

NEW YORK STATE  
DEPARTMENT OF PUBLIC SERVICE

CASE 25-M-0249 - In the Matter of the 2026-2030 Low- to Moderate- Income Energy  
Efficiency and Building Electrification Portfolio.

THE LOW- TO MODERATE-INCOME  
ENERGY EFFICIENCY AND BUILDING ELECTRIFICATION  
PERFORMANCE MANAGEMENT FRAMEWORK

Dated: September 12, 2025

## **I. Introduction**

On May 15, 2025, the Public Service Commission (Commission) issued the Order Authorizing LMI Energy Efficiency and Building Electrification (EE/BE) Portfolio for 2026-2030 (LMI EE/BE Order), which advanced funding and a set of parameters for the implementation of the LMI EE/BE programs for 2026-2030 by the New York State Energy Research and Development Authority (NYSERDA), Con Edison, and National Grid.<sup>1</sup> The LMI EE/BE Order requires, among other things, Department of Public Service Staff (Staff) to develop a framework for measuring the overall performance of the 2026-2030 LMI Portfolio and individual programs, with respect to the advancement of the Commission's policy objectives. This framework is intended to provide Staff, program administrators (PAs),<sup>2</sup> and stakeholders with visibility into key program metrics and outcomes and enhance stakeholder engagement on ratepayer-funded LMI EE/BE programs. This framework outlines the performance management process that Staff will implement to track progress of LMI EE/BE programs and ensure that the overall portfolio meets the Commission's policy objectives.

## **II. Regulatory Context**

In the 2020 Order Authorizing Utility Energy Efficiency and Building Electrification Portfolios through 2025 (New Efficiency: New York, or NENY Order)<sup>3</sup> the Commission authorized \$289.1 million in funding and associated energy savings targets for utility-administered LMI energy efficiency programs and established the Statewide LMI Portfolio, a common statewide framework across the utilities and NYSERDA for the administration of LMI programs. NYSERDA had previously been the primary administrator of LMI programs under the Clean Energy Fund, and the introduction of utility-administered programs signaled an increase in expectations for the LMI programs to improve access to services, overall customer

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<sup>1</sup> Case 25-M-0249 et al. Order Authorizing Low-to Moderate-Income Energy Efficiency and Building Electrification Portfolio for 2026-2030. (issued May 15, 2025).

<sup>2</sup> New York State Energy, Research, & Development Authority (NYSERDA); Central Hudson Gas & Electric Corporation; Consolidated Edison Company of New York, Inc.; KeySpan Gas East Corporation d/b/a National Grid; The Brooklyn Union Gas Company d/b/a National Grid NY; Niagara Mohawk Power Corporation d/b/a National Grid; National Fuel Gas Distribution Corporation; New York State Electric & Gas Corporation; Orange and Rockland Utilities, Inc.; Rochester Gas and Electric Corporation.

<sup>3</sup> Case 18-M-0084, In the Matter of a Comprehensive Energy Efficiency Initiative, Order Authorizing Utility Energy Efficiency and Building Electrification Portfolios Through 2025 (issued, January 16, 2020).

experience, and impact for customers in this market segment. NYSERDA files budget and benefit information for its LMI programs within the Budget and Benefits portion of its Compiled Investment Plan (CIP). The utilities also provide Budget and Benefit information for their LMI programs within their System Energy Efficiency Portfolio Plans (SEEP). In 2022, Staff conducted a review (Staff Report) of the energy efficiency and building electrification programs and concluded that the Statewide LMI approach to program offerings had struggled to deploy greater services to the LMI sector while requiring a disproportionate level of administrative resources on the part of the PA.<sup>4</sup> The Staff assessment informed the July 2023 Order Directing Energy Efficiency and Building Electrification Proposals (Order Directing Proposals)<sup>5</sup>, where the Commission directed the PAs to file proposals for the LMI EE/BE programs and charged Staff with more active oversight of the LMI portfolio, and to work with the PAs to address challenges in implementation, seek new ways to increase the impact of the ratepayer funded LMI programs, and develop a process for effectively monitoring performance. In response to the LMI EE/BE proposals, comments on the record indicate a need for improved awareness of program performance and key metrics, transparency on the rationale and timing of modifications made to programs, and improved coordination amongst PAs.

In the LMI EE/BE Order, the Commission approved the LMI EE/BE program proposals with modifications and authorized annual budgets of over \$300 million for these programs from 2026 through 2030. NYSERDA is charged with administering the 1-4 family homes programs statewide, the affordable multifamily programs upstate, and market supporting activities such as workforce development and general awareness statewide. Con Edison and National Grid (the KEDLI and KEDNY companies) are responsible for administering an affordable multifamily program downstate, while NYSERDA provides technical assistance for affordable multifamily buildings downstate as well. The Commission also highlighted the important role that these programs play to advance energy affordability and increase access to clean energy solutions for vulnerable New Yorkers, and outlined policy objectives for the LMI EE/BE portfolio:

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<sup>4</sup> Case 18-M-0084- supra, Staff Energy Efficiency and Building Electrification Report, issued December 22, 2022 (pages 68-69).

