6/11/2026 - NYS Public Service Commission

STATE OF NEW YORK

PUBLIC SERVICE COMMISSION

2026 COMMISSION SESSION

DATE: **JUNE 11, 2026 at 10:36 a.m.**

LOCATION: **AGENCY 3 BUILDING, 19TH FLOOR**
EMPIRE STATE PLAZA
ALBANY, NEW YORK 12223

COMMISSIONERS:
RORY M. CHRISTIAN, Chair
COMMISSIONER JAMES S. ALESI
COMMISSIONER DAVID J. VALESKY
COMMISSIONER JOHN B. MAGGIORE
COMMISSIONER UCHENNA S. BRIGHT
COMMISSIONER DENISE M. SHEEHAN
COMMISSIONER RADINA R. VALOVA

Reported by Winston Idada

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(The hearing commenced at 10:36 a.m.)

CHAIR CHRISTIAN: Good morning. I call this session of the Public Service Commission to order.

Secretary Phillips, are there any changes to the final agenda for today?

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

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

Commissioner James Alesi.

COMMISSIONER ALESI: Here.

CHAIR CHRISTIAN: Commissioner David Valesky.

COMMISSIONER VALESKY: Here.

CHAIR CHRISTIAN: Commissioner John Maggiore.

COMMISSIONER MAGGIORE: Here.

CHAIR CHRISTIAN: Commissioner Uchenna Bright.

COMMISSIONER BRIGHT: Here.

CHAIR CHRISTIAN: Commissioner Denise

Sheehan.

COMMISSIONER SHEEHAN: Here.

CHAIR CHRISTIAN: Commissioner Radina Valova.

COMMISSIONER VALOVA: Here.

CHAIR CHRISTIAN: Before we turn to the regular agenda, do any Commissioners wish to recuse from voting on item 303?

Commissioner Alesi.

COMMISSIONER ALESI: I do not.

CHAIR CHRISTIAN: Thank you.

Commissioner Valesky.

COMMISSIONER VALESKY: No.

CHAIR CHRISTIAN: Thank you.

Commissioner Maggiore.

COMMISSIONER MAGGIORE: No.

CHAIR CHRISTIAN: Thank you.

Commissioner Bright.

COMMISSIONER BRIGHT: No.

CHAIR CHRISTIAN: Thank you.

Commissioner Sheehan.

COMMISSIONER SHEEHAN: No.

CHAIR CHRISTIAN: Thank you.

Commissioner Valova.

COMMISSIONER VALOVA: No.

CHAIR CHRISTIAN: Thank you. We'll now begin the regular agenda with our first item for discussion, item 303, case 26-E-0335, as it relates to a Nuclear Reliability Backbone proceeding. It will be presented today by Jessica Waldorf. Schuyler Matteson, Rob Habermann, and Tom Dwyer are available for questions.

Jessica, please begin.

MS. WALDORF: Good morning, Chair Christian and Commissioners. My name is Jessica Waldorf, and I'm the Chief of Staff and Director of Policy Implementation here at the Department. I am here to present item 303, the order establishing a Nuclear Reliability Backbone process under the new proceeding case number 26-E-0355, and joined by just a few of my colleagues who helped in the preparation of the draft order before you today. The draft order proposes to initiate a new process, led by the Department of Public Service, to evaluate the potential pathways to create a Nuclear Reliability Backbone, as announced by Governor Hochul in her 2026 State of The State address.

Before I get into the details of the

draft order, I think it is important to take a step back and provide some background on the work streams and information that precipitated this proposed action. The State and the Commission have a long history of supporting development of electric generation resources to ensure the continued safe and reliable operation of the electric grid, while also supporting the achievement of environmental, public health, clean energy, and economic policy goals.

Since the days of the State's first renewable portfolio standard, the Commission has advanced policies and programs for the development of both large and small-scale clean energy resources and authorized significant investments in transmission and distribution to enable the modernization of our energy system. Yet, New York has an aging electric grid, with twenty-five percent of our generation fleet at more than fifty years old and operating well beyond their useful lives. At the same time, we are seeing substantial load growth due to new economic development and increased demand for electricity across all sectors.

That is why we need to invest in new, firm, dispatchable resources to complement renewable

energy development, strengthen the reliability of our grid, and support increased electric demand. The Commission acted in January 2026 to support the continued operation of nuclear energy facilities in Upstate New York that support twenty percent of the State's electric demand. There is a separate item on today's agenda for the recommended approval of the Zero Emission Credit 2.0 Implementation Plan and Load Serving Entity Master Agreement to execute on that extension.

That action, combined with all of the various policy proceedings, permitting decisions, and capital investments and rate cases, are proof of the Commission's all-of-the-above approach to meeting the State's energy needs and statutory objectives in the most cost-effective manner. With the changing energy demands of our state and statutory clean energy objectives we are recommending the Commission take this action to provide a venue where the Commission and stakeholders can consider how development of new nuclear energy will continue to ensure we meet our core obligation of providing safe, reliable, and cost-effective electricity service.

Nuclear power has provided firm,

reliable, zero emissions electricity in New York for more than half a century. The State's four operating reactors produce approximately 27.5 terawatt hours of electricity every year, accounting for more than twenty percent of New York's electricity generation and forty percent of its carbon-free power. These facilities operate at a capacity factor of over ninety percent, and together they have avoided 16.4 million tons of carbon emissions in 2024.

As noted earlier, the Commission has taken action to preserve the State's existing nuclear fleet through the extension of the Zero Emission Credit Program. The extension will provide New York's existing nuclear fleet with the financial stability needed to continue operation, and it underscores the State's commitment to supporting the safe operation of nuclear resources in pursuit of a clean and reliable grid.

The Zero Emission Credit -- the Zero Emission Credit Program is one component of the Commission's Clean Energy Standard. The Clean Energy Standard was established by the Commission in 2016 to support the development of renewable energy supply and preserve the State's existing zero emission

nuclear generation.

Following enactment of the Climate Leadership and Community Protection Act, or Climate Act, the Commission revised the Clean Energy Standard to align with the statutory targets included within the Climate Act. On May 18th of 2023, the Commission initiated a process to achieve the Climate Act's zero emission by 2040 power sector target while maintaining safe, affordable, and reliable service, referred to hereafter as the Zero by 40 process.

In addition to the Zero by 40 process, there are several reinforcing work streams that have provided information related to the benefits of developing the Nuclear Reliability Backbone, including the Zero by 40 Technoeconomic Assessment, the State Energy Plan, the Coordinated Grid Planning Process, clean energy zones, and the Master Plan for Responsible Advanced Nuclear Development in New York -- or as I will refer to it today, as the Advanced Nuclear Master Plan. The Zero by 40 Technoeconomic Assessment was completed in 2025 by the Electric Power Research Institute and NYSERDA.

The report evaluated technologies that could help New York reach its 2040 electric sector

targets. The assessment identified how early planning and regulatory engagement around new nuclear could enable the deployment of multiple reactors by 2040. These findings were foundational for the consideration of nuclear generation in both the State Energy Plan and Coordinated Grid Planning Process. The State Energy Plan modeled multiple scenarios to show future energy pathways for New York.

New nuclear was included as a candidate resource in each scenario, and results demonstrated that new nuclear, paired with transmission enhancements, would be an important component in the least cost mix of generation resources needed to meet policy goals. Specifically, the inclusion of 3.3 gigawatts of new nuclear by 2040 resulted in twenty-eight billion dollars in savings and a twenty-five percent reduction in combustion resources as compared to the case with no new nuclear development. The Coordinated Grid Planning Process, New York's long term transmission and distribution planning initiative, has also identified new nuclear generation as part of the most cost-effective solution to meet New York's future energy needs.

The capacity expansion model run in

Coordinated Grid Planning Process included scenarios with and without new nuclear. Under the scenario with nuclear as an option, the capacity expansion model selected to build five gigawatts of new nuclear. This result is driven by the low operating cost of the resource and such a high, firm capacity factor. When compared to the case with no nuclear power, the five-gigawatt nuclear case lowered the total new capacity requirement by over twenty gigawatts, reducing energy related land use by over 200,000 acres, which is more than the total footprint of the five boroughs of New York City.

The addition of new nuclear also reduced the need for new transmission by three gigawatts. All of the analyses to date show that there are significant potential environmental, health, cost, and timeliness benefits that have been identified related to the deployment of new nuclear energy relative to the alternative generation options under all scenarios. The Clean Energy Zone Initiative is designed to maximize efficiency and reduce ratepayer cost by coordinating investments in clean energy and transmission while enabling greater community engagement and community benefits.

Strategic coordination between the Nuclear Reliability Backbone, the Coordinated Grid Planning Processes, transmission related investments, deployment of other large-scale and distributed energy resources, and the Clean Energy Zone initiative will ensure the most cost-effective and timely advancement of State policy goals while managing for increased electric demand. Additionally, NYSERDA and Department of Public Service Staff are leading the development of the Advanced Nuclear Master Plan, which will include a comprehensive evaluation of best practices and opportunities in nuclear development, funding, workforce, supply chains, and policy.

