minutes.

12 MR. PARELLA: 15 minutes, with some
13 questions, so what's the sense of the audience? Do you
14 want to break for lunch now or do the presentation?

15 MR. TIMOTHY DANIELS: Seems almost possible
16 we could hear the Con Ed presentation and have the
17 comments on it and maybe even wrap up by one.

18 MR. FRANCIS: Is it going to be two separate
19 or --

20 MR. PARELLA: Let us think about it. We can
21 talk a little bit about it when we talk about next
22 steps.

23 MS. PALMERO: Are you talking about the
24 comments for the hedging or Con Ed?

1 MR. PARELLA: We will figure it out, do
2 whatever is most convenient for you all.

3 So, the sense is to carry on and try to push
4 through. Why don't we take a ten minute break now and
5 we will come back at 12:10.

6 (Recess taken.)

7 MR. PARELLA: Please, if you haven't signed
8 in yet, please sign in.

9 So, Denise, you have the floor.

10 MS. NELSON: First of all, Con Edison
11 appreciates the opportunity to be engaged in this
12 dialogue, because we look at the renewables and the
13 environmental challenges that we have, and we think we
14 are all in this together.

15 And we think that there is tremendous
16 untapped resources in New York City and that helping to
17 bring some of that to fruition will help the state, will
18 help all of us.

19 As I had mentioned before, our customers are
20 interested in renewables and particularly solar. Solar
21 happens to be for LAN based applications what makes most
22 sense in our service territory, and particularly in the
23 city, and we feel that there is a tremendous untapped
24 potential there.

1 We have about 1.7 billion square feet of
2 roof space, and we think about 45 percent of that, or
3 about a billion of that is suitable for solar, so
4 naturally not all of that will get built. If it did,
5 that would be something else, but there are a lot of
6 roofs there. And trying to bring some of that to good
7 use I think is something that we can work together on.

8 As we look at the RPS funds they are
9 significant, and our customers pay about 43 percent of
10 those funds that are elected, and we would like to see
11 some of the pool that -- the resource pool, the
12 portfolio that gets built with this RPS money come
13 directly down to help some of the -- relieve some of the
14 congestion that we have locally, and so that our
15 customers can get some of that benefit as well.

16 Some of their -- we see local emissions
17 also. We are in an ozone non-attainment area so we
18 think that that's an important consideration that should
19 be looked at wholistically in terms of some of the other
20 values to bringing some of that downstate.

21 As well as our local energy costs, they are
22 significantly higher. And certainly economic
23 development as well.

24 I think we have heard before also that the

1 \$30 million is the start. We feel that's a start. We
2 appreciate that, but we feel that ultimately we will
3 need to go beyond that, and that there is justification
4 for that and rationale that we can put that forth for
5 you for consideration.

6 I think one important point, I mentioned
7 this in terms of sizing, and on the customer sited tier,
8 that we feel -- and I know it is still for future
9 consideration -- that the application based process that
10 NYSERDA has been effectively running is effective, and
11 that some of the barriers in New York City are some of
12 the more intangible ones and they have to do with
13 process.

14 And that we feel it's important to continue
15 this program and work on some of these barriers and try
16 and work on figuring out what exactly these underserved
17 markets need, and that would be a very effective, or
18 could be a very effective approach that we could -- that
19 we should be exploring and continuing this application
20 based approach to RPS.

21 In terms of some of the other interests in
22 solar, in downstate, we do have -- the city is also very
23 interested. New York City is one of 25 Solar American
24 Cities and the City University of New York has a Center

1 for Sustainable Energy that's also very involved and has
2 received grant money to help promote renewables, and
3 particularly solar, in New York City.

4 Some of the unique features that solar
5 brings to New York, I had mentioned the peak energy
6 prices are higher. We have done some analysis on this,
7 and I'm talking about just the New York City zone J
8 itself.

9 Our peak energy prices are significantly
10 higher, and that is because we are more congested. I
11 have an 80 percent in-city requirement because of some
12 of the reliability concerns there to help mitigate that.

13 But when we look at our peak energy hourly
14 clearing prices, as Jim has mentioned, gathering some of
15 the benefits, that it is real and that there's real
16 value in that solar and that it is more coincident with
17 the peak and certainly we do have day peaking networks.