<sup>5</sup> Case 18-M-0084 – supra, Order Directing Energy Efficiency and Building Electrification Proposals, issued July 23, 2023.

- reduce energy consumption and cost for households experiencing the greatest energy burden;
- maximize the impact of ratepayer funds through effective coordination, the leveraging of other funding sources, and administrative efficiencies;
- simplify participation and reduce administrative burden for applicants and contractors;
- to seek and incorporate feedback from market participants in the design and implementation of programs;
- transparency in program and portfolio performance; and
- clarity and certainty on program guidelines, goals, and budgets to market participants, including the minimization of volatility in program budgets.

The Commission also noted that successful program administration will require the harmonization of key components of program design and implementation, including budget allocation and management, outreach to and enrollment of customers, realization of energy and bill savings, engagement with stakeholders, coordination amongst PAs, and recruitment, support, and management of contractors. To ensure that the Commission’s policy objectives are prioritized and that ratepayer funds are programmed in a prudent and impactful manner, the Commission charged Staff with establishing a framework that can be used to measure the overall performance of the LMI Portfolio and individual programs.

### **III. The LMI EE/BE Portfolio**

The LMI market segment in New York State is large and diverse, with nearly half of New York’s households meeting income-eligibility thresholds for subsidized clean energy and energy assistance programs, and 63% of LMI households residing in rental properties.<sup>6</sup> Despite the fact that the LMI programs are funded at over \$300 million a year, the nature of the LMI market segment requires PAs to strive for the greatest impact with ratepayer dollars. To achieve the

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<sup>6</sup> New York State Low- to Moderate-Income Census Population Analysis Tool (2018-2022); see: <https://www.nyserda.ny.gov/About/Publications/Evaluation-Reports/Low--to-Moderate-Income/LMI-Census-Population-Tool>.

Commission’s objectives for the LMI EE/BE programs, PAs must design and implement programs in a manner that addresses the unique barriers that LMI households and affordable multifamily building owners face when considering EE/BE upgrades, regional differences such as climate, housing stock, and market dynamics for service providers. In addition, PAs must balance the deep subsidization that is typically required for LMI projects with the need to reach as many households as possible and reduce energy consumption. The administration of programs in accordance with the aforementioned considerations requires PAs to not only effectively manage their resources, but also to design and adjust programs based on experience gained through program implementation and from input by customers, service providers, and other stakeholders that have experience with programs and/or insights on local challenges and opportunities that should inform program design.

#### IV. Performance Management of the LMI EE/BE Portfolio

Performance management is the process by which Staff and the PAs work to continuously improve both the overall LMI EE/BE portfolio and individual programs. It includes multiple pathways for feedback to inform program design and implementation to ensure that programs are best positioned to meet the Commission’s objectives, as illustrated in Figure 1.

**Figure 1: LMI EE/BE Performance Management Process**



An effective performance management process will contain the following components:

- **Portfolio and Program Objectives-** identifying what success looks like is necessary for managing performance. In the context of the LMI EE/BE programs, the objectives for the portfolio of programs are outlined by the Commission in the LMI EE/BE Order, and program specific objectives in terms of budgetary expenditures, energy savings, and participation goals will be outlined in implementation plans developed by the PAs.
- **Program Design and Implementation-** the design and implementation strategy for the LMI EE/BE programs will be outlined in the implementation plan developed by the PAs. Experience obtained in implementing programs should inform adjustments to program design to ensure programs are meeting their intended objectives.
- **Measurement of Progress-** the progress of LMI EE/BE programs is articulated in the form of budgetary expenditures, energy savings, and participation metrics collected from completed projects; in addition, PAs are required to perform evaluations to validate energy savings achieved and identify opportunities for improvement to program design. Measurement of progress should inform modifications to program design and implementation.
- **Management of Programs-** PAs are expected to actively manage their programs. Performance of the programs is to be ensured through the pipeline of projects, through real-time balancing of expenditures and achievement with available budget, with variance tracking, and with risk-monitoring. The experience Management of programs should also inform modifications to program design and implementation.
- **Communication of Progress-** providing visibility on the progress of programs and the overall portfolio towards the objectives of the Commission is a necessary for

transparency and accountability to the stated objectives. The progress of LMI EE/BE programs is communicated by PAs primarily in quarterly and annual reports.

- **Discussion and Input-** creating a forum for discussion on program and portfolio progress and overall performance is essential for identifying opportunities for improving program performance, addressing gaps in program design or challenges in implementation, or otherwise understand how programs are being perceived by customers, service providers, and other stakeholders.

Currently, Staff oversees the performance of the LMI programs through a series of compliance-based and administrative activities that consists of implementation plans, regular reporting on metrics and outcomes, and program evaluations. The LMI EE/BE performance management framework will be built on the administrative apparatus currently in place for the ratepayer-funded LMI programs, dating back to 2020.