These findings support the pursuit of a new Nuclear Reliability Backbone and future efforts in the Coordinated Grid Planning Process, State Energy Plan, and the Advanced Nuclear Master Plan will inform policy, strategy, and investments related to its implementation. Recognizing these findings, the governor directed the Department of Public Service to consider, review, and facilitate a cost-effective pathway to four gigawatts of new advanced nuclear energy for New York. The backbone

announcement followed the governor's directive to the New York Power Authority in June of 2025 to develop a new advanced nuclear power plant, generating at least one gigawatts of zero emissions electricity.

The governor's two initiatives, totaling 5 gigawatts, coupled with New York's existing 3.4 gigawatts of existing nuclear generation assets and consideration of the grid upgrades needed to allow baseload nuclear power to free flow across the state would result in an 8.4 backbone of clean, reliable baseload power to support millions of New Yorkers statewide. Given the long lead times for nuclear deployment and the need to coordinate with transmission investments, early planning is necessary to successfully deploy the Nuclear Reliability Backbone and maximize value to the State.

From an economic perspective, new nuclear facilities will have the potential to create hundreds of new permanent jobs and thousands more during construction. Along with a pipeline of skilled staff, nuclear facilities also rely on a global supply chain of specialized equipment and materials for construction and operation. New York can build consistent demand for supplies while

developing in-state supply chains that benefit the State long term. As an early mover on advanced nuclear, New York would likely also have the advantage of exporting in-state capability for future regional nuclear developments.

Both in terms of funding and permitting, interaction with federal agencies will be an important part of any future nuclear development in New York. Currently, the federal government provides tax credits and low-cost loan programs to new developments, and the State maintains an influence on potential sites, safety, and transmission in support of these new nuclear facilities. The Nuclear Reliability Backbone proceeding would also offer further evaluation into the cost and revenue opportunities of new nuclear plants, building on the work in the Zero by 40 Technoeconomic Assessment.

The draft order recognizes that NYSERDA and Department of Public Service Staff will file the New York State's Advanced Nuclear Policy Options Paper, or Options Paper, which was developed as part of the Advanced Nuclear Master Plan contemporaneously with this order. The Options Paper

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evaluates policy mechanisms to support new grid scale, advanced nuclear projects, assessing barriers to commercial viability, risk management, potential financial support and funding, technology selection and procurement approaches that can enable project viability while minimizing costs and risk to the public.

If adopted, the draft order would initiate a proceeding to evaluate the mechanisms for deploying the Nuclear Reliability Backbone. In terms of next steps, the draft order requests stakeholder feedback on the concepts presented in the body of this order. Specific feedback is requested on a number of items, including how the backbone should engage with other ongoing proceedings, which workforce and supply chain considerations are the most impactful for successful nuclear development, considerations that can influence the sequencing of investments, and the appropriate level of State support and potential financial mechanisms.

Stakeholders are also encouraged to participate in the technical conference directed by the draft order, which will be held before the end of October. This feedback will be essential to Staff's

development of a white paper on recommended actions to effectuate the Nuclear Reliability Backbone. The draft order directs the white paper to be published by November 11th of this year.

In closing, the draft order outlines a methodical approach to evaluating the potential development of the Nuclear Reliability Backbone and will seek to develop a cost-effective pathway to developing a resilient and flexible zero emissions grid supported by new advanced nuclear and transmission infrastructure. The Nuclear Reliability Backbone will be a critical component to a portfolio of solutions within the Commission's continued work in ensuring a safe, reliable, and affordable electric grid, and will be complementary to, and in some cases integrated within, the Commission's other proceedings, including, but not limited to, the Coordinated Grid Planning Process, Zero by 40 process, clean energy standard procurement review and ongoing procurements, and continuation of the advancement of distributed energy resources.

Thank you for your time. Schuyler Matteson, Tom Dwyer, and Rob Habermann and I are here and available for your questions.

CHAIR CHRISTIAN: Thank you, Jessica, for the presentation. And thank you, team, for bringing this toward the Commission today. I look at today's action with respect to this backbone as coming at a very interesting time in our history, a time when our economy and society face some unprecedented challenges. And these challenges are things that our energy system must rise to meet.

Now, as you've stated in your presentation in the order, nuclear energy has provided emissions-free electricity for over fifty years, currently twenty percent of our total overall electric needs, and representing forty percent of carbon-free power in New York State. It's a significant benefit, benefits both to the local communities where they're sited and to the State as a whole.

And I had the opportunity this week to visit the nuclear plants in New York. And I can say with certainty, it definitely put into perspective for me the potential that nuclear development can bring to the State as a whole, both in terms of economic development, job opportunities, careers, in addition to the clean, reliable power that it's well

known for.

And so for that, I want everyone to think of today as a beginning. The beginning of a process through which public feedback and discourse will help shape future Commission actions, actions which, at the end of the day, will ultimately shape New York's energy landscape and outlive all the Commissioners and likely everybody in this room.

And you mentioned several of the planning efforts. You mentioned Coordinated Grid Planning, the Zero by 40 Technical Assessment, the State Energy Plan, and several other things. You know, it's important to recognize that where we are today in putting forward this backbone is built on the foundation of much of that planning work that we at the Commission and others in the State have been leading for the past few years.

And I also want to emphasize the role of the New York Power Authority, who are already laying the groundwork for the first project as part of this nuclear backbone through an RFQ that they released, I want to say last week. Was it last week? Right. So I look at this as building blocks, each playing a role in setting a foundation. Alone, they

only go so far, but collectively they establish a foundation upon which this backbone and other actions that we take can be built. And our role as the Commission is to ensure that we are aligned, and that we can make sure this planning work results in tangible, achievable progress.

Now, the grid we have today was designed at a different time with a different economy, different society, different priorities. And I look at this effort and the various other planning efforts currently underway, all intended to align our reality with our ambitions and bring clean power to everyone in New York State. Now, the case for nuclear is fairly clear to me in getting it built. However, it has to be clear to everyone. And so we have to justify the value it brings to the people, to the New York people. And developing this backbone, I know, will ensure that our grid can withstand the changes that we will see over the next few decades and continue delivering reliable, affordable, clean power to every New Yorker who depends on it, which is why we have this process in place.

We want to hear from New Yorkers

directly. Today's order kicks off this public process on the backbone and the policy options paper, which will be filed in the docket as part of this -- separate of the order. Is that right?

MS. WALDORF: Separate.

CHAIR CHRISTIAN: Separate. Thank you. Thank you for clarifying.

MS. WALDORF: But within the same docket.

CHAIR CHRISTIAN: Within the same docket. Right. So all this information will be publicly available for review as part of a continued discourse. So I want to encourage everyone in this room and everyone listening and the communities you represent and are a part of -- I want everyone to engage in this concept that Staff has laid out. I want to look at the Policy Options Paper that will be filed in the docket, and make sure that we are moving forward with everyone's best interests in mind. Because, again, the infrastructure that we build, that we move forward with is for the people, and the decision on the backbone that ultimately comes before any commission should reflect the interests of the people it is being built for.

So I look forward to this first step on the process of delivering on the governor's directive to advance a Nuclear Reliability Backbone. I know it's no easy feat to get here. It will continue to be challenging moving forward, but I look forward to this challenge as I know the significance it will play in our future. So thank you for bringing this to the Commission.

And with that, Commissioner Alesi.

COMMISSIONER ALESI: Thank you, Chairman, Jessica. Thank you, Commissioner. I live in that region where those reactors are. And I can honestly say that people in the area have grown used to them and take them for granted. We should not. They are a very important part, not just of providing what I will say, according to the record, is safe and reliable. But they're a very important part of the local economy as well. They provide significant jobs. And those jobs, people earn a paycheck, which then they go out and they spend money on the things that are necessary for everyday life.

That doesn't mean that there may not be risks. But as we look closer, which this is proposing to do, I think we can address those risks.

And hopefully, because I do support intelligent nuclear power and I also support small modular reactors as part of that. In fact, maybe the most significant part from my standpoint. As we look forward to that, we look at everything that this proposal will give us as an opportunity to make informed decisions and do so unemotionally. And thank you for your report. And there's quite a lot of work went into this, I know. And I look forward to seeing the net result as time goes on.

CHAIR CHRISTIAN: Thank you.

Commissioner Valesky.

COMMISSIONER VALESKY: Thank you, Chair. Thank you, Jess. Thank you to your team for the work that you've already done. And thanks for the very thorough presentation. I don't have any questions. Just as is the case with any initiating order, the bulk of the work is ahead of you and all of us. And I certainly look forward to the next several months and seeing what not only all of you develop, but certainly the public feedback from stakeholders, which will be very important as well. So thanks for the great work. I'll be supporting the order.

