

1 2/13/2025 - Monthly Meeting

2 STATE OF NEW YORK

3 PUBLIC SERVICE COMMISSION

4 MONTHLY MEETING

5

6 Thursday, February 13, 2025

7

10:32 a.m. until 11:16 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

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COMMISSIONER RADINA R. VALOVA

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

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

7 SECRETARY PHILLIPS: There are no  
8 changes.

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

13 COMMISSIONER ALESI: Present.

14 CHAIR CHRISTIAN: Commissioner  
15 Valesky?

16 COMMISSIONER VALESKY: Here.

17 CHAIR CHRISTIAN: Commissioner  
18 Maggiore?

19 COMMISSIONER MAGGIORE: Here.

20 CHAIR CHRISTIAN: Commissioner Bright?

21 COMMISSIONER BRIGHT: Here.

22 CHAIR CHRISTIAN: Commissioner  
23 Sheehan?

24 COMMISSIONER SHEEHAN: Here.

25 CHAIR CHRISTIAN: Commissioner Valova?

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2 COMMISSIONER VALOVA: Here.

3 CHAIR CHRISTIAN: Thank you all.

4 Before we turn to the regular agenda, do any  
5 Commissioners wish to recuse from voting on Item 201?  
6 Commissioner Alesi?

7 COMMISSIONER ALESI: No.

8 CHAIR CHRISTIAN: Commissioner  
9 Valesky?

10 COMMISSIONER VALESY: No.

11 CHAIR CHRISTIAN: Commissioner  
12 Maggiore?

13 COMMISSIONER MAGGIORE: No.

14 CHAIR CHRISTIAN: Commissioner Bright?

15 COMMISSIONER BRIGHT: No.

16 CHAIR CHRISTIAN: Commissioner  
17 Sheehan?

18 COMMISSIONER SHEEHAN: No.

19 CHAIR CHRISTIAN: Commissioner Valova?

20 COMMISSIONER VALOVA: No.

21 CHAIR CHRISTIAN: Thank you. We'll  
22 now move to the regular agenda. Our first item for  
23 discussion, our only item for discussion today, Item  
24 201, Case 25-M-0043, as it relates to an initiating a  
25 Focused Operations Audit. It'll be presented today

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2 by Peter Lavery, with Shauna Spinosa, Jeremy Routhier  
3 and Jeff Hogan available for questions should they  
4 arise. Peter, please begin

5 MR. LAVERY: Good morning, Chair and  
6 Commissioners. My name is Peter Lavery from the  
7 Management and Operations Audit Unit of the  
8 Department's Office of Accounting Audits and Finance.  
9 I'm here today to present the draft order initiating  
10 an operations audit to examine the incentive  
11 compensation programs for non-executive management  
12 employees of electric gas and water utilities. The  
13 draft order initiates this operations audit and  
14 defines the subject utilities, which consist of the  
15 companies that have requested to recover the costs of  
16 their management incentive programs in rate filings.

17 So these utilities include the  
18 electric and gas combination companies such as Con  
19 Edison and National Grid and will also include  
20 National Fuel Gas, Corning Gas, St. Lawrence Gas,  
21 Liberty Water and Veolia Water. The draft order  
22 explains that the Commission's requirements for  
23 utilities to recover the cost of their incentive pay  
24 programs, which were established in the Commission's  
25 2011 order establishing rates for electric service

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2 for Orange and Rockland Utilities.

3 In that 2011 order, the Commission  
4 discussed two scenarios under which a utility could  
5 obtain ratepayer funding for incentive compensation  
6 programs. First, a utility could demonstrate that  
7 such programs were designed to return quantifiable  
8 benefits to rate payers that offset the cost of the  
9 program and as an alternative, a utility could  
10 justify rate recovery if it could demonstrate that  
11 its overall management compensation levels, including  
12 incentive pay and benefits, are reasonable relative  
13 to peer companies so long as the incentive program  
14 targets benefit ratepayers in terms of safety,  
15 reliability, customer service and environmental  
16 impacts.