18 That these are areas that can be tapped to
19 really extract some of that value. There's also the
20 capacity prices, and then as well as just the cost of
21 doing the construction and offsetting some of the
22 distribution infrastructure.

23 Another point for our solar is that we are
24 lower in latitude. So, in terms of just the overall

1 megawatt output for that kilowatt that's installed, that
2 that's important consideration as well.

3 We have been talking with NYSERDA, as we had
4 mentioned before, and hoping to build on some of their
5 programs and working together. And overall, I think we
6 have some concepts and values that we share, and that we
7 would like to continue working with them and build upon
8 those in terms of expanding the application-based
9 program.

10 We think that jointly developing a program
11 is something that we would like the opportunity to do,
12 and we will look forward to putting something forth to
13 you.

14 Some of the concepts that we have are --
15 have been some of the ones that have been mentioned.
16 Targeting solar areas that will produce some of the
17 greatest benefits; looking at some of the underserved
18 markets and some of the paying for performance also.

19 And as the utility, we look at the potential
20 for performance-based incentives paying for the kilowatt
21 hour production over time. That's something that we are
22 looking further at in terms of capturing some of that
23 delta in the peak pricing over a time period, be it five
24 years, be it 10 years or so.

1 We think this is something that we can help
2 with in that we have the meter and the relationship with
3 the customer, billing relationship with the customer.
4 So, that's something that we would like to explore some
5 further. And we also agree with using competitive
6 structures for some price discovery also.

7 On the facilitation concepts, reducing the
8 barriers is really important. It would be great if we
9 could see solar be installed in a hundred days instead
10 of a year, or sometimes greater than we hear. We look
11 at ways perhaps that some sustainable model for
12 financing can be worked on further.

13 There is a tremendous amount of financing
14 opportunity that's put together, but sometimes accessing
15 that is a little bit difficult and sometimes timing is
16 difficult. So, these are some of the areas where we
17 think just the streamlining process is important.

18 And also some alignment with the energy
19 efficiency programs. I know some of the other states
20 are looking at alignment with energy efficiency and
21 that's a consideration that we think is important also.

22 The point of -- I want to shift gears a
23 little bit now and talk a little bit about utility-owned
24 solar. We had put forth in our November comment that we

1 think that there is a role for utility owned ownership
2 of solar on a larger scale.

3 Utilities can recover their costs over
4 longer period of time, 25 to 30 years, at a lower cost
5 of equity, so we think that that helps bring the cost
6 down to the customer. And offset -- and the energy
7 output then goes directly into the grid, so it's
8 offsetting some of the energy that needs to be procured
9 in the real time market for the customers.

10 So, these are some points, again, that we
11 just wanted to reiterate here because we do feel that
12 this is something that needs further consideration.

13 Our last point really has to do with the
14 offshore wind. I think, just reiterating some of that,
15 that we feel that there is -- in the portfolio of
16 renewable solutions, that offshore wind is important and
17 can provide an important component of the overall
18 renewable initiative that we have.

19 Included in that should be some of the tidal
20 power, including what we have already started to work
21 with in the East River.

22 So, our road map. We will continue to work
23 with NYSERDA and we do hope to file some of these
24 concepts in the timeline that is set forth.

1 And that's a quick summary of my comments.

2 Thank you.

3 MR. PARELLA: Any questions or concerns
4 folks want to raise with Denise?

5 MR. KAMEN: First, I think that's great, and
6 I'm very excited and happy that you guys are looking to
7 both streamline the process, which I know you guys have
8 -- part of the issue is the interconnection, which
9 hopefully you guys work on that.

10 A question, several things. One, when you
11 say utility scale and larger projects, what kind of --
12 what's your concept about what that is?

13 MS. NELSON: Well, we do -- for example, we
14 have I think it's a great warehouse. We can get two
15 megawatts on a roof in Astoria, Queens. And that would
16 be something we would love to be able to develop, for
17 example.

18 And we see that the business model, for
19 example, that SoCal Edison on its warehouse district
20 where they are owning this. It's a model where there's
21 not a lot of electrical load by that building, by the
22 host building itself, but it offers great real estate
23 opportunity to utilize that.

24 I think those should be developed. And

1 ultimately I think what's the most important is what's
2 the least cost for the customer, and that's where we can
3 come back to our economic analysis and what is your
4 underlying cost of equity and how quickly do you need to
5 recover your costs and what kind of risks are you taking
6 on.