CHAIR CHRISTIAN: Thank you.

Commissioner Maggiore.

COMMISSIONER MAGGIORE: Thank you. Thank you for the presentation. I do have a few questions, and I'll start with a simple one just so we're all talking about the same thing. Could you give a concise definition of what the term itself means, nuclear backbone? Nuclear Reliability Backbone.

MS. WALDORF: Sure. That's a good question. We look at the term "backbone" as the backbone that already exists in the State today, and it's comprised of both a very extensive and robust transmission network as well as firm resources, including existing nuclear, but also hydro, and other resources that contribute to sustaining the electric grid we have today. When we look at new nuclear and the advanced Nuclear Reliability Backbone, it's going to be an addition to the strong foundation that we've built as a state over several decades, and also allow us to continue to do all the other things we want to do on our electric grid, including flexible resources, the integration of distributed energy resources, as well as other types of large-scale

generation.

COMMISSIONER MAGGIORE: Thank you. So I was intrigued by the assertion you made that new nuclear will result in billions of dollars of savings for ratepayers. Does that mean that this will result in lower energy bills than we have today?

MS. WALDORF: Good question. And the short answer is no. Any form of new generation is going to cost money to develop. One of the things that the staff team here, as well as many others in State government, have done over the course of several years and will continue to do, is in our energy planning efforts we look at the total mix of available resources and viable resources that we could develop and bring on to the electric grid. Nuclear is one of those resources, and in our very comprehensive modeling efforts, we looked at a scenario where there was no new nuclear and a scenario where the only other options we had were other forms of clean, dispatchable generation.

And we found that nuclear saved a significant amount of money versus the alternative of building other types of large-scale resources. And I think it's important to also note that every resource

has a very defined value. Some resources have high-capacity factors and can be good baseload resources. Other resources have lower what we call capacity factors, but they provide tremendous value to the grid in allowing us to shave system peaks and avoid the need to run more inefficient, highly polluting generation. And so it really is the mix of all of those things that contributes to the cost savings behind our numbers.

COMMISSIONER MAGGIORE: Okay. So for reasons you outlined in your presentation, we're going to need to invest in new energy infrastructure one way or the other and any form of new energy infrastructure is going to cost some money. Is that correct?

MS. WALDORF: Yes.

COMMISSIONER MAGGIORE: Okay. So imagine that the energy secretary, Chris Wright, burst through the door and says, no, no. Repower coal plants. That will save more money. What would your response be to that?

MS. WALDORF: Sure. In short, I would say that I personally haven't done an economic analysis of coal because our State's energy planning

processes and the trajectory that we've been on over the course of several decades has really been focused on an all-of-the-above approach, and in all-of-the-above, we only look at the viable energy solutions, and coal is not one of them. I think it's also important to point out that we have a long history, a lived history and experience with that specific resource in our state. And over the course of several years, there were strategic decisions made to move away from that, including for the improvement of public health.

COMMISSIONER MAGGIORE: Great. Okay. Thank you very much. Thank you for the presentation.

MS. WALDORF: Thank you.

CHAIR CHRISTIAN: Nothing else?

COMMISSIONER MAGGIORE: No. That's it.

CHAIR CHRISTIAN: Okay. Great. Thank you. All right. Thank you, Commissioner.

Commissioner Bright.

COMMISSIONER BRIGHT: Thank you, Chairman and thank you, team. This is a great presentation. And I really appreciated this order. I also appreciate how it lays out sort of the

multiple planning processes, proceedings, and work streams that sort of tie in to really demonstrate that nuclear is one of the tools, an important tool, in our toolbox, not just because of lower greenhouse gas emissions and local economic benefits and job creation, also that it has the dispatchable emission-free resource characteristics and eliminates the overbuilding of other resources, as you just sort of went over with Commissioner Maggiore.

One question I do have -- so I have a couple of questions. So in the order we also talk about the need for additional DEFRs, dispatchable emission-free resources. Has any of our modeling or white papers or other proceedings talked about or determined what resource or resources these DEFRs might consist of and when they would be needed?

MS. WALDORF: Sure. Nuclear, as a baseload resource that's sited upstate, can provide significant system benefits, some of which we discussed today, but cannot create a fully reliable grid statewide all on its own. And so according to the analysis, within the Coordinated Grid Planning Process, State Energy Plan, and the New York Independent System Operator also show this.

Additional dispatchable emissions-free resources were needed in Downstate New York by 2040.

The specific technologies that may fill this gap were reviewed in the Zero by 40 Technoeconomic analysis, and may include some combination of emerging generation technologies, such as long-duration storage and renewable natural gas for combustion resources as a replacement fuel and new transmission infrastructure. So it's the combination, again, of all of those different types of resources that we're going to evaluate to make sure we get the right mix and also, the best, most cost-effective resources online.

COMMISSIONER BRIGHT: Okay. Great. Thank you. I have a couple of questions on waste.

MS. WALDORF: Um-hum.

COMMISSIONER BRIGHT: So where will waste be considered? And then, also, sort of given our focus on safety, which is always one of our focuses, do we have or know what specific safety review processes will be using beyond NRC oversight to ensure the highest safety standards?

MS. WALDORF: Sure. And questions about waste are certainly frequent in the discussion

of nuclear, and a component study of the nuclear master plan that I referenced before will be to thoroughly examine the issues regarding nuclear waste of new advanced nuclear technologies. The study is expected to be published by the end of the year. So Staff mentioned the Options Paper, which is one component of the Master Plan that will be filed shortly.

But there are several other studies that will be part of that, one specifically focused on waste. Under federal law, nuclear waste is the responsibility of the federal government, and until a long-term storage solution is sited, receives a permit and constructed, nuclear waste will continue to reside at New York's nuclear sites. The safe operation of commercial power reactors is a Nuclear Regulatory Commission matter under the Atomic Energy Act, and so far advanced licensing -- advanced license reactor models, like the AP1000, do have a record of safe operation.

As a potential financial participant, New York has an effective seat at the table with regard to what reactor model the State thinks would promote safety. Department of Public Service Staff,

through lightened regulation, closely monitor all aspects of commercial nuclear operation in New York State, including the existing four reactors in Upstate New York.

And if and when a safety concern arises, staff works closely with the NRC and other state partners to raise issues, pose questions, provide comments, analyze information, and conduct detailed inspections when needed. And we're proud of the record of safety that we have of the existing nuclear facilities. And I'd say that safety is a primary consideration in any discussions on new nuclear development in the State.

COMMISSIONER BRIGHT: Thank you. And of course, of course. And just one more waste question. We showed significant land use benefits for new nuclear. And are we factoring in waste infrastructure into that calculation?

MS. WALDORF: Sure. Long-term onsite storage of nuclear waste doesn't typically require large swaths of land. This would likely be similar for any small nuclear modular reactors and advanced reactors. New York is likely taking on additional long-term spent fuel storage together with any new

nuclear plants. And the current dry cask storage facilities at the operating Ginna, FitzPatrick, and Nine Mile Point station sites cumulatively comprise approximately six acres. So the footprint is very small. And we should kind of keep that in perspective as we think about how much land use we're going to need for new nuclear. And we certainly are, as part of our planning efforts.

COMMISSIONER BRIGHT: Great. So one more question. And this is on community engagement. So as with safety and reliability, community engagement and community support is also one of our priorities. And can you give a little bit more detail about how we will be establishing concrete, actionable mechanisms to ensure meaningful and ongoing community engagement? And are there some special considerations for disadvantaged communities?

MS. WALDORF: Sure. To start, I would say that there's already been a significant amount of community engagement all across the state over the last couple of years, including with both disadvantaged communities, unions, all members of the public, and also Indigenous nations that have specific concerns related to the development of new

nuclear in New York. And examples of this include past requests for information that both NYSERDA and the New York Power Authority issued, and that we were a part of also reviewing those responses.

We also have held individual meetings. We've met with folks both in and outside of conferences and really took time to understand the concerns that New Yorkers are raising when it comes to new nuclear, as well as took time to consider all of the benefits or support that certain types of individuals or community stakeholders may have for the advancement of these resources.

And so prior to the initiation of the Advanced Nuclear Master Plan, one of several things that's been in development and help support why we're bringing this action today, there was a blueprint put out for new nuclear, and the State took in a ton of comments on that. And that really helped shape what we thought were the most important and prevalent issues to think about in the Advanced Nuclear Master Plan, and will continue to shape the efforts that we, as staff, conduct under this proceeding and eventually bring back to the Commission at a future date for consideration.

I also think that, in the development of any resource in the State, including new advanced nuclear, there will be an extensive opportunity for public comment and detailed public engagement. So while we've already started work at a very high level and understanding the concept of what new nuclear could mean, it's ever more important that as we start to engage with communities that are considering wanting to be a host community and to site this project, and for landowners to be considering whether or not they should willingly, you know, lease their land for development, that conversation takes years and time.

