

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

Proceeding on Motion of the Commission)
To Implement a Large-Scale Renewable)
Program and a Clean Energy Standard)

Case 15-E-0302

**COMMENTS OF THE JOINT UTILITIES ON NYSERDA’S PROPOSED ZERO
EMISSIONS CREDIT (ZEC) 2.0 IMPLEMENTATION PLAN AND LOAD SERVING
ENTITY MASTER AGREEMENT PROPOSAL**

The Joint Utilities of New York (“Joint Utilities”)¹ submit these comments in response to the Zero-Emissions Credit (“ZEC”) 2.0 Implementation Plan and Load Serving Entity (“LSE”) Master Agreement Proposal filed by the New York State Energy and Research Development Authority (“NYSERDA”) and the New York State Department of Public Service (“DPS”) Staff on March 16, 2026.²

I. LSE Master Service Agreement Proposal

The Joint Utilities generally support the consolidation of multiple clean energy program agreements into a single master agreement.³ The proposed Master Load Serving Entity Purchase and Sale Agreement (“Master Agreement”) would supersede existing individual program agreements and permit future program obligations to be incorporated through program specific appendices to the Master Agreement.⁴

The Joint Utilities note that future appendices proposed by NYSERDA may introduce new or modified obligations under the Master Agreement for all LSEs. Notwithstanding that NYSERDA or DPS Staff may introduce new or modified obligations for consideration, neither NYSERDA nor DPS Staff should be permitted to unilaterally modify the Master Agreement. These proposed appendix changes could materially change the composition and financial

¹ The Joint Utilities are Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc. (Con Edison), New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation.

² Case 15-E-0302, *Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard* (CES Proceeding), Zero-Emissions Credit (ZEC) 2.0 Implementation Plan and Load Serving Entity Master Agreement Proposal (filed March 16, 2026) (Implementation Plan and Master Agreement Proposal).

³ The program agreements to be consolidated include: Tier 1 Renewable Energy Certificate Purchase and Sale Agreement; Offshore Wind Renewable Energy Certificate Purchase and Sale Agreement; Tier 4 Renewable Energy Certificate Purchase and Sale Agreement; Zero-Emissions Energy Certificates Procurement Payments Agreement; CDG H-Value LSE Form Agreement; and Bulk Energy Storage (BES) LSE Form Agreement. *See* CES Proceeding, Implementation Plan and Master Agreement Proposal, Appendix A (Legacy Program Assets).

⁴ *See* CES Proceeding, Implementation Plan and Master Agreement Proposal, p. 18 (proposing consolidation of existing LSE agreements into a single LSE Obligation Master Agreement, with future program obligations incorporated through appendices and updated as new programs are adopted by the Commission).

impacts of the Master Agreement and potentially exceed the scope of the authorizations that were granted by the Joint Utilities' respective corporate governance processes that allow for the execution of such agreements by authorized personnel. Accordingly, the Joint Utilities request at least 60 days to review, and comment on any future program appendices, or any material revisions thereto and that no such appendices or revisions thereto be incorporated into the Master Agreement without LSE written approval and signoff.

II. ZEC 2.0 Implementation Plan

The Joint Utilities recognize the importance of the Implementation Plan and Master Agreement Proposal's framework for extending the ZEC program, through 2049, to support the continued safe and reliable operation of New York State's existing nuclear facilities consistent with the Commission's *Order Extending the Zero-Emissions Credit Program*.⁵

The Joint Utilities support the Implementation Plan's periodic review process by DPS Staff and NYSERDA. This process would provide an opportunity to reassess program costs, market conditions, and operational assumptions over time, which helps to safeguard customers from overpaying to maintain these resources while balancing the financial certainty needed to support these facilities throughout the 20-year ZEC 2.0 Program period.

III. Conclusion

The Joint Utilities appreciate NYSERDA's efforts to implement the Commission's ZEC 2.0 Order and streamline long-term program administration. Providing LSEs with advance notice and an opportunity to assess and comment on future program appendices that may affect their obligations, prior to adoption, will help promote transparency and contractual certainty within the proposed Master Agreement framework.

Dated: May 18, 2026

Respectfully submitted,

**CONSOLIDATED EDISON COMPANY
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⁵ CES Proceeding, Order Extending the Zero-Emissions Credit Program (issued January 22, 2026) (ZEC 2.0 Order).

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