Components of the current process for managing the performance of the LMI Portfolio are outlined below.

- **Program Design and Implementation**

With the development of the Statewide LMI Portfolio in 2020, the PAs were required to consolidate implementation details on their individual LMI program offerings into a *Statewide LMI Portfolio Implementation Plan* (Implementation Plan), with the intent of improving access to information on all of the ratepayer-funded LMI programs and presenting a holistic picture to clean energy solutions and energy affordability in the LMI market segment.<sup>7</sup> The Implementation Plan outlines the objectives, deployment strategies, budgets, targets (energy savings and participants) and key milestones and outcomes for each of the LMI program offerings. The Implementation Plan is reviewed and approved by Staff, prior to taking effect. As identified in the 2022 Staff Report, while the Statewide LMI Implementation Plan

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<sup>7</sup> In the NENY Order, the PAs were required to develop a comprehensive Statewide LMI Portfolio Implementation Plan to serve as the primary filing requirement to reflect details of the LMI Portfolio for all utilities and NYSERDA, replacing the need for such details in PA specific System Energy Efficiency Plans (SEEP) filings or NYSERDA's Clean Energy Fund filings.

provides an important view for planning and monitoring, it has limited value as a basis for assessing performance to date as the figures are revised with each Statewide LMI Implementation Plan filing to represent historic actuals and revised forecasts for future performance. For reference, previous Statewide LMI Implementation Plans are summarized in the Appendix.

- **Measurement and Communication of Progress**

Progress on the LMI portfolio and programs is measured through budgetary expenditures, energy savings, and participation metrics collected from completed projects and activities funded through the portfolio and reported in annual and quarterly reports. PAs also conduct evaluation, measurement, and verification (EM&V) activities to validate savings and impacts.

*Metrics and Reporting*<sup>8</sup>

On a quarterly basis, financial, energy, and participation, and other metrics are reported within each PA's *Clean Energy Scorecard*, in accordance with Clean Energy Guidance CE-10.<sup>9</sup> These reports provide both incremental and cumulative updates towards NENY goals. Further, the *Statewide LMI Annual Report* includes additional metrics that have been agreed upon by the PAs and Staff and have been modified over time to incorporate stakeholder suggestions. Tables 1 and 2, below outline the primary metric tables provided in each dataset. For reference, a list of annual LMI reports is included in the appendix.

Currently, Staff is required to conduct compliance reviews of the Statewide LMI Implementation Plan, with the Director of the Office of Markets & Innovation

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<sup>8</sup> When the Commission ordered the implementation of the Statewide LMI Portfolio in 2020, it directed NYSERDA to bifurcate the performance metrics associated with its LMI programs during the period 2016-2019 from those in the 2020-2025 period. The former continues to reside within the CEF Market Development Compiled Investment Plan, while the latter resides within the Statewide LMI Implementation Plan. Due to the differing ways in which the Commission authorized the Utilities' and NYSERDA's LMI portfolios, it is challenging to view the performance of each in a consistent manner. <sup>8</sup> For further discussion and granularity on this topic, see DPS Staff Energy Efficiency and Building Electrification Report (issued December 22, 2022) (pages 56-57).

<sup>9</sup> 18-M-0084 Clean Energy Guidance-10 Clean Energy Scorecard and Data Dictionary Reporting Guidance. EE/BE Scorecards are filed 60 days post-quarter close.

issuing a letter of approval.<sup>10</sup> Staff reviews these documents for changes, alignment with associated CIP and SEEP documents, EE/BE Scorecard filings, as well as the requirements set forth in EE/BE orders. Additionally, staff reviews corresponding workpapers and compares information provided in the plan to other filings required by the Commission, such as those supporting CLCPA reporting of Disadvantaged Communities Investments & Benefits.<sup>11</sup>

**Table 1: Metrics Contained within the Statewide LMI Annual Report**

Expenditures/Incentives by Portfolio, PA, Program, & Initiative	Administrative Costs, by type
Budget by Sector, by Program, by PA	Regional Energy Hubs Metrics
Direct Energy Savings (usage), (MMBTu, MMBTue, Mwh, Peak MW)	Metrics on LMI Statewide Portfolio/Program Stakeholder Engagements
Measures and Incentives	Evaluation Schedule and Objectives
Benefit Cost Assessment Ratio - Societal Cost Test (SCT); Utility Cost Test (UCT)	NY Energy Advisor Metrics
PA achievement to budgets and targets	Frequency, Attendees of AMEEP Roundtable
Portfolio Unit Costs	Utility Community Based Customer
Program Measure Mix by PA	Engagement Initiatives Metrics
Realization Rate by PA	Implementation Milestones
Measure specific savings	Number of EmPower+ contractors

**Table 2: Metrics Contained in Quarterly Scorecards\***

Budgetary Expenditures	Number of participants served
CO2e Emission Reduction (metric tons) annual and lifetime savings achievements	Participant bill savings, annual and lifetime (Deemed)
Direct and Indirect energy savings	Leveraged Funds
*Data is provided by Program, Sector, and PA	

<sup>10</sup> DPS approval letters are issued to Case 18-M-0084.

