



*April
2024*

6652 Hammersmith Drive
East Syracuse, NY 13057

Phone: (315) 453-7851

Fax: (315) 453-7849

Email: info@meua.org

Website: www.meua.org

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2023-2024

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To foster and advance the efficient operation of publicly owned and operated electric systems, including the production, distribution, conservation and prudent use of electric power and energy for public service for the mutual benefit of all members.

Municipal Electric Utilities Association of NYS

News and Views



Visitors from near and far flocked to the Village of Tupper Lake to experience the eclipse totality on April 8, 2024.

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Municipal Members

*Akron-Andover-Angelica-Arcade-Bath-Bergen-Boonville-
Brocton-Castile-Churchville-Endicott-Fairport-Frankfort-Greene-
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Plattsburgh-Richmondville-Rouses Point-Salamanca-Silver
Springs-Skaneateles-Solvay-Spencerport-Springville-Theresa-
Tupper Lake-Watkins Glen-Wellsville-Westfield*



Executive Director's Report

Greetings Everyone, April began with the excitement surrounding the solar eclipse. We had totality here at the MEUA offices in East Syracuse, but clouds obscured much of the celestial display. In

some of our north country communities like Tupper Lake, however, the clouds held off and folks were treated to the full splendor of the occasion.

From the eclipse we moved on to the drama of the New York State budget process. Please read on to John Jennings' report on the final budget agreement and stay tuned for possible additional legislation affecting electric utilities in the final weeks of this legislative session. We will let you know of any additional legislation that may affect your systems or customers.

Last month, Chris Wentlent and I attended the New York Independent System Operator (NYISO) 2024 Public Power / Environmental Parties Stakeholder Sector Meeting in Troy. This is part of the NYISO's ongoing mission to hear perspectives from all parties that have a stake in the operation of New York State's power grid and power markets. It is not an easy task, to say the least. Balancing the priorities of renewable energy developers working to achieve CLCPA goals with the need for continuing 24/7 system reliability is a continuing challenge for the NYISO. We appreciate all the hard and good work that Rich Dewey and everyone at the NYISO perform every day.

Later in this edition there is some information on funding opportunities for replacing heavy trucks with zero emissions vehicles as well as the recently released Technical Assistance Funding to Develop Grid Modernization Projects (PON 5737). NYSERDA offered a webinar on this program recently that many of you probably attended. At our upcoming semi-annual meeting on May 22nd, we, along with Lindsay Holle, NYPA Manager of Key

Accounts, will be presenting further information on this program and possible means of providing assistance to you in the application process.

Speaking of the semi-annual meeting, I sincerely hope you can all attend. In addition to the topics I just mentioned, Emily Alkiewicz, NYPA Director of Power Contracts & Tariffs, will be presenting an overview of NYPA's Industrial Economic Development Program, and Ryan Grieco, NYPA Key Account Executive, will be discussing the Municipal Alternative Vehicle Program, which has been widely utilized by our members in the past, but may be new to many of you.

In addition to those presentations, our knowledgeable consultants, Jay Brew, Chris Wentlent and Ken Podolny, will inform you on New York's planned Cap and Invest Program We will also be holding important votes on the amendment of the MEUA bylaws and the IEEP bylaws. If you can't attend and would like more information on the bylaws amendments to guide your designated proxy, please give me a call at the MEUA office and I will be glad to take whatever time is needed to bring you up to speed.



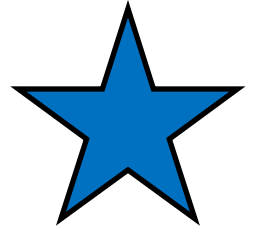
For those of you who celebrate it, I wish you the best during Passover. To all, enjoy the continually warming weather and the wonders and beauty of the Spring season.

Take care,

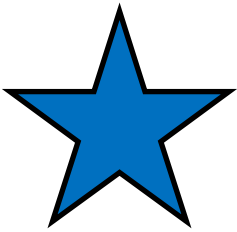
Jim



Congratulations to the March 2024



Engineering and Accounting & Finance Workshops



Raffle Winners!