And you know, I think as a staff team, we look forward to engaging with all community members in the development of new nuclear and really making sure that we take their concerns at heart when we're advancing future projects.

COMMISSIONER BRIGHT: Thank you, Jess. This has been great. I support this, and I really appreciate Staff's work on all of the proceedings that came before this to bring this all together and then this culmination of having this order in front of us as well. So thank you so much.

MS. WALDORF: Thank you.

CHAIR CHRISTIAN: Thank you.

Commissioner Sheehan.

COMMISSIONER SHEEHAN: Thank you, Chair. Thanks, Jess, Rob, Schuyler, Francis. You guys, I appreciate all the work you've done to get us here and for taking my input. I really appreciate it. I do think this is a really important step forward, and I'll articulate on that a little bit. I do have a couple of questions that I think just for clarity, for stakeholder clarity, for outsider clarity. Sometimes we understand better ourselves inside what we're doing and why and how it all fits together.

So I think it might be worth just having you talk a little bit about how the Advanced Nuclear Master Plan fits into this process and whether our proceeding will now incorporate some of the studies and modeling and findings that come out of the master planning process. I'm just trying to understand how it all comes together and how we, as a Commission, and our stakeholders get to see those documents and stay engaged. So just maybe talk about that a little bit, Jess.

MS. WALDORF: Sure. Absolutely. Well, one of the things that we keep in mind in any of the work that we advance is that it's complex and that we want to reduce stakeholder anxiety of having to track and follow multiple different, you know, proceedings and websites and processes. And so one of the thought processes behind Staff's advancement of a new case number for the Nuclear Reliability Backbone is to have a place where all of this information can live and stakeholders can easily understand it.

And so that will mean that the papers that are developed as part of the Advanced Nuclear Master Plan will reside in the Commission's docket. And just very similar to other efforts like the energy storage roadmap or Offshore Wind Master Plan -- all of the materials are going to live there. And even though some of those studies may have nexuses that live within and outside of our agency, it will still allow folks to be able to go to one place and see, okay, what does new nuclear mean for workforce in this State?

What are the benefits that can come from that? And what are some of the State's

consideration and advancing supply chain development? You know, so there may be stakeholders that gravitate towards this proceeding, not necessarily because they're trying to follow and track all of the Commission's work behind advancing nuclear, but because they also have interest in other ways that will help support our consideration for new nuclear.

COMMISSIONER SHEEHAN: Great.

MS. WALDORF: So one venue.

COMMISSIONER SHEEHAN: Thank you. You mentioned, and we talked about the NYPA project and NYPA's moving ahead. How can we expect, or can we expect lessons learned from that process to feed back into this? Obviously, Staff is talking regularly with NYPA, but I want to get clarity again for the outside world of how that might feed into this and how those lessons learned might become illuminated.

MS. WALDORF: Sure. So when NYPA was directed by the governor to develop the first gigawatt, as part of that directive, it was with the coordination of Department Staff -- Department of Public Service Staff. And so we've been very involved with NYPA in kind of learning along the way in terms of what new nuclear can mean, what the costs

are associated with it, the technology types that we can choose from. What are some of the risks that we need to consider, financial mechanisms to support those projects. And so over the last, you know, year, we've had a really good opportunity to see what it means to develop a project from the ground up, and we don't often get that opportunity in other venues, right?

You know, in a lot of ways, developers are the ones that are doing all the work. And so having the State take a lead in developing a resource gives us a very unique perspective to be able to see lived experience of trying to advance a facility while we think about the best mechanisms to try to advance others. And the hope, and I think the reality at the end of this will mean that all of those lessons learned from NYPA's advancement of the first, you know, at least one gigawatt of advanced nuclear will help inform the State's broader efforts. And I think -- not to say that we're going to learn all the things not to do as part of that process. I think there will be, like, trial and error. And you know, we're going to kind of learn along the way.

But I'd also say that the team at

NYPA -- they've pulled together a very incredible team of experts to try to put their best foot forward with this facility. And we're very excited, not only to see one facility start its development, but more broadly to be, you know, here today and thinking about advancing these new resources long term.

COMMISSIONER SHEEHAN: Okay. Great. That's encouraging. Commissioner Maggiore touched on this a little bit, but obviously, new nuclear isn't cheap, and cost is going to be a big concern. The experience in Georgia is clearly more than sticker shock. I'd say that's a fatal heart attack. So I'm just curious, and maybe it's premature to ask this, but like, do we anticipate additional modeling analysis in relation to establishing a backbone or is that something we're looking for input on?

I'm specifically interested in cost benefit, making sure that we're looking at all end costs and comparing apples to apples when we're looking at different technologies. I'm interested in grid utilization. There's a lot, but the under the umbrella of cost, there will be a number of factors. So I just -- and clearly, we'll take more input from people. But I just wanted to hear a little bit from

you guys on what you're anticipating.

MS. WALDORF: Sure. We mentioned that, you know, following this order, there will be a filing between NYSERDA and DPS Staff on the Policy Options Paper. Within that Options Paper, there will be a discussion of cost and analysis across different technology types. And you know, I think it's really important for folks to see that as, like, the initial step in a journey that we're going to continue to refine those numbers and to continue doing detailed modeling efforts to make sure that we fully understand all the costs, all the risk, and all the potential benefits in putting forward whatever types of policy measures we want to recommend to the Commission down the line.

And so you know, there will be some numbers in this first set of documents, but it really is preliminary analysis. I'd also say that we certainly don't want a repeat of what happened in Georgia here. That's definitely a leading principle in what we're doing in New York. But I also think that it's totally fair to recognize that in developing any new resource, there will be these types of lessons and learnings because of that

example already being out there, because of nuclear development that's occurring in Ontario and in other regions, we're able to kind of -- and also across the world -- we've looked at all of that, every single project that's been developed to date for new nuclear and advanced nuclear, including AP1000, some preliminary advancement of advanced microreactors, those types of things.

Some of these technologies are very nascent. And so it's really important for us to keep that in mind when we're looking at certain technology types. That means the risk could be higher, right? There are other technologies that we know are proven. And so the risk and lived experience in operating those facilities is greater. And so all of those considerations will certainly be part of what we take into account.

COMMISSIONER SHEEHAN: Okay. I think that's all my questions. I guess I'll just say in summary that I do think it's an important step forward in coordinating all of our efforts with respect to new nuclear and to directly engage with stakeholders. I just want to also be clear that this is an initiating order and that it's not a specific

endorsement of a five-gigawatt backbone, that that's an initiative, and it's an idea, but that's a concept that this proceeding will get at through more analysis, more stakeholder study and that this proceeding is designed to help inform that process. And I look forward to seeing the documents that come through. So thank you again for all your work. I appreciate it.

MS. WALDORF: Thank you.

CHAIR CHRISTIAN: Thank you.

Commissioner Valova.

COMMISSIONER VALOVA: Thank you. Thank you, Staff, for your great work on the order. I have just one clarifying question. My colleagues addressed all of my other questions. Can you list the technologies that are contemplated under the umbrella of new nuclear? Like, I want to make sure that the public understands what we're talking about. Just provide me a list of examples and confirm that it excludes the type of technologies that our existing plants represent.

MS. WALDORF: I'll also look to my colleagues to back me up here. We mentioned one of the technologies, which is an AP1000. It's a very

large-scale reactor. The 1,000 equates to the megawatts that, you know, a facility can potentially generate. And so that's one technology that has a long track record of operation, right? There are other types of technologies and various different companies that are out there trying to advance various technology types. And so another would be microreactors. And so those are much smaller-scale nuclear resources.

And I'm glad you asked the question, because I think it's important to note that in our Policy Options Paper, there will be a detailed presentation of all those different technology types where stakeholders can easily go look at it and understand the ones that we evaluated as potential candidate resources, and considering a Nuclear Reliability Backbone in New York. And all the potential, you know, trade-offs and costs and other factors that need to be considered alongside those technologies.

So to your point, I think we've tried as a Staff team -- and I think we're going to continue doing that work over the next several months, years -- to engage with stakeholders and get

them to understand each resource type. And also, you know, just like any other resource that we develop as a State and that the Commission has supported one technology may not be the best -- or may be a great resource and a great option in one region and might not be a good decision in another region. And so the selection of technology types is going to be case-specific.

It might be the case that we do all the same type of technology. It might be the case that we do a mix of them. But I think we're in it for what is the most impactful, cost-effective resource that meets multiple different objectives for us, as state policymakers and trying to maintain a safe and reliable electric grid, but also for the folks that are looking to receive more power for their operations, new economic development opportunities.

And I think many of you have likely seen that in the news across the country, various types of development is looking at nuclear as a potential baseload resource. That could be also something that companies want to bring into New York. And so we're definitely looking forward to having

those conversations.

