

## **NYSDEC/NYSRC Agenda – January 9, 2024, at 9am – Meeting Summary**

- **2025 Legislative Session - Rad**
  - **Brief Summary** – beginning of a new legislative two-year cycle. Prior legislation must be reintroduced. To date, no legislation has been introduced which impacts reliability. The State of the State Address is scheduled for January 14, 2025.
  - **Climate Superfund Act** – The Governor signed the legislation in late December 2024, with a Chapter Amendment having been introduced. The legislation deals with extraction and refining of fossil fuels. Fees will be levied against responsible parties. Under the Chapter Amendment, the total fees are expected to be approximately \$75 billion. The NYSDEC must create the applicable regulation over the next 30 months. This item will be monitored, and a future decision will be made as to whether to include it on future agendas.
  
- **CO2 Programs – Mike Sheehan**
  - **Status of NYSDEC Cap & Invest Regulatory Process** – Mike Sheehan – ASAP – staff has completed a package to forward for final Executive Level review. Possible public pre-release in the next couple of weeks. It is expected to have a 2–3-week introductory period before any Draft Expressed Terms is released.
  - **Status of RGGI Program Re-Evaluation Process** – Mike Sheehan – The Agency Heads are working toward a final recommended version. NY Generation Sector is expected to remain in RGGI in the near term.
  
- **NYSDEC Update – Mike, Ona, Bob**
  - **EPA Revisions to the Air Emissions Reporting Requirements** – Mike – no update.
  - **EPA Cross State Air Pollution Rule (CSAPR 3)** – Mike – All generators in Group 2 received their information. The final conversion needs to be completed.
  - **DEC Application IDs: 3-1326-00211/00001 (Dover Compressor Station); 4-1922-00049/00004 (Athens Compressor Station)** – Mike – no update.

- **EPA Methane Regulations** – NYSDEC Staff – Ona. – No major update. Noting that when a new administration took office in 2016 there were several stays on the quad O regulations, so this may be something to keep an eye on.
  - **Part 218 Status** – Mike – New York continues to discuss with California. This area is also subject to change with the recent federal result.
  - **Tank Painting Enforcement Discretion** – List of Terms – Status Update – The Department extended this for one year.
- **NYISO Update – James Sweeney**
    - **NYC PPTN Status Update** – This continues to be a work in progress. NYISO completed its viability and sufficiency review in October 2024. Following a review of the viable and sufficient projects, a final project recommendation is estimated to occur in Q4 2025.
    - **Interregional Transmission Planning Update** – IPSAC meeting held in December 2024. Updates were provided for each ISO/RTO. Meeting materials are available at <https://www.iso-ne.com/committees/planning/ipsac>.
    - **Demand Curve Reset 2025-2029 Update** – initial filing made in late November 2024. Numerous stakeholders submitted filings both in support and opposed to the initial filing. NYISO filed an additional filing in early January 2025. A FERC decision was requested by January 28, 2025, such that NYISO can facilitate completion of required activities in advance of upcoming capacity auctions for the 2025 Summer Capability Period.
- **NYSERDA Update – Chris Hall**
    - **State Energy Planning Process** – General Update – Scoping Plan comments were due on December 16. The State Energy Planning Board is expected to decide on the scope in the 1Q 2025.
- **NYSRC Update – Chris Wentlent**
    - **The NYSRC approved an IRM of 24.4%**. The Report, Appendix, and final motion have been filed at FERC and the NYSPSC.
    - **The ICS has kicked off the next IRM cycle** in January. Several important issues will be natural gas availability, behind the meter solar, and ELRs.

- **The next NYSRC Executive Committee Meeting** is January 15.
- All materials are posted on the NYSRC website.
- **NYSPSC Staff Regulatory Update** – Jerry Mathew
  - **New Grid of the Future Proceeding** – 24-E-0165 – no activity.
  - **Energy Storage Proceeding** – 18-E-0130. The NYSPSC issued an order on November 19, approved a new “fixed, published price” procurement mechanism for utilities to obtain procurements for its’ Term-Dynamic Load Management (DLM) and Auto-DLM programs. Originally proposed by the utilities due to low participation from sealed-bid, pay-as-bid method. Allows for better visibility on potential revenue for customers.
  - **Clean Energy Standard** - 15-E-0302
    - **Zero Emissions Resource Proceeding – Clean Path NY/NYPA Petition Update** – On November 27, the developers and NYSERDA issued a public announcement that the contract was terminated. In late December, NYPA filed a petition requesting accelerated siting provisions, and the ability to take over the CPNY HVDC Transmission aspect of the project. NYPA wants an expedited decision so they can continue the interconnection, equipment procurements, and other aspects of the project. The Petition outlined that it would assist the state in realizing CLCPA targets, decarbonizing New York City, and provide relief for expected reliability issues identified in the recent Reliability Needs Assessment (RNA). The Petition will be subject to stakeholder comments.
    - **NYSERDA Budget** – the NYSPSC issued an order granting the NYSERDA proposed funding. It is an approximate 8-10% increase.
  - **Electric Vehicle Proceeding** – 18-E-0138. Electrify America submitted a Petition regarding Make Ready program incentive eligibility for eight sites. NYPA submitted a petition regarding their Make Ready EV requirement be extended. They originally were required to dedicate \$15M for approximate ninety sites. Due to COVID and other reasons; they requested an extension. The NYSPSC issued an order granting the extension.
  - **Offshore Wind Proceeding** – 18-E-0071. No activity.
  - **PSC’s Transmission Planning Proceeding** – 20-E-0197 – On November 19, the NYSPSC issued an order regarding Headroom

requirements for each IOU. The Order approved the October 1, 2025, Reporting date for Phase 1/Phase 2 projects.

- **Q – will the recent SF6 Regulations promulgated by the NYSDEC be incorporated into the planning process?**
  - The Utilities are required to include all prevailing regulations in their transmission plans/evaluation in the CGPP. To the extent that Part 495 SF6 regulations impact a transmission project’s schedule and/or costs, those should be reflected in the utilities’ project construction schedule and costs estimates presented to the Commission.
- **Matter of the Advancement of Distributed Solar - 21-E-0629 –** no updates.
- **NYSDEC – Other Regulatory – Bob B**
  - **Department staff continue developing SIPs for the 2008 and 2015 ozone standards.** The so called “Five Element” SIP revision for the 2015 ozone standard (moderate classification) will be submitted to EPA soon.
  - **Public outreach for 6 NYCRR 482-3, Ozone Nonattainment Fee Programs,** may occur as soon as Spring 2025. This regulation will satisfy Clean Air Act section 185 requirements for the New York City metropolitan nonattainment area for the 2008 ozone standard (“severe” classification).
  - **Department Staff continues to work on the attainment demonstration for St. Lawrence County** for the 2010 SO<sub>2</sub> standard.
  - **NYSDEC recently submitted “40 CFR 51.1205(b) Report;** Albany, Bronx, Erie, Kings, New York, Niagara, Orange, Queens, Richmond, and Suffolk Counties; Sulfur Dioxide 2010 Primary National Ambient Air Quality Standard; November 2024” to EPA. It addresses EPA’s Data Requirements Rule for the 2010 SO<sub>2</sub> standard. The report can be found at:  
<https://dec.ny.gov/sites/default/files/2024-11/sipso22010.pdf>.
- **New Business – no new business.**
- **Next Call – Thursday, March 6 at 9am.**