7 Again, ultimately, we want what's cheapest
8 for our customers. We just feel that, especially in our
9 current financial situation that we are in right now,
10 that a utility can help bring these things, bring these
11 projects to our market quickly and efficiently with less
12 risk.

13 MR. KAMEN: In many ways we agree on a lot
14 of different things. Talking to the ESCO community, as
15 well as the Commission, and dealing with historical
16 evolution of utility ownership of generation assets in
17 the state, there is a concern about utilities in a bunch
18 of different ways, both on the competitive side as well
19 as the risk in the long term development, and the
20 historical problem of utility investments in capital
21 taking too long and having cost overruns and such.

22 But one of the things we really like is the
23 utility involvement from the marketing perspective, from
24 the targeting perspective, from those value added, all

1 the things you talked about.

2 One of the questions is the role as the
3 utility in terms of shifting the capital risk through a
4 power purchase agreement, or other type of structure, is
5 that -- when you say "ownership" it kind of has various
6 potential ways because what you are really looking to
7 own is to own that fixed price energy resource over
8 those 25 or 30 years.

9 You could actually own the capital or you
10 could have a third party own the capital and therefore
11 buy the output and reduce the risk to customers and all.

12 Is that kind of in your model of thinking?

13 MS. NELSON: It really all comes down to
14 ultimately the cost to the customer. If that business
15 model is something that can provide that same energy and
16 that same benefit to our customers at a cheaper cost, it
17 certainly is something that should be part of the
18 answer.

19 But my -- our preliminary analysis that we
20 have been looking at, what we see from the marketplace a
21 lot of times is the independent developers want a cost
22 recovery over ten to 15 years, and then are also looking
23 for a higher return on equity, so the equation doesn't
24 always end up being least cost for the customer.

1 And then the treatment of how that energy
2 output is utilized and valued is a part of the equation
3 that has to go into it also.

4 So, if you can maximize that direct offset
5 for those peak hours and capture that peak clearing
6 price, that's really an important part of how the
7 structure is set up.

8 MR. KAMEN: Just one last question.

9 In terms of those values, because it's been
10 very difficult getting a handle on what are the value of
11 those coincident peaks and the targeted, etc., are those
12 something that you are prepared -- that Con Ed is
13 prepared to kind of share, at least through certain
14 instances, that would help justify some of these
15 programs and targets?

16 Because that's an issue right now because no
17 one really has a good handle on those values.

18 MS. NELSON: In terms of the peak clearing
19 prices?

20 MR. KAMEN: In terms of the ultimate benefit
21 to you in particular zones, particular target
22 subdistricts, and all those. Yeah, I know the clearing
23 price information is public, but in terms of providing
24 some economic analysis of that long term benefit of

1 coincident peak and other periods of time, it's been
2 really difficult for my association, which is a
3 relatively small one, to get some sort of handle and
4 justification.

5 It seems like no one really has those
6 numbers very clearly yet. Maybe you guys do, and maybe
7 you shared them already and I just don't know about it.

8 MS. NELSON: I think there's a lot of
9 different ways of looking at it. When I was talking
10 about large scale utility ownership I was really talking
11 about the clearing price of an entire zone. So, I think
12 that that's public information and people are aware of
13 that.

14 In terms of targeting specific areas, we are
15 doing some work on looking at this, and we are looking
16 at historical peak hour price. There's an historical
17 clearing price for every hour on our peak days, and
18 looking, then comparing that to actual data, solar data,
19 because hypothetical data is helpful to some extent, but
20 also when we have our heat waves, sometimes you get haze
21 that comes in with that also. Particularly as heat
22 builds up over days, and then the days get a little
23 hazier and hazier and hazier.

24 So, you don't have necessarily as much of

1 the solar radiation as you -- on the third day of a heat
2 wave that you might have had on the first day. A lot of
3 this is new and needs to be further studied. So, this
4 is something -- we support some of the competitive
5 bidding targeting and want to continue to work on that
6 for specific areas, but I think that there's just a lot
7 of uncharted territory there, too, that we also need to
8 work through.

9 And in terms of what is the actual value of
10 that, we hope that we are going to get there. And
11 ultimately can you offset distribution infrastructure?
12 That's a question I think still further down the road.