COMMISSIONER VALOVA: Thank you. And I appreciate you highlighting where stakeholders can find in the Options Paper more information on the technologies. I do think it's an important point, partly because unlike other new technologies that we've been deploying in the State over, let's say, say, the past ten years, like wind and solar, I feel like, from my understanding, from the workforce side, for example, it's a lot more cross-applicable.

Like, if you're trained in installing one type of solar panel, probably you will be able to figure out how to install another manufacturer's. Whereas new nuclear, the term can encompass very differing technologies that may not only be different in size, but may require fundamentally different workforce skills and come with different considerations on, for example, waste. And I've even heard the possibility that some of them may be able to take recycled waste. So because the technologies can be so different, I really appreciate any effort that you will undertake to make sure the public understands the technology itself. Thank you.

MS. WALDORF: Absolutely. Thank you.

CHAIR CHRISTIAN: Thank you. And with that, I'll do a call for vote. My vote is in favor of the recommendations contained in the draft order.

Commissioner Alesi, how do you vote?

COMMISSIONER ALESI: I vote in favor of the recommendation.

CHAIR CHRISTIAN: Thank you.

Commissioner Alesi (sic).

COMMISSIONER VALESKY: How about me?

CHAIR CHRISTIAN: Commissioner Valesky.

COMMISSIONER ALESI: I still, relentlessly.

COMMISSIONER VALESKY: Yes. I vote yes.

CHAIR CHRISTIAN: All right. So just to recap. Commissioner Alesi votes yes. Commissioner Valesky, you vote yes. Thank you.

Commissioner Maggiore.

COMMISSIONER MAGGIORE: Yes.

CHAIR CHRISTIAN: Thank you.

Commissioner Bright.

COMMISSIONER BRIGHT: Yes.

CHAIR CHRISTIAN: Thank you.

Commissioner Sheehan.

COMMISSIONER SHEEHAN: Yes.

CHAIR CHRISTIAN: Thank you.

Commissioner Valova.

COMMISSIONER VALOVA: Yes.

CHAIR CHRISTIAN: Thank you. The item is approved, and the recommendations are adopted.

We will now move on to our first of three information-only, nonvoting items that are part of the agenda. Our second item overall for discussion. Our first nonvoting item is item 101, Case 26-G-0169, which is the 2025 Pipeline Safety Performance Measures Report. It will be presented today by Robert Jucha. Michael Moll, and Michael Pasinella will be available for questions. Once you're seated, Robert, please begin when ready.

MR. JUCHA: Good morning, Chair, Commissioners. My name is Robert Jucha. I am a Utility Engineering Specialist 2 with the Office of Energy Systems Planning and Performance, Pipeline Safety Section. Case 26-G-0169 is a 2025 Pipeline Safety Performance Measures report and is for information only. The measure that makes up this report were the results of a collaborative efforts,

beginning in the 1990s between New York's eleven major gas local distribution companies, or LDCs for short, and the Department of Public Service.

This report examines the results of LDCs' performance in specific safety areas that include damage prevention, emergency response, and leak management for calendar year 2025, as well as the results of Staff's audits and investigations that verify compliance with the pipeline safety regulations for calendar year 2024. Overall, 2025 performance showed continued positive progress across the four pipeline safety metrics for the eleven major LDCs, and has substantially improved for LDCs across the state over a twenty-three-year period Staff have been reporting performance to the Commission.

Next slide please. LDCs' performance on the first measure, prevention of damage to buried gas facilities by excavation or demolition activities improved in 2025. The data shows that the number of one-call tickets or excavator's requests for LDCs marked out underground gas facilities prior to excavation increased by 0.90 percent, or an increase of 6,989 tickets from 2024. Concurrently, the total number of damages has decreased by 71 from 1,223 to

1,165 as compared to 2024. This resulted in improved performance for total damage, going from a rate of 1.62 per 1,000 one-call tickets in 2024, to a rate of 1.51 per 1,000 one-call tickets in 2025.

The damage prevention measure comprises four categories. Damages due to, one, missed marks or inaccurate markings by LDCs and its affected underground facilities. Two, error by LDCs and its contractors. Three, third-party excavator error; and four, no-calls or failure of an excavator to provide notice of intent to excavate to the one-call notification system. Three of the four categories showed improvements.

Third-party damages decreased from 0.84 damages per 1,000 one-call notifications in 2024 to 0.80 in 2025. Missed marks decreased from 0.39 damages per 1,000 one-call notifications in 2024 to 0.35 in 2025. And no-call damages decreased from 0.31 in 2024 to 0.27 in 2025. However, the LDCs' performance in the final category experienced decline. Damages by LDCs and its contractors increased from 0.09 damages per 1,000 one-call tickets in 2024 to 0.10 in 2025. Next slide, please.

The second measure, emergency

response, reflects the LDCs' ability to respond promptly to reports of leak, odor, and emergency notifications by examining the percentage of reports the LDCs respond to within three response time intervals. The percentage and intervals are as follows. Respond to seventy-five percent of emergency reports within thirty minutes, ninety percent within forty-five minutes, and ninety-five percent within sixty minutes. Emergency response performance showed modest improvement. Averaged across all LDCs, emergency response performance within each window improved slightly within 0.26 percent range.

Despite these modest improvements, performance in each interval already far exceeds the established minimal percentages. The LDCs have continued to use technologies such as global positioning systems, or GPS, to quickly identify the most appropriate employee to respond to leak, odor, or emergency reports, and have continued placing or adding personnel in certain geographical areas during times of day that have historically high volumes of emergency notifications. The data over the five-year period, 2021 through 2025, showed that the LDC

operators continue to maintain their performance for this category.

Next slide, please. The third measure, leak management, examines LDCs' performance in discovering leaks, repairing leaks, and managing their unrepaired leak backlog. For potentially hazardous leaks, they include any leak that requires repair pursuant to Title 16 of the New York Codes Rules and Regulations, Part 255 for type 1, 2-A and 2 leaks. Type 3 leaks, which do not currently have a prescribed repair time frame, are by definition considered to be nonhazardous. Pursuant to Part 255, type 3 leaks require reevaluation during the next regular leakage survey or annually, whichever is sooner, to ensure that the public safety concern has not developed.

Type 3 leaks are not expected to become a safety concern. LDCs continue to eliminate these leaks on their systems because they reduce lost gas, maintenance costs, and number of emergency reports, methane emissions, and any potential dampening effect on the persistent odor may have on the public and public awareness efforts. For leaks requiring repair, the end of the calendar year

generally coincides with the beginning of the frost season. During this time frame, there is a greater chance of gas migration into a building because gas cannot vent as easily through the soil to the atmosphere due to the permeability blanket of frost.

In general, all LDCs have demonstrated improvement in this measure over the past several years. The LDCs reduced the combined total year-end backlog by 539 leaks, from 3,764 in 2024 to 3,225 in 2025. The repairable year-end leak backlog improved by twenty-five percent, or seven leaks, decreasing from twenty-eight leaks in 2024 to twenty-one leaks in 2025. The total number of leaks discovered decreased by 2.09 percent, or 239 leaks, from 11,454 leaks in 2024 to 11,215 leaks in 2025.

Additionally, the total number of leaks repaired decreased from 8.49 percent, or 1,272 leaks from 14,988 in 2024 to 13,716 in 2025. The reduction in leaks discovered and repaired suggests that leak-prone pipe programs have helped reduce overall leak incidents on LDCs' gas systems. Next slide, please. A review of the total leak backlog for the past ten years, 2016 through 2025, also showed a downward trend for the total leak backlog,

as can be seen on the graph. When combining LDCs' damage prevention and leak management efforts with that of their respective leak-prone pipe removal and rehabilitation programs, a net positive effect on their respective gas systems were realized.

Next slide, please. For the fourth measure, noncompliance with Commission's pipeline safety regulations, Department of Public Service Staff conducts annual audits and investigations to evaluate LDCs on their compliance with those regulations. Each instance of noncompliance identified by Staff represents an area where the LDC failed to meet these minimum requirements as prescribed. Reported incidences of noncompliance vary greatly from year to year, due in part to Staff's audit cycle.

Staff identifies some regulations as high risk, which staff audits annually, or other risks, which Staff evaluates not less than every five years. Additionally, because of the timing of Staff's audits and LDCs' responses to the audits, the measure reflects performance during calendar year 2024, as opposed to other measures which examine performance during the calendar year 2025. In 2024,

staff identified a total of 1,050 instances of noncompliance, including instances associated with all eleven of the major LDCs.

Instances of noncompliance occurred in 2.62 percent of the total number of records reviewed by Staff, and 0.05 percent of the total number of records available for review. Five of the LDCs had more instances of noncompliance in 2023. One LDC had the same, and five LDCs had fewer. After Staff identified and raised the compliance issues with the LDCs, the LDCs either took corrective action or developed and implemented corrective plans such as revising inspection guidance material to include all steps required by regulation.

