Greetings Secretary Hon. Kathleen Burgess:

The comments below in bold represent my responses for specific questions asked through the January 11th, 2018 issuance regarding Case 18-E-0018 and Case 15-E-0751, titled, “the notice soliciting comments on proposed modifications to the standardized interconnection requirements”. I have only addressed some of, not all of, the nine questions posed. Please add my comments below to these Cases.

5. Do the SIRs construction cost payment milestones align with the local siting processes? **It varies, but under most situations, no. There are many instances where developers are required to obtain more than one approval from a local municipality. Some of these requirements can include zoning variances, site plan approval, and/or subdivision. Often Towns have separate Boards that have different meeting dates and times.**

To avoid the risk of poor utility queue placement, developers must submit an interconnection application very early on within the development cycle. This action causes the “payment clock” to start. Once that happens, the developer can still face long delays with local municipalities. This is especially true because some Towns are adopting newly drafted legislation surrounding the appropriate guidelines for zoning solar farms. In that scenario, it can be months before the developer can even submit for site plan approval. Following submission, many months of hearings can ensue.

There are two interconnection payments necessary to remain in the queue; one for 25% of interconnection costs and another for 75% of the interconnection costs. Once the final CESIR has been issued, a developer has ninety business days to pay 25% of interconnection costs. I am in agreement with this timeline as written, so long as this payment fully refundable. It is the
timing of the next payment that should have more time allowed, especially if that payment is not able to be treated as refundable.

6. How might the interconnection process be improved to better align with local siting processes? **My recommendations for this ties the two processes together.** I am fine with a 25% interconnection payment being due within 90 business days of the issuance of the CESIR. The second payment for 75% should be due within 60 days of the site plan approval, or 365 days, whichever is less. Extensions can only be granted is the developer has appeared on the Planning Board agenda within the time frame mentioned.

7. How much time should a developer have to obtain local siting approvals after making down payment on utility construction costs? **One year is a reasonable amount of time.** Many developers are incentivized to obtain the approvals prior to one year. There are a lot of municipalities that are currently reviewing changes to their zoning laws and will not accept applications prior to rezoning approval to include large commercial solar projects.

8. If local permits are not obtained in a reasonable time, should a developer's down payment be fully refundable? **A fully refundable deposit should be expected of the utility from the developer.** Our situation has asked the utility to place project(s) on hold, effectively asking them to do no further work on the project until further notice from the developer. If asking the utility to perform no other work towards the project, there is no reason for this 25% interconnection deposit to be anything but fully refundable. The “hold” status is beneficial for both sides and has less people doing meaningless work should a project not advance to construction for one of many reasons.

9. If a developer's down payment is fully refundable, what level of payment is sufficient to demonstrate that the developer intends to proceed to construction? **All developers intend to proceed to construction.** It is what the developer asks of the utility, in the meantime, that is of consequence. It is the belief of High Peaks Solar, LLC that the 25% interconnections cost paid within 90 days of CESIR issuance is the maximum that should be asked of a developer. This is a good faith deposit that should not be increased. If anything, lessening this fee could result in more project development to increase the deployment of clean energy in New York State. I support lowering this amount by half for this purpose.

Thank you for taking time to review my comments.

Sincerely,

[Signature]

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