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8/17/2023 - Monthly Meeting

STATE OF NEW YORK

PUBLIC SERVICE COMMISSION

MONTHLY MEETING

Thursday, August 17, 2023

10:32 a.m. until 11:50 a.m.

ESP, Building 3, 19th Floor Boardroom

Albany, New York 12223

COMMISSIONERS:

RORY M. CHRISTIAN, Chair

DIANE X. BURMAN

JAMES S. ALESI

TRACEY A. EDWARDS

JOHN B. HOWARD

DAVID J. VALESKY

JOHN B. MAGGIORE

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2 (The meeting commenced at 10:32 a.m.)

3 CHAIR CHRISTIAN: We will begin the  
4 webcast in ten seconds. Good morning, I call this  
5 session of the Public Service Commission to order.  
6 Madam Secretary, are there any changes to the final  
7 agenda?

8 SECRETARY PHILLIPS: There are no  
9 changes to the final agenda.

10 CHAIR CHRISTIAN: Thank you. Before  
11 moving to the agenda, I'd like to conduct a roll call  
12 of Commissioners, when I call your name please  
13 confirm that you are present. Commissioner Diane  
14 Burman?

15 COMMISSIONER BURMAN: Present.

16 CHAIR CHRISTIAN: Commissioner James  
17 Alesi?

18 COMMISSIONER ALESI: Here.

19 CHAIR CHRISTIAN: Commissioner Tracy  
20 Edwards?

21 COMMISSIONER EDWARDS: Present.

22 CHAIR CHRISTIAN: Commissioner John  
23 Howard?

24 COMMISSIONER HOWARD: Here.

25 CHAIR CHRISTIAN: Commissioner Dave

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2 Valesky?

3 COMMISSIONER VALESKY: Here.

4 CHAIR CHRISTIAN: Commissioner John  
5 Maggiore?

6 COMMISSIONER MAGGIORE: Here.

7 CHAIR CHRISTIAN: Thank you. We'll  
8 move to the regular agenda. Our first and only item  
9 for discussion today, item 301 case 20-E-0197, which  
10 addresses the coordinated grid planning process.  
11 It'll be presented today by Leka Gjonaj, Chief of  
12 Electric Safety and Reliability, and Zeryai Hagos,  
13 Deputy Director Clean Energy and Markets.

14 Tammy Mitchell, Bob Rosenthal, Jalila  
15 Aissi are available for questions. Leka, please  
16 begin.

17 MR. GJONAJ: Thank you. Good morning,  
18 Chair Christian, and Commissioners. As you noted,  
19 Zeryai Hagos and I are here today to present our  
20 recommendations on the proposal for a Coordinated  
21 Grid Planning Process, or for short C.G.P.P.  
22 submitted by the utilities and LIPA in December of  
23 2022.

24 The draft order before you largely  
25 accepts the filing with several key modifications.

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2 First, as background, the proposal for C.G.P.P. comes  
3 out of the transmission planning requirements  
4 established in the Accelerated Renewable Energy  
5 Growth and Community Benefit Act, which was signed  
6 into law in 2020.

7 The Legislature required utilities and  
8 the Commission to identify investments at the  
9 distribution, local transmission and bulk  
10 transmission levels needed to meet the zero emissions  
11 targets of the Climate Leadership and Community  
12 Protection Act, or C.L.C.P.A.

13 The Commission recognized in the 2020  
14 order initiating this proceeding that traditional  
15 planning processes would need to change to meet this  
16 objective. In a September 2021 order that rejected  
17 the utilities' first proposal on planning matters,  
18 the Commission spelled out its expectations that the  
19 new process should improve coordination with the  
20 NYISO bulk power system planning, integration with  
21 NYSERDA generation procurements and forecasting for  
22 renewable generation development.

23 The Commission further stated that a  
24 coordinated planning process must support all  
25 existing transmission and distribution grid needs,

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2           identify upgrades needed to meet C.L.C.P.A. in a  
3           timely and cost effective way, provide actionable  
4           information to policymakers and stakeholders, use  
5           consistent input data assumptions and models, and  
6           include stakeholders to ensure decisions are based on  
7           current information and sound forecasts.

8                    Since that time, the utilities, in  
9           collaboration with NYSERDA, the New York I.S.O. and  
10          Staff have developed a new Statewide planning  
11          framework. An initial version of the C.G.P.P. was  
12          filed by the utilities in December 2021.

13                   The utilities and LIPA then held a  
14          series of nine stakeholder conferences to receive  
15          feedback on the initial proposal. After which, on  
16          December 27th, 2022, they filed the revised proposal  
17          -- excuse me, the revised proposal that is before you  
18          today.

19                    So before turning to the details of  
20          the process in this proposal -- in this proposal it  
21          is important to note that the C.G.P.P. represents the  
22          first Statewide, coordinated, long term planning  
23          process for the New York grid directed by the  
24          Commission.

25                    The C.G.P.P. looks out over a period

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2           of twenty years, which is consider -- considerably  
3           longer than the current ten-year planning horizon.  
4           The proposal sets out a sequence of six planning  
5           studies and assessment stages, which would repeat on  
6           a three-year cycle.

7                   In the first stage, utility planners  
8           collect relevant data to find up to three scenarios,  
9           develop a capacity expansion model, and produce  
10          initial capacity expansion results.

11                   Capacity expansion models, or computer  
12          models that forecast generation and transmission  
13          capacity investments and will be used to project the  
14          location and quantity of new generation in the State.

15                   In this stage one, should a potential  
16          bulk need be indicated or identified, the utilities  
17          and LIPA propose that the Commission issue an order  
18          finding a Public Policy Transmission Need, P.P.T.N.  
19          for short, that would be followed by a NYISO  
20          solicitation for transmission solutions using the  
21          NYISO public policy transmission planning process.

22                   And the resulting bulk solution  
23          identified through this -- through this NYISO  
24          competitive process could later be evaluated with or  
25          alongside a local tran -- local alternatives during

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2           stage five of the C.G.P.  In stage two, detailed  
3           electric network -- network models, which include  
4           power flow and short circuit models would be  
5           developed for the three C.G.P. -- C.G.P.P. scenarios.

6                    In stage three, as proposed, each  
7           utility and LIPA will use these network models  
8           developed in stage two to carry out local  
9           assessments, identifying -- identifying any needed  
10          local solutions to integrate the new generation  
11          forecast from stage one.

12                   Local solutions may include  
13          traditional transmission and distribution upgrades,  
14          non wires -- non wires alternatives and or advanced  
15          technologies.  During stage four, the local solutions  
16          are integrated into a Statewide network model and  
17          studied to identify potential interactions or  
18          conflicts.

19                   The utilities and LIPA may modify the  
20          local solutions developed in stage three to address  
21          any negative interactions identified during the stage  
22          four.  We will refer to the local solutions developed  
23          during stages three and four as the quote, preferred  
24          solutions for the remainder of this presentation.

25                   At stage five, the capacity expansion

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2           model will be updated to include the preferred  
3           solutions developed during stages three and four,  
4           along with the results from any bulk solution  
5           solicitations that may have been initiated during  
6           stage one as options.

7                   The capacity expansion model will be  
8           used to identify the least- cost combination of new  
9           generation, plus bulk and local transmission  
10          distribution solutions necessary to achieve the  
11          C.L.C.P.A. goals.

12                   In the sixth and final stage of the  
13          C.G.P.P. the results of the studies and the proposed  
14          transmission distribution investments with rate case  
15          quality cost estimates are presented in a least-cost  
16          plan report and filed with the Commission.

