

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

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

NOTICE OF DETERMINATION OF SIGNIFICANCE
AND COMPLETION OF DRAFT GENERIC
ENVIRONMENTAL IMPACT STATEMENT

(Issued November 9, 2007)

NOTICE is hereby given that a draft Generic Environmental Impact Statement has been prepared in connection with a proposed action by the Public Service Commission to formulate a policy statement on retail renewable portfolio standards in New York State and potentially to establish implementation measures. This is based on the Commission's determination, pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act of the Environmental Conservation Law, that such action may have a significant effect on the environment. The action contemplated is an unlisted action as defined in 6 NYCRR, Section 617.2.

On May 16, 2007, the Commission instituted a proceeding to explore and develop the means by which the State's electric energy consumption can be decreased by 15% from expected levels by the year 2015, and will include development of an electric and natural gas Energy Efficiency Portfolio Standard, and to establish implementation measures of that standard.

On June 11, 2007, the Commission issued a Notice Inviting Comments on a proposed Environmental Assessment Form (EAF) prepared by its Staff. Subsequently, Staff prepared a proposed draft Generic Environmental Impact Statement (GEIS) for

the Commission's consideration identifying and analyzing the potential environmental, social and economic impacts associated with the proposed action. Pursuant to 6 NYCRR, Section 617.6(a)(4), the draft GEIS was treated as an EAF for the purposes of determining significance. After considering the proposed draft GEIS and the public comments received, the Commission has concluded that the establishment of an Energy Efficiency Portfolio Standard may have a significant effect on the environment. The action involves changes in policy, practices and economic arrangements affecting the usage of energy. Direct adverse environmental impacts are not expected from implementation of energy efficiency policies, but there may be potential secondary impacts that will result.

By Order issued November 9, 2007, the Commission determined that the draft GEIS comported with the regulations implementing the State Environmental Quality Review Act (SEQRA), in particular 6 NYCRR Parts 617.9 and 617.10, accepted the GEIS as complete, and directed the Secretary to issue it for comment.

TAKE NOTICE that a Notice of Completion of a draft GEIS in this proceeding is filed for publication in the Environmental Notice Bulletin in accordance with 6 NYCRR Part 617. The Notice is expected to be published on November 14, 2007.

TAKE FURTHER NOTICE that copies of the draft GEIS are available to the public at the Commission's Albany and New York City offices. The locations of the Commission's offices are:

Albany office:
Central Files
14th Floor
Three Empire State Plaza
Albany, NY 12223-1350

New York City office:
Central Files
4th Floor
90 Church Street
New York, NY 10007-2919

The draft GEIS will also be posted on the Commission's website at http://www.dps.state.ny.us/Case_07-M-0548.htm.

Comments on the draft GEIS will be accepted if received at the Commission's Albany office on or before the close of business on December 14, 2007. Parties should submit an original and two copies of their written comments, and should also submit an electronic copy to the EPS listserve. Members of the public may submit comments in writing by using the Comment Form on the Commission's website at <http://www.dps.state.ny.us/comments.html>, or by mailing comments to the Secretary. All comments should reference Case 07-M-0548.

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

(SIGNED)

JACLYN A. BRILLING
Secretary