

nyecc

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BOARD MEETING MINUTES

Wednesday, June 9th, 2021 – 8:30 AM

VIDEO CONFERENCE CALL

Attendees: Andy Anderson, Daniel Avery, David F. Bomke, John Bowen, Michael Byrnes, Dominick Chirico, George Diamantopoulos (*Counsel*), Matt Duthie, Daniel Egan, John Ferrante, Brian Flaherty, Michael Forese, Lauren Brust Moss, John Pierce, Luis Rios, Alec Saltikoff, Phil Skalaski, Edward Strauss, Diana Sweeney, Sheila Sweeney and Ben Wallack.

Absent: Henry Celestino, Jonathan Flaherty, Avi Itzikowitz, Jason McCalla, Adin Meir, Daniel Palino, John Soden, and Zach Steinberg.

Guests: David Ahrens, Joe Cassissa, Mat Chamish, H.G. Chissell, Adam Courtney, Tom Damsell, Jennifer Kearney, Corey Letcher, Stephanie Margolis, Charlie Marino, Robert Meier, Steve Mosto, Michael Prefi, Lou Schoen, Larry Skennion, Doug Staker, Joe Szabo, Indrajeet Viswanathan and Jeff Wall.

CALL TO ORDER

Phil Skalaski / Daniel Egan

Daniel Egan called the June 2021 Board Video Conference Call Meeting to order at 8:31 AM.

APPROVAL OF MINUTES

Phil Skalaski / Daniel Egan

Daniel Egan requested review of the May 2021 Board Meeting minutes. The minutes were moved for approval by David Bomke, seconded by Jonathan Flaherty and unanimously approved.

TREASURER REPORT

Ed Strauss

The Chase Checking Account balance is \$195,577. The CIT Savings balance is \$304,266. It may be time to transfer additional money from Chase to CIT.

CO-PRESIDENT REPORT

Phil Skalaski / Dan Egan

▪ Member Check-In

Many property owners are expecting increased return to work after Labor Day. Discussions are being had around potential vaccination requirements and procedures as well as masks in common areas. Paramount Group, Brookfield Properties and Silverstein Properties are all currently seeing occupancy rates between 15%-20%. Some tenants have reached out to install UV Lights and other improvements to their spaces.

▪ Gas Ban Legislation

NYC Council has introduced a new gas ban in all new buildings leading to full electrification including no gas cooking. A coalition including BOMA, REBNY, BEEX and more are working on this issue and may work with select environmental groups. Some kind of legislation is inevitable, so the goal is to make the legislation workable. The new NYC Mayor and elections will impact the process and timeline.

The Durst Organization is working on a potential study regarding electrification and the long-range plans for the grid.

- Invoice Approvals

Phil Skalaski requested review of the May NYECC invoices from EnergyWatch and 3 Point Energy. The invoices were moved for approval by David Bomke, seconded by Daniel Avery and unanimously approved.

EXECUTIVE VICE-PRESIDENT REPORT

Lauren Brust Moss

- Energy New York Awards 2021

The ENYA Invite has been sent out for the event on June 23rd. Ruth Kent of Brookfield Asset Management is the keynote and JPMorgan Chase & Co. is the sponsor. There are many great nominees and videos and interviews for the ENYA Award and JEDI Award. NYECC members can receive free tickets, while nonmember tickets are \$25 and young professional tickets are \$15.

EXECUTIVE DIRECTOR REPORT

Diana Sweeney

- Regulatory Update Format

Moving forward, the regulatory update will be distributed two days before the Board Meeting. All are asked to read in advance so that there can be a discussion at the meetings.

- Steering Committee

The Steering Committee is meeting on June 14th and will report back to the Board.

REGULATORY UPDATE

George Diamantopoulos

*New York Energy Consumers Council, Board Members' Meeting, Wednesday, June 9, 2021
Presenter: George Diamantopoulos, Esq., Counsel to the NYECC*

Energy News

- 5/13/21 – 21-M-0193 - A PSC Order has initiated a comprehensive management and operations audit of electric and gas operations at Con Edison and O&R. An RFP will be issued for an independent auditor who is expected to be selected by the PSC in its September session with completion of the audit by August 2022 (which is prior to the completion of the next Con Edison electric and gas rate cases). The last comprehensive management audit for Con Edison was in Case 14-M-0001. Con Edison is still undergoing an operations audit in Case 18-M-0013 to verify the existence of alleged accounting errors related to income tax accounting rules, tax rules and PSC policies.
- 5/13/21 – Peak load this summer is forecast to be 32,327 MW, slightly higher than last year's forecasted peak of 32,296 MW; the 2020 actual peak

was 30,660 MW on July 27. New York State's record peak load of 33,955 MW was set in the summer of 2013.

o Because of energy efficiency and system improvements, the current peak forecast for 2026 is about 2,000 MW less than its 2016 forecast. By 2031, the combined effect of the energy efficiency and demand reduction programs is projected to help lower the peak demand by over 6,000 MWs.

o A 2,000 MW decrease in peak demand is the equivalent of the electricity generated by several large power plants, enough to supply approximately 1.75 million average-size homes. Reducing the amount of electricity that's consumed daily and during the hottest days of summer provides significant benefits to consumers and the environment.

o On April 30, 2021, Indian Point 3 officially ceased operations, retiring the last remaining nuclear generating unit at the Buchanan facility. The long-planned retirement of the Indian Point nuclear facility will not have an impact on the State's electric reliability. While the retirement of Indian Point 3 will lead to temporary changes in the State's generation resource mix, New York's climate policies ensure that the power sector remains below the 10-state regional carbon emissions cap, while New York continues to bring online new renewable energy and energy efficiency resources that are on track to exceed the statewide targets of 70 percent renewables by 2030 and zero emissions by 2040

