

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held in the City of
Albany on February 5, 2015

COMMISSIONERS PRESENT:

Audrey Zibelman, Chair
Patricia L. Acampora
Gregg C. Sayre
Diane X. Burman

- CASE 14-M-0101 - Proceeding on Motion of the Commission in
Regard to Reforming the Energy Vision.
- CASE 14-M-0094 - Proceeding on Motion of the Commission to
Consider a Clean Energy Fund.
- CASE 13-M-0412 - Petition of New York State Energy Research and
Development Authority to Provide Initial
Capitalization for the New York Green Bank.
- CASE 10-M-0457 - In the Matter of the System Benefits Charge IV.
- CASE 07-M-0548 - Proceeding on Motion of the Commission
Regarding an Energy Efficiency Portfolio
Standard.
- CASE 03-E-0188 - Proceeding on Motion of the Commission
Regarding Retail Renewable Portfolio Standard.

RESOLUTION ACCEPTING FINAL GENERIC
ENVIRONMENTAL IMPACT STATEMENT AS COMPLETE

(Issued and Effective February 6, 2015)

BY THE COMMISSION:

On April 25, 2014, the Commission instituted a proceeding to align electric utility practices and the regulatory paradigm with technological advances in information management and power generation and distribution, a process cumulatively referred to as the "Reforming the Energy Vision" or "REV" program. Likewise, on May 8, 2014, the Commission

instituted a related proceeding to consider establishment of a "Clean Energy Fund" (CEF). These proceedings are examining issues that are highly interrelated and that will affect the State's existing suite of clean energy programs, including the NY-Sun Initiative, the New York Green Bank, the Energy Efficiency Portfolio Standard (EEPS), the Renewable Portfolio Standard (RPS) and the Technology and Market Development (T&MD) program.

The proposed actions by the Commission regarding Reforming the Energy Vision and establishing a Clean Energy Fund involve: (a) increased penetration of distributed energy generation technologies including solar, wind, fuel cells, hydroelectric, and various combustion technologies (including natural gas) to address peak load demand on New York's electric system assisted by Distributed System Platform Providers; (b) increased customer participation and penetration of energy efficiency technologies and demand management measures to address peak load demand on New York's electric system; (c) modifications in the current regulatory, tariff, and market design and incentive structures to best promote the goals and objectives of Reforming the Energy Vision and establishing a Clean Energy Fund; (d) ensuring continuity of the State's clean energy programs in a manner that complements the existing suite of clean energy programs, including NY-Sun Initiative, New York Green Bank, Energy Efficiency Portfolio Standard (EEPS), Renewable Portfolio Standard (RPS) and Technology and Market Development (T&MD); (e) providing flexibility to allocate funds among a portfolio of clean energy programs in response to evolving circumstances; (f) fostering a more rapid, significant, and sustainable increase in the adoption of clean energy services and technologies; (g) enhancing program efficiency and leverage; (h) providing access to clean energy for low-income

customers that may not otherwise benefit from the new markets that develop; and (i) managing the transition from ratepayer surcharges to more sustainable market-based clean energy activities.

The proposed actions are "unlisted actions" as classified pursuant to Article 8 of the Environmental Conservation Law [State Environmental Quality Review Act (SEQRA)] and would be located throughout the geographic area of the State of New York. The Commission is the "lead agency" for the purposes of environmental impact review pursuant to SEQRA and has previously determined that the proposed actions may have an adverse impact on the environment such that an environmental impact statement should be prepared before completing the environmental impact review.¹ The Commission has also previously accepted as complete a draft generic EIS which was issued for public comment.² A Notice of Completion of Draft Generic Environmental Impact Statement was issued on October 23, 2014, and the draft generic EIS was filed by the Secretary in the accordance with the requirements of 6 NYCRR Part 617. The Notice of Completion of Draft Generic Environmental Impact Statement was also published in the Environmental Notice Bulletin (ENB) on November 5, 2014. The minimum 30-day public comment period provided for the Draft GEIS ended on December 5, 2014. Fifteen comments were received.

¹ Case 14-M-0101, Reforming the Energy Vision, Notice of Determination of Significance (issued April 25, 2014); Case 14-M-0094, Clean Energy Fund, Notice of Determination of Significance (issued May 8, 2014).

² Case 14-M-0101, Reforming the Energy Vision, et al., Resolution Accepting Draft Generic Environmental Impact Statement as Complete (issued October 24, 2014).