17 Since that 2011 rate order, many  
18 electric gas and water utilities have sought cost  
19 recovery for their management incentive compensation  
20 programs under the second set of those requirements  
21 asserting that their overall compensation is  
22 reasonable and that the incentive compensation  
23 program benefits ratepayers. However, some rate  
24 cases have raised issues not explicitly addressed by  
25 the Commission's 2011 rate order. Typically, if the

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2 Commission authorizes rate recovery, an estimated  
3 cost for the program is recovered from ratepayers  
4 over the course of the rate plan. Generally, the  
5 utilities that have satisfied the Commission's  
6 requirements have hired consultants to conduct  
7 compensation studies to demonstrate the  
8 reasonableness of management compensation levels.

9 Some utilities have performed  
10 comprehensive studies, while others have presented  
11 multiple studies for individual compensation  
12 components. Compensation studies can employ  
13 differing methodologies and some rely on proprietary  
14 data, while others use more readily available survey  
15 data. These studies can be expensive and their cost  
16 is usually included in a utilities rate request. The  
17 Commission's management and operations audits  
18 regularly reviewed the performance management  
19 activities of large investor owned electric and gas  
20 utilities. Typically, these audits review how a  
21 utilities performance management processes promote  
22 Commission objectives, vis-à-vis goals related to  
23 safety, reliability, customer service and the  
24 environment.

25 Some recent audit reports have

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2 highlighted meaningful concerns with how the  
3 utilities administer their programs. So the draft  
4 order directs Department staff to issue a request for  
5 proposals, to engage an independent auditor to  
6 conduct this examination consistent with the  
7 Commission's typical management audit process. The  
8 audit scope includes a focused assessment of each  
9 utilities management compensation structures and  
10 incentive programs, including a multi-utility  
11 comparison to identify best practices and improvement  
12 opportunities. The audit will focus on short and  
13 long-term incentive compensation available to utility  
14 non-executive management, and assess each company's  
15 approach to setting management compensation levels  
16 and the impacts on attraction and retention outcomes  
17 for these employees.

18 In addition, the audit will evaluate  
19 how each utilities incentive pay program is designed  
20 to drive performance that benefits New York  
21 ratepayers and encourages continuous improvement.  
22 The draft order notes that small gas and water  
23 companies are not subject to our regular  
24 comprehensive audits, so this effort will provide the  
25 Commission with an independent consultant's

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2 assessment of those companies' incentive programs.

3 The audit will also provide the  
4 Commission with an opportunity to evaluate what  
5 information should be considered during rate  
6 proceedings to ensure an adequate review of these  
7 incentive compensation programs at the utilities.  
8 This audit will provide guidance about current market  
9 practices related to management incentive programs,  
10 and include utility specific recommendations for  
11 improving these programs. Consistent with the  
12 Commission's management and operations audit program,  
13 the resulting recommendations must be implemented by  
14 each utility and will be considered in each utilities  
15 subsequent rate filing.

16 So this concludes my overview. I  
17 would like to thank the Department staff team members  
18 who contributed to the development of this draft  
19 order, and we are now available to answer any  
20 questions the Commission may have

21 CHAIR CHRISTIAN: Thank You, Peter.  
22 You know, I want to really thank you for all your  
23 hard work in putting this presentation today and the  
24 work leading prior to that, both in the management  
25 audit and identifying this particular need. You



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2 know, I think of our role as regulators and, you  
3 know, it requires that we review all expenditures  
4 proposed by a utility. We do that through the rate  
5 cases, a process designed to ensure that the money  
6 that is spent is aligned with the core function of  
7 ensuring access to reliable, safe and affordable  
8 utility services.

9 Now this could be anything from  
10 capital improvements, new transformers, substations,  
11 transmission lines, switch gear, wires, pipes, et  
12 cetera or operational needs like salaries and taxes,  
13 rents, leases and other day-to-day expenses. But in  
14 doing our review, we don't stop with just a review in  
15 the rate case. We reinforce this work, this work in  
16 the rate cases, through the periodic management and  
17 operations audit you described. And it was through  
18 these audits, as you've pointed out, that we  
19 identified this deeper need.

