



Ecovis Group Incorporated

148 Elmwood Ave Buffalo NY 14207

February 10, 2022

Case 21-E-0629

Dear Secretary Phillips;

Please accept the attached document as Ecovis Group Inc's response to the rate case 21-E-0629 entitled New York's 10 GW distributed Solar Road Map: Policy options for continued Growth in Distributed Solar.

Sincerely;

Kirk Golden
General Manager
Ecovis Group Inc

Ecovis Group Inc. is a New York State Corporation based in Buffalo, New York. The use of prevailing wage law as a requirement for DER projects over 1 megawatt in size to acquire NY-SUN funding will have a dramatic impact on our ability to bid on contracts and remain competitive with non-NYS entities and large corporations with deep pockets.

The New York State Legislative and the current congressional political environment are working to increase wages for working Americans. The national political landscape remains volatile. Ecovis Group Inc. is not against the use of prevailing wage for projects over one megawatt in size. We believe that a rapid switch from the current market system to an artificially increased rate will be a shock to the current renewable landscape in New York and have negative and unintended consequences. It is for this reason that we are asking the New York State Public Service commission to institute safeguards to protect New York State workers and the companies that employ them.

New York State Contractor Protections

The new rules for prevailing wage will inflate the payrolls of New York based businesses. These small local companies will be starved for cash and credit to pay for prevailing wage requirements.

Ecovis Group also asks that the New York State Public Service Commission will institute a progress payment requirement so as not to starve small and local business or bankrupt them from delayed payments and sudden requirements for cash and increased credit limits.

Currently, many developers make contractors sign contracts that are highly slanted contracts in favor of the developers. These contracts often call for a 45-day payment period. This is 45-day payment from the completion of work. This requires local contractors to carry the burden of the cost of prevailing wage, while developers are reimbursed with increased grants.

We are asking that the PSC to add requirements for monthly progress payments to the contractors for work completed the previous month. This will help to offset cash flow changes

Developers are going to receive additional funds through NYSERDA grants; however contractors will bear the brunt of the cash requirement.

NABCEP vs. Apprentices vs. SUNY Education

In the beginning of the New York state solar program through PON 2112 and 650, the Public Service Commission set NABCEP as its gold standard for eligibility and training, later adding a journey-person track for the organized trades.

The PSC required NABCEP certification for NYSERDA installers. It is a multi-disciplinary training/education program and certification for the Solar industry. Educating solar company employees in NEC building codes, OSHA safety, and multiple trade skills Solar installation companies invest in in the multidisciplinary training and continuing education to ensure that quality installers are up to date on the latest requirements and safety measures.

A large percentage of solar installation companies are often a multi trade specialized business where their daily work is split between multiple trade disciplines. These work responsibilities do

not fit into any one trade or discipline, and are unable to earn years of experience in an approved apprenticeship program or the full journey-person status.

It would be a heavy blow for the companies that have invested into the NABCEP certification in favor of a separate apprenticeship program.

If the PSC is going to move to an apprenticeship program for the purposes of prevailing wage between two non-governmental businesses, these companies should be given equal opportunities to build a specialized apprenticeship program for the solar industry.

The same holds true for graduates of SUNY schools. They should be afforded the same opportunities to be placed on a predictable wage scale as to meet their education. The investment in a SUNY education is enormous and these graduates should have a predictable path into the solar industry.

We are asking the Public Service Commission to set forth an easy and predictable objective based criteria to classify employees of an NABCEP participant as an apprenticeship equivalent. This is important to properly pay employees on a prevailing wage scale, to have skilled human resources, and a safe work environment.

Workers Compensation relief.

Currently, New York based solar companies that are small to moderate size must buy into the New York State Insurance fund and a soul-crushing 30% of their salaries for inflated premiums. The New York insurance fund has placed solar companies into one rate class with extreme elevation and hazard.

The workers compensation ratings do not take into account the ground work performed on these large solar fields.

We ask for the Governor to order the NYS Insurance Fund to reevaluate the current rating class for ground mounted systems to more accurately reflect the risk of working on the ground.

Paying a prevailing wage and paying a higher rate on the same work will lead to large increases in workers compensation premiums that will also affect the company's bottom line. The exposure for a person doing a specific task is the same, no matter what their wage.

Full Investment

Prevailing wage is a standard that all would love to earn. However only a few are eligible for the benefits package.

We humbly ask that employees who work at prevailing wage be able to buy into the New York State pension plan. It is a bedrock of prevailing wage projects through the state. The ability to purchase benefits and the largest most important benefit is that of the Pension.

Conclusion

Ecovis Group Inc. supports prevailing wage requirements with protections for New York State businesses. We understand that a prevailing wage will be a shock to the market at first. We at Ecovis Group Inc believe that it can be a successful endeavor. It's important that the PSC protect

NY small businesses that are powering the rise of solar power, by requiring quick payment, fair contract terms, and equity in the classification of employees. Lastly, allow access to long term benefits that allow New York workers to secure their future by buying into the New York state Pension program.

Treating all NY businesses equitably is important to the future success of the solar industry.