



**Department of  
Public Service**

**Public Service Commission**

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Secretary

Three Empire State Plaza, Albany, NY 12223-1350  
www.dps.ny.gov

June 9, 2016

Ms. Kathleen Burgess, Secretary

New York State Public Service Commission

Three Empire State Plaza

Albany, NY 12223-1350

Re: Case 14-M-0094 – Proceeding on Motion of the Commission to Consider a Clean Energy Fund.

Case 15-M-0252 – In the Matter of Utility Energy Efficiency Programs.

Matter 16-00561 – In the Matter of the Clean Energy Advisory Council.

Dear Secretary Burgess:

By order issued January 21, 2016 (January CEF Order),<sup>1</sup> the New York Public Service Commission (the Commission) established the Clean Energy Advisory Council (CEAC) to be co-chaired by Department of Public Service Staff (Staff) and the New York State Energy Research and Development Authority (NYSERDA). The Commission stated that the CEAC's "primary objective is to support innovation and collaboration for an effective transition from current program offerings to post-2015 clean energy activities and on-going delivery thereafter." The Commission directed Staff, in consultation with NYSERDA, to extend invitations for required participation in the CEAC to all utilities offering energy efficiency programs in New York State, and to also extend invitations to participate in the CEAC to the New York Power Authority (NYPA) and the Long Island Power Authority (LIPA). The Commission directed the CEAC to develop a structure that recognizes the need for NYSERDA/Utility interaction as well as allowing for meaningful involvement from stakeholders, and required this structure to be documented in a CEAC Charter to be filed in the Clean Energy Fund (Case 14-M-0094) and Utility Energy Efficiency (15-M-0252) proceedings by June 15, 2016.

At the March 23, 2016 CEAC meeting, Staff, NYSERDA, the utilities offering energy efficiency programs, NYPA and LIPA (collectively the signatories), as well as stakeholders, provided input on a

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<sup>1</sup> Case 14-M-0094 et al, Proceeding on Motion of the Commission to Consider a Clean Energy Fund, Order Authorizing the Clean Energy Fund Framework (issued January 21, 2016).

draft Charter. The signatories formally adopted the Charter at the April 27, 2016 CEAC meeting.<sup>2</sup> With this Charter the CEAC adopts a framework whereby it will operate through the structure of a Steering Committee and Working Groups convened by the Steering Committee to address specific areas of focus.

On behalf of the CEAC and in compliance with the Commission's January 21, 2016 Order, please find the enclosed Charter.

Sincerely,

/s/

Colleen Gerwitz  
Office of Markets & Innovation  
Director of Program Management &  
Planning

Enc.

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<sup>2</sup> Subsequent to the April 27, 2016 CEAC meeting, minor revisions made for clarification purposes were agreed to by the Steering Committee members via email.

# CLEAN ENERGY ADVISORY COUNCIL CHARTER

The following is the Charter governing the organization and operation of the Clean Energy Advisory Council (CEAC or the Council) as established by the New York State Public Service Commission (the Commission).

## 1. Background

By order issued January 21, 2016,<sup>1</sup> the New York Public Service Commission (the Commission) established the Clean Energy Advisory Council (CEAC or simply the Council), to be co-chaired by Department of Public Service Staff (DPS Staff) and the New York State Energy and Research Development Authority (NYSERDA). The Commission stated that the Council’s “primary objective is to support innovation and collaboration for an effective transition from current program offerings to post-2015 clean energy activities and on-going delivery thereafter.” The Commission directed DPS Staff, in consultation with NYSEDA to extend invitations for required participation on the Council to each of the utilities offering energy efficiency programs in New York State, as well as the New York Power Authority (NYPA) and the Long Island Power Authority (LIPA). The Commission also directed that the Council “develop a structure that recognizes the need for NYSEDA/Utility interaction as well as allowing for meaningful involvement from a broad array of stakeholders, including participation of key representative groups.” By adoption of the Clean Energy Advisory Council Charter, the undersigned, representing DPS Staff, NYSEDA, utilities offering energy efficiency programs in New York State, NYPA and LIPA, establish a Council structure that recognizes the need for NYSEDA/Utility interaction and provides for the meaningful involvement from stakeholders, as directed by the Commission.