17                   The C.G.P.P. cycle would then begin,  
18          again following Commission action on these proposed  
19          investments. Also, the utilities and LIPA propose to  
20          engage stakeholders for input into this planning  
21          process through an Energy Policy Planning Advisory  
22          Council or EPPAC for short.

23                   Which would be comprised of a  
24          predetermined set of stakeholder entities whose  
25          representatives possess the technical backgrounds



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2           necessary to provide meaningful engagement in the  
3           C.G.P.P. We note that twenty-two organizations filed  
4           thirteen sets of written comments in response to the  
5           Coordinated Grid Planning Process filed by the  
6           utilities and LIPA.

7                               Staff recommend -- recommends that the  
8           Commission approve the process as filed with several  
9           important modifications, which my colleague, Zeryai  
10          Hagos will discuss next.

11                              MR. HAGOS: In addition to the  
12          significant stakeholder comment already received on  
13          the proposed planning framework, Staff believes  
14          continued stakeholder input through an advisory group  
15          would be beneficial to the process.

16                               We recommend accepting the utility's  
17          proposal to create the EPPAC, however, the draft  
18          order requires some changes to that proposal. The  
19          draft order agrees with NextEra Energy Transmission  
20          New York, the New York Power Authority or NYPA, and  
21          Transource that independent transmission developers  
22          have highly relevant experience and should be  
23          represented in the EPPAC.

24                               Additionally, the draft order draws  
25          from the best practices of the interconnection

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2           technical working group and requires that EPPAC  
3           stakeholder participants have expertise in system  
4           planning. Staff would have responsibility for  
5           identifying additional members outside of the  
6           utilities' proposed list and for ensuring  
7           participants have relevant experience.

8                   The draft order gives Staff authority  
9           to make decisions when EPPAC members do not reach  
10          consensus in time to meet process deadlines. The  
11          most common concern raised by stakeholders in  
12          response to this proposal was the need to move faster  
13          than the proposed three-year timeline.

14                  Staff shares this concern, and the  
15          draft order directs the utilities to work with LIPA,  
16          the New York I.S.O., and Staff to file  
17          recommendations to reduce the C.G.P.P. to a two-year  
18          cycle time by June 1st of 2024.

19                  In addition to accelerating the  
20          investment decisions for the infrastructure needed to  
21          support the C.L.C.P.A. goals, a two-year cycle time  
22          has the added benefit of aligning the C.G.P.P. with  
23          the New York I.S.O.'s twenty-four month schedule for  
24          the system and resource outlook and its broader  
25          comprehensive system planning process, a concern

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2 highlighted by NYPA.

3 The Alliance for Clean Energy New  
4 York, the New York Offshore Wind Alliance, Advanced  
5 Energy United, Natural Resources Defense Council, and  
6 the American Clean Power Association pointed out that  
7 the C.G.P.P. analysis should be aligned as much as  
8 possible with the New York I.S.O.'s system and  
9 resource outlook or outlook policy scenarios.

10 The draft order notes that the New  
11 York I.S.O. is in the early stages of developing the  
12 models that will be used for its second outlook  
13 process and directs D.P.S. Staff to consult with the  
14 EPPAC and deliver the assumptions to the New York  
15 I.S.O. for the first C.G.P.P. scenario on an  
16 accelerated basis.

17 This first C.G.P.P. scenario will be  
18 called the State scenario and will be shared by the  
19 outlook and C.G.P.P. processes, bringing both  
20 planning processes into full alignment. Another  
21 issue frequently raised in stakeholder comments is  
22 the potential for misalignment between the New York  
23 I.S.O. public policy transmission planning process  
24 and potential conflicts of interest with utilities  
25 having the responsibility to identify bulk needs

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2 during stage one of the C.G.P.P.

3 In recognition of these concerns, the  
4 draft order rejects the utility's proposed approach  
5 to identify bulk needs during -- and directs D.P.S.  
6 Staff in consultation with the EPPAC and the New York  
7 I.S.O. to examine the results during stage one and  
8 work with a consultant to develop conceptual bulk  
9 solutions, if warranted.

10 The comparative analysis during stage  
11 five will evaluate the conceptual bulk solutions  
12 alongside preferred solutions developed during the  
13 stages three and four. The Commission will use the  
14 analysis to identify and refer public policy  
15 transmission needs to the New York I.S.O. and  
16 initiate the public policy transmission planning  
17 process.

18 This modification to the evaluation of  
19 bulk solutions in the C.G.P.P. addresses several  
20 issues with the proposal. First, the modified  
21 process allows for a comparative evaluation between  
22 bulk and local solutions or combinations thereof.

23 Second, the modified approach does not  
24 require transmission developers to engage in multiple  
25 competitive procurements during stages two through

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2           four of the C.G.P.P. where the C.G.P.P. schedule  
3           prevents feasibility challenges to this approach and  
4           the actual need is speculative and could be deemed  
5           unnecessary during stage five.

6                   Third, D.P.S. Staff and their  
7           consultant will develop concept -- conceptual bulk  
8           solutions independent from the utilities avoiding  
9           potential conflicts of interest. And finally, the  
10          modified approach does not jeopardize the two-year  
11          timeline for the C.G.P.P. study.

12                   In addition to the development of  
13          conceptual bulk solutions, the draft order directs  
14          the utilities and LIPA to create con -- conceptual  
15          local solutions, which will be used during stage one  
16          of the C.G.P.P. The proposal, which the draft order  
17          modifies would develop initial scenarios produced  
18          during stage one, using capacity expansion planning  
19          models that ignore local constraints, resulting in  
20          what the utilities and LIPA call ideal build-out  
21          plans.

22                   The stage one build-out plans  
23          comprised of new generation would then be moved  
24          through the subsequent stages of the C.G.P.P. where  
25          T. and D. solutions would be identified to make the

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2 new generation forecasts deliverable.

3 The resulting T. and D. upgrades, as  
4 proposed, would be moved into the capacity expansion  
5 planning models during stage five where a comparative  
6 analysis would select the least-cost mix of T. and D.  
7 and generation investments to achieve the C.L.C.P.A.  
8 goals.

9 The draft order notes that this  
10 proposed process leaves open the possibility that low  
11 cost generation may be built in areas with costly  
12 transmission upgrades during stage one resulting in  
13 stage five analysis having to choose from suboptimal  
14 combinations of T. and D. upgrades and a final -- and  
15 a final build-out plan that is not least cost.

16 By introducing conceptual local  
17 transmission solutions during stage one of the  
18 C.G.P.P. the later stages of the process will be  
19 seeded with more realistic generation build-out  
20 plans, resulting in more -- in a more efficient mix  
21 of T. and D. investments.

22 Consistent with the Commission's  
23 directions in the January 2022 power grid study  
24 order, the advanced technology working group has work  
25 underway evaluating the role of certain technologies

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2 which may play increase -- play a role in increasing  
3 the efficiency, operability, and cost effectiveness  
4 of the electric transmission and distribution system.

5 These technologies include dynamic  
6 line readings, power flow controls, and energy  
7 storage for transmission and distribution services.  
8 The draft order directs the utilities to consult with  
9 the advanced technology working group for the  
10 consideration of advanced technologies when  
11 developing T. and D. solutions during stages three  
12 and four of the C.G.P.P.

13 And to explain their approach to  
14 incorporating advanced technologies in the stage six  
15 least-cost plan report. The draft order recognizes  
16 the importance of developing granular forecasts of  
17 distributed energy resources, particularly for D.E.R.  
18 such as medium and heavy duty vehicles, charging --  
19 electric vehicle charging as E.D.F. outlines in their  
20 comments.

