July 2, 2026

VIA EMAIL
Secretary@dps.ny.gov

Hon. Michelle L. Phillips
Secretary
New York State Public Service Commission
3 Empire State Plaza
Albany, New York 12223-1350

Re: **CASE 15-E-0302**, Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard.

Subject: Comments on NYSERDA Petition to Backfill CES Funded Staff Positions

Dear Secretary Michelle Phillips:

The Alliance for Clean Energy New York (ACE NY), the New York Offshore Wind Alliance (NYOWA), and Advanced Energy United (United) – collectively referred to as "We" – submit these comments on the New York State Energy Research and Development Authority's (NYSERDA) petition seeking Public Service Commission (Commission) approval to backfill staff positions funded through the Clean Energy Standard if they become vacant in 2026. NYSERDA filed the petition with the Commission on April 3, 2026 (in Case 15-E-0302).[1]

ACE NY is a member-based organization with a mission of promoting the use of clean, renewable electricity technologies, transportation electrification, and energy efficiency in New York State to increase energy diversity and security, boost economic development, improve public health, and reduce air pollution. ACE NY's diverse membership includes companies engaged in the full range of clean energy technologies as well as consultants, academic and financial institutions, and not-for-profit organizations interested in ACE NY's mission.

[1] NYSERDA. 2026. Case 15-E-0302, *Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard, Petition for Approval to Backfill Clean Energy Standard Funded Staff Positions* (April 3, 2026).

NYOWA is a project of ACE NY and consists of a broad and diverse coalition of partner organizations with the collective mission to promote policies that will lead to the responsible development of offshore wind in the Atlantic Ocean off the coast of New York State. NYOWA is guided by a Steering Committee that includes both not-for-profit and for-profit entities, including: ACE NY, Vineyard Offshore, Bluepoint Wind, Ørsted, Equinor Renewables, the National Wildlife Federation (NWF), the Natural Resources Defense Council (NRDC), Sierra Club, and the Special Initiative on Offshore Wind (SIOW).

United is a national industry association representing businesses that provide the full range of advanced energy and transportation solutions. We advocate for public policies that enable competition and work alongside our member companies to create economic opportunity, lower consumer costs, and bolster energy reliability and resilience across the country. Together, we are united in our mission to create an economy built on advanced energy. United represents more than 100 companies in the $374 billion U.S. advanced energy industry, which employs 4.1 million U.S. workers, including 231,600 individuals in the Empire State.

Thank you for the opportunity to provide this feedback.

Sincerely,

Marguerite Wells
Executive Director
Alliance for Clean Energy New York

/s/
Alicia Gené Artessa
Director
New York Offshore Wind Alliance

/s/
Shamay Phillips
Principal
Advanced Energy United

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

PROCEEDING ON MOTION OF THE COMMISSION TO IMPLEMENT A
CASE 15-E-0302
LARGE-SCALE RENEWABLE PROGRAM AND A CLEAN ENERGY STANDARD.

COMMENTS OF THE ALLIANCE FOR CLEAN ENERGY NEW YORK, THE NEW YORK OFFSHORE WIND ALLIANCE, AND ADVANCED ENERGY UNITED ON NYSERDA'S PETITION SEEKING COMMISSION APPROVAL TO BACKFILL CES STAFF POSITIONS IF THEY BECOME VACANT IN 2026.

On December 19, 2025, the New York State Public Service Commission (Commission) issued an Order[2] approving the New York State Energy Research and Development Authority's (NYSERDA) petition[3] for Clean Energy Standard (CES) administrative funding for the 2026 compliance year. The Order included approval of both the overall budget and individual budget categories for each program of the CES, with certain modifications. Ordering clause 3 of the Commission's December 19, 2025 Order ("Approval Order") describes that any hiring for CES-funded direct labor positions, including backfilling vacancies, requires Commission approval.

On April 3, 2026, NYSERDA submitted a subsequent petition[4] to the Commission seeking Commission approval to backfill critical staff positions funded through the CES if the positions become vacant in 2026. As explained in the petition, these positions are essential to administering the CES in a timely and efficient manner, and a prolonged vacancy will significantly encumber

[2] Public Service Commission. 2025. Case 15-E-0302, *Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard, Order Approving Administrative Funding* (December 19, 2025).
[3] NYSERDA. 2025. Case 15-E-0302, *Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard, Petition Regarding Proposed Year 2026 Clean Energy Standard Funding and Reconciliation of Year 2024 Administrative Costs* (July 31, 2025).
[4] NYSERDA. 2026. Case 15-E-0302, *Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard, Petition for Approval to Backfill Clean Energy Standard Funded Staff Positions* (April 3, 2026).

NYSERDA’s ability to fulfill its obligations as CES Administrator, as designated by the Commission.

Factoring in recent changes, including vacancies, NYSERDA’s petition explains that the CES team has been reduced by 7.65 full-time equivalent (FTE) positions compared to 2025, a 16 percent reduction, and the team composition is anticipated to now have a total FTE count of 39.6 FTE for the remainder of 2026 – including 22.83 FTE for the Tier 1 program. While we support NYSERDA’s request that the Commission approve its proposal to backfill CES-funded direct labor position vacancies during the remainder of 2026, if and when they arise, we are also concerned that given the size of the Tier 1 portfolio (and the public-private investment involved) and the following near-term responsibilities and workstreams that NYSERDA Tier 1 program staff have, there is a need for additional senior and junior staff.