<sup>11</sup> Matter 23-02017- In the Matter of Reporting Investments and Benefits to Disadvantaged Communities.

### *Evaluation, Measurement, & Verification (EM&V)*

The evaluation of ratepayer-funded programs must follow industry-specific standards and guidelines, which are outlined in Clean Energy Guidance CE:05 EMV Guidance.<sup>12</sup> Further, PAs are required to include specific program-level savings estimation approaches and evaluation schedules within the Statewide LMI Implementation Plan, as required by Clean Energy Guidance: Verified Gross Savings (VGS) Specifications (CE-08).<sup>13</sup> Evaluation studies are filed within the DPS Document and Matter Management System (DMM) Matter 16-02180. The PAs are expected to incorporate findings from EM&V activities into ongoing program administration, including updating metrics and budgetary projections. Currently, the Statewide LMI Annual Report provides a summary of EM&V activities that are ongoing and recently completed. Each Statewide LMI Implementation Plan filing includes a supplemental Verified Gross Savings (VGS) filing. The LMI IP VGS filing provides a summary of all EM&V activities associated with the Statewide LMI Portfolio.<sup>14</sup>

- **Discussion and Input**

The NENY Order directed the PAs to form a Joint Management Committee (JMC) comprising NYSERDA and each utility to effectuate necessary actions to improve Statewide LMI program implementation and coordination. Over the course of 2020-2025, the LMI JMC was found to be unproductive and with the shift in administrative model in the EE/BE Order, where fewer PAs were responsible for the administration of the LMI programs, the Commission deemed the JMC to no longer be necessary. Stakeholders also identified challenges with the stakeholder engagement undertaken by the JMC. In July 2024, multiple stakeholders jointly submitted a letter that outlines

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<sup>12</sup> Matter 16-02180 In the Matter of Clean Energy Program Evaluation, Measurement and Verification, Clean Energy Guidance CE:05 EMV Guidance, issued November 1, 2016.

<sup>13</sup> VGS Specifications are required pursuant to DPS Guidance Document CE-08: Gross Savings Verification Guidance (Issued August 23, 2019)

<sup>14</sup> 18-M-0084

concerns related to the stakeholder engagement process associated with the Statewide LMI Portfolio and requested in-person stakeholder sessions.<sup>15</sup>

The NENY Order also required the PAs to undertake stakeholder engagement efforts to inform the delivery of their programs, including the need for PAs to solicit and respond to stakeholder feedback on programs. Further, the NENY Order also required the PAs to develop a mechanism for obtaining stakeholder input on a regular basis, and no less frequently than twice per year.<sup>16</sup> As discussed in the EE/BE Order, these stakeholder engagement efforts have fallen short, amounting to a twice-annual webinar report out on program performance, with minimal opportunities for discussion with stakeholders.

#### **V. Enhancements to Improve LMI EE/BE Performance Management for 2026-2030**

As directed by the Commission in the LMI EE/BE Order, Staff have assessed the current performance management practices within the LMI Portfolio and programs and have engaged with stakeholders to discuss opportunities for improving the LMI performance management process. Between July and August 2025, Staff held four webinar discussions<sup>17</sup> with the goal of engaging stakeholders to assess their needs and barriers to accessing information on how the LMI programs are performing. Over 200 individual stakeholders attended these webinar discussions and provided a wide range of feedback such as identifying needs for specific metrics, public reporting formats for simplified access to program data, organizational considerations to eliminate barriers to participation, as well as suggestions on how to structure coordination between all relevant agencies, PAs, and stakeholders. As a result of the feedback received, staff has identified some challenges and some initial process improvement opportunities to address

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<sup>15</sup> Cases 14-M-0094 et al., Request for In-Person LMI Stakeholder Engagement (filed July 30, 2024).

<sup>16</sup> Case 18-M-0084, In the Matter of a Comprehensive Energy Efficiency Initiative, Order Authorizing Utility Energy Efficiency and Building Electrification Portfolios Through 2025 (issued, January 16, 2020).

<sup>17</sup> On July 7, 2025, Staff held an initial webinar discussion on the development of the LMI EE/BE Performance Management Framework, where stakeholders shared their experiences and identified their priorities related to outcomes and metrics, accessibility of information on LMI programs and performance, and ongoing engagement on the LMI portfolio and programs. Subsequently, Staff scheduled three additional webinar discussions to provide a deeper dive into the three topics listed above. On August 19, 2025, a webinar was held on outcomes and metrics, on August 22, 2025, a webinar was held on reporting and the accessibility of information, and on August 26, 2025, a webinar was held on ongoing stakeholder engagement.

those challenges, outlined in Table 3, below. Through continued engagement with stakeholders and management of the LMI Portfolio and programs, additional opportunities for improvement will be identified and addressed.