21 While the C.G.P.P. must include load  
22 forecasts that are C. -- C.L.C.P.A. compliant, the  
23 draft order notes that a more granular proactive  
24 planning framework for transportation electrification  
25 is currently under development in a separate

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2 proceeding in case 23-E-0070.

3 However, the draft order also  
4 envisions this more granular planning framework for  
5 transportation electrification may be integrated into  
6 future C.G.P.P. cycles. If the Commission approves  
7 the C.G.P.P. proposal, Staff expects work will begin  
8 immediately.

9 The first task will be to assemble the  
10 EPPAC and confirm the State scenario in time for  
11 inclusion in the New York I.S.O. outlook, which is no  
12 later than October 1st of 2023. Additional work  
13 under stage one would be carried out between the end  
14 of this year and early 2024.

15 Stages two through four, where network  
16 models, local area studies and preferred T. and D.  
17 solutions are developed will start in Q2 of 2024 and  
18 likely conclude in mid 2025. Staff expects the final  
19 report will be filed for your review and action by  
20 the end of 2025.

21 The report and investment  
22 recommendations will be published for public comment,  
23 Commission action on local upgrades, and any  
24 potential public policy needs could come as early as  
25 the first quarter of 2026.



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2 It should be emphasized that the  
3 C.G.P.P., as modified in the draft order, will be an  
4 iterative process. Insight from experience with  
5 prior C.G.P.P. cycles, availability of improved  
6 modeling techniques and tools, and future policy or  
7 technological developments may be incorporated into  
8 future C.G.P.P. cycles.

9 The process presents the utility  
10 planners, stakeholders, Staff, and the Commission  
11 with opportunities to weigh in on the direction of  
12 future cycles and it's Staff's expectation that the  
13 processes in the C.G.P.P. will evolve over time.  
14 This concludes our presentation; Tammy Mitchell, Bob  
15 Rosenthal, Jalila Aissi, Leka Gjonaj and I are  
16 available for questions. Thank you.

17 CHAIR CHRISTIAN: Thank you team,  
18 thank you Zeryai, thank you Leka, that was a great  
19 presentation. You know what -- what I found  
20 interesting in going into this item is that this  
21 represents the thirteenth Commission action coming  
22 out of the Accelerated Renewable Energy Growth and  
23 Community Benefit Act, hopefully that's auspicious,  
24 that designation.

25 And though this might not be the first

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2 action, I -- I think you pointed out earlier, this  
3 does represent an interesting milestone in that it is  
4 the first Statewide coordinated long-term planning  
5 process for the New York Grid.

6 And to my knowledge, I think it's one  
7 of -- if not the first, one of the first to look out  
8 as long and as far ahead as twenty years. You know,  
9 what -- what I find most interesting about this in  
10 addition to the increased coordination and planning  
11 implicit in that is the goal of lowering costs  
12 recognizing that by working together between  
13 coordination with the utilities, the NYISO and others  
14 we can identify these solutions proactively in a  
15 coordinated manner to make sure that we can achieve  
16 the goal of affordability that we've set for  
17 ourselves.

18 So I -- I really appreciate the effort  
19 in developing this and I definitely see this is in  
20 the public interest and this has my support. So  
21 thank you again for your hard work in putting this  
22 together. Commissioner Burman?

23 COMMISSIONER BURMAN: Thank you so  
24 much. So I -- I have a couple of comments. The  
25 first is, it's interesting to me this initiated back

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2           in May of 2020 after the act, right?  And so the  
3           initiating order was trying to address the ambitious  
4           directive to us and others and trying to really  
5           thread that needle in a way that was prudent and that  
6           would help us get to, you know, a -- a continuously  
7           improving grid planning.

8                   And the initiating order really took,  
9           you know, an approach in laying out what they -- we  
10          were seeking and then, starting to sort of get  
11          everything to kind of come together.  And so that  
12          then led to -- as you said, the September 2021 order,  
13          which sort of refined and -- and asked for some more  
14          filings from the utilities.

15                   It's not lost on me that actually I've  
16          been here since the act and the two orders and going  
17          through it, it's actually been three different chairs  
18          that have shepherded through the next phase and  
19          trying to do that in a way that continues the  
20          continuous improvement and looks at what are we doing  
21          and tries to make sure that we're moving forward in a  
22          positive way and -- and I think that that brings us  
23          to today.

24                   I -- I will say that I was very much  
25          struck by the comments from the various stakeholders

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2           in that they were very thoughtful, most of the  
3           comments were extremely helpful.  And we're trying to  
4           look at it from the perspective of we're all on the  
5           same page that grid planning is necessary and  
6           coordinated grid planning, we're all on the same page  
7           of the need to do this swiftly, but responsibly.

8                               And these are our concerns on that  
9           process and -- and I, in particular, you know, kind  
10          of looked at it in buckets and the first sort of  
11          buckets for me was the -- were the comments from  
12          NYPA, New York City and the New York I.S.O.

13                              And I want to really sort of say that  
14          I found those to be extremely helpful, especially New  
15          York City's comments because it really sort of laid  
16          the groundwork for me on what some of the underlying  
17          concerns are as we move forward.

18                              And so looking at that I am still  
19          looking at it from the perspective of, are the  
20          concerns that were raised, not just by NYPA, New York  
21          City, and New York I.S.O., but by the others and  
22          Transource, L.S. Power, NextEra as well as a few  
23          others raised, which is -- is this process going to  
24          be helpful and ensure that it is aligned with the  
25          already ongoing processes that the New York I.S.O.

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2 does.

3 And is it going to ensure that we do  
4 not inappropriately creep into jurisdictional issues  
5 and that in our attempt to coordinate together, are  
6 we making sure that if we are involved in this, that  
7 we're actually being helpful and not harmful.

8 And I think as we go through the  
9 process it will be important to keep in mind that the  
10 concerns raised by the stakeholders in -- in -- in  
11 this aren't going to go away, they're just going to  
12 need to be made sure that we're being true to that we  
13 are trying to address those concerns, right?

14 And so I appreciate that the order  
15 recognizes that it's a continuous process and that we  
16 may have to revisit the process. Now, it doesn't  
17 mean revisiting the process after the fact, I think  
18 there's enough flexibility in here that during the  
19 ongoing process, we keep checking in, looping in,  
20 working with the stakeholders and making sure that  
21 we're all being sort of true to the intent behind  
22 this.

23 I think that the concerns that many of  
24 the stakeholders had really fall into several  
25 buckets, one, the timing issue, which is -- is going

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2           to be, as much as we, in this order try to sort of  
3           fast track it, the recognition that at any point  
4           along this process the timing is going to  
5           consistently keep being an issue, right?

6                   And that's going to mean that we're  
7           going to need to continually look at, okay, what are  
8           we doing, how do we do this, we're not going to --  
9           instead of getting in this, we have to do it because  
10          we have to do it by X date, we really have to make  
11          sure that what we're doing is actually being helpful.

12                   And -- and then, the other issue is --  
13          and I think the biggest issue is the EPPAC. Now, I  
14          personally take pause when we have -- when we're  
15          formulating working groups, or advisory committees,  
16          or anything that is sort of delegating this new  
17          things to a new entity that's still in formation.

18                   So I think that the parties that  
19          raised concerns on what the roles and  
20          responsibilities of the EPPAC are and the makeup of  
21          the members, and then, the -- the independents really  
22          are important and don't go away by this order.