As LDCs continue, through outreach and education to excavators and the public, adopt better practices in responding to leaks, odors, and emergency reports, and work to improve leak-prone infrastructure, and as quality assurance and quality control programs continue to mature, Staff expects further performance improvements will occur. Thank you, Chair and Commissioners. This concludes the presentation of the 2025 Pipeline Safety Performance Measures Report.

CHAIR CHRISTIAN: Thank you for the presentation. We're going to now move on to the second information item, which is our third overall item for discussion, item 301, Case 26-E-0174, which is the 2025 Electric Safety Standards Performance Report. That will be presented by Daniel Roszko, with Jason Pause available for questions.

Daniel, please begin.

MR. ROSZKO: Good morning, Chair and Commissioners. My name is Daniel Roszko. And I am a Utility Engineering Specialist 2, in the Office of Energy System Planning and Performance. Today, I'll be providing an overview of the Electric Safety Standards and utility compliance for 2025. This presentation is for information only.

Next slide, please.

I will start with some background information on the Electric Safety Standards. This will be followed by a review of the data submitted by the utilities in their annual reports. 2025 marked the twenty-first year for the Electric Safety Standards.

Next slide, please.

On January 16, 2004, Jodie Lane was

electrocuted in Manhattan after coming in -- coming into contact with a service box owned by Consolidated Edison Company of New York, Incorporated. Con Edison's and Department Staff's investigation in -- of this tragic incident revealed that a shunt cable in the service box was not properly insulated, and that a Con Edison employee did not follow specified company procedures when he sealed the end of the cable the prior year. The cable came into contact with the metal housing of the service box, thereby electrifying the box.

On July 30th, 2004, the Commission issued an order directing all electric utilities that own transmission or distribution facilities, and are subject to the jurisdiction of the Commission seeking comments on a draft proposal, to enhance efforts to safeguard the public from stray voltage.

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The original safety standards were adopted by the Commission in January of 2005 in case 04-M-0159. The standards included stray voltage testing, visual inspection of electric facilities on an annual basis, and the adoption of the National Electric Safety Code, or NESC, as the minimum

standard for utility construction, maintenance, and operation. The overall goal of the Electric Safety Standards is to safeguard the public from exposure to stray voltage, and to identify and mitigate any potentially harmful condition before safety standards -- safety hazards and/or reliability deficiencies develop.

The safety standards have been modified by the Commission on multiple occasions to incorporate additional requirements, such as mobile stray voltage testing, the tracking of temporary repairs, and independent quality assurance program, and the ability to adopt an asset management approach for underground facility inspections. The safety standards apply to the investor-owned utilities, transmission owners, and municipally-owned utilities.

Next slide, please.

The utilities are required to test their underground system and streetlight facilities on an annual basis. The utilities are required to test their overhead distribution and transmission facilities on a five-year cycle. With regards to testing, inspectors carry a pen-like device that lights up red when voltage is detected. 4.5 volts is

the calibrated threshold of the device, as that is the voltage limit where the potential for injury becomes concerning. However, the device does signal for lower voltages. Once voltage is detected, the facility is then tested with a digital voltmeter to record actual readings. All voltage findings of one volt or more are required to be recorded and mitigated. In total, there were only 181 voltage findings for man -- manual stray voltage testing of one volt or more, or approximately 0.02 percent of the roughly one million facilities tested in 2025.

This graph shows the historical findings for manual stray voltage testing going back fifteen years. The blue section show the findings between 1 and 4.4 volts. And the red section show the findings that are 4. volt -- 4.5 volts and greater. As we can see in the graph, the number of stray voltage findings from manual testing has dropped significantly since the peak in 2012. The 2025 total number of stray voltage test findings saw a slight increase at the 1 to 4.4 volts level, and a slight decrease in the 4.5 volts and greater level. This is mainly attributed to an increase in findings on NextEra Energy's transmissions -- transmission

facilities.

Transmission facilities and street lights are the largest facility groupings with stray voltage findings. In 2025, out of the 181 findings, transmission facilities accounted for 74, and streetlights accounted for 60. As part of the Electric Safety Standards, the utilities are required to test all publicly-accessible streetlights, regardless of ownership. If an issue is found with a streetlight that the utility does not own, that utility is required to make the condition safe. It is ultimately the responsibility of the municipality that owns the street light to make the necessary repairs.

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For mobile stray voltage testing, per Commission order, twelve mobile surveys are required in New York City, two in Buffalo, and one each in Yonkers, White Plains, New Rochelle, Albany, Niagara Falls, and Rochester every year. The Upstate locations were selected due to their population density. In 2025, there were 8,066 voltage findings in the three utility service territories where mobile stray voltage testing is required, which is down from

the 9,336 findings in 2024. This is approximately 0.32 percent of the roughly 2.5 million structures scanned by the utilities' mobile stray voltage programs.

This graph presents the total number of stray voltage findings across the state using the mobile testing units for the last fifteen years. Blue represents Con Edison's findings. Red represents National Grid. And green represents Rochester Gas and Electric. As we can see in the graph, the number of stray voltage findings from mobile testing has been relatively consistent over the past fifteen years.

Next slide, please.

Per the Electric Safety Standards, the utilities are required to complete visual inspections on twenty percent of their facilities each year, so that a hundred percent of a utility's transmission and distribution facilities will be inspected at least once every five years. 2025 was the first year of the fifth full cycle of the inspection program. All utilities have completed inspections on approximately twenty percent of their assets in compliance with the standards.

This graph shows the historical deficiencies found during electric facility inspections broken down by deficiency level going back fifteen years. The red section show level 1 deficiencies found. The orange section show level 2 deficiencies found. And the blue section show level 3 deficiencies found. As we -- we can see in the graph, the number of deficiencies found during electric facility inspections has dropped significantly since the peak in 2014.

A level 1 deficiency is an actual or imminent safety hazard to the public, or poses a serious and imminent threat to the delivery of power. Critical safety hazards present at the time of the inspection shall be guarded until the hazard is mitigated. These deficiencies are to be repaired as soon as possible, but not longer than one week after discovery.

A level 2 deficiency is likely to fail prior to the next inspection cycle, and represents a threat to the safety and/or reliability should a failure occur prior to repair. These deficiencies are to be repaired within one year of discovery.

A level 3 deficiency does not present

immediate safety or operational concerns, and would likely have minimal impact on the safe and reliable delivery of power, if it does fail prior to repair. These deficiencies are to be repaired within three years of discovery.

For inspections, 2025 saw an increase in deficiencies found by the electric utilities, with a total of approximately 65,400 deficiencies found. This is a 37.5 percent increase, compared to the approximately 47,500 deficiencies found in 2024.

Next slide, please.

As you know, DPS oversees and reviews the performance and operations of PSEG Long Island. But as the operator of LIPA's publicly-owned electric system, they are not wholly subject to the Commission's jurisdiction. Just as we do with other Commission policies and standards, we have been successfully working with LIPA to better align PSEG Long Island's stray voltage testing and inspection program with the Commission's safety standards.

In 2025, PSEG Long Island continued its expanded stray voltage testing and inspection program. They continued performing mobile stray voltage testing, manual stray voltage testing, and

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visual inspections across LIPA-owned facilities. PSEG Long Island also added manual stray voltage testing of overhead transmission facilities, substation fences, and underground distribution facilities as part of their 2025 efforts to better align with the Commission's safety standards.

In 2025, PSEG Long Island conducted testing and inspections on 54,908 assets, compared to the 127,158 assets completed in 2024. Since mobile testing covers most of the residential areas, PSEG Long Island reduced the scope of their manual testing. This allowed them to shift some of the budget from manual testing to other activities, including visual inspection, and the manual testing of overhead transmission facilities, substation fences, and underground distribution facilities. This shift allows PSEG Long Island to address higher-risk assets and areas not covered by mobile testing. Of the 54,908 assets manually tested and inspected in 2025, PSEG Long Island identified eighteen stray voltage findings and 16,033 deficiencies. Of these deficiencies, 229 were level 1; 9,470, level 2; and 6,334, level 3.

These two graphs present the total

number of manual stray voltage findings and deficiencies found across PSEG Long Island's service territory over the past six years. Although PSEG Long Island safety program was not fully aligned with the Electric Safety Standards in 2025, and is unlikely to be fully compliant in 2026, based on the current work plan and funding levels set by PSEG Long Island and LIPA, Staff acknowledges that PSEG Long Island is working with LIPA to identify opportunities for additional testing and inspections. This includes incorporating stray voltage testing into existing programs while achieving cost savings in order to improve compliance with the Electric Safety Standards.

Next slide, please.

In summary, the New York utilities have met and complied with the requirements of the Commission's Electric Safety Standards for 2025. This completes my presentation. Thank you.