The Commission has caused a final generic EIS to be prepared in connection with proposed actions by the Commission regarding Reforming the Energy Vision and establishing a Clean Energy Fund. The final generic EIS contains revisions made to the draft generic EIS to more accurately reflect the potential environmental impacts that may result from the REV and CEF initiatives, as well as the identification of potential mechanisms to avoid, minimize or mitigate such impacts. The final generic EIS also contains a summary and analysis of all the substantive comments that were received. Having reviewed the final generic EIS, the Commission concludes that it is acceptable and complete. A Notice of Acceptance of Final Generic Environmental Impact Statement will be issued, and the final generic EIS will be filed in the accordance with the requirements of 6 NYCRR Part 617, and the Notice of Acceptance of Final Generic Environmental Impact Statement will be published in the Environmental Notice Bulletin (ENB).

The Commission resolves:

1. The Final Generic Environmental Impact Statement prepared in connection with proposed actions by the Commission regarding Reforming the Energy Vision and establishing a Clean Energy Fund is accepted as complete.

2. A Notice of Completion of Final Generic Environmental Impact Statement and the Final Generic Environmental Impact Statement shall be issued and filed by the Secretary in the accordance with the requirements of 6 NYCRR Part 617 and in substantial conformance with the Appendix attached hereto, and the Notice of Acceptance of Final Generic Environmental Impact Statement will be published in the Environmental Notice Bulletin (ENB).

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3. These proceedings are continued.

By the Commission,

(SIGNED)

KATHLEEN H. BURGESS
Secretary

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NOTICE OF COMPLETION OF
FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

(Issued)

NOTICE is hereby given that the New York State Public Service Commission (Commission), as lead agency, has completed and accepted a Final Generic Environmental Impact Statement (Final GEIS) in connection with proposed actions by the Commission regarding Reforming the Energy Vision and establishing a Clean Energy Fund. The address of the lead agency is Three Empire State Plaza, Albany, NY 12223-1350. The Final GEIS and this notice have been prepared in accordance with Article 8 of the Environmental Conservation Law [State Environmental Quality Review Act (SEQRA)]. The proposed actions are "unlisted actions" as classified pursuant to SEQRA and would be located throughout the geographic area of the State of New York.

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Copies of the Final GEIS are available to the public at the Commission's Albany office at Three Empire State Plaza, Albany, NY 12223-1350 (Central Files, 14th Floor) and at the Commission's New York City office at 90 Church Street, New York, NY 10007-2919 (Central Files, 4th Floor). An electronic copy of the Final GEIS is also available on the Commission's website at <http://www.dps.ny.gov>. For additional information contact James Austin, New York State Department of Public Service, Three Empire State Plaza, Albany, New York 12223-1350 at (518)486-2464.

The proposed actions by the Commission regarding Reforming the Energy Vision and establishing a Clean Energy Fund involve: (a) increased penetration of distributed energy generation technologies including solar, wind, fuel cells, hydroelectric, and various combustion technologies (including natural gas) to address peak load demand on New York's electric system assisted by Distributed System Platform Providers; (b) increased customer participation and penetration of energy efficiency technologies and demand management measures to address peak load demand on New York's electric system; (c) modifications in the current regulatory, tariff, and market design and incentive structures to best promote the goals and objectives of Reforming the Energy Vision and establishing a Clean Energy Fund; (d) ensuring continuity of the State's clean energy programs in a manner that complements the existing suite of clean energy programs, including NY-Sun Initiative, New York Green Bank, Energy Efficiency Portfolio Standard (EEPS), Renewable Portfolio Standard (RPS) and Technology and Market Development (T&MD); (e) providing flexibility to allocate funds among a portfolio of clean energy programs in response to evolving circumstances; (f) fostering a more rapid, significant, and sustainable increase in the adoption of clean energy

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services and technologies; (g) enhancing program efficiency and leverage; (h) providing access to clean energy for low-income customers that may not otherwise benefit from the new markets that develop; and (i) managing the transition from ratepayer surcharges to more sustainable market-based clean energy activities. The Final Generic Environmental Impact Statement has been prepared in order to analyze potential environmental impacts associated with Reforming the Energy Vision and establishing a Clean Energy Fund.

(SIGNED)

KATHLEEN H. BURGESS
Secretary