

1 9/19/2024 - Monthly Meeting

2 STATE OF NEW YORK

3 PUBLIC SERVICE COMMISSION

4 MONTHLY MEETING

5
6 Thursday, September 19, 2024

7 10:31 a.m. until 10:40 a.m.

8 ESP, Building 3, 19th Floor Boardroom

9 Albany, New York

10

11 COMMISSIONERS:

12 RORY M. CHRISTIAN, Chair

13 COMMISSIONER JAMES S. ALESI

14 COMMISSIONER DAVID J. VALESKY

15 COMMISSIONER JOHN B. MAGGIORE

16 COMMISSIONER UCHENNA S. BRIGHT

17 COMMISSIONER DENISE M. SHEEHAN

18 COMMISSIONER RADINA R. VALOVA

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2 (The meeting commenced at 10:31 a.m.)

3 CHAIR CHRISTIAN: Good morning. I
4 call this session of the Public Service Commission to
5 order. Madam Secretary, are there any changes to the
6 final agenda?

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

9 CHAIR CHRISTIAN: Thank you. Before
10 moving to the agenda, I'd like to conduct a roll call
11 of Commissioners. When I call your name, please
12 confirm that you are present.

13 Commissioner James Alesi?

14 COMMISSIONER ALESI: Present.

15 CHAIR CHRISTIAN: Commissioner Dave
16 Valesky?

17 COMMISSIONER VALESKY: Here.

18 CHAIR CHRISTIAN: Commissioner John
19 Maggiore?

20 COMMISSIONER MAGGIORE: Here.

21 CHAIR CHRISTIAN: Commissioner Uchenna
22 Bright?

23 COMMISSIONER BRIGHT: Here.

24 CHAIR CHRISTIAN: Commissioner Denise
25 Sheehan?

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2 COMMISSIONER SHEEHAN: Here.

3 CHAIR CHRISTIAN: Commissioner Radina
4 Valova?

5 COMMISSIONER VALOVA: Present.

6 CHAIR CHRISTIAN: Thank you. As there
7 are no items on today's regular agenda, we will move
8 to the consent agenda. Do any Commissioners wish to
9 comment on or recuse from voting on any items on the
10 consent agenda? Beginning with Commissioner Alesi.

11 COMMISSIONER ALESI: No comments or
12 questions. Thank you.

13 CHAIR CHRISTIAN: Thank you.
14 Commissioner Valesky?

15 COMMISSIONER VALESKY: No comments or
16 questions.

17 CHAIR CHRISTIAN: Thank you.
18 Commissioner Maggiore?

19 COMMISSIONER MAGGIORE: Yes, I have --
20 I do have comments on two items. The first --

21 CHAIR CHRISTIAN: Commissioner, I
22 believe your microphone may be off.

23 COMMISSIONER MAGGIORE: Okay. Can you
24 hear me? Can you hear me?

25 CHAIR CHRISTIAN: No, we cannot hear

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2 you well at all.

3 COMMISSIONER MAGGIORE: Okay. I'm
4 sorry, hold --

5 CHAIR CHRISTIAN: It's better. I
6 think you can proceed.

7 COMMISSIONER MAGGIORE: Okay. Test.
8 Can you hear? Okay. All right. I'm going to speak
9 as close to the mic as I can. All right. I'm going
10 to first comment on item 164, which is the gas
11 planning procedure.

12 So the intent of the gas system
13 planning process is to ensure that the Commission has
14 the necessary information to consider the L.D.C.'s
15 long-term plans and alternative solutions to ensure
16 that New York's residents can continue to have safe,
17 adequate, and reliable gas service as we transition
18 to alternative energy sources and reduce greenhouse
19 gas emissions.

20 Although the entire purpose of this
21 procedure is to help the state and its utilities
22 navigate that transition, the action we take today is
23 subject to C.L.C.P.A. Section 7(2), which requires
24 that all state entities -- it requires all state
25 entities to take into consideration whether their

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2 actions are inconsistent with or will interfere with
3 the attainment of the statewide greenhouse gas
4 emission limits.

5 Thus, final Commission decisions,
6 including this one, the decision the Commission makes
7 in this proceeding, are subject to the evaluation
8 required under C.L.C.P.A. 7(2). Section 7(2), states
9 that if a decision is deemed to be inconsistent with
10 or interferes with the attainment of the state's
11 greenhouse gas emission limits, we must provide a
12 detailed statement of justification as to why such
13 limits may not be met and identify alternatives or
14 greenhouse gas mitigation measures to be required.

15 The Commission's actions in this
16 proceeding is consistent with the C.L.C.P.A. The
17 very purpose of the gas planning proceeding, which is
18 clearly explained in the order, is the explanation
19 and justification for why we are taking this action.
20 Moreover, we are not simply accepting the company's
21 proposals, but instead are directing the companies to
22 take a number of further actions.

