

April 21, 2025

VIA Electronic Mail:

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Hon. Michelle L. Phillips
Secretary, Public Service Commission
3 Empire State Plaza
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Case 20-E-0197 - Proceeding on Motion of the Commission to Implement Transmission Planning Pursuant to the Accelerated Renewable Energy Growth and Community Benefit Act

Comments of National Grid Ventures:

National Grid Ventures (“NGV”), the commercial division of National Grid, respectfully submits these comments in response to the New York Public Service Commission’s (“PSC” or “Commission”) February 19, 2025, request for comment on the New York Power Authority (“NYPA”) petition requesting that the Clean Path Transmission Project (“CPTP” or the “Project”) be designated a Priority Transmission Project (“PTP”).¹ NGV is the competitive arm of National Grid’s regulated businesses in the US and UK, where it develops, operates and invests in infrastructure projects and businesses that connect customers across the Northeast with reliable, affordable energy. NGV is working to help states achieve their energy ambitions through a variety of technologies and modernizing the transmission network to carry that energy to more homes and businesses. NGV also operates thirteen generation stations across Long Island, New York, to provide reliable power that becomes vital during periods of high demand, as well as an LNG facility in Providence, Rhode Island which maintains a reserve of gas for when more heat is needed on the coldest days. National Grid Ventures is part owner of NY Transco which develops, constructs and operates transmission lines as part of NYISO’s Public Policy Transmission Need (PPTN) process. In addition to NGV, National Grid also owns and operates regulated utilities in the Northeast US. NGV offers these comments specific to NGV’s interests.

¹ Clean Path Transmission Project is the revised name of NYPA’s original project Clean Path New York (“CPNY”). Project in these comments refers to either CPTP or CPNY.

I. Background

The New York State Energy Research and Development Authority (“NYSERDA”) created a Tier IV Program in response to the Commission’s Order adopting a Clean Energy Standard.² The establishment of a Tier IV program was exclusively to increase the penetration of renewables into New York City and specifically NYISO Zone J while simultaneously reducing the region’s reliance on fossil fuels.³ In response, NYSERDA issued a competitive solicitation in January 2021 for projects that met these criteria. In response to a Request for Proposals (“RFP”), NYSERDA selected, and the Commission approved two projects: Clean Path NY and the Champlain Hudson Power Express (“CHPE”).⁴

Since its inception, CPNY included a generation and transmission component. Specifically, CPNY was intending to develop, construct, own and operate 20+ solar and wind projects totaling ~3,800 MWs of new renewable generation in Delaware County and Upstate New York.⁵ CPNY also intended to utilize NYPA’s existing Blenheim-Gilboa Hydroelectric Pumped Storage Power Project in Schoharie County as an additional renewable resource.⁶ Along with its renewable portfolio, CPNY proposed to develop, construct, own and operate a 178-mile underground and underwater transmission line from Delaware County to NYC to transport the renewables that were expressly being developed for the CPNY project to NYC.⁷ Throughout CPNY’s development the project sponsors, which included the New York Power Authority, Invenergy and energyRe, have associated both its portfolio of solar and wind assets with the 178-mile transmission project as a single

² Case 15-E-0302, Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and Clean Energy Standard, Order Adopting Modifications to the Clean Energy Standard, Issued: October 15, 2020

³ See Id.

⁴ Case 15-E-0302, Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and Clean Energy Standard, Order Approving Contracts for the Purchase of Tier 4 Renewable Energy Certificates, Issued: April 14, 2022

⁵ See, Clean Path NY Project Overview, Available at: [CPNY Fact Sheet.pdf](#)

⁶ See Id.

⁷ See Id.

project.⁸ Ultimately, CPNY exercised its right to cancel the project and on November 27, 2024 NYSERDA informed the PSC that the Tier IV contract with CPNY had been terminated.⁹

In its petition for the transmission portion of CPNY to be designated a PTP project, NYPA cites the Accelerated Renewable Energy Growth and Community Benefit Act (“Accelerated Renewable Act”) as its legislative authority.¹⁰ NYPA continues that the Accelerated Renewable Act has an “important role in the ability of the State and its private sector partners to achieve the ambitious goals of the Climate Leadership and Community Protection Act (“CLCPA”).¹¹ In summary, NYPA argues that even without CPNY’s 3,800 MW of planned renewables that the transmission portion of the Project is still required and that it should be granted status as a Priority Transmission Project.

II. CPNY WAS PROPOSED AS A JOINT RENEWABLE AND TRANSMISSION PROJECT AND WITH THE RENEWABLE PORTION BEING WITHDRAWN THE TRANSMISSION LINE SHOULD NOT PROCEED WITHOUT INDEPENDENT VERIFICATION OF ITS NEED AND NOT BE GRANTED STATUS AS A PRIORITY TRANSMISSION PROJECT

It is the position of NGV that NYPA’s petition for the Clean Path New York project to be designated a PTP by the PSC should be denied as one of the original parts of the project no longer exists. CPNY was originally approved by the PSC for a NYSERDA Tier IV award, which was specifically designed to establish a mechanism to move large quantities of renewable energy from Upstate NY to Downstate NY, New York City, and Long Island. That is, the transmission and generation portions of Clean Path New York were approved in tandem. Given that the generation portion was canceled, there is no basis to continue with the transmission portion of the project absent a new study and analysis which demonstrates the Project’s continued need. Furthermore, there is no basis to proceed with the Project as a priority transmission project and outside of the established transmission planning processes, such as the Coordinated Grid Planning Process

⁸ Case 15-E-0302, Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and Clean Energy Standard, Petition of Clean Path New York LLC to Address Post-Covid Impacts and Associated Considerations Concerning the Tier I Eligibility Generation Component of its Clean Energy Standard, Issued: June 14, 2023

⁹ Case 15-E-0302, Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and Clean Energy Standard, Notice of Mutual Termination, filed: November 27, 2024

¹⁰ L. 2020, Ch. 58, Part III, Section 7(5)

¹¹ L. 2019, Ch. 106.

