



Nikolai Albert T. M. Wolfe
Staff Attorney | Law Department

December 13, 2023

VIA ELECTRONIC MAIL

Honorable Michelle L. Phillips, Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, NY 12223-1350

Re: CASE 15-E-0751 – In the Matter of the Value of Distributed Energy Resources
NYSERDA's Petition for Reconsideration and Clarification of the Prior Commission Decision

Dear Secretary Phillips:

Attached for filing in the subject case, Consolidated Edison Company of New York, Inc. respectfully submits comments in support of the New York State Energy Research and Development Authority's September 13, 2023 petition to the New York State Public Service Commission requesting relief for certain distributed solar projects - a one-time option to forfeit the Con Edison Community Credit that was allocated after exhaustion of the Con Edison Community Credit tranche on October 6, 2021.

Please contact me should any questions related to this matter arise.

Truly,

A handwritten signature in blue ink, appearing to read 'Nikolai Wolfe', written over a horizontal line.

Nikolai Albert T. M. Wolfe, Esq.

Cc:

Sandra Sweet (Sandra.Sweet@dps.ny.gov)
Carlene Pacholczak (Carlene.Pacholczak@dps.ny.gov)
Peter Sheehan (Peter.Sheehan@dps.ny.gov)
Ricky Joe (joer@coned.com)
Stephen Wemple (wemples@cond.com)
Joe White (whitejoe@coned.com)

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

In the Matter of the Value of
Distributed Energy Resources

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Case 15-E-0751

**Con Edison’s Comments in Support of NYSERDA’s
Petition for Reconsideration and Clarification of the Prior Commission Decision**

On September 13, 2023, the New York State Energy Research and Development Authority (NYSERDA) filed a petition (Petition) seeking reconsideration and clarification of the New York State Public Service Commission’s (Commission) April 2023 Order.¹ In the Petition, NYSERDA describes how overlapping incentives introduced unintended market impacts – notably, financial consequences for a number of small distributed solar projects interconnecting with Consolidated Edison Company of New York, Inc.’s (Con Edison or Company) distribution system that had applied for NY-Sun incentives prior to Con Edison’s allocation of the recycled Community Credit but were required, per the applicable tariff, to accept a lower NY-Sun incentive rate. NYSERDA urges the Commission to grant these projects a one-time option to forfeit the Con Edison Community Credit that was allocated after exhaustion of the Community Credit tranche on October 6, 2021 and notes that this requested relief appears to not pose any negative consequences for ratepayers.

Con Edison supports NYSERDA’s attempt to address the unintended market impacts that followed the Commission’s April 2023 Order. The Company agrees that a one-time election to reject the allocated Community Credit is appropriate for projects that i) applied for and were awarded the higher NY-Sun Incentive or Community Adder; and ii) were allocated Con Edison Community Credit after exhaustion of the Con Edison Community Credit tranche . Con Edison also finds the sixty-day deadline reasonable for interested projects to notify the Company of their election to forego the Community Credit. Further, as noted in the Petition, eight projects were

¹ Case 15-E-0751, In the Matter of the Value of Distributed Energy Resources, Order Directing Tariff Modifications (issued April 21, 2023) (April 2023 Order).

allocated the Community Credit and have already received payment of the higher NY-Sun incentive amount, totaling an estimated \$544,558 above the amount for which these projects should have been eligible. To avoid negative impacts to ratepayers and any further market disruption, Con Edison also supports NYSERDA's proposed reduction in the NYSERDA-funded Community Adder payments by the amount the individual projects received in Community Credit incentives, along with a corresponding reduction of the previously approved NY-Sun budget for Con Edison MW Block Incentives and Adders by that amount.²

Dated: December 13, 2023

Respectfully submitted,

**CONSOLIDATED EDISON COMPANY OF
NEW YORK, INC.**

By: /s/ Nikolai Albert T. M. Wolfe

Staff Attorney
Consolidated Edison Company of New York, Inc.
4 Irving Place
New York, NY 10003
Email: wolfen@coned.com

² Case 21-E-0629, In the Matter of the Advancement of Distributed Solar, Order Expanding NY-Sun Program (issued April 14, 2022).