

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held in the City of  
Albany on May 5, 2004

COMMISSIONERS PRESENT:

William M. Flynn, Chairman  
Thomas J. Dunleavy  
Leonard A. Weiss  
Neal N. Galvin

CASE 94-E-0952 - In the Matter of Competitive Opportunities  
Regarding Electric Service, filed in  
C 93-M-0229.

ORDER APPROVING CHANGE TO SETTLEMENT PERIOD IN THE  
ENVIRONMENTAL DISCLOSURE PROGRAM

(Issued and Effective May 12, 2004)

BY THE COMMISSION:

BACKGROUND

On December 15, 1998, the Commission required electricity providers throughout New York State to include environmental disclosure information in retail electricity bills.<sup>1</sup> New York State's Environmental Disclosure Program was established to provide information to retail customers about the attributes of the electricity being supplied to them by their Load Serving Entity (LSE). The information is presented to the customer in the form of a label that discloses information based on the last calculated annual period.<sup>2</sup> The label contains a

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<sup>1</sup> Case 94-E-0952, Competitive Opportunities Proceeding, Opinion No. 98-19 (issued December 15, 1998).

<sup>2</sup> A sample label can be found on page 12 of the Appendix in Opinion and Order 98-19.

disclosure of the mix of fuel sources used to produce the electricity that was purchased by the consumer and a graph that displays how the emission levels of sulfur dioxide (SO<sub>2</sub>), nitrogen oxide (NO<sub>x</sub>) and carbon dioxide (CO<sub>2</sub>) for that fuel mix compare to the average for New York State.

Since the beginning of 2002, Staff has been compiling and distributing environmental disclosure information for LSEs on a quarterly basis, however, LSEs are only required to provide the updated information to their retail customers once every six months.

#### DISCUSSION

In Opinion 98-19, the Commission determined that a three month, or quarterly, settlement period was a reasonable timeframe to aggregate electricity data. The three month period allowed some flexibility in managing intermittent resources while preserving the seasonality attributes of the resources balanced against a desire to provide customers with recent data updates.

Recent discussions between Staff and parties have indicated that it would be desirable to give additional flexibility for the purchase of intermittent resources.

By extending the settlement period to six months, more flexibility could be afforded to those LSEs that are looking to match renewable demand with intermittent production for renewable resources such as wind and hydroelectric power. Extending the two six month intervals from January to June and July to December would preserve the seasonality attributes of the resources as originally intended. Matching the settlement period to the six month disclosure period would eliminate unnecessary interim calculations of environmental disclosure data.

A SAPA Notice, SAPA 94-E-0952SA33, was published in the November 12, 2003 New York State Register. No comments were received.

The Commission orders:

1. The settlement period to be used for the Environmental Disclosure Program is extended from a three month to a six month cycle that would extend periodically from January to June and July to December, each year.

2. This proceeding is continued.

By the Commission,

(SIGNED)

JACLYN A. BRILLING  
Secretary