20 We learned that some companies were  
21 attempting to place greater emphasis on incentives,  
22 incentives aligned with their financial -- aligned  
23 with their financial performance, while doing little  
24 for the incentives aligned with benefits to  
25 ratepayers. Now this is an imbalance. An imbalance

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2           that may be good for shareholders, but an imbalance  
3           that may come at the expense of ratepayers. Now, as  
4           you pointed out, we've taken steps to previous rate  
5           cases to address this imbalance, and this action  
6           today, through this order, puts us on a path to  
7           explore programs across all major utilities  
8           collectively, at a moment in time with focus and  
9           detail.

10                                So our goal is not to line the pockets  
11           of investors and senior management, but to ensure  
12           that utilities maintain their commitments to  
13           providing public benefits, to ensure that they  
14           continue to be good neighbors by ensuring customers  
15           that they serve are their priority, and that any  
16           incentive compensation programs funded through rates  
17           are aligned with those outcomes.

18                                Now Governor Hochul has made it  
19           crystal clear that all executive agencies, including  
20           this one, must take all appropriate steps to address  
21           what is becoming an affordability crisis here in New  
22           York. Every New Yorker is affected by utility costs,  
23           and utility performance can make a big difference in  
24           those costs. Making the work of the Department staff  
25           and the Commission critical to ensuring that our

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2            statewide effort to rein in household expenses can be  
3            a success. This audit is just one example of our  
4            work to a larger extent, and for all these reasons, I  
5            wholeheartedly support this item and I want to thank  
6            you for the hard work of you and your team. And I  
7            want to thank you for identifying the issue and for  
8            your diligence in pursuing it to this point. I see  
9            that this order is squarely aligned with the public  
10           interest and fully supportive. Thank you. And with  
11           that, Commissioner Alesi?

12                                    COMMISSIONER ALESI: Thank You, Mr.  
13           Chairman. I want to thank the staff and all involved  
14           in this highly professional and valuable  
15           presentation. I embrace everything that you said in  
16           your comments, and will be supportive of the issue.

17                                    CHAIR CHRISTIAN: Thank You.  
18           Commissioner Valesky?

19                                    COMMISSIONER VALESKY: Thank you, Mr.  
20           Chairman. Peter and -- and team, thank you for the -  
21           - the good work that -- that you have done in  
22           bringing this order to us for consideration today.  
23           And thank you, Chair, for your leadership and your --  
24           and your summary. I agree with everything you -- you  
25           have already said.

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2 I just wanted to make two really quick  
3 points as to the order itself. First of all, you  
4 know, we -- we have been operating, Peter, as you  
5 indicated under, a situation where -- that -- that --  
6 that goes all the way back to a -- an O&R rate case  
7 way back in 2011. So I think the time is certainly  
8 right, 14 years later, to -- to take a comprehensive  
9 look across -- across all major utilities in the  
10 state.

11 Number two, I -- I am pleased that we  
12 are continuing a trend, and I'll give a couple of  
13 other examples, a trend to include the two major  
14 private water utilities in the state, them being, of  
15 course, Liberty and Veolia, in lots of what we do  
16 here at the Commission and -- and -- and treating  
17 them similar to the electric and gas utilities. The  
18 first, I think, first significant example of that was  
19 last year in 2024, when we took up both the Liberty  
20 and Veolia Water rate cases, where we included, for  
21 the first time, affordability components in those  
22 rate cases. That was certainly significant.

23 The second example I can think of was  
24 just last month, when we did the extreme heat order  
25 and in -- and included in that order, Liberty and

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2 Veolia Water Company. So I do want to say that I  
3 think that that is a positive trend, certainly for  
4 the water rate payers of those two -- of those two  
5 utilities.

6 So again, good job. I look forward in  
7 -- in a few months time, I'm sure, to seeing what  
8 proposals we have from consultants and -- and moving  
9 the process -- the process forward. Thank you.

10 CHAIR CHRISTIAN: Thank you.  
11 Commissioner Maggiore?

12 COMMISSIONER MAGGIORE: Thank you.  
13 Thank you for the presentation and thank you for the  
14 -- the work that you -- you've put into putting this  
15 draft order together. I have a few very quick  
16 questions. The first one is, it's really a yes or no  
17 question unless my understanding is wrong, when you  
18 described the two scenarios anticipated in the 2011  
19 order that can justify an incentive compensation  
20 program, the one was a return of benefit -- returns  
21 that benefit the -- the rate payer in such a way that  
22 offsets the cost. Am I correct that we haven't  
23 actually seen an incentive program that -- that  
24 satisfies that first scenario?