(“CGPP”) and the Comprehensive System Planning Process (“CSPP”), which identify the optimal prioritization of lines to be funded by NY ratepayers.

NYPA in its petition relies on the Accelerated Renewable Act to justify designating the transmission portion of the CPNY as a PTP. As NYPA correctly notes in its filing, the Accelerated Renewable Act is intended to be a mechanism to advance the State’s renewable and CLCPA targets. As a foundational component of the CPNY project was the development of 20 new solar and wind projects in Upstate New York that were expected to total approximately 3,800 MW of new generation, having this portfolio canceled cannot justify compliance with meeting the CLCPA targets or raise to the need where the transmission line should be designated as a priority and not follow New York’s well established policy for transmission line development.

III. IF IT IS DETERMINED THAT THE TRANSMISSION PORTION OF THE CPNY IS REQUIRED, THEN IT SHOULD PROCEED THROUGH NEW YORK’S TRANSMISSION PLANNING PROCESS

The information provided by NYPA in its filings do not provide sufficient evidence that the Commission should approve CPNY or designate it as a PTP. At a minimum, NYPA should include quantitative evidence and documentation supporting their position of the need for CPNY. If, and only after a review of the study and supporting documentation that a need exists, it is determined that additional transmission – as originally proposed by NYPA and its partners – is required, then a solution for that transmission need should be solicited through New York’s – and specifically NYISO’s – established transmission planning process and should not be sole sourced to NYPA.

New York has developed one of the nation’s leading transmission planning processes. This process has been developed over time with extensive input and consideration from stakeholders, regulators, customer interest / advocacy groups and Transmission Owners (“TOs”). While NYPA cites the additional time and resources that will be required to proceed with the traditional transmission planning process, they provide no substantiated basis to deviate from this process and follow the Accelerated Renewable Act and its process for having a project be designated a Priority Transmission Project.

IV. IF THE COMMISSION DETERMINES THAT THE TRANSMISSION PORTION OF CPNY IS REQUIRED AND THAT IT SHOULD BE CLASSIFIED AS A PRIORITY TRANSMISSION PROJECT, THEN THE COMMISSION SHOULD ORDER NYPA TO ISSUE A COMPETITIVE SOLICITATION AND TO TEAM WITH ANOTHER TRANSMISSION DEVELOPER

If the Commission determines that the Project is required and that NYPA should be selected to proceed with the Project, then the PSC should order NYPA to conduct a competitive process to identify and select partner(s) to contribute meaningfully to the project. The evaluation and selection criteria that NYPA should use could include, for example: route and design options and configurations that would enhance the project's current design or minimize impact; access to and use of existing and/or planned rights of way or assets; and the use of novel, cutting edge, or unique technologies or designs not previously considered. Experience delivering these types of projects should also be considered a highly relevant criterion in NYPA's evaluation and selection of potential partners. The PSC may also want to consider evaluating NYPA's criteria, and selection and approving any partner(s) NYPA intends to team with.

While NYPA included in its Petition requesting a designation as a Priority Transmission Project that it intends to issue an "open, competitive solicitation to evaluate developer interest in the Project to determine whether joint development would provide significant additional benefits for purposes of achieving the CLCPA Targets."¹² It would serve the public interest and New York ratepayers if NYPA were ordered by the Commission to conduct a competitive solicitation to identify the best overall solution at the most effective price. Without guidance from the Commission, including the PSC potentially approving a potential partner, NYPA may limit the scope a partner may contribute and in essence prevent New York consumers from the best possible outcome.

V. Conclusion

For the reasons stated herein, the Commission should deny NYPA's request for the Clean Path Transmission Project to be granted status as a Priority Transmission Project. The original Project was planned as a joint renewable and transmission project and with the cancellation of 3,800 MW of renewables NYPA has not established its position as a PTP. NYPA also fails to

¹² Case 20-E-0197, Proceeding on Motion of the Commission to Implement Transmission Planning Pursuant to the Accelerated Renewable Energy Growth and Community Benefit Act, Petition Requesting Designation of Certain Transmission Investments as a Priority Transmission Project, filed: December 20, 2024

establish that the transmission portion of the CPTP meets the criteria as part of the Accelerated Renewables Act as that law is exclusively intended to advance New York State's goal of meeting the CLCPA. If the Commission ultimately determines that transmission portion of CPTP is required, then the Project should proceed through New York's existing transmission development processes. Last, if the Commission determines the Project is required and that it should be granted PTP status, then NYPA should be ordered to competitively solicit proposals and reserve the right for the Commission to approve who NYPA ultimately teams with for the Project.

Respectfully submitted,



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