

Proposed Method and Timing Details for Clean Energy Fund (“CEF”) Bill-As-You-Go (“BAYG”) Approach, as per ordering clause 8 of the 1/21/16 CEF Order (Case 14-M-0094) (“CEF Order”) issued by the New York State Public Service Commission (“PSC”), as well as subsequent orders requiring the filing of updates to this BAYG Summary as summarized in Attachment 3.

- Utilities* were directed by the CEF Order to hold all collections for previously authorized New York State Energy Research and Development Authority (“NYSERDA”) programs in their accounts to satisfy future bills from NYSERDA under the BAYG Approach, rather than making any future transfers contemplated by current funding agreements (including Renewable Portfolio Standard (“RPS”) transfers due 1/30/16 and Energy Efficiency Portfolio Standard (“EEPS”)/System Benefit Charge (“SBC”) transfers due 3/31/16).
- NYSERDA will provide Utility and DPS Staff with a monthly CEF BAYG Reimbursement Request (“Reimbursement Request”), which shall be generally in the form of Attachment 2. The Reimbursement Request will include the following electric information, as appropriate:
 - a summary of the NYSERDA electric-funded¹ cash balances for future BAYG Expenditures² at the beginning of the preceding month, the net BAYG cash expenditures for the preceding month, and the electric-funded cash balances at the end of the preceding month;
 - Capital committed by NY Green Bank, up to the total amount of remaining capitalization authorized with incremental collections in the CEF Order totaling \$631.5 million³;
 - CEF cash balances used to meet Clean Energy Standard (CES) cash shortages pursuant to the Commission’s November 17, 2016 *Clean Energy Standard Order* and any subsequent return of any temporary transfers;⁴

* The CEF Order identified the utilities as Consolidated Edison Company of New York, Inc., Orange and Rockland Utilities, Inc., Central Hudson Gas & Electric Corporation, The Brooklyn Union Gas Company d/b/a National Grid NY, KeySpan Gas East Corporation d/b/a National Grid, Niagara Mohawk Power Corporation d/b/a National Grid, New York State Electric & Gas Corporation, Rochester Gas and Electric Corporation, and National Fuel Gas Distribution Corporation. National Fuel Gas Distribution Corporation participated in the original BAYG collaboration, however, subsequent modifications have been related only to electric funding and therefore do not apply to National Fuel Gas Distribution Corporation or the other gas utility corporations.

¹ All gas-funded cash balances are currently expended.

² “BAYG Expenditures” will include: 1) expenditures for the previously authorized programs (SBC/EEPS/RPS), including repurposed uncommitted funds from such programs; 2) expenditures for the Market Development, Innovation and Research, and NY-Sun portfolios of the CEF; and 3) any activities approved by the PSC to be reimbursed through the BAYG mechanism, all to the extent such expenditures are authorized by the PSC and as summarized in Attachment 3.

³ NY Green Bank has fully collected the remaining capital of \$631.5 million. The last capital drawdown was billed in the April 2021 BAYG invoice.

⁴ See 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 Cost Recovery, Standardized Agreements and Backstop Principles (issued November 17, 2016) (“CES Order”). NYSERDA will replenish any permanent depletion of CEF cash balances (e.g., depletion that cannot be remedied by return of monies generated by Alternative Compliance