## 2. Purpose

The Council’s primary objective is to support innovation and collaboration leading to the development of the most impactful clean energy programs and to reduce cost and achieve scale for these resources, including an effective transition from current clean energy program offerings and on-going delivery thereafter. The Council will enable an effective and coordinated portfolio of programs and initiatives in pursuit of New York State energy objectives, with a focus on energy efficiency, other distributed energy resources (DER), and non-wire alternatives. The Council will operate with transparency and meaningful engagement of stakeholders to ensure that all parties are informed of proposed changes and are provided the opportunity to raise ideas and concerns to inform the New York State Energy Research and Development Authority’s (NYSEDA’s) and the investor-owned and the public utilities’ clean energy efforts.

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<sup>1</sup> Case 14-M-0094. et al, Proceeding on Motion of the Commission to Consider a Clean Energy Fund, Order Authorizing the Clean Energy Fund Framework (filed January 21, 2016).

### **3. Structure**

The Council will operate through the structure of a Steering Committee and Working Groups convened by the Steering Committee to address specific areas of focus.

#### **A. Steering Committee**

##### *I. Composition*

The Steering Committee will be co-chaired by Department of Public Service (DPS Staff) and NYSERDA and will comprise the following representatives:

- DPS Staff, Co-chair
- NYSERDA, Co-chair
- AVANGRID, Inc.
- Central Hudson Gas & Electric Corporation
- Consolidated Edison Company of New York, Inc.
- Long Island Power Authority
- National Fuel Gas Distribution Corporation
- National Grid USA Service Company, Inc.
- New York Power Authority
- Orange & Rockland Utilities, Inc.
- PSEG Long Island
- Designee from each Working Group, described below

Each of the entities listed above agree to provide a representative of its choice to the Steering Committee. Steering Committee meetings may be held in-person or via teleconference. Steering Committee Members are expected to have the authority to represent and allocate resources and make decisions on behalf of their respective organizations. In order to make Council meetings productive, it is the expectation that Steering Committee Members will attend all in-person meetings or participate via videoconference at the New York City or Buffalo Commission Offices, similar to Commission technical conferences or Commission-sponsored working group meetings. Under extenuating circumstances, a Steering Committee Member may participate via telephone, or designate a temporary or permanent substitute.

##### *II. Responsibilities*

The Steering Committee shall establish procedures and priorities for the Council. It shall, on an annual basis, develop a work plan identifying key areas of focus based on the responsibilities assigned to the Council by the Commission, DPS Staff, or areas of examination as raised by individual Council members and agreed to by the Council. The work plan will identify the priorities among and

within each area of focus, as well as corresponding work products and associated timelines. The work plan will be posted to a designated location on the Department of Public Service (DPS) Clean Energy webpage, and will be filed in Matter 16-00561, a matter designated for Council materials, related to the Clean Energy Fund and Utility Energy Efficiency proceedings (Cases 14-M-0094 and 15-M-0252).

Steering Committee meetings will occur no less than four times per calendar year, and be open to the public. A portion of every Steering Committee meeting will be allotted for public comments on matters pertaining to the work of the Council. A meeting schedule, as well as agendas and minutes of Steering Committee meetings will be posted to a designated location of the DPS Clean Energy webpage, and filed in the matter number referenced above.

The Steering Committee shall establish Working Groups to investigate areas of focus and priorities, and will invite representatives from DPS Staff, NYSERDA, the investor-owned and the public utilities administering energy efficiency programs, and stakeholder groups to participate. In extending such invitations, the Steering Committee will consider the objectives of the Working Group, providing for a diverse range of stakeholder interests and geographic regions of the state.