CHAIR CHRISTIAN: Thank you, Daniel.

We'll now move on to our third information item, our fourth overall item for today, item 302, Case 26-E-0017, which is the 2025 Electric Reliability Performance Report, presented by Jon

Murphy. Bridget Frymire is available for questions.

Jon, please begin.

MR. MURPHY: Good morning, Chair and Commissioners. My name is Jon Murphy. I'm a Utility Engineering Specialist 2, within the OREP, the Office of Resilience, Utility Security, Nuclear Affairs, and Emergency Preparedness. Today I'll be -- today, I will be providing you with a brief statewide summary of New York's electric reliability performance for 2025. Staff's written report, filed in case number 26-E-0017, provides additional information and individual reviews for each of the major electric utilities.

Each year, Staff performs an analysis of electric reliability performance based on monthly interruption data submitted by the electric utilities. The staff uses this data to calculate frequency index, SAIFI, and duration index, CAIDI, of interruptions and to identify trends. SAIFI is affected by factors such as weather, system design, capital investment, and maintenance practices. Decisions made by utilities today, however, can take several years before being fully reflected in the frequency measure.

CAIDI is affected by factors such as workforce levels, workforce management, and geography. Utility management of resources can have more immediate effect -- effect on duration. By reviewing the data both with and without major storms, we can achieve a balance between interruptions under the utilities' control, such as equipment failures and those where the utility may need to implement resiliency measures to prevent interruptions. It should be noted that some of the statistics presented today reflect twenty-five major storm events that occurred last year.

Reliability performance mechanisms, or RPMs, include company-wide targets for frequency and duration. RPM targets are established in each rate case and the investor-owned electric utilities are subject to negative revenue adjustments for failing to meet RPM targets. Central Hudson, Con Ed, Orange & Rockland, and National Grid have met their reliability targets in 2025. RG&E failed to reach its target for frequency, incurring a negative revenue adjustment of five million dollars. NYSEG failed to reach its target for frequency for the seventh consecutive year, incurring a negative

6/11/2026 - NYS Public Service Commission revenue adjustment of 3.5 million dollars.

Tree contacts continued to be the largest contributor to interruptions for NYSEG, and account for approximately forty-nine percent of total interruptions in 2025, and impacting approximately 587,000 customers. And recognition of the impact that a well-executed vegetation management program has on reliability performance, as part of the 2023 NYSEG rate order, the Commission authorized an expanded distribution vegetation management budget for NYSEG to continue its reclamation and danger tree programs, and perform system wide routine trimming on a six-year cycle.

Since the issuance of the 2023 NYSEG rate order, Staff and NYSEG have met frequently to monitor NYSEG's progress on expanding the program scope to meet the six-year cycle plan. Staff will continue to monitor NYSEG's progress throughout 2026, as addressing reliability performance issues remains a critical focus of the Department.

Lastly, while not an -- an investor-owned utility, PSEG Long Island may receive incentive compensation by meeting frequency and availability performance metrics, pursuant to its operating

service agreement. In 2025, PSEG Long Island did not meet either of its incentive targets for reliability. And as a result, will not receive financial compensation for either.

Next slide, please. Okay. Sorry. Next slide please. One more.

This graph shows the frequency performance for the last five years on a statewide basis, excluding major storms, highlighting performance both with and without Con Edison, since Con Edison's networks are usually less prone to interruptions than overhead systems, and considering that Con Edison serves a large percentage of the State's total electric customers, Con Edison's data can skew the overall statistics. As a result, we review the data with and without Con Edison.

For safety, including Con Edison, the statewide interruption frequency of 0.63 was approximately seven percent worse than performance in 2024, but equal to the statewide five-year average. Excluding Con Edison, the statewide interruption frequency of 1.03 was approximately six percent worse than the performance in 2024, and approximately two percent worse than the statewide five-year average.

The major causes of interruptions, excluding major storms, were equipment failure at thirty-three percent, tree contacts at thirty-one percent. To reduce the frequency of interruptions, the utilities invest in capital projects, inspections, and maintenance activities.

Next slide, please.

This graph shows the duration performance for the last five years on a statewide basis, excluding major storms, again showing performance with and without Con Edison. Including Con Ed, the statewide duration was one hour and fifty-six minutes. This is approximately 1.2 minutes longer than 2024, and half a minute shorter than the statewide five-year average. Excluding Con Ed, the statewide duration was one hour and fifty-three minutes in 2025, which was approximately half a minute shorter than 2024, and half a minute shorter than the statewide five-year average.

Next slide, please.

The State experienced twenty-five separate events that qualified as major storms in 2025, seventeen less events than 2024. In 2025, customer interruptions associated with major storms

decreased by approximately thirty-five percent. And customer hours of interruptions decreased by approximately forty percent from 2024.

Next slide, please.

Thank you. That concludes my presentation. Bridget Frymire and myself are available for questions.

CHAIR CHRISTIAN: Thank you, everyone, for your presentations.

And Jon and Daniel, congratulations on your first appearance before the Commission.

Daniel, I -- sorry. Jon, I wanted to touch on what you were saying, and just make sure I'm hearing you correctly. So we've -- last year, we had twenty-five storms. So roughly a storm every other week, is that -- I think that's what you said in your previous slide, right?

MR. MURPHY: So in 2025, yes, we had twenty-five separate major storm events.

CHAIR CHRISTIAN: Twenty-five separate major storm events. And looking at the customer hours of interruption, it appears that our work in managing the utilities and bringing down the hours is bearing fruit, given the number of events that we are

experiencing compared to previous years. Is that a safe observation to make?

MR. MURPHY: Yes. That's a fair observation.

CHAIR CHRISTIAN: Okay. Great. Appreciate that. I look forward to continued improvements over the next -- between this and the next order in this matter. So thank you for bringing that to our attention. I'm looking forward to hearing about the improvements in Long Island that we're going to be making through our efforts with PSEG and LIPA. And overall appreciate the opportunity to understand where we are in terms of the safety, reliability, and ongoing operation of the system. Very much appreciate the overview today. Thank you, everyone.

Commissioner Alesi?

COMMISSIONER ALESI: Thank you, Chairman.

This is quite an overview with these three different presentations taken in a collective purview. And I'm sitting here listening to it, and recognizing the expertise and the value of that expertise that we see here, those people that are

presenting and the people sitting with you that helped put all of this together. But I can't help but take a moment and think that there are people out in the field that are supporting your efforts. Men and women that are working twenty-four hours a day that we generally don't talk about and don't recognize and don't hear from. But they are supporting your efforts as well. And they are saving lives with the information and the data that you collect and present to us, and prevent -- and preventing people from harm and injury and even death. So my comments are to say thank you for this excellent combination of presentations. But also take a second just to recognize those people that are out in the field twenty-four/seven, making New York a much safer place. Thank you for the presentations.

CHAIR CHRISTIAN: Thank you, Commissioner.

Commissioner Valesky?

COMMISSIONER VALESKY: Thank you, all, very much for your work today on these presentations. Appreciate it very much. I have no questions.

CHAIR CHRISTIAN: Thank you.

Commissioner Maggiore?

COMMISSIONER MAGGIORE: Thank you for the presentations.

Just one quick question for Jon. When there's a negative revenue adjustment for RG&E and NYSEG, or when PSEG doesn't get its financial compensation, does any of that redound on the ratepayer, either directly or indirectly, in the sense that the reason these goals are not achieved is a need for more resources that the utility might try to acquire through the rate-setting process in the future?

MS. FRYMIRE: Commissioner, can you repeat that? It almost sounded like you were asking two different questions.

COMMISSIONER MAGGIORE: Okay. So RG&E and NYSEG have a negative revenue adjustment, because they didn't meet their goals. And not exactly the same thing, but PSEG won't receive financial compensation, because they didn't achieve their goals. So does that -- who pays? Does it redound on the ratepayer, either directly, for instance, the penalties -- is that -- is that paid for through rates? And then, the second part of the question is -- well, why don't you answer that? And I'll ask

a second question.

MS. FRYMIRE: Okay. The answer to your first question is, no, the ratepayers do not pay.

COMMISSIONER MAGGIORE: Okay. And the way, especially as it pertain to RG&E and NYSEG, the way that, Jon, you presented it, it sounded like they did not achieve their goals as a result of poor planning. But is that true, or is it more have -- does it more have to do with the lack of resources that they -- that the utilities might have to invest in? And in that indirect sense, it might redound on ratepayers?

MS. FRYMIRE: Okay. To answer the question for NYSEG and RG&E, I think it is a bit of both.

COMMISSIONER MAGGIORE: Yeah.

MS. FRYMIRE: Department Staff have been working very closely with these Companies to take action to meet these goals going forward. And a lot of that is public in our ongoing rate case with those Companies. In the future, it will take both planning and resources to meet these goals.