13 But we do know that there are system
14 benefits. There's less thermal cycling of equipment,
15 for example. Again, a lot of information that needs to
16 be discovered there.

17 MR. GALLAGHER: Ron, a quick point.

18 One of the things that makes it difficult is
19 that Con Ed has 57 networks, and oftentimes the networks
20 are peaking at different times during the day depending
21 on whether it's residential, commercial and what the mix
22 is of each.

23 But we, through the Solar American Cities
24 Program, we received an award from DOE to do a study, in

1 cooperation with Con Ed, to try to help identify where
2 are those networks that would make the most attractive
3 targets.

4 So, I'm hoping that that would feed into any
5 process that we use to possibly come up with a weighting
6 scheme that would provide more weight for projects in
7 the high potential networks.

8 MR. CHAPMAN: One thing that I think we
9 didn't really hammer down earlier about where the
10 resource is located on the meter, behind, in front,
11 something that I would like to get down to is where do
12 you foresee this as serving some sort of actual on site
13 resource load?

14 So, whereas the resource is on the roof,
15 It's serving the load of that particular building, and
16 how would that interplay?

17 I think it's an important question. I don't
18 know. If you guys want to chime in that would be
19 helpful.

20 MS. NELSON: I am not sure I totally follow
21 your question, but we see behind the meter and in front
22 of the meter both as important to being tapped.

23 MR. CHAPMAN: Absolutely, I understand, but
24 so where that power is being shipped off, there is two

1 ways to do it. You can meter it and net weigh and
2 consume it on site, or you can take that power, buy that
3 whole resource, all that energy, and ship to the grid.
4 Whereas, none of that energy is actually consumed on
5 site.

6 So, how would that, those two different
7 options, interplay with what you are thinking in moving
8 forward?

9 MS. NELSON: I think both of them make
10 sense. I think that on site consumption makes sense,
11 but also, where there is not a significant load, that
12 putting it into grid -- there's certainly a lot of
13 metering and measurement that needs to be considered as
14 we move forward there, but I don't think that all the
15 answers are there yet, but hopefully we will get there.

16 I don't think I am giving you -- I'm
17 answering your question.

18 MR. CHAPMAN: Not quite, but I'm just
19 thinking about as -- it depends on what you are paying
20 for for the electricity, whether you consume it on site
21 or ship, I think. It greatly depends. That attribute
22 that so far we are talking about, \$30 million being out
23 and about for these types of programs, I think that that
24 money being allocated, it depends greatly on whether or

1 not it's being consumed on site or being shipped
2 directly to the grid on how much those attributes are
3 going to be worth.

4 So, just helping further educate that
5 thinking.

6 MS. PALMERO: Any more comments on Con
7 Edison's proposal?

8 MR. TIMOTHY DANIELS: I think two points.

9 One, just this is -- use this maybe as an
10 example when I was talking about difficulty of having
11 bids for utility-owned and non-utility owned in level
12 ground.

13 For example, 25 or 30 year financing for a
14 solar project is something that is, for a lot of
15 distribution system equipment, that is an appropriate
16 financing period. For a lot of the solar development, I
17 would say most private sector folks never consider
18 financing that period because most of the equipment is
19 only designed to operate for something closer to a 20
20 year period. There may be some examples.

21 The second thing is on terms of risk, you
22 know, a two megawatt system at, let's say, \$6 a watt,
23 which is standard, you're talking about \$12 million
24 system. If two years from now a solar company, one of

1 the solar companies here comes forward with brand new
2 technology and are able to produce solar at \$3 a watt,
3 ratepayers now have, in effect, \$6 million in stranded
4 costs.

5 For a system that's been owned, let's say,
6 by Sun Edison, sits on a customer's facility, where they
7 have developed it off of a REC payment, customers have
8 their liability, their risk is a lot less. So, again, I
9 think everyone understands that but I just wanted to
10 emphasize it.

11 The other thing was, maybe getting back to
12 something Jim Gallagher made a comment on, this is
13 something that I think we are quite interested in this
14 project, and we see a lot of value finding a way to
15 maybe go a step beyond I think what Jim was describing
16 in terms of identifying networks where solar might be
17 appropriate.

18 We would love to see a targeted nearer term
19 where there actually are -- and this was -- another
20 individual I think tried to make or made this point
21 earlier. I will just sort of restate it.