- The Electric Working Capital Amounts;⁵
 - the amount by which the Electric Working Capital Amounts exceeded the actual cash balances at the end of the preceding month (“Working Capital Amount Shortfall”), if any;
 - the difference between the Commission-approved cumulative Electric authorizations (assuming annual authorizations are subdivided into equal monthly increments) to date less amounts previously transferred to NYSERDA (“Commission Approved Collections Less Transfers”);
 - the Electric Working Capital Reimbursement Amount (the lesser of the Working Capital Amount Shortfall and the Commission Approved Collections Less Transfers);
 - any receivables resulting from billings for the NY Green Bank Credit Facility Pledged Collections (as described further below);
 - Aggregate Electric amount due or credit, calculated as any Working Capital Amount Shortfall plus any NY Green Bank committed capital plus any amounts billed to meet any REC or ZEC program cash shortages” less any outstanding billed BAYG receivables (not yet collected by NYSERDA from utilities) for consistency with BAYG Summary document;
 - each utility’s pro-rata share of the Aggregate Electric amount due or credit, if any (as described further below);
 - a 60 month projection of expenditures, cash balances, and anticipated Reimbursement Amounts, by month for Electric.
- The Aggregate amount due or credit for Electric funds shall be allocated to Utility in proportion to the schedule of total approved electric collections (for previously authorized plus incremental CEF collections; see Attachment 1), unless directed otherwise by a Commission order and as summarized in Attachments 3 and 4.
 - NYSERDA anticipates submitting the Reimbursement Request along with an accompanying invoice to each utility no later than the 15th day of each month. NYSERDA assumes the full responsibility for the development of Reimbursement Requests, including the numerical accuracy of calculations performed in order to generate such Reimbursement Requests. The utilities shall not be responsible for the accuracy of Reimbursement Requests that are prepared by NYSERDA. Each utility shall identify designated contacts to NYSERDA for electronic submittal of the Reimbursement

Payments (“ACPs) or the sale of RECs and ZECs through the financial backstop guarantee collection. NYSERDA’s petition for a financial backstop guarantee mechanism is currently pending.

^{5 5} For purposes of this document, the Electric Working Capital Amounts shall mean NYSERDA’s calculation of projected Expenditures for CEF and other uses identified in Attachment 3, for the subsequent four-month period.

Requests.

- NYSERDA anticipates that copies of the Reimbursement Requests shall also be provided monthly, no later than the 15th day of each month, with the DPS Director of the Office of Clean Energy.
- Utility shall pay NYSERDA via electronic funds transfer using the account information as NYSERDA may designate in writing to Utility within 30 days of receipt of each Reimbursement Request. Once NYSERDA receives the remittance of Utility funding, Utility will have fulfilled all necessary BAYG funding obligations for the month billed, and shall be in full compliance with the Order. NYSERDA assumes the full responsibility to serve as steward of Utility customer funding received from the utilities, ensuring that such Utility customer funds received are properly spent on clean energy portfolios and initiatives, in the dollar amounts that have been authorized by the Commission.
- NYSERDA will use best efforts to provide Utility with ninety (90) days written notice ahead of any Reimbursement Request that exceeds the immediately preceding request by more than ten (10) percent and to provide the basis for the expected variance. Provision of the notice made by NYSERDA pursuant to this paragraph seven (7) does not increase, decrease, or change in any manner the legal obligations of the Parties under this Agreement.
- NYSERDA and the utilities, in consultation with DPS Staff, have modified the terms and conditions of the original Method and Timing Details for Clean Energy Fund Bill-As-You-Go Approach filed with the Commission Secretary on March 31, 2016, as amended on July 27, 2017, June 21, 2021, and further amended on January 12, 2023. NYSERDA and the utilities, in consultation with DPS Staff, will file with the PSC Secretary the modified terms and conditions contained herein and any subsequent modifications to these terms.
- These terms and conditions have been incorporated into a funding agreement with each utility, as well as other necessary contractual terms and conditions. The Parties will enter into good faith discussions to amend this BAYG Summary and the utility funding agreements if necessary to comply with any PSC order. The provisions of the utility funding agreements shall be binding upon, and inure to the benefit of, the successors of each utility and NYSERDA. The funding agreements with the exception of attachments thereto, may be amended or modified only by written agreement of the Parties through a writing signed by an authorized representative of each Party. The Agreements shall remain in effect until terminated by mutual agreement of the Parties or modified, amended, or terminated based upon an order issued by the PSC.
- Attachment 2 presents an illustration of a Sample Invoice for a single Utility, and a Reimbursement Request (as defined above) for a month in which Working Capital Reimbursement Amounts are due from each utility. Reimbursement request amounts

billed to each utility are calculated as defined by the Commission.