- Running regular RFPs procuring new renewable and storage projects to serve state mandates;
- Ensuring grid-scale renewable energy projects reach commercial operation faster to meet critical deadlines pertaining to tariffs, etc.;
- Managing 20 to 30 large-scale renewable energy projects nearing and in construction, at any given time;
- Tasks associated with contract administration and settlement;
- Work related to an increasing number of contractual requirements, e.g. U.S. iron and steel verification;
- Visting sites to conduct project site due diligence; meet with project managers and construction leads, and environmental monitors;
- Engaging with local officials across the state, developers and other agency staff;
- Verifying prevailing wage and Minority- and Women-owned Business Enterprise implementation;
- Assessing and verifying economic benefits promised by developers;
- Troubleshooting various issues as they arise, in a time-sensitive manner.

These responsibilities must also be viewed against New York's rising electricity demand. Accelerating electrification, data center growth, and large industrial load mean NYISO's forecasts require significantly more renewable procurement ahead. NYSERDA's staffing must be calibrated to that future volume, not today's. **This is a grid reliability and affordability imperative, not merely an administrative one.** All these responsibilities involve legal and finance considerations and a corresponding workload. It is also important to recognize what NYSERDA's team has already delivered. As of June 11, 2026, NYSERDA oversees 92 projects totaling more than 8.5 GW of New Renewable Capacity through the Tier 1, Tier 2, Tier 4, and OREC (including the OREC Marine Terminal) Programs[5], the product of years of procurement, complex contracting, project oversight, and legal management. That record validates this workforce and underscores the risk of further attrition. The above list of responsibilities and workstreams – which isn't intended to be a comprehensive list – and the size of the Tier 1 portfolio illustrates the need for more NYSERDA Tier 1 staff. Current staffing reflects procurement volume to date, but NYSERDA's workload is on an upward trajectory, not a plateau. Pending RESRFP25-1 results, new Tier 2 awards, the ZEC extension through 2049, and future solicitations all point to expanding obligations. The Commission should treat this backfill petition as a floor, not a ceiling, and the 2027 funding process should examine whether staffing is adequate to the State's CLCPA ambitions. A well-maintained CES team is also a prerequisite for NYSERDA to act on time-sensitive market opportunities as they arise, including new solicitations that could advance projects and deliver significant ratepayer value.

As the petition explains, NYSERDA has determined that effective CES administration can be maintained with the currently filled 39.6 FTE but accommodating any new vacancies without a commensurate reduction in workstreams will impact CES administration. While maintaining the 22.83 FTE labor staffing level for the Tier 1 program for the remainder of 2026 may in fact be the bare minimum of positions required, we think this level is not sufficient to support the responsibilities described above. Unquestionably, a more robust Tier 1 program staff is needed to expedite and expand opportunities for the construction, interconnection, and deployment of efficient renewable energy and energy storage resources to mitigate affordability and reliability concerns related to New York's electricity sector. The Commission should also guard against the risk that experienced Tier 1 staff are reassigned to new programs as they emerge. Any staffing for new initiatives should be additive. Diluting the Tier 1 team to cover new responsibilities would

[5] DATA.NY.GOV, Large-scale Renewable Projects Reported by NYSERDA; Last Updated June 11, 2026

undermine oversight of the existing contracted portfolio and reduce NYSERDA's capacity to respond to emerging opportunities.

NYSERDA's staffing adequacy has direct implications for the State's ability to capture remaining federal IRA benefits. Projects awarded in the 23-1 and 24-1 RFP rounds face serious economic headwinds due to inflation, supply chain disruption, FEOC compliance requirements, and expiring tax credit windows. Unlike 25-1 and 26-1 projects, they cannot adjust pricing or invoke material adverse change provisions, and terminating contracts forfeits security and bars re-entry. A new solicitation before year-end would create a pathway for these projects to re-enter with a competitive bid, unlocking IRA benefits whose customer savings would compound over the life of the projects. The CES team this petition seeks to protect is the same team capable of supporting such a solicitation. Approving this petition is not merely about maintaining the status quo; it is about preserving NYSERDA's capacity to act when the State needs it most.

CONCLUSION

ACE NY, NYOWA, and United appreciate the opportunity to submit comments on NYSERDA's petition seeking Commission approval to backfill critical staff positions funded through the Clean Energy Standard if they become vacant in 2026. While we recognize the challenging financial landscape which required modest reductions in agency funding, we strongly believe that having a larger Tier 1 staff size is critical for NYSERDA to meet their objectives and for the State more broadly to meet its Climate Leadership and Community Protection Act goals. Given the breadth of work that NYSERDA is engaged in, we think the authority needs a larger workforce, especially with respect to land-based renewables and its ability to meet the current and growing needs of renewable energy project procurement within the CES. In the near term, we believe that the NYSERDA budget will need to be increased to support the expansion of renewable energy procurement programs and to increase the pace of the renewable energy transition.