

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

- CASE 13-M-0412 - Petition of New York State Energy Research and Development Authority to Provide Initial Capitalization for the New York Green Bank.
- CASE 14-M-0094 - Proceeding on Motion of the Commission to Consider a Clean Energy Fund.
- CASE 18-M-0084 - In the Matter of a Comprehensive Energy Efficiency Initiative.

NOTICE SOLICITING COMMENTS REGARDING
THE PERFORMANCE OF NY GREEN BANK AND
AUTHORIZATION FOR MODIFICATIONS

(Issued January 13, 2025)

PLEASE TAKE NOTICE that interested stakeholders are invited to submit initial comments by March 10, 2025, and reply comments by March 24, 2025, on the Petition Regarding the Performance of NY Green Bank (NYGB) and Authorization for Modifications (the Petition) filed by the New York State Energy Research and Development Authority (NYSERDA) on October 31, 2024, in the above-captioned proceedings.

The Public Service Commission (Commission) directed NYSERDA to file the Petition in its Order Initiating the New Efficiency: New York Interim Review and Clean Energy Fund Review, issued on September 15, 2022.¹ The Petition provides a quantitative and qualitative summary of performance of the NYGB portfolio to date and describes operational considerations and performance goals for NYGB for the 2026 through 2030 period.

¹ Case 14-M-0094, Proceeding on Motion of the Commission to Consider a Clean Energy Fund, and Case 18-M-0084, In the Matter of a Comprehensive Energy Efficiency Initiative, Order Initiating the New Efficiency: New York Interim Review and Clean Energy Fund Review (issued September 15, 2022).

The Commission will review the NYGB Portfolio and will consider specific requests as outlined in the Petition, including any necessary modifications to improve performance of NYGB's activities and enhance NYGB's alignment with State policy objectives that have evolved since its inception in 2014.

The Petition raises several matters that will be considered, including whether to:

- 1) adopt NYSERDA's proposal to modify NYGB's investment target for projects benefitting disadvantaged communities;
- 2) adopt NYGB's proposed sector-specific investment commitment targets;
- 3) approve NYGB's use of its earned income proceeds to fund ongoing administrative costs, including operating expenses, Cost-Recovery charges, and Evaluation, Measurement & Verification expenditures;
- 4) re-affirm the role of NYGB's Advisory Committee as well as its member selection process;
- 5) authorize the continued use of previously allocated ratepayer collections for the NYGB;
- 6) re-affirm NYGB's investment criteria for evaluating financial transactions, as outlined in the Petition;
- 7) re-affirm the current reporting structure and cadence, as outlined in the Petition; and
- 8) address other modifications as deemed necessary for the effective design, implementation, and Commission oversight of NYGB operations.

Comments provided in response to this Notice should be organized in the manner outlined in the attached document and submitted by e-filing through the Department's Document and Matter Management System. If unable to file electronically,

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comments may be mailed to the Hon. Michelle L. Phillips, Secretary, Three Empire Plaza, Albany, New York 12223-1350.² Comments should reference "Cases 13-M-0412, 14-M-0094, and 18-M-0084." All comments filed with the Secretary will be posted on the Department's website, www.dps.ny.gov, and will become part of the official case record.

Questions should be directed to Tanya Dugal at Tanya.Dugal@dps.ny.gov or by telephone at (518)474-6902.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

² Filing electronically is strongly encouraged.

Attachment

Requested Format for Comments on the NYGB Petition

Interested stakeholders are requested to organize their comments according to the outline below. Commenters may choose to answer any or all questions and/or provide additional input for each section.

I. NYGB Performance

- Describe your assessment of NYGB's impact-to-date in the following categories: efficient use of ratepayer dollars and recycling of ratepayer capital; clean energy technologies deployment; financial market transformation; transaction efficiency; de-risking investment typologies; and dissemination of information on learnings and case studies.
- How do you recommend the Commission measure NYGB performance in the above-mentioned categories for the 2026 through 2030 period?
- Are the metrics and outcomes that are articulated in the Petition sufficient for measuring the performance of NYGB's portfolio for the 2026 through 2030 period? Please explain any modifications or additions that you suggest.

II. NYGB Investments

- Does NYGB's minimum investment criteria sufficiently consider New York State's clean energy objectives and the market barriers to clean energy deployment? Please explain any modifications that you suggest.
- Do you support the sector-specific investment commitment targets proposed for the 2026 through 2030 period? If not, how should they be modified, and why?
- Are there priority technologies or financial products that are not reflected in the Petition that should be considered?
- How should the financial self-sustainability of NYGB be balanced with the ability of, or requirement for, NYGB to offer low or no-interest financing, or other concessionary products?

III. Disadvantaged Communities Impacts

- Is the proposal to modify NYGB's target investment level for disadvantaged communities, from the current minimum requirement of 35% of annual investments, to 40% of cumulative investments beginning in 2020, to be achieved by 2031, sufficiently justified? Does this proposal enable the NYGB to meet the expectations for clean energy investments to benefit disadvantaged communities, as outlined in the CLCPA?
- Are there other opportunities, beyond what is outlined in the Petition for NYGB investments to drive impacts for Disadvantaged Communities? If so, please provide details.

IV. Reporting

- Does the current reporting structure and cadence provide adequate information and transparency to stakeholders and market participants? If not, how can reporting be modified to improve insight on NYGB's impact and effectiveness?

V. Advisory Committee

- Does the selection process for the Advisory Committee and the role of the Advisory Committee sufficiently provide the necessary perspectives from the markets that NYGB seeks to serve? If not, describe what modifications you would recommend.

VI. Coordination and Collaboration

- The Petition outlines coordination and collaboration efforts NYGB has and will undertake between other programs administered by NYSERDA as well as with counterparties. Are there additional opportunities to expand coordination and collaboration with NYGB among actors in the clean energy and finance communities, including utilities, to help increase private-sector investment in clean energy solutions?

VII. Market Transformation

- Do the data, case studies, and insights on clean energy financing deals published by NYGB sufficiently address knowledge gaps among actors in financial markets and support private sector investment in clean energy technologies and/or projects?

Are the conditions upon which NYGB proposes to determine when market transformation has occurred for a given technology or sector sufficient? Are there other considerations for how NYGB should identify when market transformation has occurred?

VIII. Additional Comments

- Provide any other comments not covered by the sections above.