23 Ordering these further actions brings
24 the order in line with the C.L.C.P.A. I also find
25 that the order is consistent with the original order

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2 adopting the gas planning procedure, as explained
3 within the order itself. So for these reasons, I am
4 voting yes on this item.

5 So those are my comments on 164. I'm
6 now going to comment on item 379. So on this item,
7 I'm going to vote no.

8 I would like to thank the staff for
9 spending considerable time with me so as to
10 understand my views on this matter. I would also
11 like to thank my colleagues for also individually
12 hearing me out. Out of respect for everyone's time,
13 I'm not going to walk through a lengthy reiteration
14 of my thinking here.

15 I would like to say that the Fairlife
16 Project related to this order is a positive for the
17 State of New York. But at this juncture, I cannot
18 reconcile my concerns about the order itself. Based
19 on my three years on the Commission, I believe that
20 this particular order is unique and specific, and I
21 am optimistic that our discussions about this order
22 will lead to positive changes as to how we approach
23 more typical orders in the future. But with regret,
24 my vote on this item is a no. That concludes my
25 remarks on the consent agenda items.

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2 CHAIR CHRISTIAN: Thank you.

3 Commissioner Bright?

4 COMMISSIONER BRIGHT: No comments or
5 questions. Thank you, Chair.

6 CHAIR CHRISTIAN: Thank you.

7 Commissioner Sheehan?

8 COMMISSIONER SHEEHAN: I am recusing
9 from items 363, 367, and 371. And other than that, I
10 have no other comments.

11 CHAIR CHRISTIAN: Thank you. And
12 Commissioner Valova?

13 COMMISSIONER VALOVA: Thank you. No
14 recusals. And I have some brief remarks on item 164.

15 As the order notes that will be
16 published later today, this proceeding was
17 established to compel New York's major gas utilities
18 to begin taking steps toward decarbonizing their gas
19 systems, and to establish a gas distribution planning
20 process that is transparent and results in
21 identifying the lowest cost pathways to achieving
22 emission reductions and ensuring reliability and
23 affordability. The company's long-term gas plan,
24 with the further actions required by this order, is
25 an important step toward achieving the objectives of

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2 the long-term planning process.

3 Among other things, the order requires
4 the companies to file a report on the benefits to and
5 impacts on disadvantaged communities from the plan,
6 to provide more data on customer counts in annual gas
7 use per customer, as well as energy efficiency, to
8 provide a no-infrastructure scenario, and to
9 undertake a multivariable optimization process that
10 is important for forecasting.

11 The companies are among the first in
12 the nation to develop such sweeping updates to their
13 gas planning processes, and I have no doubt that
14 other utilities and states across the country will
15 look to the lessons we learn as the companies begin
16 implementation. This will be an iterative process,
17 given the novel nature of many of the approaches in
18 the plan. We have a lot of learning to do, and we
19 must do it quickly.

20 I look forward to the next steps
21 required in this order, as well as to seeing what we
22 can do to establish some guidance on the
23 multivariable optimization process in advance of the
24 company's 2027 plan filing. And that concludes my
25 comments. Thank you.

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2 CHAIR CHRISTIAN: Thank you. I'll now
3 call for a vote. My vote is in favor of the
4 recommendations on the consent agenda. Commissioner
5 Alesi, how do you vote?

6 COMMISSIONER ALESI: Yes on all items.

7 CHAIR CHRISTIAN: Thank you.
8 Commissioner Valesky?

9 COMMISSIONER VALESKY: Yes on all
10 items.

11 CHAIR CHRISTIAN: Thank you.
12 Commissioner Maggiore?

13 COMMISSIONER MAGGIORE: No on item
14 379. Yes on all the other items.

15 CHAIR CHRISTIAN: Thank you.
16 Commissioner Bright?

17 COMMISSIONER BRIGHT: Yes on all
18 items.

19 CHAIR CHRISTIAN: Thank you.
20 Commissioner Sheehan?

21 COMMISSIONER SHEEHAN: Yes on all
22 items, with the exception of those items I will be
23 recusing from, 363, 367, and 371. Thank you.

24 CHAIR CHRISTIAN: Thank you. And so
25 noted. Commissioner Valova?

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2 COMMISSIONER VALOVA: Yes on all
3 items.

4 CHAIR CHRISTIAN: Thank you. The
5 items are approved and the recommendations adopted.

6 Madam Secretary, is there anything
7 further to come before us today?

8 SECRETARY PHILLIPS: There is nothing
9 further.

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

12 (The meeting adjourned at 10:40 a.m.)

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2 STATE OF NEW YORK
3 I, DANIELLE CHRISTIAN, do hereby certify that the
4 foregoing was reported by me, in the cause, at the time
5 and place, as stated in the caption hereto, at Page 1
6 hereof; that the foregoing typewritten transcription
7 consisting of pages 1 through 10, is a true record of all
8 proceedings had at the hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 23rd day of September, 2024.

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13 DANIELLE CHRISTIAN, Reporter

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