23                   Now this order seeks to increase the  
24          membership, I think that's correct, it should. But  
25          it still leaves for me what is the proper delegation

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2           to this new entity and what's the oversight  
3           responsibility.  If it's truly an advisory committee,  
4           it needs to also look -- be looked at in the  
5           framework of how does that then relate back to the  
6           Commission's weight of that advisory committee,  
7           right?

8                                 How does it weight come back to us for  
9           decision making and how do we ensure that we are not  
10          inappropriately delegating to Staff, and then, to  
11          another entity the role that really should come or  
12          the direction that really should come more from us or  
13          from other entities.

14                                So for me I think that's an ongoing  
15          issue, it's not just in this particular one, it's  
16          across the board.  And I think we do need to really  
17          wrestle with our own framework on what we are, what  
18          the expectations are across the board for advisory  
19          committees or -- or -- or anything, right?

20                                And then, also, how they are meeting  
21          the transparency requirements in a way that is  
22          actually helpful and making sure that that it's  
23          functioning appropriately and -- and in and of  
24          itself, it is not becoming the super Staffer, or the  
25          super Regulator and I think that that's important.

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2 As to the makeup of the membership I'm  
3 not sure what the appropriate membership should look  
4 like, I think the order even recognizes that we may,  
5 you know, have to be fluid and flexible in that  
6 membership.

7 I am concerned though that we are  
8 giving the responsibility to Staff to determine who  
9 should be in and the breadth of their or the scope of  
10 their role within that. As it's currently set up,  
11 the utilities do have the upper hand now, the  
12 utilities that we're asking to do a lot of work with  
13 the planning processes, so it makes sense that they  
14 should have a large role.

15 However, I do worry that the way that  
16 it's being approached is going to put people into --  
17 pit people against each other, and then, put the  
18 Staff in the position of calling balls and strikes.  
19 I'm not sure that I'm comfortable with Staff having  
20 that role and actually the -- the I.S.O. in its  
21 comments talked in a footnote about that many of the  
22 issues that may come might even be outside of the  
23 Staff's responsibilities and things that are sort of  
24 outside the expertise of the Staff.

25 They said it in a much more condensed



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2 way, but I raise it because I do think that Staff  
3 needs to be careful that they are not sort of  
4 micromanaging this process in a way that people are  
5 trying to please you. And that it is also allowing  
6 different viewpoints in a way that can be helpful.

7 The independence of this process is  
8 without question important, so when I see that Staff  
9 is going to be overseeing the consultant I worry that  
10 the consultant then becomes an arm of the Staff  
11 versus a true independent consultant to the group,  
12 not just to Staff.

13 I think that that is an underlying  
14 issue of concern for all of the parties, no matter  
15 where they sit and I think that we do need to make  
16 sure that the consultant understands, while you may  
17 be reporting to the Staff your obligation is to the  
18 overall advisory council, but really, again, to the  
19 Commission itself who needs relevant information.

20 And so, it truly needs to have some  
21 guardrails in the consultant's work that doesn't sort  
22 of call into question is the consultant just really  
23 an arm of the Staff.

24 There was one party who raised a  
25 concern that some people who are -- might need to be

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2           a part of the EPPAC will not be able to fully  
3           participate because of the cost to participate, you  
4           know, the travel, the -- the engagement of perhaps  
5           outside parties.

6                   I think that's something to be  
7           cognizant of, it's not addressed in the order and I'm  
8           not suggesting that we, you know, set aside money for  
9           that.

10                   What I am suggesting though is that we  
11           need to be cognizant that we are making sure that  
12           those who are asking to be a part of this feel that  
13           they have the appropriate resources to be fully  
14           participants in the process and to help make sure  
15           that we are looking at the roles and what some of the  
16           barriers may be for folks to participate.

17                   And so -- then the next part for me is  
18           that we are looking at how we're syncing with the  
19           I.S.O. process. I take pause here because I do think  
20           that the good intentions are for us to be aligned,  
21           but I do worry that many of the commenter's are  
22           raising valid issues as it seems to weigh heavily on  
23           deferring to the local solutions over the bulk power  
24           solutions.

25                   And I worry that in here we are giving

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2           a lot of weight to the utilities and to the State to  
3           address local reliability issues that may be more  
4           appropriate to take a step back and make sure that we  
5           are not pushing one thing over another and that the -  
6           - the -- to the extent that we see it as local versus  
7           bulk.

8                               We may actually be inappropriate --  
9           inappropriately chilling what really is on the bulk  
10          side and more of the I.S.O. role and the FERC  
11          processes, especially, with order one thousand.

12                              I don't think that this order can  
13          fully dictate how to do that, I think that's going to  
14          be necessary within the next stakeholder process to  
15          make sure that we have full discussions, I'm sure  
16          they're going to be robust and very divergent  
17          positions.

18                              And not to see it as anyone trying to  
19          chill the next step, but really trying to get it  
20          right and make sure that we are carefully looking at  
21          that.

22                              The other issue is the -- the cost.  
23          There is wording in here on -- that this is a rate  
24          case like cost, right, that's how we're going to be  
25          defining it. I'm not sure that -- and -- and then,

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2 there's a process for least cost.

3 And -- and I think that that -- I  
4 think that we need to really delve into what that  
5 looks like and what that means, especially as a lot  
6 of the wording seems to be, yeah, we get that some of  
7 -- we're going to be looking at least cost, but some  
8 of the transmission upgrades are going to be really  
9 costly, but in the end, it'll be -- it'll be less  
10 costly.

11 I think that's a little bit of  
12 gobbledygook in that how that plays out and what that  
13 looks like is in the eye of the beholder. However,  
14 there is a regulatory prudence to reviewing what that  
15 really should look like. And also keeping in mind  
16 that the I.S.O. and FERC have a strong role in  
17 helping to flush that out for us and make sure that  
18 we are not, again, just trying to fit it into a  
19 certain way. And I think the stakeholders in the  
20 process can be very helpful in that.

21 But I understand -- I -- I know that  
22 that will mean that people will have to be very vocal  
23 in their opinions and I think we should welcome that.  
24 The other issue for -- for me is that we have a lot  
25 of different stages and within the stages they sort

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2 of cross pollinate.

3 I have seen some informal, I'll call  
4 them flowcharts, informal flowcharts of what the  
5 process may or may not look like. I think it's  
6 really important, especially to make sure that  
7 everyone is on the same page, that we start off with  
8 a formal and I say we, just, you know, the kicking  
9 off this process, a formal flowchart that really  
10 tries to make sure that everyone is on the same page  
11 and to the extent that people are identifying which  
12 areas of the stages and within the stages, which  
13 areas they see as concerning or needing more detail  
14 or perhaps discussion among the larger group.

15 Because I think that will be very  
16 helpful to make sure we're all kind of looking at it  
17 that way. So I would ask for folks to think about  
18 sort of that formal -- again, I'll call it a  
19 flowchart. The other issue is the grid enhancing  
20 technologies and now bringing into the fold the  
21 ongoing advanced, I forget the acronym, so A.W.T.G,  
22 right?

23 MR. HAGOS: A.T.W.G., the Advanced  
24 Technology Working Group.

25 COMMISSIONER BURMAN: Okay. A.T.W.G.

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2 right. So that's already had an ongoing process for  
3 many people. This is the technical conference you  
4 can go, you can watch the video, you can -- there's a  
5 lot of different documents.