- Attachment 3 represents the current additional PSC-Approved Funding Utilizing the BAYG Mechanism. If the Commission approves additional funding through BAYG, Attachment 3 will be amended and attached to this Summary document for filing with the Commission.
- Attachment 4 represents the current additional PSC-Approved Funding for Upstate Micromobility Administrative Budget by Utility Utilizing the BAYG Mechanism. If the Commission approves additional funding through BAYG, Attachment 4 will be amended at attached to this Summary Document for filing with the Commission.

NYSERDA Clean Energy Fund BAYG Summary
Revised January 30, 2024

ATTACHMENT 1

ANNUAL CEF ELECTRIC COLLECTIONS BY UTILITY (PREVIOUSLY AUTHORIZED + INCREMENTAL CEF COLLECTIONS)

	<u>Central Hudson</u>	<u>Con Edison</u>	<u>Niagara Mohawk</u>	<u>NYSEG</u>	<u>O&R</u>	<u>RG&E</u>	<u>Total</u>
2016	\$29,808,145	\$215,086,790	\$164,371,170	\$70,800,691	\$22,148,464	\$37,184,740	\$539,400,000
2017	\$29,574,076	\$217,347,040	\$163,134,321	\$70,103,591	\$21,994,068	\$37,246,904	\$539,400,000
2018	\$29,363,677	\$219,312,658	\$162,066,031	\$69,503,897	\$21,858,440	\$37,295,296	\$539,400,000
2019	\$29,095,514	\$221,883,430	\$160,661,335	\$68,712,875	\$21,682,449	\$37,364,397	\$539,400,000
2020	\$29,006,418	\$221,224,223	\$160,168,913	\$68,501,339	\$21,616,096	\$37,251,820	\$537,768,808
2021	\$28,265,156	\$214,068,097	\$156,108,916	\$66,834,157	\$21,060,475	\$36,163,198	\$522,500,000
2022	\$27,490,200	\$206,648,594	\$151,862,999	\$65,087,755	\$20,479,730	\$35,030,722	\$506,600,000
2023	\$26,588,564	\$197,818,456	\$146,927,371	\$63,066,845	\$19,803,627	\$33,695,137	\$487,900,000
2024	\$25,001,191	\$184,263,833	\$138,194,075	\$59,398,465	\$18,617,587	\$31,524,849	\$457,000,000
2025	\$23,148,785	\$168,602,817	\$127,999,183	\$55,108,903	\$17,233,855	\$29,006,455	\$421,100,000
2026	\$15,941,933	\$116,112,128	\$88,149,521	\$37,951,988	\$11,868,482	\$19,975,949	\$290,000,000
2027	\$10,719,575	\$78,075,396	\$59,272,954	\$25,519,440	\$7,980,531	\$13,432,104	\$195,000,000
2028	\$3,848,053	\$28,027,065	\$21,277,470	\$9,160,825	\$2,864,806	\$4,821,781	\$70,000,000
2029	\$1,649,165	\$12,011,599	\$9,118,916	\$3,926,068	\$1,227,774	\$2,066,477	\$30,000,000
2030	\$1,649,165	\$12,011,599	\$9,118,916	\$3,926,068	\$1,227,774	\$2,066,477	\$30,000,000
2031	\$1,649,165	\$12,011,599	\$9,118,916	\$3,926,068	\$1,227,774	\$2,066,477	\$30,000,000
2032	\$1,649,165	\$12,011,599	\$9,118,916	\$3,926,068	\$1,227,774	\$2,066,477	\$30,000,000
2033	\$1,649,165	\$12,011,599	\$9,118,916	\$3,926,068	\$1,227,774	\$2,066,477	\$30,000,000
2034	\$1,649,165	\$12,011,599	\$9,118,916	\$3,926,068	\$1,227,774	\$2,066,477	\$30,000,000
2035	\$1,374,305	\$10,009,666	\$7,599,097	\$3,271,723	\$1,023,145	\$1,722,065	\$25,000,000
2036	\$588,202	\$4,284,137	\$3,252,413	\$1,400,297	\$437,906	\$737,044	\$10,700,000
Total	\$319,708,787	\$2,374,833,928	\$1,765,759,265	\$757,979,198	\$238,036,306	\$404,851,325	\$5,861,168,809

