

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

John B. Rhodes
Chair of the Commission
New York State Public Service Commission
Empire State Plaza
Agency Building 3
Albany, NY 12223-1350

August 6, 2018

Dear Governor Cuomo and Chair Rhodes:

We, the undersigned organizations, representing tens of thousands of New Yorkers, urge you to ensure all people living in New York have the option to accelerate the transition to 100% renewable energy, as promised by former Chair of the Public Service Commission Audrey Zibelman and by you in your 2017 State of the State address on Long Island.

August 1 marked the two-year anniversary of the decision to enact a “Clean Energy Standard.” That policy, while moving New York toward its commitment of 50% renewable energy by 2030, has already forced those who are opposed to nuclear power to contribute to approximately \$643 million in subsidies to prop up uneconomical, dirty, and dangerous nuclear reactors. The policy also creates a situation in which those who choose to purchase 100% clean renewable energy could see their investments used to lower the renewable energy obligations of utility companies instead of contributing to additional renewable energy production above the State’s targets.

We ask for the right for all New Yorkers to use our buying power to bring about a carbon-free and nuclear-free energy system. New Yorkers who wish to purchase 100% renewable energy should be able to do so in a way that pushes the State further and faster toward a phase-out of all polluting and dangerous fuels, including fossil fuels, nuclear, garbage incineration, and woody biomass. Furthermore, New Yorkers should not be forced to buy nuclear power or support aging reactors via charges on their utility bills if they are willing to buy 100% renewable energy.

On August 1, 2016, then Public Service Commission Chair Audrey Zibelman stated that, as a follow-up to the Clean Energy Standard Order, the agency would explore an option to give utility customers the choice to buy certified “100% New York Green” energy:

“We are going to look at and have asked staff to look at the development of a product that is 100% renewable, 100% produced in New York, and 100% committed to helping us beat our goal. And if it does

that, then I think it's fair to say to those customers, if you truly don't want to buy nuclear, we will allow you not to be required to contribute to that program.... We are asking staff to look at that and we will see how we can make that happen.”

On the two-year anniversary of the "100% New York Green" energy option statement, our organizations urge you to:

- Immediately direct the Public Service Commission to create a renewable power only opt-in program. Give all New York customers the choice to purchase a 100% renewable energy product and opt out of the Zero Emission Credits (ZEC) program. This option should apply not just to individual consumers but also to municipalities that have adopted Community Choice Aggregation (CCAs). The customers of CCAs that purchase 100% clean renewable energy should not be obligated to pay for nuclear bailouts on top of their CCA payments.
- Eliminate Customer Disincentives. For the opt-in option to be a meaningful choice for customers, it is necessary that when customers purchase the 100% New York renewable energy option, their obligations to buy ZECs are not shifted onto other customers. Instead, these obligations must be permanently retired, thereby reducing the total number of ZECs and the total cost for all ratepayers. Similarly, it is important that when customers choose to buy additional renewable energy above and beyond the Clean Energy Standard targets, there should be no reduction in the renewable energy targets that utilities have to meet through their own purchases. Today's uneven rules, particularly those allowing utilities, rather than customers, to claim the Renewable Energy Credits from Community Solar generation, decrease the incentive for customers to invest in renewable energy when the impacts of their purchases are cancelled out through lower utility obligations.
- Direct NYPA to create a 100% renewable municipal program. NYPA can play a key role in providing communities and municipalities the choice to purchase a 100% renewable energy product and/or enter into contracts with municipalities to be a CCA provider. Expand NYPA's authority to all municipalities, and give them and the municipalities NYPA already serves the option to purchase a 100% renewable energy product and/or enter into a CCA program.

There are tens of thousands of New Yorkers eager to choose 100% carbon-free and nuclear-free energy because they want to accelerate New York's transition to a renewable energy system. We thank you for the steps you have taken to ensure utilities meet the State's renewable energy goals, and we urge you to work swiftly to fulfill the promise of a 100% clean renewable energy option for all New Yorkers.

Sincerely,

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350NYC

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Beyond Nuclear

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Big Reuse

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Coalition to Protect New York
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