Jeff Gordon (Wellsville) - Lawn Chair from Green Mountain Electric Supply



Chris Carr (Fairport) - Tools from Hanes Supply



Ryan Stisser (Wellsville) - Gift Basket from GoTToGo Electric



Ryan Stisser (Wellsville) - Tools from Milwaukee Tools



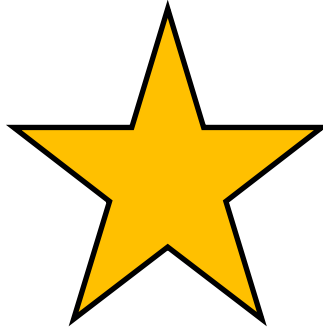
Dakota Browning (Hamilton) - Yeti Cooler from The Okonite Company



Nancy Niswender (Groton) - Gift Basket from HasGo Power Equipment Sales



Tim Reichard (Hamilton) - Tools from Milwaukee Tools



Drew Caldwell (Spencerport) - Fishing Gear from Core & Main



Lamont McMillian (Holley) - Cooler from MEUA



Karen Carr (Spencerport) - Bucket Truck Caddy from Black & McDonald



Justin Kent (Arcade) - Cooler from MEUA



Tom Posella (Skaneateles) - Cooler from MEUA



Ioannis Prodromou (Penn Yan) - Cooler from MEUA



NYISO Update Chris Wentlent

Federal & New York State Agency – Leadership Vacancies

Recently, the Federal Energy Regulatory Commission (FERC),

New York State Public Service Commission (NYSPSC), New York State Department of Environmental Conservation (NYSDEC) and Long Island Power Authority (LIPA) had key leaders either announce their decision to step down, or had an existing term expired. Currently, FERC has three commissioner vacancies, or 60% of their normal Commission quorum that must be filled through Congressional approval. The New York State Public Service Commission also has three commissioner vacancies. Commissioner Burman and Howard's term either expired or is set to expire, and Commissioner Edwards recently left the NYSPSC to accept a position in the private sector, more recently she was appointed to a Board of Trustees position at the Long Island Power Authority. Similar to the federal level, any new commission nominees at the NYSPSC must be approved by the New York Senate. Finally, both NYSDCE Commissioner Basil Seggos and LIPA CEO Tom Falcone announced their resignations. No successors have been named for either upcoming vacancy.

New York State is at a critical crossroads in its Clean Energy Transition. Filling these leadership voids with qualified individuals that will balance the clean energy transition, affordability, public safety, and overall system reliability will be important to maintain quality energy, environmental and economic progress in New York State for the next several decades. Each decision made going forward is important to each New Yorker as ultimately New York consumers bear the cost and consequences of each decision.

New York Climate Action Council

The **NYSDEC/NYSERDA** released the second stage of engagement on December 21. The package of materials included a New York Cap and Invest (NYCI Program) Pre-Proposal Outline, and three webinars were held on January 23, 25 and 26.

Comments on the Pre-Proposal Outline are informally required by March 1, 2024. MEUA is currently considering whether to submit comments. Several major items in the Pre-proposal Outline include exempting the electric generation from the New York Cap and Invest Program and instead have the sector remain in RGGI, a consignment provision for utility customers to receive an affordability rebate through the sale of CO2 allowances, special permit requirements for facilities located in or near disadvantaged communities, specific recommendations about banking, treatment of the cost containment reserve, emergency containment reserve, inflation rates for allowances, and planned treatment of Energy Intensive Trade Exposed (EITE) industries.

MEUA filed comments on March 1, 2024. Our comments supported the exclusion of the electric sector from the planned NYCI Program because it would increase end use consumer costs and dampen response to electrification in the building and transportation sectors. For information, building and transportation are the two highest greenhouse gas emitting sectors in New York State. Secondly, we supported a proposed Utility Consignment provision which would allocate allowances to utilities for the expressed purpose of creating programs that will benefit their customers. We suggested the consignment allow flexibility to tailor the programs to specific local needs. Finally, we supported a conservative allowance slope during the front years of the program and multiple recommendations about how the allowance auction program should be structured to ensure consumers are not harmed financially, and compliance entities are able to meet compliance requirements. Recently, the state of Washington introduced a similar program which resulted in extremely high allowance pricing which ultimately impacted consumer affordability.