RELEVANT NOTES from Exhibit H to 1.1.16 CEF Order:

- 1) Previously authorized electric collection levels (EEPS2, SBC IV, and RPS) for the period 2016 - 2024 remain as previously authorized in total and by year and are inclusive of the figures presented above.
- 2) For Previously Authorized EEPS 2 Electric Collections see Case 07-M-0548, Order Authorizing Efficiency Programs, Revising Incentive Mechanism, and Establishing a Surcharge Schedule, issued October 25, 2011; Appendix 2, Table 3.
- 3) For Previously Authorized SBC IV Electric Collections see Case 10-M-0457, Order Continuing the System Benefits Charge and Approving an Operating Plan for a Technology and Market Development Portfolio of System Benefits Charge Funded Programs, issued October 25, 2011; Table 1.
- 4) For Previously Authorized RPS Electric Collections see Case 03-E-0188, Order Authorizing Customer-Sited Tier Program Through 2015 and Resolving Geographic Balance and Other Issues Pertaining to the RPS Program, issued April 2, 2010; Table 16.

NYSERDA Clean Energy Fund BAYG Summary
 Revised January 30, 2024

Attachment 2
 Sample Invoice



NYSERDA

New York State Energy Research and Development Authority
 17 Columbia Circle
 Albany, NY 12203-63999
 518-862-1090 (Phone)
 518-862-1091 (Fax)
 Federal Tax ID#: 14-1731395

Number:	0000016086
Invoice Date:	12/15/2023
Due Date:	1/14/2024

To:	Sample Sample Sample NY SAMPLE United States
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Description/Comments	Amount
Electric-Period end xx/xx/xx Billing pursuant to the orders of the New York State Public Service Commission, Case 14-M-0094,	0.00
BuildReady-Period end xx/xx/xx Billing pursuant to the orders of the New York State Public Service Commission, Case 15-E-0302, approving the Build Ready Program	0.00
IEDR-Period end xx/xx/xx Billing pursuant to the orders of the New York State Public Service Commission, Case 20-M-0082, Order Implementing and Integrated Energy Data Resource	0.00
EV Prize-Period end xx/xx/xx Billing pursuant to the orders of the New York State Public Service Commission, Case 18-E-0138, establishing Electric Vehicle Infrastructure Make-Ready Program and Other Programs	0.00
Micromobil-Period end xx/xx/xx Billing pursuant to the orders of the New York State Public Service Commission, Case 14-M-0094, approving the establishment of a Clean Energy Fund and Bill-As-You-Go billing plan	0.00

Amount due	0.00
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Remit To:
 NYSERDA
 Attn: Controller's Office
 17 Columbia Circle
 Albany, NY 12203-6399

Note:
If this invoice is not paid by the due date indicated above, Section 18 of the State Finance Law authorizes NYSERDA to collect, in addition to the stated invoice amount, the greater of: (a) interest on the amount due accruing from 5 days after the Invoice Date, computed at the underpayment rate charged by the Commissioner of Taxation and Finance pursuant to subsection (e) of section 1096 of the State Tax Law less four percentage points; or (b) a late payment charge of \$10.00 dollars. In addition, NYSERDA is also authorized to charge a collection fee, not to exceed 22% of the invoice amount, to cover the cost of processing, handling and collecting the invoice amount if not paid within 95 days of the invoice date.

