KATHY HOCHUL
Governor

RORY M. CHRISTIAN
Chief Executive Officer

March 18, 2026

VIA ELECTRONIC FILING

Re: Case 25-M-0249 – In the Matter of the 2026-2030 Low- to Moderate-Income Energy Efficiency and Building Electrification Portfolio

Dear Program Administrator Representatives:

Pursuant to the Public Service Commission Order Authorizing the Low- to Moderate-Income Energy Efficiency and Building Electrification Portfolio for 2026-2030 (Order)[1], Department of Public Service Staff (Staff) issued a compliance letter[2] on December 22, 2025, for the Low-to Moderate Income (LMI) Energy Efficiency and Building Electrification (EE/BE) Implementation Plan (LMI Implementation Plan), which was submitted by the New York State Energy Research and Development Authority (NYSERDA), Con Edison and National Grid (jointly referred to as the Program Administrators, or PAs), on October 31, 2025.[3] The compliance letter outlined several deficiencies and identified instances where further programmatic details were necessary before Staff could sufficiently review and approve the LMI

[1] Case 25-M-0249, In the Matter of the 2026-2030 Low- to Moderate-Income Energy Efficiency and Building Electrification Portfolios, Order Authorizing Low- to Moderate-Income Energy Efficiency and Building Electrification Portfolio for 2026-2030 (issued May 15, 2025).

[2] Case 15-M-0249, In the Matter of the 2026-2030 Low- to Moderate-Income Energy Efficiency and Building Electrification Portfolios, LMI IP Compliance Letter (filed December 22, 2025).

[3] Under the LMI EE/BE Portfolio of programs, National Grid is administering programs in its KEDLI and KEDNY service territories.

Implementation Plan in its entirety. To ensure continuity in program operations into 2026, the compliance letter provided the ability for PAs to access up to 25% of 2026 program budgets for the purpose of continuing existing LMI EE/BE programs and required the PAs to launch new and modified LMI EE/BE programs no later than March 30, 2026. Lastly, in the compliance letter, Staff required PAs to file an updated LMI Implementation Plan addressing the directives outlined in the compliance letter no later than January 30, 2026.

The PAs filed the updated LMI Implementation Plan on January 31, 2026, with subsequent revisions filed on February 2, 2026, and February 9, 2026. The filings include updates to the LMI Implementation Plan in accordance with the compliance letter to clarify and correct information provided on program budgets, energy savings projections, and implementation milestones; leveraged funds; program eligibility criteria; and updates to improve the clarity and organization of the LMI Implementation Plan. While the refiled LMI Implementation Plan addresses many of the deficiencies identified in the compliance letter, there are several aspects of the refiled LMI Implementation Plan that need to be addressed in an updated filing to align existing and new LMI Implementation Plan content with the compliance letter and the LMI EE/BE Order, as outlined below.

- **NYSERDA Evaluation Measurement & Verification (EM&V Protocols and Common Metrics Framework.** Section I of the Implementation Plan includes an overview of the NYSERDA Common Metrics Framework (CMF) and identifies EM&V protocols that NYSERDA will incorporate into their administration of LMI EE/BE programs. The compliance letter included directions for PAs to hold on advancing new EM&V processes until Staff provides further guidance on EM&V for the LMI EE/BE portfolio. In addition, in the Performance Management Framework, filed September 12, 2025, Staff identified that enhancements to the LMI reporting will be outlined in Staff Guidance Documents. While Staff appreciates the details on EM&V and the metric framework provided by NYSERDA in the LMI Implementation Plan, Staff restates that any ratepayer funded EM&V and reporting on the LMI

EE/BE portfolio must align with forthcoming Staff guidance, and must be developed in consultation with Staff to confirm consistency across PAs administering LMI EE/BE programs and to ensure that this work meets the objectives and needs of the Commission and Staff.

- **Affordable Multifamily Common Intake Platform and Shared Project Database.** In the LMI EE/BE Order, the Commission directed NYSERDA and the Utilities to collaborate on the development of a common multifamily platform and project database that connects affordable multifamily building owners with available incentives, technical assistance, and other types of support, while also providing the ability for PAs to track and monitor program participation for all relevant programs. The compliance letter required PAs to identify budgets and implementation schedules for each LMI initiative. While the LMI Implementation Plan acknowledges that the PAs will coordinate to develop the platform and database in 2026, it does not identify a budget, timeline, or necessary milestones for developing the platform and database, beyond noting that the PAs will coordinate with Staff and include updates within future LMI Implementation Plan filings. PAs are required to update the LMI Implementation Plan with details on the implementation schedule and budget for this initiative, in consultation with Staff, no later than June 1, 2026.