All comments submitted can be viewed at:
<https://www.commentmanagement.com/comment/list/Cap-and-Invest>.



**Albany Update: John Jennings
Harter Secrest &
Emery LLP**

The Governor and the Legislature came to a final agreement on budget legislation last week - three weeks past the

commencement of the new fiscal year on April 1st. Five budget extenders were passed to keep the government running while the final budget bills were negotiated. In the end, the final spending level for the FY 24-25 budget is \$237 billion - a \$4 billion increase from the Governor's initial budget proposal, and an \$8 billion increase over last year.

Adding an additional layer of uncertainty to the end of the budget process was an apparent cyberattack targeting the Legislative Bill Drafting Commission last Wednesday. Thankfully, the Commission was able to adjust, and the attack ended up making only a minor impact on printing the final budget. First, we will address the status of issues of interest to our industry, and then we will provide a broader overview of other policy issues contained in the budget.

As usual, the budget included some policies related to energy and utilities, but it was more modest than in past years. The final budget included the following:

- Amendments to the state's Renewable Action Through Project Interconnection and Deployment (RAPID) Act (S8308C/A8808C Part O);
- Clean-Air Compliance and Pollution Reduction Fees (S8308C/A8808C Part T);
- Creation of a Residential Energy Storage Tax Credit (S8308C/A8808C Part PP);
- Requiring NYSERDA to conduct a highway and depot charging needs evaluation (S8308C/A8808C Part QQ); and

- Authorization of transportation aid for zero-emission school buses and the establishment of a NYS Zero-Emission Bus Resource Center in NYSERDA to assist school districts in bus transition (S8306C/A8806C Part A).

The following legislative proposals were **not included** in the adopted budget, **but may be considered during the remainder of the legislative session**:

- The Governor's Affordable Gas Transition Act and the Senate's NY HEAT Act, which would have restricted the future of natural gas use in NY under the requirements of the CLCPA (i.e., repeal of 100 ft rule, limit on utility charges, HEAT Act's removal of obligation to serve to limit gas growth, etc.);
- The Senate's "Climate Change Superfund Act" that requires fossil fuel companies that have contributed to the buildup of climate-warming GHGs to bear the costs of infrastructure investments;
- The proposed statewide conversion of public transit bus fleets to electricity;
- A new residential solar tax credit and a new geothermal system tax credit;
- The required use of renewable energy at state-owned facilities at the Albany Empire State Plaza Complex; and
- The creation of an energy affordability program for eligible low-income residential electric customers.

As you know, the State budget includes a significant amount of policy initiatives affecting the lives of all New Yorkers. Here were a few of the more significant matters addressed in the final budget:

Housing

Housing was one of the most contentious issues in this year's budget. The final budget includes new eviction protections for some renters, based in part on the "good cause eviction" proposal. These protections prohibit eviction without a bona fide reason, such as nonpayment of rent. However, this law will only apply to New York City residents and in other municipalities that opt in to the program. Additionally, the final budget included a revamped version of the property tax credit for

housing developers in New York City to spur new affordable housing.

Education

The Governor's executive budget would have made drastic changes to the school Foundation Aid formula. This proposal would have reduced funding for half of the districts in New York. However, the Governor and Legislature agreed to hold off on updating the formula until next year, and the Rockefeller Institute will conduct a study in the meantime to help provide guidance.

Cannabis Enforcement

Although last year's budget included increases on fines for sales of unlicensed cannabis, this year's budget contains further policies to combat illegal sales. Under the new language, municipalities and the Office of Cannabis Management will have additional enforcement powers and be able to close unlicensed cannabis shops. Further, landlords that are informed that their tenants are selling cannabis illegally must institute eviction proceedings, or face fines for up to five times the amount of rent being charged.

Health Care

The final budget included changes to the popular home care Consumer Directed Personal Assistance Program. Under the changes, there will be only one fiscal intermediary to serve the entire state. This is intended to reduce fraud and save the state money. However, home care advocates and providers have fiercely opposed the change. The final budget also increases the Medicaid reimbursement rate for hospitals and nursing homes by \$525 million and \$285 million, respectively. Finally, the budget included a somewhat novel tax on Medicaid Managed Care organizations to generate additional revenue.