25 MR. LAVERY: Thank you, Commissioner

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2 Maggiore. That's correct. We have not -- the  
3 Commission has not seen or approved a utilities  
4 program that pursued that first prong, if you will.

5 COMMISSIONER MAGGIORE: Okay. So the  
6 second prong, I think, you know, and again --

7 SECRETARY PHILLIPS: Commissioner  
8 Maggiore?

9 COMMISSIONER MAGGIORE: Yes?

10 SECRETARY PHILLIPS: I'm sorry to  
11 interrupt, but one of your colleagues is wondering if  
12 you could move your mic a little closer.

13 COMMISSIONER MAGGIORE: Okay. I hope  
14 this helps. Okay. So the second question is also,  
15 just to clarify, the second prong or the second  
16 criteria is not simply a matter of if a utilities  
17 incentive program is similar to that of a pure  
18 utility, but that also, that it benefits the rate  
19 payer and that the -- that's our -- that's our  
20 interest. It might not be the -- the shareholders  
21 interest, but that's our interest, is to tie  
22 incentive to performance in such a way that benefits  
23 the rate payer. Is that correct?

24 MR. LAVERY: That's exactly right.

25 COMMISSIONER MAGGIORE: Okay. And

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2 just, my final question is, you had said that some  
3 recent audits, that you had expressed concerns about  
4 some recent audits. How long has this draft order  
5 that you've been working on, how long has that been  
6 in the works, that that we're voting on today?

7 MR. LAVERY: We've been working on  
8 developing this effort for about the last six months,  
9 so midway through last year.

10 COMMISSIONER MAGGIORE: Okay.  
11 Beautiful. Thank you very much, and thank you for  
12 all the work that went into this and I'll also be  
13 supporting. Thank you.

14 CHAIR CHRISTIAN: Thank you.  
15 Commissioner Bright?

16 COMMISSIONER BRIGHT: Thank you,  
17 Chair. And thank you for the presentation, Peter,  
18 and -- and staff. This is just the beginning of what  
19 will be a robust process, so I have no comments or  
20 questions. I will be supporting this order and I  
21 look forward to seeing the results and the  
22 recommendations. Thank you.

23 CHAIR CHRISTIAN: Thank you. We're  
24 going to take a recess.

25 (Off the record 10:48 a.m.)

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2 (On the record 10:53 a.m.)

3 CHAIR CHRISTIAN: Okay, I believe we  
4 are back. Yep, okay. Thank you. So where we left  
5 off, Commissioner Sheehan, I think, was about to  
6 begin, but I think, Jeff, you had a point you wanted  
7 to make?

8 MR. HOGAN: Oh, I appreciate it.  
9 Thank you, Chair. Yes. I just wanted to follow-up  
10 on --

11 CHAIR CHRISTIAN: We're going to take  
12 another recess. Thank you.

13 (Off the record 10:54 a.m.)

14 (On the record 10:56 a.m.)

15 CHAIR CHRISTIAN: Okay. All right.  
16 We will continue where we left off. I believe, Jeff  
17 Hogan, you were about to make a statement.

18 MR. HOGAN: I was. I appreciate it.  
19 Thank you, Chair. I just want to follow-up, during  
20 the recess we were able to confirm, Commissioner  
21 Maggiore had asked how long we've been working on  
22 this -- this particular management incentive  
23 compensation audit. We had come to yourself, Chair,  
24 in October of last year, and on November 1st of 2024,  
25 you would approve us going forward with this audit.



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2 We then shared that information with the  
3 Commissioners. So we've been working on it since  
4 before then.

5 COMMISSIONER MAGGIORE: Thank you very  
6 much, Jeff.

7 CHAIR CHRISTIAN: We're going to take  
8 another recess.

9 (Off the record 10:57 a.m.)

10 (On the record 10:58 a.m.)