COMMISSIONER MAGGIORE: Okay. Thank

you very much. Those are all my questions. I don't have questions on the other two presentations. Thank you.

MS. FRYMIRE: Thank you.

CHAIR CHRISTIAN: Thank you.

Commissioner Bright?

COMMISSIONER BRIGHT: Thank you. And thank you for the presentation. And great to see you guys. And good job on your first presentation in front of the Commission.

So I am going to stay on NYSEG. And just wondering, so it's good to see that the equipment failures accidents have decreased slightly for 2025 for NYSEG. But vegetation management and tree contacts remain an issue. And they've increased every year, it seems like, over the last three years, at least. And if I recall, in our 2024 report, we were concerned about their underspending, even though most recently in a 2023 -- in the 2023 rate order, NYSEG was authorized additional funding for reliability, resiliency, and vegetation management programs. And then, our recent audit that was carried out by NorthStar also pointed out -- pointed to some vegetation management issues among a number

of other things. So I appreciate that we're still working with NYSEG to fix these issues, and meet with them on a regular basis to work with them on this.

But the problem seems to be getting worse a little, but just based on the numbers. And so can you just speak a little bit more about the ongoing efforts that we have with them? But also, are they -- are we looking at learnings from other utilities, even though territories, of course, are very different? But how those ongoing efforts are going, and if they're looking at other utilities and learning from them and their successes?

MS. FRYMIRE: Okay. With regard to vegetation management, specific to NYSEG and RG&E, those Companies are on a six-year cycle. And we have worked and the Companies have worked to get back onto that cycle. For many years they were not. And because of that, there are whole swaths of their territory that need to go and be reclaimed. So we have a few different programs working to try to get back to level for their vegetation management programs. We have the reclamation program. We have veg management. And then, within the vegetation management program, we have both regular trimming.

But then, we also have trees that fall outside of the right-of-way, which we -- we kind of term danger trees, which also need to be addressed.

Over the last few years, these Companies have gone through leadership changes. We are closely tracking that, along with the contracts that the utilities acquire with contractors, to -- to make all of these vegetation management programs work. And so one of the things that Department Staff are doing and -- and monitoring very closely this year, is the new leadership and organization that the Companies have put in place with regard to their vegetation management programs. They have put some new people in. And they're getting more new people to help with this program. And they will be working on the contracts this year as well to move forward for the next few years. So you'll be hearing more about that in the future.

In addition to that, Department Staff have just done a lot of work with the Companies, to not only get our arms around the current status, but also to track what we're doing going forward. And as I stated, a lot of that is in our -- our public testimony on the ongoing rate case with regard to

quarterly tracking and how we're kind of going to oversee this going forward into the future.

And I think that answers your question. But if not, I'm -- I'm here for more.

COMMISSIONER BRIGHT: No. It definitely does.

MS. FRYMIRE: Okay.

COMMISSIONER BRIGHT: So thank you so much.

MS. FRYMIRE: Okay.

COMMISSIONER BRIGHT: And I appreciate all of Staff's work to continue improving in this area.

And no additional questions. So thank you very much.

CHAIR CHRISTIAN: Thank you.

Commissioner Sheehan?

COMMISSIONER SHEEHAN: Thank you, Chair.

Thank you, Rob, Daniel, Jon, Bridget, of course. Great presentations and very thorough. It's an important reminder for how much we rely on a safe, reliable, and resilient electric and gas system.

It's also, I -- and Jon or Rob, I want to say, you're -- I was happy to see that we're -- our stats are improving on damage prevention. It's a reminder to all of us that we are ambassadors for the Call 811 program. This is the program, Call Before You Dig. And I have done this with my own neighbors. So I encourage you to do the same. If someone's putting in a pool, planting a tree, as simple as that, putting in a fence, remind them to call 811. And it's an amazing service that makes sure that everything is marked for you. Gas, obviously importantly, gas, electric, your municipal, everything, telecom. And not enough people, I don't think, really know about it, based on my neighborhood. So just, again, remember that we are, all of us, Department Staff, ambassadors for that program. So I just wanted to use that as a reminder.

And again, thank you everybody for your presentations.

CHAIR CHRISTIAN: Thank you, Commissioner.

Commissioner Valova?

COMMISSIONER VALOVA: Thank you. I echo my colleagues, in saying, thank you for the

great work. And I also echo Commissioner Alesi in thanking everyone involved, including folks out in the field that make compiling this data and keeping our system working possible. Appreciate it.

CHAIR CHRISTIAN: All right. Thank you.

And with that, we will now move on to the consent agenda. Do any Commissioners wish to comment on, or recuse from voting on any items on the consent agenda?

I'll begin with Commissioner Alesi.

COMMISSIONER ALESI: I do not.

CHAIR CHRISTIAN: Commissioner Valesky?

COMMISSIONER VALESKY: No comments or recusals.

CHAIR CHRISTIAN: Thank you.

Commissioner Maggiore?

COMMISSIONER MAGGIORE: No comments. No recusals.

CHAIR CHRISTIAN: Commissioner Bright?

COMMISSIONER BRIGHT: No comments or recusals.

CHAIR CHRISTIAN: Commissioner

Sheehan?

COMMISSIONER SHEEHAN: I don't have any recusals. I did just want to have a -- I had a brief comment on item 264. This is the management operations audit of National Grid Economic -- electric and gas utilities. I just wanted to note it. I think it's an -- one of the most important things we do as a Department and a Commission is to ensure that the -- as we heard just from these folks, is to oversee the operations of our gas and electric utilities. So the audit includes several recommendations for National Grid. They are numerous. And it does direct National Grid to file an implementation plan within thirty days. So I look forward to seeing that implementation plan. And I want to thank the staff and our outside consultant, our outside auditor, NorthStar, for their work on the audit.

And that was it. Thank you.

CHAIR CHRISTIAN: Thank you.

And Commissioner Valova?

COMMISSIONER VALOVA: No comments or recusals.

CHAIR CHRISTIAN: Thank you, all.

I'll now call for a vote. My vote is in favor of the recommendations on the consent agenda.

Commissioner Alesi, how do you vote?

SECRETARY PHILLIPS: Wait. Wait, please. Before you continue. Chair, do you have a recusal?

CHAIR CHRISTIAN: I do have a recusal. Yes. Forgive me. I recuse -- one moment. I'm going to have to check my notes. Thank you for the reminder. Would you be kind enough to remind me the number of the item that we discussed earlier?

SECRETARY PHILLIPS: Yes. Sorry. Yes. Look at 379, Case 25-E-0535.

CHAIR CHRISTIAN: Thank you.

So I will be recusing from item 379, related to a submetering petition for Columbia University. That will be my recusal.

Thank you for the reminder.

SECRETARY PHILLIPS: Okay. And your vote on everything else?

CHAIR CHRISTIAN: Oh. We're doing the vote now.

SECRETARY PHILLIPS: Just to, you --

CHAIR CHRISTIAN: Yeah. Yeah.

SECRETARY PHILLIPS: -- were doing the vote.

CHAIR CHRISTIAN: Right.

SECRETARY PHILLIPS: So I just want to confirm.

CHAIR CHRISTIAN: Yeah. I know. We -- we've had an interesting day today. So I'm going to go back. I'll start the vote. Move forward. Okay. All right.

So with that recusal, my vote is in favor of the recommendations on the remainder of the consent agenda.

Commissioner Alesi, how do you vote?

COMMISSIONER ALESI: Yes on all items.

CHAIR CHRISTIAN: Thank you.

Commissioner Valesky?

COMMISSIONER VALESKY: Yes on all items.

CHAIR CHRISTIAN: Thank you.

Commissioner Maggiore?

COMMISSIONER MAGGIORE: Yes on all items.

CHAIR CHRISTIAN: Thank you.

Commissioner Bright?

COMMISSIONER BRIGHT: Yes on all items.

CHAIR CHRISTIAN: Thank you.

Commissioner Sheehan?

COMMISSIONER SHEEHAN: Yes on all items.

CHAIR CHRISTIAN: Thank you.

Commissioner Valova?

COMMISSIONER VALOVA: Yes on all items.

CHAIR CHRISTIAN: Thank you.

The items are approved. And the recommendations are adopted.

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

SECRETARY PHILLIPS: There is nothing further.

CHAIR CHRISTIAN: Great. Thank you very much.

And with that, I adjourn today's meeting. Thank you, everyone.

(The hearing concluded at 12:10 p.m.)

6/11/2026 - NYS Public Service Commission

STATE OF NEW YORK

I, WINSTON IDADA, do hereby certify that the foregoing was reported by me, in the cause, at the time and place, as stated in the caption hereto, at Page 1 hereof; that the foregoing typewritten transcription consisting of pages 1 through 82, is a true record of all proceedings had at the hearing.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 16th day of June, 2026.

WINSTON IDADA, Reporter

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