**Table 3: Challenges and Opportunities for Process Improvement**

Challenge Identified	Process Improvement Opportunities
<p>The bifurcation of LMI metrics between 2016-2020 and 2020-2025 unintentionally created confusion when it comes to reporting of spending, progress towards targets, and related metrics.</p>	<p>In the LMI EE/BE Order Commission established distinct budgets and targets for the LMI Portfolio. This will enable stakeholders to access LMI specific EE/BE information and reports with less interference from related non-LMI EE/BE topics.</p>
<p>Quarterly reporting and the Statewide Annual report, for the same period, are expected to be aligned in reporting filings. However, upon corrections, material changes would trigger the Statewide LMI Annual Report to be refiled, whereas all changes are ongoingly updated in the quarterly EE/BE Scorecard filings. On occasion, this leads to repetitive EE/BE Scorecard filings, which may further cloud transparency, especially where the Statewide LMI Annual Report may not be affected directly, and/or where the change does not meet the materiality threshold, leading to instances where the dated Statewide LMI Report may not correlate directly more recent EE/BE Scorecard reporting.</p>	<p>Additional administrative considerations include establishing sub-matters to facilitate direct-access for high-use documents including:</p> <ul style="list-style-type: none"> <li>• A designated Matter for LMI Implementation Plans, Staff review letters, and related topics.</li> <li>• A designated Matter for LMI EE/BE Scorecard Reporting and Annual Reports.</li> </ul>
<p>Program information is not easily accessible and is difficult to consume.</p>	<p>Information is provided adhering to the needs of various stakeholder types, such as contractors, customers, evaluators, stakeholders, and regulators. Examples:</p> <ul style="list-style-type: none"> <li>• Program points-of-contact are provided by Program Administrator, region, and/or CBO.</li> <li>• Detailed incentive information with specific dollar amounts and clear examples are provided.</li> <li>• Consolidate inter-related metrics that may be reported in other dockets (for example, utility referrals to EmPower are reported in 14-M-0565).</li> </ul>
<p>Performance data is not digestible, reliable, or accessible.</p>	<p>Improved methods and usefulness of reported metrics and improve transparency allow for stakeholder assessment of performance of programs towards targeted outcomes and identification of necessary modifications to programs and policies. Examples include:</p> <ul style="list-style-type: none"> <li>• Modified Implementation Plan structure to provide a single-source document for program information, milestones and outcomes.</li> </ul>

	<ul style="list-style-type: none"> <li>• Modified reporting guidance to reflect pertinent metrics, timing, and methodology for reporting.</li> <li>• Assurance of relevant, timely, and dependable program management information is available ongoingly.</li> </ul>
Program naming conventions are not used consistently or systematically, limiting the ability to utilize existing reporting data to assess program and portfolio data.	Program names and scorecard reporting are fluent across the implementation plans and related reporting documents to facilitate clear attribution of programs' progress towards goals and metrics of the Portfolio.
Accessing performance data and information on program progress is cumbersome, with numerous reporting documents having relatively short shelf-lives, and numerous associated cases/matters in DMM to navigate to locate LMI Program data.	Staff issued guidance directs a streamlined approach to metric reporting. Resources are developed to facilitate stakeholder navigation and utilization of reported data. Examples include: <ul style="list-style-type: none"> <li>• A DPS website focused on LMI EE/BE Programs.</li> <li>• User guides for how to access and utilize reported metrics.</li> </ul>

Based on the Staff assessment of the current performance management process and input provided by stakeholders, Staff have identified four specific areas of enhancement that are necessary to align program performance with the Commission’s objectives including the tracking and reporting of additional metrics and outcomes, improving the accessibility of information on program performance, the development of PA processes to manage the performance of their programs, and improved stakeholder engagement.

*i. Metrics and Outcomes*

In addition to the metrics that are currently in place, the management of the LMI EE/BE programs can be improved through the tracking of additional metrics and/or outcomes including:

- The *market penetration* of programs, in particular the number of housing units or participants served by programs compared to the overall number of 1-4 family and multifamily units in the LMI market segment, and the number of LMI households by region of the state.
- The *geographic distribution* of projects across the state. Understanding the location of projects relative to utility service territories, disadvantaged communities, and economic development regions of the state will aid in the targeting of programs and resources.

- *Pre-weatherization and health and safety* investments. The LMI EE/BE Order allows for PAs to spend up to 10% of program budgets to fund pre-weatherization and health and safety measures. Limited information exists on the frequency and cost of these measures and on the number of projects deferred from programs because of structural deficiencies or health and safety issues. The Order requires PAs to track and report the above data.
- *Customer experience* metrics such as customer and contractor satisfaction and project completion time gates (e.g.: the timeline from project application to a completed project).
- *Program administration* metrics such as the source and level of non-ratepayer funding sources leveraged in the administration of the programs; the frequency of program changes.

