

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

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

NOTICE OF  
DETERMINATION OF SIGNIFICANCE

(Issued April 20, 2012)

NOTICE is hereby given that the Public Service Commission as lead agency has determined that the adoption of modifications to the Renewable Portfolio Standard (RPS) program, which includes the expansion of the solar photovoltaic programs under the customer-Sited Tier, will not have significant adverse impacts on the environment and an Environmental Impact Statement will not be prepared in connection with the potential action. This determination is made pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act of the Environmental Conservation Law. The action contemplated is an unlisted action as defined in 6 NYCRR, Section 617.2.

A review of the environmental assessment form (EAF) prepared regarding the action contemplated, and the other supporting documentation, demonstrates that the action under consideration would not result in any new generic environmental impacts that are not already contemplated to occur as part of the RPS program, but would likely result in an increase in the cumulative activity resulting from the RPS program. Such increase in the cumulative activity would be beneficial to the environment in the form of (a) reduced demand for electricity generated by the combustion of coal, oil and natural gas, resulting in emissions reductions; (b) emissions reductions should result in decreased incidents of asthma and other respiratory diseases; and (c) increased economic development

opportunities in the renewable resources industry and the attraction of renewable technology manufacturers and installers to New York State.

The supporting documentation for this determination is the EAF, the materials compiled as the "Express Terms" for the Notice of Proposed Rulemaking given pursuant to the State Administrative Procedure Act (SAPA), the January 2012 New York Solar Study, and the Final Generic Environmental Impact Statement approved by an order of the Public Service Commission issued on August 26, 2004, in Case 03-E-0188.

The address of the Public Service Commission, the lead agency for purposes of environmental quality review of this action, is 3 Empire State Plaza, Albany, New York 12223-1350. For further information contact Christina Palmero at (518) 474-1612.

JACLYN A. BRILLING  
Secretary