6 I do think, though, that when we look  
7 at now bringing these -- this group into that, when  
8 we -- we in this order don't really go into any  
9 detail of how those two groups will work in a sense  
10 that it may be a little clunky.

11 However, I think that the signal we're  
12 trying to send is, yes, technologies and how we are  
13 continuously improving are going to be part of this  
14 grid planning and they're necessary for us to be  
15 engaged in and aware of.

16 But I put an asterisk on that, we have  
17 other pending proceedings, DEFERS come to mind. And  
18 for, you know, I think the comment period just ended  
19 and we have a lot of really good comments in that,  
20 that may, while it's dealing with the DEFERS it may  
21 actually be helpful for some cross pollination.

22 And -- and I think that to the extent  
23 that we have to be really clear about all the  
24 different cross pollination, because even the order  
25 itself says we may need to look at, you know,

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2 bringing into the fold other proceedings, and we  
3 reference 20-E-0070, I think in there.

4 We have to remember, again, that  
5 everybody needs to be on the same page and if not,  
6 just taking one proceeding, and now, moving it into  
7 another and saying, well, we dealt with it over  
8 there, so you know, goodbye, good luck, right, we  
9 have to figure it out.

10 I am really concerned about making  
11 sure that the next steps here are done in a way that  
12 helps us to be successful. I am concerned that there  
13 is a lot put upon Staff in particular to try to  
14 manage, not just this, but many other things and  
15 recognizing the expertise that you bear in this  
16 process, but also, recognizing the weight of that and  
17 needing to really carefully monitor that is helpful.

18 I just want to look at my notes to  
19 make sure I -- I raised everything that I wanted to  
20 at this stage.

21 The one other thing I have is -- the  
22 other theme that I think was in here is the concern  
23 that there is -- at least how I look at it as threat  
24 to competition. And the concern that, you know,  
25 without -- without meaning to we may be chilling the

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2           competitive market's participation, we may be sort of  
3           trying to, you know, have them sort of fall out a  
4           little bit.

5                                So that gets back to the membership of  
6           EPPAC.  And one of the -- the commenters talked about  
7           that one association has more merchant transmission  
8           versus competitive transmission developers and does  
9           not speak for all competitive developers.

10                               I think that it is important for us to  
11           make sure that there is enough balance and that --  
12           especially, for those who participated in other  
13           steering groups that got us here aren't now feeling  
14           like they're being pushed aside or that -- well, you  
15           know, what's -- why are you concerned about being,  
16           you know, that you're not participating, here's your  
17           association.

18                               So if that association is put in the  
19           also position of having to decide which of their  
20           members has more weight, I think that that's  
21           difficult.  So I would say that that comment struck a  
22           nerve for me because I want to make sure that we do  
23           not just assign who's responsible for being the voice  
24           for all developers and make sure that we bring more  
25           people to the table.



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2 The other thing which goes into that  
3 is our -- the proposal and our order talks about  
4 others being involved in this, the membership,  
5 Utility Intervention Unit, Department of State, City  
6 of New York, NYPA, LIPA, Office of Renewable Energy  
7 Siting.

8 I am struck that there really are no  
9 consumer voices that weighed in at, you know, like, I  
10 didn't see PULP, I didn't M.I., I didn't see U.I.U.  
11 And I only raise it because I am making sure that we  
12 are looking carefully at the consumer voice because  
13 one of the themes that seem to come from many of the  
14 commenters were a lot of what you're doing may be  
15 well meaning, but it may actually harm the consumer  
16 and the concern with that.

17 And I -- I -- I respect those  
18 stakeholders who are weighing in on that. But I want  
19 to make sure that we're actually then drilling down  
20 with consumers on -- on what that actually means and  
21 looks like. I also will say three things to those  
22 who may be interested in this proceeding.

23 If you read the order which right now  
24 is a draft order once we approve it and you have  
25 questions or concerns, you have an obligation if you

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2           think this is important to make sure you seek  
3           clarification or rehearing or seek to be apart of the  
4           process to the sole focus of getting us to a better  
5           results.

6                               And therefore do not be shy in that,  
7           but be helpful in what the concerns are because I can  
8           tell you the concerns raised in the comments  
9           initially that got us to today were helpful for us  
10          and for me in particular to look at this.  But I know  
11          that this is just now the next phase and starting  
12          gate for this phase.

13                              And we will need people to weigh in.  
14          Even those who may not have participated in this  
15          process like the New York State Reliability Council  
16          and others who are participating in the I.S.O.  
17          processes, since we are worried or we should be that  
18          we may trip into jurisdictional issues that -- that -  
19          - that are not in our wheelhouse.

20                              We need those who are in that  
21          wheelhouse to take a step over here and look to make  
22          sure that it is really being aligned in a way that is  
23          helpful.  And that's really the ultimate goal of  
24          continuous improvement in this process.  So I will be  
25          concurring on this order.  And I thank you for the

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2 opportunity to share my thoughts on this.

3 CHAIR CHRISTIAN: Thank you.

4 Commissioner Alesi?

5 COMMISSIONER ALESI: Thank you, Mr.

6 Chairman. So it's a roadmap to get us from

7 legislative concept to the reality of achieving our

8 goals. And apparently has universal support from all

9 of the stakeholders.

10 And in supporting this, let me just

11 say, I -- I give you my full faith and express my

12 complete confidence in the ability of the Department

13 to continue to deliver as you work within yourselves

14 and with others outside of the Department who are

15 professionals themselves. I have no doubts that you

16 will deliver without any difficulty at all. So thank

17 you for your professionalism and your hard work.

18 CHAIR CHRISTIAN: Thank you.

19 Commissioner Edwards?

20 COMMISSIONER EDWARDS: I have no

21 comments.

22 CHAIR CHRISTIAN: Thank you.

23 Commissioner Howard?

24 COMMISSIONER HOWARD: Thank you, Mr.

25 Chairman. I have a couple of questions and a couple

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2           of comments.  The New York Power Authority doesn't  
3           seem to be fish nor fowl in this process.  They are a  
4           large incumbent transmission owner -- biggest  
5           transmission owner in the State.  And they also are  
6           developers.

7                               And have been recently charged with  
8           pursuing more development with a  parallel  
9           legislative action.  So I'm just really curious, how  
10          -- how -- what we think, are we going to treat them  
11          as, you know, and clearly they're going to be members  
12          of -- of the EPPAC group, but you know, are they  
13          there as developers?

14                              Are they there as owners?  As -- are  
15          they there as fulfilling a new public policy mandate  
16          that they've received?  I just -- I find it's just  
17          going to be difficult to that because they are  
18          multiple entities now, you know, doing multiple jobs  
19          at the same time.  So I'm just curious how -- what  
20          you -- how would you respond to that -- those  
21          questions.

22                              MR. HAGOS:  That's an interesting  
23          question, Commissioner Howard.  If we're looking at  
24          the potential -- NYPA's potential role in the EPPAC,  
25          you know, it's a really important, I guess,

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2           responsibility we're placing on the EPPAC to help  
3           shape the scenarios primarily for the entire process.

4                   And the way I look at, you know, the  
5           work that's going to be undertaken in stage one is,  
6           it's really just setting what the assumptions are  
7           that feed into the models that kind of determine, you  
8           know, different levels of growth and where it's going  
9           to happen throughout the State.

10                   And so things like what is the load  
11           forecast? What are the gas price forecasts? The  
12           EPPAC is going to have to provide their technical  
13           expertise to weigh in on those questions. And I'd  
14           like to think that it shouldn't really matter whether  
15           it's a transmission developer or --you know, the New  
16           York Independent System Operator or a renewable  
17           developer.