In addition to reported to enhancement to metrics, Staff identified the need to understand metrics in the context of baselines and goals to effectively track progress, as well as the need to establish key performance indicators to measure progress on the overall portfolio of programs. Staff will continue to work with stakeholders, PAs, and NYSERDA in subsequent engagements to identify methods of comparing metrics that identify progress toward program goals, identify deficiencies in program reach and performance, and ensure and equitable and effective use of ratepayer dollars. Specific metrics and KPIs will be identified with Stakeholder feedback and incorporated within applicable Clean Energy Guidance reporting documents.

*ii. Accessibility of information on the LMI Portfolio and Programs*

In the Clean Energy Fund (CEF) Framework Order, the Commission directed the NYSERDA to develop and implement an online dashboard to allow tracking of key performance metrics of all ratepayer-funded clean energy initiatives.<sup>18</sup> NYSERDA launched the Clean Energy Dashboard in 2019.<sup>19</sup> As discussed above, PAs file LMI

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<sup>18</sup> Case 14-M-0094 - Proceeding on Motion of the Commission to Consider a Clean Energy Fund, Order Authorizing the Clean Energy Fund Framework (filed January 21, 2016).

<sup>19</sup> Case 18-M-0084 – *supra*, *Letter Announcing Clean Energy Dashboard*, issued July 19, 2019.

EE/BE data within Clean Energy Scorecards, in addition to Annual Reports, to report progress towards metrics and outcomes.

As discussed in Staff's August 22, 2025, LMI EE/BE Performance Management Framework Webinar Discussion Session,<sup>20</sup> currently individual PA EE/BE Clean Energy Scorecards are filed within DMM while a consolidated file for all PA Scorecards is integrated into the Clean Energy Dashboard.<sup>21</sup> The dataset for the Clean Energy Dashboard is available through Open NY, however it is not filed within DMM.<sup>22</sup> These filings are additive to the narrative Statewide LMI Annual Report.

In the 2025 LMI EE/BE Order, the Commission directed Staff to review and assess the utilization of reporting and metrics to identify barriers to accessibility and transparency. Staff review and stakeholder assessment of the current accessibility and transparency of information related to the 2020-2025 Statewide LMI Portfolio has identified that there are opportunities for improvement in terms of availability of information, frequency of available information, and gateways by which information is provided related to LMI EE/BE program implementation, reporting of progress towards goals and metrics, and identification and announcement of portfolio refinements. Stakeholder feedback indicates that those stakeholders who had experience accessing program data from filings or reports found the necessary steps for doing so burdensome due to the process of accessing information in DMM, the complexity of having to review dozens of pages of reports to find metrics of interest, and the need to track various cases and proceedings across DMM. For example, some metrics recommended by Stakeholders in the DPS led stakeholder sessions included metrics currently being reported to DPS which are in corresponding matters as opposed to the LMI matter.<sup>23</sup> In addition, stakeholders

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<sup>20</sup> 25-M-0249 – supra, Materials Reviewed During August 2025 LMI EE/BE Performance Management Framework Discussions, issued September 12, 2025.

<sup>21</sup> See the Clean Energy Dashboard, at: <https://www.nyserda.ny.gov/About/Tracking-Progress/Clean-Energy-Dashboard>

<sup>22</sup> See Open New York, at: <https://data.ny.gov/Energy-Environment/NYSERDA-Clean-Energy-Dashboard-Progress-and-Plans-/3rux-yyd9>

<sup>23</sup> For example, Case 14-M-0465 Energy Affordability for Low Income Utility. Customers, Order Adopting Energy Affordability Policy, includes reporting requirements for identification of customers in arrears, counts of referrals to Empower+, and ratepayer funded financial support provided to eligible low-income customers.

identified challenges with accessing information on program performance from the Clean Energy Dashboard.

Staff will explore options to make pertinent program information more easily available to interested stakeholders, including work across Commission proceedings to consolidate inter-related metrics into the EE/BE LMI metrics reporting, to simplify stakeholder assessment of attainment of targets and goals. Staff will also explore additional areas for improvement including the creation of a streamlined place to access data simplifying the illustration of program details through visual aids and project examples; addressing technical jargon by including a data dictionary; detailing the pre- and post-application steps for programs; identification of key program partners and program managers and enhancing and standardizing the program websites. Further, the stakeholders identified that consistent program names should be used for all program materials across the Portfolio, allowing stakeholders to align program information with reported data. Modifications to the reporting process will be outlined by Staff in upcoming modifications to Clean Energy Guidance documents.

*iii. The need for internal processes at PAs to manage the performance of their programs*

With the management of clean energy programs, there are a variety of factors that can impact the achievement of planned goals, and variance between achievements or actuals and the planned can happen. However, the performance management process should not begin once metrics are reported to Staff. The LMI Order discussed needs for continuous process improvements. Ensuring that programs are meeting their goals and objectives within declared budgets and timelines require PAs to have effective internal performance management with systems, processes, and management capacity to manage the pipelines from enquiry to project conclusion, for forward visibility of expenditures and achievement vs consumption of available budget, for variance tracking that identify divergence of actual from anticipated, to manage likely risk points (such as fidelity to eligibility and participation requirements, quality considerations, and fulfilment of commitments to contractors and customers).