Retail Theft and Hate Crimes

The final budget increased the penalty for assaulting retail workers to a Class E felony. Further, the budget creates a Class A misdemeanor for the crime of fostering the sale of stolen goods. In addition, the list of offenses that may be charged as hate crimes will expand to include gang assaults and numerous sexual assaults.

Conclusion

With the budget completed, the Legislature will take a two-week break and return to session on Monday, May 6. The last scheduled day of the session is Thursday, June 6, and there is a lot of work to be accomplished between now and then. The next few weeks will be extremely busy, and we will be in touch about next steps regarding your legislative priorities. Please let us know if you have any questions.

Funding Opportunities

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)

TITLE: Clean Heavy-Duty Vehicles Grants

ANNOUNCEMENT TYPE: Request for Applications (RFA)

FUNDING OPPORTUNITY NUMBER: EPA-R-OAR-CHDV-24-06

ASSISTANCE LISTING NUMBER: 66.049

IMPORTANT DATES:

Wednesday, April 24, 2024 - Notice of Funding Opportunity (NOFO) Opens

Tuesday, April 30, 2024 - Information Session

Monday, July 8, 2024 - Final Date to Submit Questions

Thursday, July 25, 2024 - NOFO Closes – Application Deadline

November 2024 - Anticipated Notification of Selection

December 2024 - Anticipated Awards

Application packages must be submitted electronically to the EPA through Grants.gov (www.grants.gov) no later than Thursday, July 25, 2024, at 11:59 p.m. Eastern Time (ET) in order to be considered for funding.

Applicants are encouraged to review the Questions and Answers document posted at the Clean Heavy-Duty Vehicles Program webpage for further clarification of this NOFO.

Technical Assistance Funding to Develop Grid Modernization Projects (PON 5737)

This contracting action is the first step in a two-step solicitation process to administer \$3.5 million of cost share provided by NYSERDA - sourced through the Regional Greenhouse Gas Initiative. New York was one of nine states and five tribal nations that were awarded a combined total of \$125 million last November as the seventh cohort of *Preventing Outages and Enhancing the Resilience of the Electric Grid Grant*.

NYSERDA anticipates using the cost share as Step 1 in the solicitation process to provide technical assistance and fund implementation projects to eligible applicants. Each MUNI, COOP or any small grid operator within the State of New York that sells less than 4,000,000 MWh electricity annually will be eligible to receive an award of up to \$200,000 towards technical assistance and/or implementation of eligible projects that do not exceed the maximum award amount. Providing this funding for technical assistance and implementation is critical to leveling the playing field so that all eligible applicants regardless of size or budget will be able to apply.

For those who choose to utilize some or all of the funding for implementation, intended projects must fall under one of the DOE approved project types listed:

- Adaptive protection technologies
- Advanced modeling technologies
- Hardening of power lines, facilities, substations, or other systems
- Monitoring and control technologies
- Relocation of power lines or reconductoring of power lines with low-sag, advanced conductors
- Replacement of old overhead conductors & underground cables
- Use or construction of DERs for enhancing system adaptive capacity during disruptive events, including microgrids and battery-storage subcomponents
- Weatherization technologies and equipment

The funding will be available on a first-come, first-served basis until funds have been exhausted with a *one-time maximum award of up to \$200,000 per applicant*.

Applicants will be required to directly procure any contractors needed for technical services which may include engineering, economics, grant application, and project implementation services. Those who choose to utilize the funding for technical assistance can decide to use the information generated by the technical consultant to apply to the Step two implementation funds in this grant cycle or hold off to subsequent years.

Eligible entities are open to apply or not for the step one technical assistance, and application and/or award of technical assistance does not guarantee award for federal implementation funds and vice-versa.

2024 MEUA EVENT CALENDAR

SEMI-ANNUAL MEETING

May 21-22, 2024

Embassy Suites by Hilton Destiny USA, Syracuse

MEUA ANNUAL CONFERENCE

October 1-3, 2024

Hotel Canandaigua, Canandaigua

FALL ACCOUNTING & FINANCE WORKSHOP

November 6-7, 2024

Embassy Suites by Hilton Destiny USA, Syracuse

FALL ENGINEERING WORKSHOP

November 6-7, 2024

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