22 Really believe that looking at individual
23 networks you should be able to come up with sort of a
24 coefficient factor, let's say, for a day peaking

1 network. And the effect would be that when Con Edison
2 identifies, let's say, a day peaking network, there
3 should be the ability of developer at some point to put
4 in a solar panel and there would be some kind of
5 deferred T&D value that could be associated with that.

6 The thing that prevented that from happening
7 so far is we don't really know at the times when that
8 particular network peaks how it -- how that matches up
9 with the generation, the output of the solar panels at
10 that particular point.

11 I think, looking at I mean the national
12 labs, federal national labs have done a lot of work on
13 this. I think we have some other utilities that have
14 some information. I mean I would think after a year or
15 two years of having some solar panels that Con Edison is
16 monitoring very closely, I would think that would be an
17 achievable goal, and I think it could go a long way to
18 developing kind of the next generation solar programs
19 where they are really integrated into the Con Edison
20 distribution planning.

21 MR. PARELLA: Any other comments? No other
22 proposals?

23 MS. NELSON: Couple of responses to that.

24 You brought up some concerns, actually, that

1 we do have. In terms of essentially a stranded cost
2 issue that you are talking about, if we build a project
3 at \$6 a watt and three years down the road now the cost
4 is \$3 a watt, especially in a time when we do expect
5 costs to come down, so this is something that we are
6 going to have to really carefully work with and ensure
7 that we are not going to be in that situation.

8 However, if we are paying for a PPA that's
9 based on the energy price, as opposed to a REC -- now, a
10 REC does get around some of that issue because then it
11 is current real time market price, but if the developer
12 is looking for a PPA that's tied to the actual, that
13 will pay for a certain amount of output, underlying that
14 you are still dealing with your \$6 today, \$3 in the
15 future. So, whether we are owning it or the PPA, that
16 same situation exists.

17 MR. TIMOTHY DANIELS: We would agree with
18 that.

19 MS. NELSON: As far as the length of
20 financing, we have been having discussions with our
21 accountants, and much of the solar panels actually are
22 designed or indicated for 25 years of life, and for much
23 of our utility equipment sometimes the actual life is
24 longer than the design life.

1 Our accountants have advised us that we
2 should be, then, rate basing the asset over a longer
3 period of time, which I said 25 to 30 years, although
4 ultimate goaling is something that would have to come
5 out in time.

6 Thank you.

7 MR. KAMEN: So, obviously, there will be the
8 period of written comment, which will be great. One of
9 the things I would like to just put forth is that I
10 think that looking at this as kind of a pilot means that
11 what you want to do is you want to put out certain
12 things, test them, see how they work, and then take it
13 to the next step.

14 So, Jim's idea about two solicitations a
15 year makes a lot of sense to me. In addition, to look
16 at different models and testing those models. One of
17 the models, it seems to me, is that when we talk about
18 these adders, we talk about an adder on the REC value
19 that you guys are thinking about paying for those
20 particular areas.

21 MS. PALMERO: Let me just clarify that I
22 call it an adder, but it's really how the proposal gets
23 evaluated. So, it's a weighting, for this additional
24 piece. Again, like the main tier. I think the adder

1 might be -- I am misspeaking when I say adder, but it's
2 really how it's evaluated.

3 MR. KAMEN: I think that the evaluation
4 process is critical to making these things happen.

5 I think that one of the models that we
6 should look at, though, is that in particular target
7 areas where we think that there is, for all the reasons,
8 great constraint, etc., etc., substation, etc., one of
9 the models we might consider is Con Ed and other
10 utilities putting out a proposal for 25 year PPA, having
11 developers come in and then bid what they would need as
12 a REC price for ten years, under that 25 year PPA,
13 understanding what the PPA would look like.

14 Give them the benefit of knowing, okay,
15 we're going to pay this, this is our value, we
16 understand, this is what we want to put out. We want
17 this amount. We will have to see how many megawatts we
18 will get and what the adder would be from a competitive
19 solicitation for those number of megawatts at that fixed
20 utility involvement.

21 So, it kind shifts some of the risks, it
22 shifts some of the bidding, it shifts some of the way
23 that you do it. That's just one potential model to
24 think about.