This performance management process needs also to establish thresholds that trigger internal review and potentially corrective action of identified program performance issues as well as impactful changes to market dynamics. PAs will be required to report to Staff any internal review that is triggered, and if internal reviews are triggered in consecutive review cycles, Staff will investigate the source of the variances and direct program adjustments as necessary.

Based on this internal review of program activity, PAs are expected to make adjustments to bring the program back on course or, in the event of significant changes to market dynamics, propose modifications to the program. PAs will be required to report to Staff any internal review that is triggered, and if internal reviews are triggered in consecutive review cycles, Staff will investigate the source of the variances and direct program adjustments as necessary. PAs are required to establish such an internal control process to facilitate performance management for approval by Staff by December 19, 2025.

In development of internal performance management documentation identified above, PAs should incorporate inputs such as recommendations from completed EM&V studies, stakeholder comments, and historical events, such as vendor calculation errors, be used to identify and establish, those processes. Upon updates, PAs should provide Staff revised versions of their internal procedures.

*iv. Stakeholder Engagement*

The Commission reaffirmed stakeholder engagement as a long-standing priority in the LMI EE/BE Order, setting an expectation for PAs and DPS Staff to prioritize early engagement of stakeholders, identify and incorporate feedback into programs, and provide visibility into the performance of programs, including identification of implementation challenges and opportunities to improve the impact of those programs. The Commission instructed Staff to provide details on how stakeholder engagement will be incorporated into the administration and oversight of the LMI portfolio with input from stakeholders and the PAs. With respect to existing engagement strategies around LMI programs, Staff heard three prevailing themes important to stakeholders: 1) engagement should be multi-modal and allow for asynchronous opportunities for input to

meet stakeholders where they are as opposed to holding one-off events predicated on one's availability for a single date and time, 2) Staff should deliver pertinent, timely, and digestible information directly to stakeholders rather than assuming stakeholders will actively seek out and be able to access the information they need, and 3) that Staff and PAs should be proactive in communicating the purpose for engagement and respond to feedback with a transparent record for how it was internalized with accompanying rationale.

Staff are supportive of these recommendations and have detailed a proposed strategy below for Staff and PAs that will enhance existing methods, improve coordination, clarity and consistency surrounding the LMI Portfolio, and continue to seek out novel, iterative adjustments to equitable stakeholder engagement.

a. Stakeholder Engagement by Program Administrators

Stakeholder engagement is essential to the successful design and administration of the LMI EE/BE programs. Stakeholders, whether they represent industry, social service, non-profit, or governmental organizations, can often fill in knowledge gaps that PAs have on the needs of LMI households and affordable housing owners, on local barriers and opportunities for program deployment, and program perception. PAs are expected to design programs with input from stakeholders. In addition, providing a mechanism for stakeholders to receive program updates and ask questions will ensure that the PAs and stakeholders have the same information on the status of these important programs. PAs are expected to engage with stakeholders on a regular basis to communicate program developments and to solicit input on program design and implementation. Staff expect PAs to actively communicate program updates to stakeholders on an ongoing basis and to seek input on programs no less than twice a year. PAs are required to document and respond to the input received from stakeholders and include this documentation within their annual reports. The approach for stakeholder engagement on the LMI EE/BE programs should be outlined in the LMI Implementation Plan.

In addition to engagement with stakeholders, Staff expect the PAs to improve the coordination and communication between numerous parties that are involved in the delivery of LMI EE/BE programs. PAs should ensure streamlined communication between

implementation contractors, installers, and project intermediaries such as community-based partners or local government to allow for a feedback loop that can improve program delivery as well as a clear understanding of program developments, in the event that program changes occur.

b. Staff-led Stakeholder Engagement

Staff heard wide-ranging suggestions from stakeholders that broadly fit into three themes for improving stakeholder engagement around the LMI EE/BE Portfolio: 1) multi-modal and asynchronous opportunities to provide input, 2) communicate information directly and proactively to stakeholders in more regular intervals, and 3) transparent documentation of how feedback was internalized with accompanying rationale. Below are several actionable strategies that Staff intend to implement to address stakeholder's concerns with the stakeholder engagement process to date.

Staff will structure stakeholder engagement on the LMI EE/BE Portfolio according to the following principles:

- Focus on LMI Portfolio, performance of programs, and related policy issues; while the PAs shall be responsible for ongoing engagement on programs design and implementation.
- Improve transparency of LMI EE/BE performance and improve access to information useful to stakeholders.
- Elicit insightful and actionable feedback from stakeholders relevant to the 2026-2030 LMI EE/BE Portfolio to address challenges in program implementation
- Increase participation among those serving/representing Disadvantaged Communities, market participants, and those who have not traditionally engaged with DPS.
- Make efficient use of stakeholder time invested in discussions while also improving DPS Staff understanding of issues.