11 CHAIR CHRISTIAN: All right. I  
12 believe we are back again. Thank you, Jeff Hogan,  
13 for your comments.

14 Commissioner Sheehan, forgive me and  
15 all the hubbub. I forget where we left off with your  
16 comments.

17 COMMISSIONER SHEEHAN: We were just  
18 getting to mine, so thank you.

19 CHAIR CHRISTIAN: All right.

20 COMMISSIONER SHEEHAN: I just have --  
21 first I just want to say thank you to Peter, Shauna,  
22 Jeremy and Jeff for your work on this initiating  
23 order, and I agreed that it's much needed as a  
24 relatively newer member of the commission. I think  
25 it's going to be really helpful to us going forward.

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2 One thing I -- I just have one quick question, Peter,  
3 is can you just share with us what the projected  
4 timeline is for this?

5 MR.LAVERY: Thanks, Commissioner.

6 Yeah, we anticipate that the audit will  
7 kick off in the June or July timeframe, with work at  
8 the utilities and field work usually lasts several  
9 months. We expect that the proposals we receive from  
10 the potential bidders here will identify exactly when  
11 a report would be expected for your consideration,  
12 but typically these projects take about eight to  
13 twelve months to complete. So maybe midway through  
14 next year

15 COMMISSIONER SHEEHAN: Okay. That's  
16 great. Thank you. And I just wanted to highlight a  
17 couple of -- some things from the order that are --  
18 and from the scope of work that I just think are  
19 really important for this work. And as you guys  
20 continue to work with potential bidders, I -- I just  
21 want to reinforce my particular interest. So the  
22 order states the scope of the audit includes a focus  
23 assessment of each utility's management compensation  
24 structures and incentive programs, including multi-  
25 utility comparison to identify, and this is the

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2 emphasis, identify best practices and improvement  
3 opportunities.

4 And then at the end we say, in  
5 addition, this audit will assess the performance  
6 targets, comprising the incentive programs and how  
7 those targets drive and improve performance in the  
8 utilities New York operations. So just wanted to put  
9 in my -- my special emphasis on those elements as  
10 this work proceeds. So as I stated, I'm very  
11 supportive and I very much appreciate staff's  
12 initiative in this area. Thank you.

13 CHAIR CHRISTIAN: Thank you. And with  
14 that we go to Commissioner Valova.

15 COMMISSIONER VALOVA: Thank you. So I  
16 echo my colleague's appreciation for Peter and team  
17 for your great work on this, and also look forward to  
18 seeing the applications come through on the R.F.P.  
19 The -- I have several questions and then several  
20 comments. The draft order notes that -- and as,  
21 Peter, you -- you noted, many recent audits have  
22 reviewed how a single utility's performance  
23 management processes promote Commission objectives,  
24 which include safety and reliability standards, grid  
25 modernization and C.L.C.P.A. goals

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2 The order also notes that the audit  
3 would assess how the management compensation programs  
4 improve performance in the utilities New York  
5 operations as a whole. My question is, when we talk  
6 about the commission's objectives and improving  
7 utility performance, does this also include  
8 affordability?

9 MR. HOGAN: Thank you, Commissioner,  
10 for the question. Yes, it absolutely does include  
11 affordability. That's a critical concern of the  
12 commission and the Department. The concern, as the  
13 Chair mentioned, is most typically addressed in rate  
14 cases, where we carefully review every -- every cost  
15 that's been asked for, every -- every expense that we  
16 were -- we would be allowing in a rate case.

17 That said, comprehensive management  
18 audits have always looked at operational efficiency  
19 of the utilities and, in fact, under public service  
20 law, it's a requirement that the comprehensive  
21 management audits look at operational efficiency so  
22 they'll find practices that may not be as streamlined  
23 as they could be and could result in some cost  
24 savings. Sometimes to make -- to make operational  
25 changes to improve the efficiency of the company, it

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2 might be -- the benefit might outweigh the costs, and  
3 so you would have a net dollar benefit.

4 There are some comprehensive  
5 management audit recommendations that actually have  
6 slightly higher costs to actually implement than any  
7 quantifiable known benefit, but they'll -- they'll  
8 make those changes, the utilities will make those  
9 changes, because there are large risk reductions that  
10 can occur. So there are -- there are non-  
11 quantifiable reasons why utilities may make  
12 improvements in their practices. And so it might be  
13 hard to quantify, but we could very much avoid a  
14 large issue in the future through these risk  
15 reduction changes.

