

To Honorable Secretary Burgess,

I grew up in Queens and moved to Western NY. The typical individual in both areas has no clue as to the content and impact of this plan. The elderly do not understand the current rate increases and do not have the technological means to handle REV. Globally it has become a choice of food or heat.

1. The deregulation of energy in NY:

- a. Has not contained "cost"; but has created a insurmountable myriad of separate costs and taxes and fee's that actually cost the consumer two to three times the previous rate.
- b. Has left the residential consumer thwarted with solicitations-both legal and illegal.
- c. Has left the consumer unable to make educated decisions based on the untimely nebulous information provided.
- d. Has left the consumer fearful of changing ESCO's because of hidden fees and contractual arrangements and penalties that have not been controlled by any NY Agency.
- e. Has not provided plain English contracts
- f. Has allowed more company non disclosure as to corpoptate structure; vertical and horizontal market power i.e. YIELDCo's
- g. Has allowed the collection of energy blocks for renewables energy based not on generation but on future hedges or REC's
- h. Has left consumers dealing with mixed non comparable energy units especially when dealing with renewables...i.e. house units.

The track history of NY's deregulation has cost the ratepayer dearly. More deregulation especially involving distribution along with the unfinished control of the energy deregulation can be harmful if not deadly to the ratepayer. Fix what you have created first.

2. Any new plan should include:

a. The elimination of RPS, SBC and Green Bank subsidies by the ratepayer since the new model will be based on an increase of sustainable reliable energy and the market. If they continue, it would be a redundant fee schedule or tithing...a double dipping of sorts.

b. If the RPS remains or increase to 50% than the ultimate impact is no longer de minimis. It can negatively impact the ratepayer AND resident of NY by instituting fees and tariffs for non production and payment of non production as in the Case of Bonneville where the hydro was pitted against wind and the losers were the residents and ratepayers in order to save the citizens from flooding.

c. The energy supplied by an ESCO should be in unbundled packages where one can choose wind or solar based on the weather and seasons if not daily predictions; not just 100% renewable where the ratepayers has no control of choosing the most efficient reliable source. i.e. The wind resource in Western NY is unreliable at 10% and bottled in many cases; solar is not plentiful in cloudy, Vitamin D depleted, Western NY.

c. The ratepayer should be able to read a real time supply chart in plain English similar to the NYISO in order to choose wisely.

d. The deregulation of distribution should not be used to dictate when or how energy is generated. i.e. In California there is a regulatory movement to put solar panels on the west side not south side so less energy will go to the grid or be credited to the generating entity.

e. Stray voltage monitoring should be increased and real time reports should be publicly available.

f. Decommissioning and recommissioning funds should be maintained and not be passed on to the ratepayer since they are already paying a distribution fee i.e. Ginna.

g. Stockholders and voters of funds tied to energy should not be able to impact ratepayers by upstream ownership.

h. Distribution companies should be required to publicly show upgrades/ to cost/ to fee ratios.

i. Loss due to distance over transmission and bottling should be publicly available in real time. Required transmission upgrades will be paid by whom?

j. The fees for upgrading the existing individual residential system should not fall on the ratepayers nor taxpayers.

3. Any plan should pass the multi agency review of NERC, FERC, SEC and FTC as well as all the NY Agencies.

a. NERC-all energy facilities that do not fall under the NYS Building Codes should be required to have international certification for parts, generation and project for public health and safety including stray voltage .i.e. industrial wind farms.

b. FTC-Strict laws as to mechanism for solicitation and truth in advertising should occur. i.e. the ploy of asking for personal data on the phone to save energy or the use of buying hedges of future development or development in another state instead of real energy.

c. Clarification/Impact of the Commerce Clause on any REV Plan as well as preventing the energy sale across state borders to increase profits along transmission when we all know that the energy physically decreases.

d. SEC should be involved to insure the financial ownership of the upstream corporation, not just LC's, as well as associated significant investors so as not tonegatively impact the ratepayers.

e. FERC should increase the required filing of information to insure the ratepayer is not negatively impacted.

In summary, I feel that the current REV Plan is premature and too pervasive, too invasive and too drastic a change upon a current system that has not remediated its first step into deregulation. History teaches that small changes are made over extended time frames and one should always ERR on the side of caution. The public has not been educated on the plan; the you tube and power point presentation are too simplistic. Test data from real communities should be open to the public as well as reports and critical evaluations by independent professionals.

Respectfully submitted,