

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 25-M-0149 - In the Matter of Implementation of the All-Electric Buildings Act.

NOTICE SOLICITING COMMENTS

(Issued March 11, 2025)

PLEASE TAKE NOTICE that interested stakeholders are invited to submit comments by **May 19, 2025**, on a White Paper filed by Department of Public Service (Department) staff in the above-referenced case on February 27, 2025. The White Paper proposes a reasonableness standard to implement Section 11-104(7)(e) of the Energy Conservation Construction Code (Energy Code) as revised by the All-Electric Buildings Act (Part RR of Chapter 56 of the Laws of 2023). As revised by the All-Electric Buildings Act, the Energy Code will prohibit the installation of fossil-fuel equipment and buildings systems in certain newly constructed structures. These provisions will apply to new buildings, seven stories or less, with the exception of commercial or industrial buildings in excess of one hundred thousand square feet in conditioned floor area, effective December 31, 2025, and will apply to all new buildings effective December 31, 2028. Energy Code Section 11-104(7)(e) provides an exemption to the prohibition on fossil-fuel equipment when "electric service cannot be reasonably provided by the grid" and grants the Public Service Commission (Commission) the authority to "determine reasonableness for the purposes of this exemption."

The White Paper proposes that the Commission adopt a standard whereby a project will qualify for the exemption pursuant to Energy Code Section 11-104(7)(e) if construction of

the electrical system upgrades necessary to serve an all-electric development would take 18 months longer than the upgrades needed to serve a building with both electric and fossil-fuel equipment. The White Paper also proposes that the Commission direct the State's regulated investor-owned and municipal utilities to prepare filings, including draft tariff language, to evaluate how, upon presentation of a request for service, the utility will provide estimates of how long it would take to construct any necessary electrical system upgrades. The full text of the White Paper may be reviewed online at the Department of Public Service web page: www.dps.ny.gov.

Comments should be submitted electronically, by going to www.dps.ny.gov, clicking on "File Search" in the drop down menu under "Commission Files," entering "25-M-0149" in the "Search by Case Number" field, and then clicking on the "Post Comments" box located at the top of the page. Those unable to file electronically may mail their comments to the Hon. Michelle L. Phillips, Secretary, New York State Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350.¹ All comments filed with the Secretary will be posted on the Department's website, www.dps.ny.gov, and will be part of the case record.

Questions regarding this Notice should be directed to Chad.Gholizadeh@dps.ny.gov.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

¹ Filing electronically is strongly encouraged.