16 So I would say that customer  
17 affordability is also something that we're going to  
18 be looking at there's been benefits from this  
19 management incentive compensation audit. The --  
20 these management incentive compensation is paid for  
21 by customers, and we want to make sure that we are  
22 paying no more than peer utilities, peer companies,  
23 for -- for the talent that they're hiring. But we  
24 also want to make sure that they're not paying  
25 dramatically less in order to assure that there is

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2           attraction and retention of valuable management  
3           employees.  So I would say that, you know, this --  
4           this audit will provide an external party, the  
5           consultant, coming in and giving an overview of  
6           insurances, I believe, of whether or not the  
7           utilities are paying reasonable compensation levels  
8           to the employees and if -- and if the structures are  
9           reasonable.

10                                    COMMISSIONER VALOVA:  Thank you.  And  
11           you anticipated my next question which, is why -- why  
12           are management -- management incentive compensation  
13           programs important from the utility perspective from  
14           a workforce perspective.  For example, is there a  
15           risk that if there were no management incentive  
16           compensation at all, utilities might not be able to  
17           attract qualified candidates as a workforce issue?

18                                    MR. LAVERY:  Yeah, that's correct.  
19           There is some risk that without an incentive  
20           compensation program, the utilities may not be able  
21           to attract qualified candidates for these positions.  
22           And generally speaking, every utility has argued that  
23           such programs are a common practice at firms which  
24           compete with them for management talent.  So this  
25           audit will confirm whether each utility's approach

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2            results in reasonable compensation levels, and weigh  
3            in on the retention and attraction outcomes.

4                                COMMISSIONER VALOVA: Thank you. My  
5            final question is, how will the audit enable us to  
6            assess whether utilities performance management  
7            compensation structures support C.L.C.P.A.  
8            objectives?

9                                MR. ROUTHIER: Thanks for the  
10           question, Commissioner. The -- the management  
11           incentive compensation audit will absolutely assess  
12           if the metrics utility uses to financially reward its  
13           employees, align with New York's energy policy goals.  
14           So that would include C.L.C.P.A. objectives as well  
15           as safety reliability customer service and  
16           infrastructure modernization. The underlying theory  
17           of these programs is that employees will make  
18           decisions and seek outcomes that benefit them  
19           financially, and if meeting C.L.C.P.A. objectives is  
20           built into that compensation structure, then the  
21           Commission can have some assurance that management  
22           will endeavor to meet those goals.

23                               COMMISSIONER VALOVA: Thank you. I  
24           appreciate your responses, and adding that additional  
25           bit of context. With all of that said, I am also, as

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2           with my colleagues, strongly support this order and  
3           the audit it requires. We must have confidence that  
4           utility management compensation is aligned with the  
5           Commission's objectives.

6                   I'm going to now say something that is  
7           probably quite obvious. The more efficiently a  
8           company is run, any company in any industry, and the  
9           more efficiently it can serve its customers, the  
10          lower the costs of its products or services are  
11          likely to be. And this means that the reverse is  
12          also generally true, the less efficiently a business  
13          is operated and the less efficiently it goes about  
14          producing its product or delivering its service, the  
15          more customers are likely to have to pay.

16                  I should also note that we are not  
17          operating here in a fully competitive market, since  
18          utilities are regulated monopolies. In a fully  
19          competitive market, inefficient companies have a  
20          harder time staying in business because customers can  
21          get those products or services from more affordable  
22          competitors. So efficiency has real world impacts on  
23          consumers, and for me, that's one of the major  
24          reasons this audit is so important. As the request  
25          for proposals attached to the order states, we want



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2 to determine the extent to which each utility's  
3 incentive pay program rewards financial performance  
4 relative to rate payer focused performance. And I  
5 won't go further there, because I think Chair  
6 Christian said it so well in -- in in his remarks.

7 Our task is to make sure that any rate  
8 payer dollars spent on utility management  
9 compensation drive performance that benefits rate  
10 payers. Put simply, utility management must be held  
11 to a higher standard that prioritizes rate payer  
12 benefits, and for that reason, I strongly support the  
13 order. Thank you. That's all.

14 CHAIR CHRISTIAN: Thank you. We'll  
15 now do a call for a vote. My vote is in favor of the  
16 recommendation to initiate a focused operations audit  
17 as discussed.