- **Stakeholder Engagement.** In the LMI Implementation Plan, the PAs commit to engage stakeholders throughout program and initiative implementation, in addition to the initiatives that are outlined under Disadvantaged Community engagement such as the Energy Equity Collaborative, the Disadvantaged Communities Consultant Pool and the Residential Disadvantaged Community Advisory Group. Staff finds that the various stakeholder engagement channels, while responsive to the Order requirements to improve engagement, can potentially create redundancy and confusion, and further increase engagement fatigue for stakeholders. In consultation with Staff, the PAs are expected to improve the clarity and delineation of the various opportunities for stakeholders to provide their input towards the programs and issues the PAs are soliciting feedback on. Specifically, the PAs should develop a stakeholder-friendly overview of the stakeholder engagement channels utilized by the LMI EE/BE programs that identifies the scope and purview of each engagement channel and maps to the issues that the engagement channel is intended to address (e.g.: information sharing, input on program design, etc.).

Regarding the initiatives designed for Disadvantaged Community engagement, while these initiatives will undoubtedly help to incorporate stakeholder insights into the design and implementation of NYSERDA's LMI programs, it is unclear how the feedback provided by stakeholders can inform utility EE/BE program offerings, including non-LMI programs. Staff recognizes that the PAs are charged with implementing the LMI EE/BE Portfolio and there are separate programs and implementation plans focused on non-LMI programs. However, in the EE/BE Orders, the Commission expressed that achievement of Disadvantaged Community objectives should not fall solely on LMI programs and in fact, a multi-sector approach is necessary. With respect to the Residential Disadvantaged Community Advisory Group, Staff believes that stakeholder input on addressing barriers to participation in EE/BE programs in Disadvantaged Communities should apply equally to LMI and Non-LMI programs, and that limiting the engagement to LMI programs introduces another barrier to Disadvantaged Community stakeholders. NYSERDA is directed to consult with Staff on the design of the Residential Disadvantaged Community Advisory Group, including identifying opportunities to broaden the use of the engagement to apply to market-rate residential programs, including those administered by utilities, operating in Disadvantaged Communities.

- **Budget for the LMI Customer Referral Plan.** Table 31 of the Implementation Plan, "NYSERDA 1 -4 Family Residential EmPower+ (Utility Referral Funding Breakdown) Budget and Benefit Breakdown" identifies the funding to facilitate utility activities under the LMI Customer Referral Plan as "Incentives and Services." As outlined in Clean Energy Guidance 10: Data Dictionary and Scorecard Guidance, the "Incentives and Services" budget category is utilized to refer to incentives or rebates paid to customers and payments made directly to contractors for specific projects and services.[4] While the "Implementation" budget category refers to programmatic activities that include quality assurance and standards, market research, marketing activities and outreach/recruitment of program participants, partners, pilots etc. In an update to the Implementation Plan, the PAs are required to update Table 31 and any relevant program information to accurately reflect the funding associated with the Customer Referral Plan as a program implementation cost.

Staff finds the remaining elements of the February 9, 2026, LMI Implementation Plan filing to be compliant with the LMI EE/BE Order and the compliance letter. The PAs may begin to implement the activities outlined in the LMI Implementation Plan, with the caveats noted above. The PAs shall refile the LMI Implementation Plan, in consultation with Staff, and in accordance with the directives outlined herein, no later than June 1, 2026. In the spirit of continuous improvement to deliver an impactful set of LMI EE/BE programs that meet the Public Service Commission's objectives for the LMI market segment, the PAs are expected to consult Staff and stakeholders on an ongoing basis to identify opportunities to improve the impact of programs and streamline the availability of information on the LMI EE/BE programs, including the LMI Implementation Plan.

If you have any questions or need additional information, please contact Tanya Dugal at Tanya.Dugal@dps.ny.gov.

Sincerely,

/s/

Marco L. Padula Director

Office of Markets and Innovation

[4] Clean Energy Guidance 10: Data Dictionary and Scorecard Guidance, issued December 16, 2021; available at https://dps.ny.gov/clean-energy-guidance-documents.