The Steering Committee shall define the scope of each Working Group, as well as work products and due dates. The Steering Committee shall consider, review and comment on Working Group progress. Prior to the transmittal of any report of a Working Group, the Steering Committee shall have the opportunity to review and provide comments on the contents of the report.

The Steering Committee will have the authority to determine when a Working Group has satisfactorily completed its charge. Upon such finding, the Steering Committee shall terminate the Working Group and the Working Group's Designee to the Steering Committee will relinquish its seat on the Steering Committee.

The Steering Committee shall produce written updates on not less than an annual basis on the progress of its work, and will post this information to the designated location of the DPS Clean Energy webpage as well as file it in Matter 16-00561. The Steering Committee will strive for consensus; however, dissenting viewpoints will also be documented in all Steering Committee work products.

## **B. Working Groups**

### *I. Formation*

Working Groups may be formed to implement Commission requirements or to engage in work deemed necessary by the Steering Committee. In order to establish a Working Group, the Steering Committee shall conduct outreach and provide an opportunity for stakeholders to express interest in Working Group participation. Upon completing the necessary outreach, the Steering Committee must develop and file in Matter 16-00561 a Working Group Charter document that describes the scope, tasks, deliverables, timelines, and initial members of the Working Group.

### *II. Composition*

Working Groups will be limited to 20 members, except where the level of stakeholder interest necessitates additional members. Working Groups will comprise the following representatives, some of which may also be Steering Committee members:

- DPS Staff
- NYSERDA
- Investor- owned and public utilities represented on the Steering Committee
- Representatives from key stakeholder groups relevant to the objectives of the Working Group. Stakeholder groups may include, but are not limited to:
  - Environmental groups
  - The business community
  - Large energy users
  - Customer advocates
  - Low income advocates
  - Developers
  - Technology Providers
  - The New York Independent System Operator (NYISO)
  - DER Providers
  - Energy efficiency advocates

All Working Group members shall actively participate in the Working Group's efforts, and regularly participate in and contribute to deliberations and work products of the group. In addition to attending meetings, participation may be accomplished through conference calls, webinars and video conferencing.

### *III. Responsibilities*

Each Working Group will select a Chair or Co-chairs to provide leadership for all Working Group efforts, including scheduling meetings, ensuring that work is aligned with the direction of the Commission, priorities of the Council, and that its progress occurs at the necessary pace to meet Steering Committee due dates.

Unless otherwise noted, each Working Group will also select a Designee to the Steering Committee who may also be a Chair or Co-Chair of the Working Group. Unless otherwise noted, the Designee shall be a representative from a stakeholder group. The same entity may provide a Designee to the Steering Committee from more than one Working Group, however that entity will have only one voice on the Steering Committee. The Working Group's Designee shall be responsible for any necessary communication between the Working Group and the Steering Committee along with providing regular updates to the Steering Committee regarding the Working Group's progress. When participating as a Steering Committee member, the Designee shall indicate whether an opinion is intended to reflect the Working Group, their respective organization or their individual belief.

Working Groups shall be responsible for the development of findings and recommendations that will be filed in Matter 16-00561, as described below, and may be used to inform future decisions by the Commission, NYSERDA's Clean Energy Fund Investment Plan and the utilities' future Energy Efficiency Transition Implementation Plan and Budget and Metric Plan filings and other clean energy activities.

Each Working Group shall create a work plan to complete, within the assigned timeframe, the work products specified by the Steering Committee, and shall provide regular written status updates of its progress and emerging findings to the Steering Committee.

Each Working Group shall have the responsibility to develop specific findings and recommendations with respect to its area of focus and priorities as established by the Steering Committee. In identifying and documenting its recommendations, the Working Group shall provide sufficient rationale for such findings and recommendations. Working Group reports and all other work products shall reflect the full range of viewpoints. Working Groups will submit their findings and recommendations to the Steering Committee by the assigned date, for review and comment. Upon review by the Steering Committee, DPS Staff will file a Working Group's report, findings, and recommendations, together with the comments of the Steering Committee, with the Secretary in Matter 16-00561 for future consideration.