18 Commissioner Alesi, how do you vote?

19 COMMISSIONER ALESI: Yes.

20 CHAIR CHRISTIAN: Commissioner  
21 Valesky?

22 COMMISSIONER VALESKY: Yes.

23 CHAIR CHRISTIAN: Commissioner  
24 Maggiore?

25 COMMISSIONER MAGGIORE: Yes.

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2 CHAIR CHRISTIAN: Commissioner Bright?

3 COMMISSIONER BRIGHT: Yes.

4 CHAIR CHRISTIAN: Commissioner

5 Sheehan?

6 COMMISSIONER SHEEHAN: Yes.

7 CHAIR CHRISTIAN: And Commissioner

8 Valova?

9 COMMISSIONER VALOVA: Yes.

10 CHAIR CHRISTIAN: Thank you, all. The

11 item is approved and the recommendations are adopted.

12 We now move to the consent agenda. Do any

13 Commissioners wish to comment on or recuse from

14 voting on any items on the consent agenda? I'll

15 begin with Commissioner Alesi.

16 COMMISSIONER ALESI: I will be

17 supporting the entire agenda. Thank you.

18 CHAIR CHRISTIAN: Thank you.

19 Commissioner Valesky?

20 COMMISSIONER VALESKY: No comments.

21 No recusals.

22 CHAIR CHRISTIAN: Thank you.

23 Commissioner Maggiore?

24 COMMISSIONER MAGGIORE: I'm going to

25 comment on one item, which is 365 18-E-0130. I'd

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2           just like to acknowledge the significance of this  
3           item.  What we are doing is approving the residential  
4           and retail energy storage market acceleration  
5           initiatives implementation plan as filed by NYSERDA  
6           last year, as consistent with the directive of our  
7           2024 energy storage order.  This is a significant  
8           development on the path towards cultivating a  
9           technology and a market for that technology that is  
10          necessary for our conversion to a clean energy  
11          future.

12                                   I note that the need addressed in this  
13          order is consistent with the C.L.C.P.A., but was  
14          recognized as a need prior to passage of the  
15          C.L.C.P.A.  The Commission issued the order  
16          establishing energy storage goals and policy in 2018,  
17          which outlined a variety of initiatives intended to  
18          spur energy storage development in order for New York  
19          to meet its statewide energy goals of three gigawatts  
20          by 2030 at the time.  Thereafter, the C.L.C.P.A. also  
21          included a three gigawatt target.  After a series of  
22          incremental steps, this Commission approved an energy  
23          storage order last year, establishing a new six  
24          gigawatt goal for electric storage.  Specifically,  
25          that order established a goal of deploying 1500

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2           megawatts of retail energy storage and 200 megawatts  
3           of residential energy storage by 2030.  We required  
4           NYSERDA to submit a draft implementation plan that  
5           outlined the methods that will be used to achieve  
6           these deployment targets.

7                   With this present order, the  
8           Commission approves, with modifications, NYSERDA's  
9           plan.  The plan will assist in the development of  
10          1500 megawatts and 200 megawatts of retail and  
11          residential energy storage throughout New York State.  
12          This might not be headline news because it represents  
13          a step in an ongoing process, but it is a significant  
14          step.  I view what we are trying to do in New York  
15          regarding energy storage, as carrying significance  
16          beyond our state lines.  Because what we do here  
17          could point the way for others, especially others  
18          whose forward-facing commitment to cultivating clean  
19          energy resources are less resolute than our own in  
20          the face of the vilification of the very idea of  
21          clean energy coming out of Washington.

22                   The importance of this particular  
23          technology is relevant not simply to decarbonization,  
24          but energy affordability and independence as well as  
25          reliability.  So I'm supporting it and I just wanted

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2 to recognize the significance of it, and I'm voting  
3 yes on the rest of the agenda as well.

4 CHAIR CHRISTIAN: Thank you.

5 Commissioner Bright?

6 COMMISSIONER BRIGHT: Thank you,  
7 Chairman. No recusals. I did also want to comment on  
8 one item, Item 365. Similar to Commissioner  
9 Maggiore, I see really exciting things happening in  
10 this order, and I want to congratulate staff for all  
11 their hard work as well as NYSERDA for bringing  
12 forward a plan that captures the need we outlined in  
13 our original order.

