



**Department of
Public Service**

Public Service Commission

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Secretary

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

March 22, 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.

Dear Secretary Burgess:

Enclosed please find the meeting materials for the first Clean Energy Advisory Council meeting, to be held on March 23, 2016 from 1:00 to 3:00 in the 19th Floor Board Room of the Department of Public Service office located at Three Empire State Plaza, Albany, New York. The meeting materials include an Agenda, a draft Council Charter, and a summary of proposed initial Council Working Groups to implement the Public Service Commission's requirements contained in its January 21, 2016 Order in Case 14-M-0094.¹

Sincerely,

/s/

Scott Weiner
Deputy for Markets and Innovation

Enc.

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

March 23, 2016
Clean Energy Advisory Council Meeting
1:00pm-3:00pm
19th Floor Board Room
Department of Public Service - Agency Building 3
Empire State Plaza, Albany NY 12223

AGENDA

1. Introductions & Objectives of the Meeting (5 minutes)
2. Opening Remarks (15 minutes)
 - Audrey Zibelman, Chair, New York State Public Service Commission
 - John Rhodes, President & CEO, NYSERDA
3. Clean Energy Advisory Council Charter Discussion (25 minutes)
4. Clean Energy Advisory Council Working Group Discussion (25 minutes)
 - Process for Stakeholder involvement
5. Clean Energy Advisory Council Work Plan Discussion (10 minutes)
6. Proposed 2016 Clean Energy Advisory Council Meeting Schedule (5 minutes)
7. Other Business (15 minutes)
8. Comments from the Public (20 minutes)

To best facilitate a productive discussion, in-person attendance is recommended, however the following call-in information has been established, if needed.

Dial in Numbers: (844) 633-8697; or
(866) 776-3553

Meeting ID: 25011421

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, 2016,¹ 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 for 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 Research and Development Authority's (NYSEDA's) and utilities' clean energy efforts.

3. Structure

¹ 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).

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 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 meetings in person. Under extenuating circumstances, a Steering Committee Member may participate via telephone, or, with permission from the Steering Committee Co-chairs may designate a 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, investor-owned 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. The polling of Steering Committee members therefore serves as an information tool, rather than dictating any particular outcome.

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, some of which may also be Steering Committee members, and will comprise the following representatives:

- DPS Staff
- NYSERDA
- 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 regularly participate in and contribute to deliberations and work products of the group. Working Group members shall actively participate in the Working Group's efforts in investigation into its area of focus.

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.

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, 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 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 to a designated location of the DPS Clean Energy webpage, and filed in Matter 16-00561.

**CLEAN ENERGY ADVISORY COUNCIL
INITIAL WORKING GROUPS & CORRESPONDING CEF ORDER REQUIREMENTS**

The Commission's January 21, 2016 Clean Energy Fund Framework Order¹ established the overall responsibilities of the Council as well as directing the Council to undertake a number of specific tasks. To take advantage of potential synergies and be mindful of resource constraints among Council Members and Stakeholders, the assigned responsibilities and tasks have been organized into six individual Working Groups as outlined below.

The Steering Committee will utilize the information below as a starting point in the development of Working Group Scopes that will articulate the objectives, tasks, deliverables, timelines, and initial members of each Working Group. The Steering Committee will consider the scope of the Working Group and seek to provide for a diverse range of stakeholder interests in conducting outreach to stakeholders as to their interest in participating in a given Working Group. Stakeholders who are interested in active participation in any Working Group are invited to make this interest known by emailing CEAC@dps.ny.gov by March 30, 2016.

- **Clean Energy Implementation & Coordination (this Working Group will be comprised of DPS Staff, utilities and NYSERDA only) (pg 56 & 54)**

This Working Group shall be tasked with an orderly transition and completion of any outstanding tasks of the E2 Working Group and ensure any relevant needs, previously met by the E2 Working Group, are accounted for in the operation of the CEAC. This Working Group shall also provide a venue for NYSERDA/Utility discussions related to details associated with coordination and collaboration among their respective program offerings and initiatives. This Working Group is also charged with undertaking a review designed to eliminate wasteful multiple incentives from various funding streams. The Working Group shall develop recommendations, to support the issuance of Staff Guidance on this topic, that recognizes multiple incentives for individual activities should be directly associated with accelerated or increased benefit and identify tests to determine where layered incentives would be appropriate and where they should be forbidden, as well as a process for sharing of information to determine when these tests must be run.

- **Energy Efficiency Procurement & Markets (pg 53)**

The Energy Efficiency Procurement Working Group will develop a recommended approach to developing a sustainable market for procuring energy efficiency as a demand reducing resource. This Working Group will consider how this approach could support the establishment of an Energy Efficiency Standard, whether as part of the Clean Energy Standard or as a separate market. The Working Group shall integrate the concept of "shared-savings" approaches for the utilities in its analysis. The procurement model must recognize the ongoing societal needs of providing services

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

to underserved populations and in its design contemplate the ability to indicate a subset of the requirement to be delivered from these populations, e.g. low-income.

- **Voluntary Investment & Other Market Development (pg 93)**

The Voluntary Investment & Other Market Development Working Group will develop recommendations that maximize energy efficiency and DER deployment in the commercial and industrial sector, as well as others, through incentives for voluntary investments in clean energy technology that help accelerate and increase achievement of the Clean Energy Standard and the State Energy Plan goals. The Working Group should consider impacts on all customer classes and be informed by the progress of the utilities' self-direct programs as well as opportunities presented through the implementation of the Clean Energy Standard.

- **EE/REV Best Practices (pg 55)**

The EE/REV Best Practices Working Group will develop a REV Energy Efficiency Best Practices Guide in support of shared learning and the evolution of programs across service territories, considering synergies as activities evolve, and outlining energy efficiency program best practices under a REV framework. The initial Best Practices Guide shall be prepared in sufficient time for its use in planning for the Utility Energy Efficiency Transition Plans to be filed in May 2017.

- **Low & Moderate Income (LMI) Clean Energy Initiatives (pg 72 & 28)**

The LMI Clean Energy Initiatives Working Group will provide the venue for NYSERDA and the Utilities to actively evaluate alternative approaches for the delivery of services to low-income customers that can improve consumer value. The Working Group will explore the potential for the delivery of energy efficiency and renewable generation to the LMI population and will inform the LMI Chapter of NYSERDA's Investment Plan and Utilities' future Energy Efficiency Transition Implementation Plans and Budgets and Metrics Filings, and other clean energy activities.

- **Metrics, Tracking & Performance Assessment (pg 54)**

The Metrics, Tracking & Performance Assessment Working Group will develop recommendations for a consistent overall approach to Evaluation, Measurement, and Verification (EM&V) that looks to advances in technology and approaches to reduce and limit the dollars needed for EM&V, thereby increasing the dollars available for program delivery. The Working Group will conduct a review of the current evaluation guidelines, "The New York Evaluation Plan Guidance for EEPS Program Administrators" and make recommendations as to what changes are necessary to meet the current and future needs of New York's clean energy programs, including balancing the need for objective analysis with producing more expedient and actionable information to inform policy decisions. This Working Group will serve as a venue for NYSERDA and Utilities to ensure EM&V activities are properly informed and complementary rather than duplicative. The Working Group will develop and propose metrics applicable to market transformation strategies as well as support the development of a common method for tracking and reporting metrics, including NYSERDA's development of an on-line dashboard for use in communicating the progress of ratepayer funded clean energy activities.