1 MS. PALMERO: I'll expect to see that in
2 your written comments.

3 MR. GALLAGHER: A suggestion about possible
4 additional technology that you might want to consider.

5 One of the greatest opportunities in the
6 city is, for efficiency improvements and also carbon
7 reduction, is combined heat and power. Given all the
8 city buildings, as well as the infrastructure of the
9 city alone, 80 percent of the energy is going through
10 the buildings.

11 One thought might be -- and I was
12 disappointed that we couldn't find a way to get combined
13 heat and power into this program, but think about
14 combined heat and power fueled by biodiesel as a
15 potential opportunity.

16 I think that over the next couple of weeks
17 we should explore that in more detail because I think
18 that would have an immediate impact on the city.
19 There's a lot of enthusiasm in combined heat and power
20 industry. They are just getting a lot of traction. If
21 we can get them moving toward biofuels, I think that
22 would be a significant advantage.

23 MR. SOBOLEWSKI: I just wanted to ask a
24 couple follow on questions. About the clarification on

1 the adder, and how that's a criteria for consideration,
2 not part of the incentive structure, was very helpful.

3 To further clarify how you envision working
4 in the straw proposal, is it correct that there would be
5 two components of whatever the incentive payment would
6 be, so capacity based component, up front payment, let's
7 say, and then a production based component; is that
8 correct?

9 MS. PALMERO: That's the initial thinking.
10 That's correct.

11 MR. SOBOLEWSKI: Then that production based
12 piece, would that be flat or established up front, or
13 would that be something that the bidder would be
14 competing on effectively as well where they would bid on
15 perhaps lower required attempts for the project and be
16 considered more favorably?

17 MS. PALMERO: Right, and I think that would
18 be combined, and that's when you would take a look at
19 what's your -- sort of your average weighted cost on a
20 dollar per kilowatt hour basis.

21 I guess you can look at it several ways.
22 The bidder could need much more money up front, so, the
23 way that you would have to structure your bid over this,
24 and I guess it would have to spell out the terms of how

1 long that production payment would be for.

2 So, giving all the parameters of the
3 solicitation and you would have to come up with I think
4 -- well, I don't know. Either one final number,
5 levelized number, and you could potentially get more of
6 that money up front and have lower capacity payments.

7 But I don't think that's been thought out,
8 or it hasn't been fleshed out. There could be various
9 scenarios how we could divvy up that capacity payment
10 and that production incentive.

11 I will just note that the Commission has
12 been -- they have been favoring more verification of
13 actual production of these facilities. So, they may
14 lean towards having a bigger piece being the production
15 payment as opposed to the up front capacity payment.
16 So, they could be weighted differently.

17 MR. SOBOLEWSKI: Should we assume that there
18 are also implications for the pool of funds and how
19 that's administered to use with respect to up front
20 versus payments over time, or is that not a
21 consideration?

22 In other words, is it to your advantage to
23 be able to, instead of let's say distributing the \$30
24 million all up front, an all up front payment, is there

1 an advantage to spreading that over time?

2 MR. PARELLA: I don't think we have gotten
3 to that level of detail yet. If folks have thoughts on
4 how to do that, whether to allocate where percentages
5 should be between capacity and performance payments, we
6 are interested in hearing what you have to say.

7 MR. SOBOLEWSKI: I guess one last comment on
8 that piece.

9 I have heard a couple of different comments
10 with respect to how much development we might see in
11 terms of total megawatt capacity based upon the amount
12 of funds allocated in this initial proposal.

13 We can attempt to address this in written
14 comments, but I don't know if you have got all of the
15 answers here now. It strikes me there could be a number
16 of different ways to stretch those funds through
17 different types of mechanisms.

18 Really, both how you structure the incentive
19 and also, perhaps, how you tie that to the contracting
20 and otherwise. So, I'm just putting that on the table
21 to state that I think there is really the potential to
22 develop quite a bit more capacity than some of the
23 numbers kicked around here today if we think through
24 creative and intelligent ways in terms of how to

1 structure it.

2 MS. PALMERO: That's good. Yeah, any kind
3 of input you can provide, that's what the Commission I
4 think is really looking for, how can we stretch out the
5 dollars, how can we get as much capacity for the dollar
6 as we can. So, if you have thoughts on that that would
7 be helpful.

8 MR. SOBOLEWSKI: One last comment I would
9 make is just that with respect to what we had been
10 calling adders, criteria for consideration that would
11 weight more favorably for a particular project, I would
12 just state specifically that we would support,
13 certainly, the adder based upon location.