18                   If they have, you know, useful impact  
19           -- input into setting those assumptions, the EPPAC,  
20           you know, in the process -- the administrative  
21           process that the Staff oversees for the EPPAC will  
22           weigh in, take those -- those concepts into  
23           consideration and it will result in a more robust and  
24           appropriate assumptions for the forth -- the  
25           following stages of the C.G.P.P.

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2 And so whether we think of NYPA as a  
3 transmission developer, renewable developer, or some  
4 other type of entity, I'd like to think that the  
5 process would -- would use the best information that  
6 they bring to it and it wouldn't -- it wouldn't  
7 change the way that -- that they engage it.

8 COMMISSIONER HOWARD: Yeah, I think  
9 that -- that's pretty clear from the beginning  
10 stages.

11 MR. HAGOS: Uh-huh.

12 COMMISSIONER HOWARD: At some point,  
13 people are going to see opportunities in a  
14 competitive world potentially, for more, you know,  
15 for more build out through the P.P.T.N. process or --  
16 or what have you. So I think it gets much more  
17 tricky as you move forward, not just with the Power  
18 Authority, but also those folks who are straight up  
19 developers on the competitive side and how they --  
20 this is -- it's going to be tricky on the -- on the  
21 best of days.

22 And it will require a level of  
23 transparency of the participants that will be, you  
24 know, more necessary -- you know, not that our --  
25 that our processes are opaque. But in this case, you

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2 know, everyone's going to just have to show their  
3 cards at some point. Are you -- so -- again, that  
4 doesn't get until on much later in the stages.

5 But again if you're making plans for  
6 large capital investments, you know, those take a  
7 long time and you start thinking about them very  
8 early. So again, I just -- it just needs to be in  
9 our mind as we manage that going forward.

10 MR. HAGOS: If I may just offer one  
11 additional bit of explanation. I think the  
12 competitive concerns are really around in my -- in my  
13 opinion, the primary competitive concerns are  
14 whether, you know, the process favors local solutions  
15 that are utility owned versus a competitive process  
16 through the New York I.S.O.'s P.P.T.N. process or  
17 potentially NYPA's authority to -- to execute both  
18 solutions on a accelerated basis.

19 And the end of stage one the EPPAC is  
20 going to, you know, make recommendations on which  
21 bulk solutions should be considered in subsequent  
22 stages. And immediately following that  
23 recommendation this order directs Staff to file a  
24 report -- a mid-cycle report with the Commission to  
25 present, you know, that discourse.

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2 And so you'll have an early indication  
3 of how it's going and what the concerns are, I think  
4 at that point. It's not -- I -- I don't know that  
5 it'll leave you -- it'll alleviate all of your  
6 concerns, it probably shouldn't, but -- but I just  
7 want to emphasize that this will be fairly  
8 transparent and there'll be many opportunities for --

9 COMMISSIONER HOWARD: Will the --

10 MR. HAGOS: -- stakeholders and the  
11 Commission.

12 COMMISSIONER HOWARD: -- members of  
13 the EPPAC -- the committee, EPPAC, will they be  
14 subject to some non-disclosure sort of agreements? I  
15 mean, at some point, we -- we do push up against  
16 their competitive positions and/or whatever  
17 proprietary stuff they have. But so -- you know,  
18 will -- will everybody be able to see these  
19 proceedings?

20 Or will they say I'd love to talk  
21 about this, but it's, you know, my counsel says I  
22 should be careful.

23 MS. AISSI: Commissioner if I may  
24 provide an explanation for that. The order does  
25 indicate that the proceedings of the EPPAC will be



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2 transparent and open for anyone in the public who's  
3 interested to view it.

4 COMMISSIONER HOWARD: All right.

5 Thank you. Now, next question is. We're not alone  
6 in this, as recently the FERC issued an extensive  
7 draft order. I mean extensive, you know, 1,300  
8 pages. I want to believe that we are jumping ahead  
9 that this process from my understanding more than  
10 meets -- meets the spirit of that order -- of that  
11 draft order in terms of -- of just the broader inner  
12 areas of planning writ large which I believe we've --  
13 that FERC would also recognize that New York has --  
14 has been really way out in front, certainly as  
15 opposed to other control areas we found -- we find  
16 these very questions even posing them almost  
17 impossible to do.

18 So again, can you just sort of say how  
19 that from your point of view, this order interacts or  
20 -- or how it acts in parallel to that FERC order?

21 MS. AISSI: Commissioner if I may.  
22 Are you referring to the Building for the Future  
23 docket, that the --.

24 MS. HOWARD: Yeah, yeah, the one,  
25 yeah, it just.

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2 MS. AISSI: Right, okay. So just to  
3 provide some context, the Federal Energy Regulatory  
4 Commission issued a notice of proposed rule-making  
5 last April in that docket which is also referenced in  
6 the draft order.

7 And this Commission along with NYSERDA  
8 filed comments in that docket highlighting that we  
9 share some of the same goals here in the coordinated  
10 grid planning process that we're hoping to implement  
11 related to long-term transmission planning and  
12 planning looking at multiple scenarios.

13 And we urged in those comments the  
14 Federal Energy Regulatory Commission to allow for  
15 some regional -- regional variability to recognize  
16 that States such as New York have already been  
17 undertaking a process such as this one.

18 There has been no final rule issued by  
19 the FERC, so currently we just have the proposed rule  
20 that was issued last year.

21 COMMISSIONER HOWARD: Well, my  
22 personal position is that everybody should be  
23 following us. And -- but again, we are in a unique  
24 situation and I have great sympathy for those State  
25 Commissions that are involved in multi-State I.S.O.s

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2           or R.T.O.s who were -- they -- they're not in control  
3           of their State's destiny the same way that we are.

4                   So again, you know, kudos to us for  
5           going forward for a longer period of time. The --  
6           the quick -- the grid enhance, I -- I am gratified  
7           that the advanced technology group is part of this  
8           and part of this grid enhancing technology  
9           requirement. I think it's important to say that on  
10          these advanced technologies, some of them are way  
11          advanced.

12                   This is not -- this is not new stuff  
13          that we're asking -- as a matter of fact, in some of  
14          our construction going on today or recently  
15          energized, some of those same technologies are -- are  
16          -- are part of those -- of those projects. So again,  
17          trying to get very quickly -- no, these are not --  
18          these are not wishes or pie-in-the-sky technology --  
19          no, just put them in your plan because they work.

20                   We can see them work. They've worked  
21          here. We can see them have worked in other places.  
22          So I think that is an important distinction within  
23          that working group because there are some of the  
24          technologies that are farther away from reality. But  
25          again, that is very gratifying.

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2 You know, one of the things that also  
3 -- this whole process is made more difficult because  
4 we can plan the transmission, but we don't plan on  
5 where new generation shows up. It's just to me been  
6 one of the inherent difficulties, if not flaws in --  
7 in our -- our model.

8 And particularly, when -- when it was  
9 a few thousand megawatts wasn't such a big deal, but  
10 the amount of new generation, you know, well in  
11 excess potential of a hundred -- hundred twenty  
12 thousand megawatts potentially of new, you know,  
13 generation from small distributed to large base load,  
14 you know, stuff makes it very -- makes this process  
15 very difficult.

16 And you know, the real question  
17 becomes when we identify those places that are cheap  
18 to build, but expensive to hook up, what does that  
19 mean in terms of what will that ultimately mean to  
20 NYSERDA signing a contract, or not signing a  
21 contract. So again, you know, because there is no  
22 broad least-cost plan for overarching this whole  
23 thing.