14 So it's really impressive work. These  
15 are dispatchable, distributed energy resources that  
16 will be part of a foundational fabric of reliability  
17 of the reliability of our energy system. These are  
18 also the types of actions that attract companies and  
19 developers to invest in New York and were stimulating  
20 competitive markets, which can put downward pressure  
21 on rates while also helping us replace dirty peaker  
22 plants with cheaper sources of energy. So I'm really  
23 thrilled to be supporting this item, and I want to  
24 thank Stephanie McDermott, Scott Nevins and, of  
25 course, Marco for all your hard work so far. Thank

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2 you.

3 CHAIR CHRISTIAN: Thank you.

4 Commissioner Sheehan?

5 COMMISSIONER SHEEHAN: Yes, I will be  
6 recusing from Item 365, and I just have one comment  
7 on -- on the consent agenda as a whole. I just want  
8 to thank staff, you know, there's a lot of items  
9 here, as always, staff has done a very thorough job  
10 in preparing all these orders. This is, you know,  
11 essential -- the essential work of the Commission  
12 that is really essential to ensuring our reliability,  
13 safety of our system and I just wanted to give a --  
14 thank -- a big thank you to all the staff who worked  
15 on all of the orders on the consent agenda. And I  
16 will be supporting, with the -- with the exception of  
17 the recusal on one three -- 365. Thank you.

18 CHAIR CHRISTIAN: Thank you. And  
19 Commissioner Valova?

20 COMMISSIONER VALOVA: Thank you. No  
21 recusals and a brief comment on Item 373, relating to  
22 distributed energy resources interconnection. I -- I  
23 want to note briefly that interconnection is very  
24 often a very in the weeds topic, and despite its very  
25 in the weeds nature, it is very important to the

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2 clean energy transition because it governs how, when  
3 and under what conditions clean energy can connect to  
4 the grid.

5 And the order before us today would  
6 adopt reasonable updates to New York's standardized  
7 interconnection requirements to allow applicants to  
8 use non-cash forms of financial security to satisfy  
9 their obligations to make payments at certain stages  
10 of the interconnection process. By allowing non-cash  
11 financial securities, the order ensures that  
12 applicants will be able to continue to meet their  
13 financial obligations, while reducing project  
14 development costs and supporting continued  
15 distributed clean energy growth. And that is all I  
16 have on the consent agenda. Thank you.

17 CHAIR CHRISTIAN: Thank you. Thank  
18 you, everyone. At this point, we'll do a call for  
19 the vote on the consent agenda. My favor -- my vote  
20 is in favor of the recommendations on the consent  
21 agenda.

22 Commissioner Alesi, how do you vote?

23 COMMISSIONER ALESI: Yes on all items.

24 CHAIR CHRISTIAN: Thank you.

25 Commissioner Valesky?

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2 COMMISSIONER VALESKY: Yes on all  
3 items.

4 CHAIR CHRISTIAN: Thank you.  
5 Commissioner Maggiore?

6 COMMISSIONER MAGGIORE: Yes on all  
7 items.

8 CHAIR CHRISTIAN: Thank you.  
9 Commissioner Bright?

10 COMMISSIONER BRIGHT: Yes on all  
11 items.

12 CHAIR CHRISTIAN: Thank you.  
13 Commissioner Sheehan?

14 COMMISSIONER SHEEHAN: Yes on all  
15 items, with the exception of 365, from which I am  
16 recused. Thank you.

17 CHAIR CHRISTIAN: Thank you. And  
18 Commissioner Valova?

19 COMMISSIONER VALOVA: Yes on all  
20 items.

21 CHAIR CHRISTIAN: Thank you, all. The  
22 items are approved and the recommendations are  
23 adopted.

24 Madam Secretary, is there anything  
25 else to come before us today?



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2 SECRETARY PHILLIPS: There's nothing  
3 further.

4 CHAIR CHRISTIAN: All right. And with  
5 that, I adjourn today's session. Thank you, all.

6 (The meeting adjourned at 11:16 a.m.)

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2 STATE OF NEW YORK

3 I, MONIQUE HINES, 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 33, 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 18th day of February, 2025.

11

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13 MONIQUE HINES, Reporter

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**A**

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