
Revised RAPID Act Regulations Designed to Speed Development of Renewable Energy
Projects
Comments of National Grid Ventures

National Grid Ventures (“NGV”) is grateful for the care and attention the Office of Renewable Energy Siting (“ORES”) paid to the comments submitted in response to the initial rulemaking proposed December 18, 2024, many of which were reflected in the revised rulemaking. As a key player in New York’s renewable energy industry and willing partner with the State in its efforts to achieve the ambitious climate targets set forth in the CLCPA, NGV offers the following comments regarding the revised RAPID Act regulations.

1102 – Major Electric Transmission Facility Siting

Section 1102-1.1(f)(2)(vi) – Pre-application Requirements

The revised draft regulations allow for “any municipality, person, or potential party” to propose “reasonable” alternative routes for analysis in the transmission application. Section 1102-1.1(f)(2)(vi)(b) goes on to refer to “any municipality, *relevant stakeholder*, or potential party.” NGV requests that ORES define “relevant stakeholder” or “potential party” more narrowly to include only those individuals who would be directly affected by the proposed facility, i.e. those municipalities in which the transmission facility would be sited and those individuals from whose residences the facility could be seen or heard. NGV further requests that ORES limit the ability to propose alternative routes to municipalities in which the proposed facility will be located and those relevant stakeholders and potential parties.

Section 1102-1.1(f)(3) – Pre-application Requirements

NGV requests clarification on the timing of steps outlined in the “Late-Raised Alternative Routes” section. Specifically, when ORES will issue the final written scope indicating whether the late-raised alternative route must be included. As currently written, the process appears to allow rolling iterations of alternative route reviews and scope changes, which could lead to repeated revisions of the application before it is submitted. This rolling review process creates uncertainty and potential delays during a critical stage of application development and completeness review, as proposers could keep raising alternative routes in order to delay the filing of the application. Therefore, NGV suggests that the deadline to submit a late raised alternative should be based on the date of the initial final written scope, not the application filing, and ORES should review and rule on all late-raised alternative routes at once rather than on a rolling basis. Additionally, given that

all alternative routes should have been submitted within 65 days of the notice of intent to file, the window to submit late-raised alternative routes should be 30 days, not 60, beginning with the issuance of the initial final written scope.

Conclusion

NGV greatly appreciates the opportunity to provide feedback to ORES on these revised regulations. Reforms are needed to the rules and procedures by which the NYPSC and ORES grant permits to renewable energy and electric transmission projects to ensure a reliable, affordable, and sustainable energy system for all New Yorkers. These reforms will also help reduce lead times and costs for developers, investors, and ratepayers, helping New York State in achieving its climate goals, which NGV strongly supports. While the revised draft regulations offer significant clarity to the regulated community, the comments provided herein will further strengthen the RAPID Act's regulatory framework, and NGV urges the NYPSC and ORES to give them careful consideration. Thank you for the opportunity to comment, and please do not hesitate to reach out with any questions.