**Quarterly Meetings** – To provide a forum for discussing program performance and to facilitate improved engagement between PAs and stakeholders, Staff will convene regular quarterly meetings with PAs and stakeholders. Two out of the four quarterly meetings

each year will be conducted virtually and the other two will be conducted in-person, split between Upstate and Downstate regions. All meetings will be a space to discuss challenges and opportunities within the LMI programs, facilitate a discussion from PAs to report on program performance, and maintain regular intervals to discuss emerging issues. The in-person meetings will allow for even deeper dives into those conversations with stakeholders, leverage group work to improve coordination, and provide room for outside expertise to bring novel information to bear. The quarterly meetings will be open to all stakeholders that have an interest, however Staff will work with stakeholders to seek to achieve participation from stakeholders with various perspectives, including community-based organizations, contractors/installers, and local government representatives. The Staff-led engagement plan will be outlined in a Staff Guidance Document, to be filed no later than November 1, 2025. This Guidance will be updated as necessary.

**Improved Communication** – Staff will undertake efforts to improve communication and accessibility of information on the LMI EE/BE Portfolio and programs. Staff will build out enhancements to the DPS website, including an on-demand library of resources, streamlined navigation to relevant programs in the LMI EE/BE Portfolio, and other enhancements to accessing LMI EE/BE reported data as described above. Where Staff see specific needs in the market, providing educational content including policy briefs, infographics, and whitepapers online and through newsletters, and quarterly meetings may provide the necessary course correction to maintain effective stakeholder engagement. Staff also support the desire from stakeholders for more & direct email communication with stakeholder list-serv via newsletters and email blasts. Staff are exploring multiple options to better manage the email list-servs that may also provide insight into stakeholder relationships.

In addition, DPS staff will work closely with PAs to leverage existing stakeholder channels including the initiatives funded through the LMI EE/BE Portfolio, the Regional Clean Energy Hubs and Energy Equity Collaborative and will issue additional guidance on stakeholder engagement to the PAs as needed.

## **VI. Summary and Next Steps**

The performance management of the LMI EE/BE portfolio is an active and continuous process and will need to adapt to program and market dynamics, as they occur. Consequently, Staff will provide updated guidance to PAs as needed. Any updates to guidance related to the performance management process will be incorporated into appropriate Staff guidance documents and communicated to PAs and stakeholders. Staff expect the elements of the LMI Performance Management Framework to be in place for the commencement of the LMI EE/BE programs on January 1, 2026. To achieve this, Staff have established following initial deadlines:

- December 1, 2025- Staff shall publish preliminary guidance documents to facilitate the performance management process, including guidance on metrics, reporting, and stakeholder engagement.
- December 19, 2025- PAs are required to develop an internal control process to facilitate performance management of the LMI programs, for approval by Staff.

In addition, Staff will hold its first quarterly meeting on the LMI EE/BE Portfolio in December 2025, details on this meeting will be published to DMM.

## APPENDIX

### LMI Implementation Plans, by Date of Filing

Title	Date Filed
<a href="#"><u>Statewide LMI Implementation Plan</u></a>	7/27/2020
<a href="#"><u>Statewide LMI Implementation Plan</u></a>	4/29/2022
<a href="#"><u>2022 Statewide LMI Implementation Plan August 15 Refile</u></a>	8/15/2022
<a href="#"><u>2022 Statewide LMI Implementation Plan</u></a>	11/1/2022
<a href="#"><u>Statewide LMI Implementation Plan</u></a>	11/22/2022
<a href="#"><u>Statewide LMI Implementation Plan V3 05.01.23 FINAL</u></a>	5/1/2023
<a href="#"><u>Statewide LMI Implementation Plan</u></a>	6/28/2023
<a href="#"><u>2023 Statewide LMI Implementation Plan 11.01.23</u></a>	11/1/2023
<a href="#"><u>Statewide LMI Implementation Plan</u></a>	7/2/2024
<a href="#"><u>Statewide LMI Implementation Plan</u></a>	11/1/2024
<a href="#"><u>Program Admins Statewide LMI Implementation Plan</u></a>	12/20/2024
<a href="#"><u>Program Admins Statewide LMI Implementation Plan</u></a>	8/15/2025

### LMI Annual Reports, by Date of Filing

Year	Title	Date Filed
<b>2020</b>	<a href="#"><u>LMI Statewide Portfolio Annual Report</u></a>	4/1/2021
<b>2021</b>	<a href="#"><u>LMI Statewide Portfolio Annual Report 2021</u></a>	4/1/2022
<b>2021 V2</b>	<a href="#"><u>LMI Statewide Portfolio Annual Report 2021 May 31 Update</u></a>	5/31/2022
<b>2022</b>	<a href="#"><u>LMI Statewide Portfolio Annual Report 2022 FINAL</u></a>	4/3/2023
<b>2023</b>	<a href="#"><u>LMI Statewide Portfolio 2023 Annual Report</u></a>	4/3/2024
<b>2024</b>	<a href="#"><u>LMI Statewide Portfolio 2024 Annual Report</u></a>	4/1/2025