14 The transparency and that, we think would be
15 very important with respect to the bidding. So, we
16 would agree that there could be a list of zip codes
17 issued where they would have that special consideration
18 would be helpful.

19 Peak delivery as a second criteria I think
20 is very important. We brought up emergency or refuge
21 sites and storage. All are good criteria. For all of
22 them it sounds like there's sufficient data available to
23 develop the criteria relative specifically to economic
24 value.

1 So, for peak delivery, let's say, that could
2 be quantified in numerical terms, not just sort of
3 binary, yes, no. So, we would encourage any support
4 from the various parties helping to establish that.

5 MS. PALMERO: Thank you.

6 MR. PARELLA: Any more comments? Questions?
7 Concerns?

8 MS. QUIN: I have some comments for Orange &
9 Rockland Utilities. We won't repeat a lot of the more
10 generic comments that Con Edison made that we do
11 support, but a few Orange & Rockland specific comments.

12 Our customers have contributed \$120 million
13 towards the RPS program, but we have no main tier
14 projects within our service territory, so we are not
15 receiving the local benefits that other customers are
16 receiving from that tier of the RPS program, including
17 the economic development opportunities.

18 We believe the \$5 million may be a start.
19 \$5 million, that is, for Orange & Rockland and Central
20 Hudson, but largely insufficient to address the
21 imbalance issue. I think that my neighbors to the left
22 here probably agree with me on that.

23 O&R has resources not being served by the
24 current solar program, and we think the emphasis on

1 solar going forward would be beneficial to our service
2 territory. We have larger roofs. Not as many as New
3 York City, but we do have larger roofs that could
4 support solar.

5 Utility property and targeting
6 opportunities. So, we do support the value added
7 proposal.

8 We support the competitive solicitation
9 proposal which is attractive to drive down the cost and
10 get more funding for our customers' homes.

11 We would echo Con Edison's comments on
12 utility ownership and on reducing administrative
13 barriers, which we also may not have the same barriers
14 as New York City has, but our developers have noted
15 those.

16 So, thanks.

17 MR. PARELLA: Thank you.

18 No other comments? Let's spend some time
19 talking about next steps.

20 First, I appreciate you all, again, like I
21 say, again, I appreciate you all coming here today and
22 offering input. I know we got a lot of valuable
23 information that we need to take back and think through
24 its implications, but we also want to get some written

1 comments from you all.

2 And, as I said earlier, I think before the
3 lunch break, we were sort of thinking about a deadline
4 of January 29th. And we will take some time to go over
5 those comments and then decide what we need to do next.

6 If we need to convene another meeting, or if
7 we need to reach out on a bilateral basis with some
8 commenters to explore in a little bit more detail what
9 their comments are, we may want to do that.

10 But we do have a pretty hard and fast
11 deadline to get a final recommendation back to the
12 Commission. I think the order said within three months.

13 So, we want to involve you as much as
14 possible in helping us design and finish up our
15 proposal, but we do have a deadline, so, we will try to
16 be flexible and we hope you can help us along the way.

17 We really, really appreciate you going
18 through this and the principles, and going over our
19 proposal, the objective and the principles with a fine
20 tooth comb, and additions, subtractions, modifications,
21 that would be really helpful.

22 An idea that came up at the end, which I had
23 been sort of thinking about since the start of the
24 meeting, is there a way that we could use this up to \$30

1 million as some sort of seed money to help address this
2 situation maybe in a more dynamic and long term way. I
3 think that would be useful.

4 As I mentioned before, the whole
5 relationship between this geographic balancing
6 initiative and the whole customer sited tier, which the
7 Commission is going to take up in March or April,
8 getting your input on that relationship, I think, could
9 also be very helpful and useful for us since we have to
10 make a proposal to the Commission on the customer sited
11 tier also.

12 So, once again, thank you for coming. We
13 look forward to your comments on the 29th. If you could
14 follow those comments on the RPS list serve, and if you
15 are not on it send Tina an e-mail or give her a phone
16 call. We will make sure you get on the list serve.

17 MS. PALMERO: Or, better yet, if you have a
18 card with your e-mail address I can make sure you get
19 posted on the list serve or get added to the list serve.

20 MR. PARELLA: Thank you very much. It was
21 very helpful.

22 (Meeting concluded.)
23
24

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