STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

In the Matter of the Advancement of Distributed Solar	**Case 21-E-0629**

COMMENTS OF NEW YORK SOLAR ENERGY INDUSTRIES ASSOCIATION ON THE NYSERDA REPORT: "NY-SUN PROGRAM: IMPACTS OF THE INFLATION REDUCTION ACT AND THE POTENTIAL FOR INCREMENTAL DISTRIBUTED SOLAR CAPACITY BEYOND THE 10 GW GOAL"

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INTRODUCTION

The New York Solar Energy Industries Association (NYSEIA) is grateful for the opportunity to provide further comments on NYSERDA's proposal to reinvest surplus NY-Sun funding to enable distributed solar capacity beyond the current 10 GW target. In April, NYSEIA submitted detailed feedback on this proposal, and these comments aim to respond directly to Staff's questions and reinforce the key points of our initial response.

NYSEIA is a nonprofit industry trade association proudly representing hundreds of distributed solar and storage businesses with thousands of employees across the Empire State. Our mission is to advance distributed solar energy and energy storage deployment in New York State through engagement on key legislative, regulatory, and statutory policy matters affecting these industries. Our membership is primarily composed of local, regional, and national firms working every day to help achieve the ambitious clean energy and equity goals outlined in the Climate Leadership and Community Protection Act (CLCPA).

NYSEIA strongly urges the Commission to promptly approve NYSERDA's proposal to reinvest the surplus NY-Sun funding. The NY-Sun program is one of NYSERDA's most successful clean energy programs, and authorizing the use of the surplus funds for the program is a smart investment.

NYSEIA RESPONSES TO DPS STAFF QUESTIONS

1. Do the proposed options for spending surplus NY-Sun funds set forth in the Report help to advance equitable access to solar energy for underserved New Yorkers? Why or why not?

Yes. The NYSERDA/DPS Report outlines impactful uses of the surplus funds within the NY-Sun program that would significantly expand equitable access to solar energy for underserved communities. The Report proposes allocating the surplus funds primarily toward incentives for community solar projects, which deliver direct utility bill savings to low-income customers.

As highlighted in NYSEIA's comments on the proposal, we support prioritizing LMI (Low- and Moderate-Income) community solar projects while also recommending that some of the budget be allocated to other types of solar projects, such as rooftop solar for homes and businesses, solar for affordable housing, and beneficial siting adders to minimize land use impacts.

Through its Solar Energy Equity Framework (SEEF), NYSERDA has ensured that at least 40% of the agency's NY-Sun investments benefit residents of disadvantaged communities, as required by the CLCPA. This approach supports a diverse range of project types. NYSEIA urges the Commission to authorize this investment of surplus funds without delay and to grant NYSERDA the necessary discretion and flexibility to allocate these funds, without further Commission action, in response to changing market conditions and programmatic needs.

2. Please identify alternative options, if any, for how surplus NY-Sun funds could be spent in order to create equitable access to solar energy.

NYSEIA outlined several key recommendations in its comments, focusing on ways to reinvest surplus NY-Sun funds to ensure equitable access to solar energy. These include prioritizing rooftop solar for low-income and disadvantaged communities, as well as expanding incentives for solar canopies and carports in urban areas. By focusing on carports and canopies, cities can maximize the use of underutilized spaces, providing a significant boost to urban solar infrastructure directly in load centers.

Other suggestions include supporting onsite solar for nonprofits and affordable housing, offering flexible funding for Solar Energy Equity Framework (SEEF)-eligible projects, and enhancing community outreach and education about solar benefits. Additionally, funds could be directed towards providing targeted incentives for rooftop solar in Upstate New York, where the economics for onsite solar are particularly challenging, and NYSEIA encourages the Commission to grant NYSERDA authority to adjust funding allocations based on evolving market conditions.

3. Should consideration be given to how the surplus NY-Sun funds could be leveraged to create synergies with other ratepayer-funded programs that are intended to drive energy affordability and/or access to clean energy solutions in the LMI market segment (e.g., the Energy Affordability Program, Statewide Solar for All, and Energy Efficiency, Building Electrification, and EV Make Ready programs), to improve the collective impact of these programs with respect to increasing access to clean energy solutions, improving energy affordability, or delivering additional benefits? If so, how?

The Report already recommends using these funds to support low-income community solar and solar projects participating in Statewide Solar for All. Enhanced incentives for rooftop and community solar projects serving low-income New Yorkers can help offset the costs of building electrification and complement energy efficiency initiatives.

One of the most effective ways to leverage NY-Sun funds is by encouraging businesses to invest in solar using private capital. Additionally, recipients of low-cost power allocations from NYPA should also be encouraged to adopt solar and other renewable energy sources.

While NYSEIA supports creating synergies between NYSERDA's low-income solar programs and energy efficiency/affordability programs, we do not recommend commingling funds. The NY-Sun funds should be dedicated solely to supporting solar projects, while other funding sources should be leveraged to advance energy efficiency and electrification efforts.

While we made a number of recommendations in our initial comments, the highest priority now should be authorizing the reinvestment of the surplus funds as soon as possible to avoid any lapse in the NY-Sun program, and to direct NYSERDA to identify opportunities to enhance certain programs that can direct benefits to disadvantaged and environmental justice communities. This could include projects that would fall under the Solar Energy Equity Framework, but could also include improvements to beneficial siting adders such as the brownfield adder, which can be challenging for many projects to access.

CONCLUSION

In conclusion, the New York Solar Energy Industries Association (NYSEIA) strongly advocates for the prompt approval of the NYSERDA/DPS proposal to reinvest surplus NY-Sun funding. This reinvestment is crucial for advancing equitable access to solar energy, particularly for underserved and disadvantaged communities. By prioritizing community solar projects and other innovative solar solutions, such as rooftop solar for low-income households and solar canopies in urban areas, the surplus funds can advance New York's statutory obligation to increase renewable electricity supply and better serve LMI customers.

NYSEIA emphasizes the importance of maintaining flexibility in funding allocation to allow NYSERDA to adapt to evolving market conditions and maximize the impact of these investments. Additionally, leveraging synergies with other ratepayer-funded programs can further amplify the benefits, ensuring a comprehensive approach to energy affordability and sustainability.

NYSEIA urges the Commission to act swiftly, granting NYSERDA the necessary discretion to implement these initiatives effectively. This decisive action will not only support New York's ambitious clean energy goals but also foster a more inclusive and resilient energy future for all New Yorkers.