

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

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Proceeding on Motion of the Commission to  
Implement a Large-Scale Renewable Program  
And a Clean Energy Standard

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Case 15-E-0302

**PETITION**

In the Commission’s August 1, 2016 “Order Adopting a Clean Energy Standard” in the above-referenced proceeding (the CES Order), the Commission discusses behind-the-meter (BTM) generation in the context of the renewable generation baseline calculation, the Renewable Energy Standard (RES) compliance obligation of the Load Serving Entities (LSEs) and the overall goal that 50% of New York’s electricity is to be generated by renewable sources by 2030.<sup>1</sup> In particular, the Commission address behind-the-meter generation in three pertinent sections of the Order.

First, in footnote 11 on page 14, and as part of the discussion of the structure of Tier 1 (new renewable resources) of the RES, the Commission states that “the load forecasts used to set targets account for historic behind-the-meter generation....”

Second, on page 79-81, the Commission provides an extensive discussion on the relationship between behind-the-meter generation and related load, the calculation of an appropriate load forecast, and the statewide goal and LSE obligations flowing from the load forecast.<sup>2</sup> Moreover, in footnote 58 on page 80, the Commission states that it may revisit the question of behind-the-meter generation.

Third, the Commission includes on page 8 of Appendix A as “[e]ligible generation resources” any “behind-the-meter” and “net-metered” generation resources, “until such time that the Commission may change that dual eligibility requirement in a subsequent Order.”

Given the Commission’s language referenced above, and in light of NYSERDA’s December 1, 2016 filing requirements as described in the CES Order, which include NYSERDA’s publishing of the number of RECs that will be available for sale for the 2017 compliance period, and the

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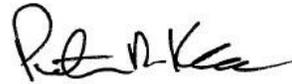
<sup>1</sup> CES Order at pp. 79-81.

<sup>2</sup> Id.

question of how certain attributes associated with behind-the-meter generation funded by NYSERDA should be treated – in particular, NY-Sun and its predecessor Customer-Sited Tier (CST) projects – NYSERDA requests clarification, prior to December 1, 2016, regarding the status of attributes associated with NY-Sun and CST projects.

Dated: August 25, 2016

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter Keane". The signature is fluid and cursive, with the first name "Peter" and last name "Keane" clearly distinguishable.

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