In supporting the development of feasible and impactful recommendations, Working Group activities are expected to include consideration of topical research, analyses and studies, and may also include the solicitation of expert advice and guidance. In addition, the Working Group may convene technical conferences or workshops. In addition a Working Group may recommend that DPS Staff convene technical conferences or workshops related to its work.

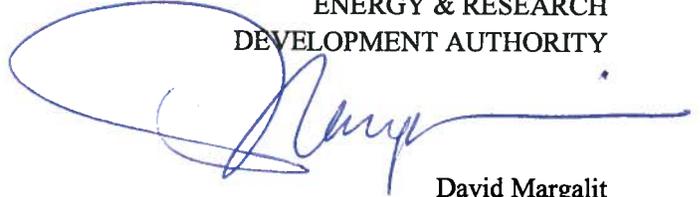
Working Groups will provide transparency to the Steering Committee and the public through the posting of Working Group rosters, work plans, work products, and the written status updates as provided to the Steering Committee. This information will be posted by DPS staff to a designated location of the DPS Clean Energy webpage, and filed in the associated matters.

NEW YORK STATE  
DEPARTMENT OF PUBLIC SERVICE

A handwritten signature in black ink that reads "Colleen Gerwitz". The signature is written in a cursive style with a large initial 'C'.

Colleen Gerwitz  
Director, Program Management & Planning  
3 Empire State Plaza  
Albany, NY 12223

NEW YORK STATE  
ENERGY & RESEARCH  
DEVELOPMENT AUTHORITY



David Margalit  
Chief Operating Officer  
17 Columbia Circle  
Albany, NY 12203

AVANGRID, Inc.

A handwritten signature in black ink that reads "Mark Beaudoin". The signature is written in a cursive style with a long horizontal line extending to the right.

Mark Beaudoin  
Director, Customer Service and Systems  
18 Link Drive, P.O. Box 5224  
Binghamton, NY 13902-5224

CENTRAL HUDSON GAS & ELECTRIC CORPORATION



Anthony Campagioni  
Vice President, Business Development & Government Affairs

284 South Avenue  
Poughkeepsie, NY 12601

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

A handwritten signature in black ink, appearing to read 'Matt Ketschke', with a long horizontal line extending to the right from the end of the signature.

Matt Ketschke  
Vice President, Distributed Resource Integration  
4 Irving Place  
New York, NY 10003

LONG ISLAND POWER AUTHORITY

A handwritten signature in black ink, appearing to read "Michael Deering". The signature is fluid and cursive, with the first name "Michael" written in a larger, more prominent script than the last name "Deering".

Michael Deering  
Director, Customer Service & Program Oversight  
333 Earle Ovington Blvd., Suite 403  
Uniondale, NY 11553

NATIONAL FUEL GAS DISTRIBUTION CORPORATION

A handwritten signature in black ink that reads "Cliff Mason". The signature is written in a cursive style with a large initial "C" and a long, sweeping underline.

Cliff Mason  
Senior Manager, Energy Services  
6363 Main Street  
Williamsville, NY 14221

NATIONAL GRID USA SERVICE COMPANY, INC.



Terence Sobolewski  
Chief Customer Officer  
40 Sylvan Rd.  
Waltham, MA 02452

NEW YORK POWER AUTHORITY



Jill Anderson  
Senior Vice President, Wholesale Commercial Operations  
123 Main Street  
White Plains, NY 10601

ORANGE & ROCKLAND UTILITIES, INC.

*Roberta Scerbo*  
*May 6, 2016*

Roberta Scerbo  
Director, Utility of the Future  
390 West Rt. 59  
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PSEG LONG ISLAND



Michael Voltz  
Director, Energy Efficiency and Renewables  
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