24 We thought the competitive nature of  
25 the plan would itself produce the lowest cost

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2 solutions. But we now know that's not necessarily  
3 always the case. So again, I think that's a really  
4 important component which we haven't gotten to yet.  
5 But I think there are many folks even in this room of  
6 the back of the envelope places, a good spot here,  
7 bad spot there.

8 So again, I think that's going to be  
9 very important. Particularly, if part of the ongoing  
10 things I'm very gratified of is this issue of  
11 affordability and cost minimization. You know, no  
12 one should have the illusion that this is going to  
13 not cost a lot of money. The question is, how do we  
14 make sure it costs the least amount of money  
15 necessary to improve the system?

16 But don't think out there for this  
17 amount, this is saving anybody money. This all costs  
18 more money. So -- and that's important. And lastly,  
19 I'd like to make some comments again there, the  
20 phrase New York is first in the nation in a lot of  
21 things, sometimes it's well word -- well phrased and  
22 stretched and bent.

23 But in this -- but in this field, I do  
24 believe we really do -- are among the best in terms  
25 of taking this issue of transmission planning

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2 seriously. It is unfortunate that it didn't start a  
3 while ago that the plan happened and then we launched  
4 the marketplace. But we are where we are now.

5 And again, better in terms of timing,  
6 you know, this is -- this is coming up in a variety  
7 of cases going forward. Better to be really right  
8 and let time -- and some timelines slip than being  
9 way wrong in the -- in our haste for quick  
10 completion. So -- but again, I do appreciate our  
11 work.

12 I -- it is truly -- we are the envy of  
13 the nation, I know that isn't true in a lot of things  
14 about New York, but in this particular venue, we are.  
15 And again, I think we have a lot to share with other  
16 parts of the country on how we can do this and  
17 particularly in a very densely con -- congested State  
18 with very high costs.

19 So again, thank you for this. And  
20 again -- and one other thing, we -- while we lead the  
21 nation in this we also lead the nation in creating  
22 new acronyms. I mean, it's -- that is absolutely  
23 true. I think we -- we create a new book every year,  
24 but again congratulations because the real work  
25 hasn't really begun yet.

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2 So -- so again, I look forward to it's  
3 outcome. Thank you.

4 CHAIR CHRISTIAN: Thank you.  
5 Commissioner Valesky?

6 COMMISSIONER VALESKY: Thank you, Mr.  
7 Chairman. And thanks to each of you and your team  
8 for -- for the work. Just a really quick thought or  
9 thoughts in regard to the timeliness of this draft  
10 order coming before us today. I'm just thinking of  
11 two related things that have happened just in the  
12 last month.

13 One from -- from our own team, the  
14 informational item on what we sort of all refer to as  
15 the C.L.C.P.A. tracker and how this fits into  
16 certainly to that report or what will be the next  
17 iteration of that report. I'm also thinking of the  
18 recent report from our Comptroller New York State,  
19 Tom DiNapoli, and his report over -- over how we are  
20 doing in terms of meeting the 70 by 30 goals.

21 So this is good to be before us. And  
22 I -- and I do just want to, if I could, Zeryai, I  
23 just -- just articulate something on timeframe and I  
24 do appreciate all the work that was done to try to  
25 bring some alignment with the I.S.O. process, I think

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2           that's really important.  And also reducing that  
3           three-year time frame to two, certainly going to mean  
4           a more aggressive schedule, but I think that's  
5           important as well.

6                   So If I'm not mistaken by June 4th --  
7           by June 1st of next year something will be coming  
8           back to the Commission, is that correct?  And what --  
9           and what would that something be, would you  
10          anticipate?

11                   MR. HAGOS:  So by June 1st of 2024,  
12          the Commission will have two items coming back.  The  
13          first is the one that you -- you just referenced  
14          which is a filing that will describe how the process  
15          could be condensed into a two-year time frame, right,  
16          because there's a lot of work in this process, right?

17                   And Staff reviewed the comments and  
18          worked closely with the New York Independent System  
19          Operator Staff, the utilities to -- to kick the tires  
20          and explore every possible opportunity to save time  
21          and achieve a two-year cycle now.  But we just, you  
22          know, the -- modifying the process from where we  
23          started from the filing, we just did not have enough  
24          evidence to bring that to the Commission.

25                   And so immediately following, you



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2           know, what, if -- if this draft order is adopted,  
3           we'll start working right away with those -- with our  
4           colleagues to develop a plan to -- to really identify  
5           how this -- how we could make some significant  
6           changes to -- to move to a two-year cycle and that's  
7           what's going to be filed in 2024.

8                                But I'll also add, I mentioned this  
9           in, I think response to one of Commissioner Howard's  
10          questions. We'll also be presenting a mid-cycle  
11          update on June 1st of 2024 that we'll describe the  
12          work to date at that point.

13                               COMMISSIONER VALESKY: Okay. And  
14          then, simultaneously, the -- the first report, I  
15          think you referred to it as the State scenario. So  
16          the work in developing that particular report -- the  
17          first report will be taking place simultaneously and  
18          we could see or likely will see something by the end  
19          of 2025, according to your presentation, is that  
20          correct?

21                               MR. HAGOS: Well, the -- the -- the  
22          initial results that forecast where the renewable  
23          generation will be built out of stage one will be --  
24          should be available by no later than the second  
25          quarter of 2024 as an interim step.

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2 And then, correctly as you stated, the  
3 final report is expected to be available and filed by  
4 the end of 2025 that will have a comprehensive set of  
5 recommended investments that's supported by all the  
6 stages of the process.

7 COMMISSIONER VALESKY: Okay. And  
8 then, the Commission at that time would take whatever  
9 action they deemed appropriate?

10 MR. HAGOS: Correct. And that's  
11 really why there's a three-year cycle. The modeling  
12 and the analysis and the development of the report as  
13 proposed and laid out in the draft order take two  
14 years. The process then envisions another year for  
15 that review by the Commission before the next cycle  
16 begins.

17 And I would say that's probably an  
18 opportunity to examine where we could move faster.

19 COMMISSIONER VALESKY: Okay, great.  
20 Thank you. I appreciate that clarification. Thank  
21 you.

22 CHAIR CHRISTIAN: Thank you.  
23 Commissioner Maggiore?

24 MS. PHILLIPS: Commissioner Maggiore,  
25 hi, could you please speak louder? Or move your mic

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2 closer.

3 COMMISSIONER MAGGIORE: Okay. I think  
4 I was too far from the mic. Yeah, I just -- I wanted  
5 to note that I picked up on several of the comments  
6 that Commissioner Burman also referred to. I -- she  
7 -- she identified several of the -- the questions  
8 that were raised by stakeholders and other public  
9 commenters.

10 I -- you know, between the very  
11 thorough presentation, the dialogue that's already  
12 taken place during this meeting and what I would say  
13 is an exceptionally thorough and well written draft  
14 order that addresses many of these -- or I would say  
15 all of these issues.

16 I don't really have any additional  
17 questions, but I would highlight that if the draft  
18 order passes in a few minutes as I expect that it  
19 will, that I would say all of those key issues are  
20 addressed in it, so there's really no need for me to  
21 ask additional questions. I'm -- I'm planning to  
22 vote in support of this item and that's -- that's it.  
23 Thank you.

24 CHAIR CHRISTIAN: Thank you. We'll  
25 now do a call for a vote. My vote is in favor of the

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2 recommendation to approve the coordinated grid  
3 planning process as discussed. Commissioner Burman,  
4 how do you vote?