If this invoice is not paid by the due date indicated above, NYSERDA is authorized to refer the account to a private collection

INVOICE

NYSERDA Clean Energy Fund BAYG Summary
 Revised August 3, 2022

Attachment 2 (continued)

	CEF	CEF	Build Ready	Green Bank	Reimbursement request for Green Bank	Disbursement for Green Bank				NYSERDA Cash, end	Working	Working	Working Capital Shortfall	Electric Anticipated			Collections to Date Less	
Month	Gross Cash Expenditures	Net Cash Expenditures	Net Cash Expenditures	Committed Capital	Committed Capital	Committed Capital	CES REC/ZEC Cash Shortfall	RGGI Transfers	Received from utilities	of Month (excl GBANK)	Capital Amount	Capital Shortfall	billed not yet collected	Amount Due	Monthly Collections	Cumulative Collections	Transferred to NYSERDA	Transfers (Utility Cash)

NYSERDA Clean Energy Fund BAYG Summary
 Revised August 3, 2022

Attachment 2 (continued)

Summary for Integrated Energy Data Resource and EV make Ready Program

Program	Integrated Energy Data Resource	Integrated Energy Data Resource	EV Make Ready	EV Make Ready	EV Make Ready	Micromobility Administrative costs	Micromobility Prize Awards	Micromobility
Month	Net Cash Expenditures	Anticipated Amount Due	Administrative Net Cash Expenditures	Prize awards Net Cash Expenditures	Anticipated Amount Due	Net Cash Expenditures	Net Cash Expenditures	Anticipated Amount Due

Attachment 3 –Additional PSC Approved Funding Utilizing the BAYG Mechanism⁶

Case Number	Order Date(s)	Order Title / (general description)	[Individual Order amount where more than one applies]	Total Authorized
15-E-0302	11/17/2016	Order Approving Administrative Cost Recovery, Standardized Agreements and Backstop Principles	[possible borrowing to meet cash shortages]	
18-E-0130	12/13/2018	Order Establishing Energy Storage Goal and Deployment Policy		\$354,133,000
15-E-0751	04/18/2019	Order Regarding Value Stack Compensation (NY-Sun Community Adder)		\$43,393,813
19-E-0735		<u>(NY-Sun expansion):</u>		\$2,046,896,187
	05/14/2020	Order Extending and Expanding Distributed Solar Incentives	\$230,000,000	
	09/09/2021	Order Approving Clean Energy Fund Modifications	\$343,000,000	
	04/14/2022	Order Expanding NY-Sun Program	\$1,473,896,187	
18-E-0130	07/16/2020	Order Establishing Electric Vehicle Infrastructure Make-Ready Program and Other Programs		\$85,000,000
15-E-0302	10/15/2020	Order Approving Build-Ready Program*		\$50,000,000
20-M-0082	02/11/2021	Order Implementing an Integrated Energy Data Resource		\$13,500,000
	01/19/2024	Order Approving Integrated Energy Data Resource Phase 2 Budgets		\$36,386,193
20-E-0473	02/11/2021	Order Authorizing Funding for Electric Generation Facility Cessation Mitigation Program		\$112,500,000
17-E-0603	07/19/2021	Order Approving Request for Maintenance Tier Support		\$95,212
18-E-0138	11/16/2023	Order Approving Midpoint Review Whitepaper’s Recommendations with Modifications		\$500,000

*Temporary borrowing

⁶ Funding itemized in this Attachment is in addition to NY Green Bank commitments, and expenditures for the Market Development, Innovation and Research, and NY-Sun portfolios of the CEF, as described in the CEF BAYG Summary, and also includes the Commission authorized micromobility funding allocated to the utilities in a manner identified in Attachment 4.

Attachment 4 – Upstate Micromobility Administrative Budget By Utility Utilizing the BAYG Mechanism

Table 5 - Upstate Micromobility Administrative Budget by Utility					
	Overall	CHGE	National Grid	NYSEG	RG&E
DCFC Make-Ready	\$500,000	\$86,230	\$208,319	\$100,003	\$105,449