5 COMMISSIONER BURMAN: I concur.

6 CHAIR CHRISTIAN: Commissioner Alesi?

7 COMMISSIONER ALESI: Yes.

8 CHAIR CHRISTIAN: Commissioner

9 Edwards?

10 COMMISSIONER EDWARDS: I am recusing  
11 from this item.

12 CHAIR CHRISTIAN: Commissioner Howard?

13 COMMISSIONER HOWARD: Yes.

14 CHAIR CHRISTIAN: Commissioner

15 Valesky?

16 COMMISSIONER VALESKY: Yes.

17 CHAIR CHRISTIAN: Commissioner

18 Maggiore?

19 COMMISSIONER MAGGIORE: Yes.

20 CHAIR CHRISTIAN: Thank you, everyone.

21 The item is approved and the recommendations are  
22 adopted. Thank you Staff for all the hard work on  
23 this.

24 CHAIR CHRISTIAN: We'll now move to  
25 the consent agenda. Before we begin, I'd like to

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2           first note that I will be recusing from item 374 case  
3           22-E-0362. Do any Commissioners wish to comment on  
4           or recuse from voting on any of the items on the  
5           consent agenda? We'll begin with Commissioner  
6           Burman.

7                                COMMISSIONER BURMAN: Thank you. On  
8           item 162, I will be concurring while I agree that  
9           this petition should be granted for waiver regarding  
10          modification of the net utility plant and  
11          depreciation expense reconciliation surcharge, which  
12          essentially is moving up the collection period to  
13          help ameliorate the rate increase impact -- impact.

14                                I do think that -- I mean, it's worth  
15          noting that we may see more of these or more need to  
16          look at the rate impacts after rate cases get adopted  
17          in some fashion and that we, you know, should be  
18          looking at a lot of this.

19                                On item 261 and 262, those items I  
20          will be concurring. I will note the difference  
21          between 261 and 262. 262, in the agenda cites to the  
22          generic proceedings on 261 cites to the proceeding  
23          heading, but gives clarity on exactly what it is.

24                                I am a broken record on this, but I do  
25          think that folks shouldn't have to look at an item on

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2            an agenda and wonder what exactly are we addressing.  
3            This could have been easily taken care of by putting  
4            in brackets that it was not a particular generic  
5            petition or issue in any of those, but rather was  
6            specific to a specific ESCO, SunSea and I think that  
7            would have gone a long way for transparency.

8                    Item 263 is the Central Hudson Interim  
9            Agreement. I will be concurring. I do want to point  
10           out two things. I think my understanding the order -  
11           - the draft order lays out that, a cert -- from the  
12           agreement that the stakeholders will be paying up to  
13           \$750,000, and that if there's a determination -- for  
14           the consultant.

15                   And if there's a determination for  
16           additional money -- monies needed for the monitor  
17           based on staff's input, I just wanted to make clear  
18           that my reading on the draft order is that the  
19           company and Staff would have to come back to the  
20           Commission itself for review and approval of that.

21                   In fact, that is aligned with any  
22           agreement such as these settlement agreements entered  
23           into with Staff and companies need Commission  
24           approval to be valid and in effect. So for me, I'm  
25           comfortable with that and the clarification on that

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2 is important to me.

3 I will say that the Interim Agreement  
4 still leaves me wanting a final agreement and  
5 resolution. I think, we need to be prudent and  
6 expeditious in resolving that for everyone to fully  
7 understand where we're going. So I will be  
8 concurring on that item. And that's it. Thank you.

9 CHAIR CHRISTIAN: Thank you.

10 Commissioner Alesi?

11 COMMISSIONER ALESI: Thank you. I'll  
12 be supporting the entire consent agenda.

13 CHAIR CHRISTIAN: Thank you.

14 Commissioner Edwards?

15 COMMISSIONER EDWARDS: I do not have  
16 any comments. I will be recusing on 377, 378, and  
17 379.

18 CHAIR CHRISTIAN: Thank you.

19 Commissioner Howard?

20 COMMISSIONER HOWARD: I'll support the  
21 entire agenda with the exception of item 377, 378,  
22 and 379 where I'm a no, consistent with my previous  
23 votes.

24 CHAIR CHRISTIAN: Thank you.

25 Commissioner Valesky?

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2 COMMISSIONER VALESKY: Just a brief  
3 comment in -- in support of the entire agenda, on  
4 263, just a shout -- a shout out to the Staff, the  
5 investigation Staff here at the Department for the  
6 good continuing work on that Central Hudson -- Hudson  
7 item.

8 And also just the reality since we've  
9 been talking about grid planning and -- and  
10 transmission projects, the fact that we have five  
11 this month 375, 376, National Grid, NYPA projects  
12 that continue and then 377, 378, and 379, the  
13 Champlain Hudson Power Express Project.

14 So each month, the work of this  
15 Commission continues in terms of major trans --  
16 transmission projects. Thank you.

17 CHAIR CHRISTIAN: Thank you.  
18 Commissioner Maggiore?

19 COMMISSIONER MAGGIORE: I'm going to  
20 vote in favor of the entire consent agenda and have  
21 no additional comments. Thank you.

22 CHAIR CHRISTIAN: Thank you. We will  
23 now do a call for a vote. My vote is in favor of the  
24 recommendations on the consent agenda with the  
25 exception of item 374 where I will be recusing.



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2 Commissioner Burman, how do you vote?

3 COMMISSIONER BURMAN: I vote yes on  
4 all consent agenda items except 162, 261, 262, and  
5 263, I concur. Thank you.

6 CHAIR CHRISTIAN: Thank you.  
7 Commissioner Alesi?

8 COMMISSIONER ALESI: I vote yes on all  
9 items.

10 CHAIR CHRISTIAN: Thank you.  
11 Commissioner Edwards?

12 COMMISSIONER EDWARDS: I vote yes on  
13 all items with the exception of 377, 378, and 379  
14 where I recuse.

15 CHAIR CHRISTIAN: Thank you.  
16 Commissioner Howard?

17 COMMISSIONER HOWARD: Yes on all items  
18 with the exception of 377, 378, and 379 where I'm a  
19 no.

20 CHAIR CHRISTIAN: Thank you.  
21 Commissioner Valesky?

22 COMMISSIONER VALESKY: Yes on all  
23 items.

24 CHAIR CHRISTIAN: Thank you.  
25 Commissioner Maggiore?

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2 COMMISSIONER MAGGIORE: Yes on all  
3 items.

4 CHAIR CHRISTIAN: Thank you. The  
5 items are approved and recommendations are adopted.  
6 Madam Secretary, is there anything further to come  
7 before us today?

8 SECRETARY PHILLIPS: There's nothing  
9 further today.

10 CHAIR CHRISTIAN: Thank you. And with  
11 that I adjourn. Thank you, everyone.

12 (Off the record.)

13 (The meeting concluded at 11:50 a.m.)

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2 STATE OF NEW YORK

3 I, HANNAH BELAIR, do hereby certify that the foregoing was  
4 reported by me, in the cause, at the time and place, as  
5 stated in the caption hereto, at Page 1 hereof; that the  
6 foregoing typewritten transcription consisting of pages 1  
7 through 58, is a true record of all proceedings had at the  
8 hearing.

9 IN WITNESS WHEREOF, I have hereunto  
10 subscribed my name, this the 21st day of August, 2023.

11

12

13 HANNAH BELAIR, Reporter

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