- 5/21/21 - The U.S. Energy Department expects comments on a preliminary analysis regarding energy efficiency improvements in commercial buildings. Under the Energy Conservation and Production Act, whenever the "ANSI/ASHRAE/IESNA Standard 90.1-1989" is revised, the department must determine whether the revision would improve efficiency. An affirmative determination would require each state to update the provision of its commercial building code. Also, an executive order issued by President Biden in January directed the department to publish a notice on the final technical determination regarding the ASHRAE Standard 90.1-2019 by May 2021. The preliminary analysis, which quantifies the expected savings associated with the 2019 standard relative to the 2016 version, indicates national savings of 4.3 percent in energy costs and 4.2 percent in carbon emissions. By updating their codes to reflect current construction standards, states are expected to experience significant benefits including \$2.24 billion in annual energy cost savings and 17.57 MMT in annual avoided emissions.
- 5/20/21 – NYSERDA is reviewing 7 projects with 35 alternative configurations to bring upstate clean power to NYC.
 - o Excelsior Connect project would transmit 1,200 MW through an HVDC line;
 - o Clean Path New York would bring 1.3 GW of renewables over an HVDC line;
 - o The tier-four Connector is designed to integrate with and leverage the existing AC transmission system to facilitate more renewable upstate energy transfers;

- o ConnectGen NY Solar working with Champlain Hudson Power Express to connect 3 in state solar projects totaling 720 MW in the tier-four bidding;
- o Catskills Renewables Connector to build a 1,200 MW HVDC line.
- 6/1-2/21 – FERC Climate Change Technical Conference - the threat to electric system reliability.

Con Edison Rate Cases

- 4/15/21 - 19-E-0065 – The PSC approved an \$800M Con Edison request to recover the costs of investing in three transmission projects (the Rainey to Corona project, the Gowanus to Greenwood project, and the Goethals to Greenwood project). The PSC authorized a surcharge to recover the projects’ carrying costs (through the Monthly Adjustment Clause) after they are placed into service and until such costs are reflected in base rates in the next rate case. Con Edison tariff filing indicates a pending status. The PSC determined that cost recovery of the projects is initially the responsibility of Con Edison’s delivery customers, including the New York Power Authority (NYPA) delivery customers. The Order rejected the request to implement a halting mechanism (recovery of costs if construction is halted) and did not determine whether to include such costs in the CLCPA cost tracker. Because the projects will have climate change benefits statewide, the allocation and sharing of these projects’ costs will be evaluated and considered in future PSC Orders. The projects are needed for reliability in 2023 and 2025 and to address deficiencies in two of Con Edison’s transmission load areas because of the retirement or unavailability of older, higher air polluting power plants that generate power at peak electricity demand.
- 7/27/21 – Virtual meeting to discuss Con Edison’s Study on Depreciation and Climate Change

National Grid Rate Cases

- 5/14/21 – 19-G-0309, 19-G-0310, and 18-M-0270 – Joint Proposal filed for the 3 year period from 4/1/20 – 3/31/23 after nearly a year of settlement discussions. There is a 0% increase in RY1 for both KEDNY and KEDLI, and a 2% total revenue increase for KEDNY in RYs 2 and 3 (\$40.61M and \$41.87M more in rev. requirement.) and a 1.8% total revenue increase for KEDLI in RYs 2 and 3 (\$23.34M and \$24.91M more in rev. requirement.). Revenue allocation for the increases in RYs 2 and 3 are located in the Appendices to the Joint Proposal.
- 5/24/21 – The revised procedural ruling issued reflects the following deadlines:
 - o 6/2/21 - Statements in Support and in Opposition to the JP – (e.g. NYC is opposed);
 - o 6/9/21 – Public Statement Hearings for Comments
 - o 6/14/21 – Statements in Reply to Statements in Support and in Opposition;
 - o 6/16/21 – Consensus Submissions; 6/17/21 – Virtual Procedural Conference;

o 6/21/21 – Virtual Evidentiary Hearing.

Summary of the 5/17/21 DOE’s A National Roadmap for Grid-Interactive Efficient Buildings (“GEBs”)

- Disclaimer on first page.
- US DOE announcing a national goal for GEBs: Triple the energy efficiency (“EE”) and demand flexibility of the buildings sector by 2030 relative to 2020 levels.
- 14 key Roadmap recommendations address top barriers to demand flexibility.

ROADMAP PILLAR RECOMMENDATION

1. Advancing GEBs Through Research, Develop/accelerate deployment of GEB technologies Development, and Data Accelerate technology interoperability Improve access and use of DF data
 2. Enhancing the Value of GEBs Develop innovative incentive-based programs to Consumers and Utilities Expand price-based program adoption Introduce incentives for utilities to deploy demand side resources Incorporate DF into resource planning
 3. Empowering GEB Users, Installers, understand user interactions with GEBs and role of tech and Operators Develop GEB design & operation decision-making tools Integrate smart technology training into existing programs
 4. Supporting GEB Deployment Through Lead by example Federal, State, and Local Enabling Expand funding and financing options Programs and Policies Consider use of codes & standards Consider implementing state targets or mandate
- Over the next two decades, national adoption of GEBs could be worth between \$100–200 billion in U.S. electric power system cost savings. By reducing and shifting the timing of electricity consumption, GEBs could decrease CO2 emissions by 80 million tons per year by 2030, or 6% of total power sector CO2 emissions.
 - Technological advancements are needed to overcome challenges related to interoperability and cybersecurity concerns, and to provide deeper and more reliable load impacts.
 - GEBs provide grid services through reducing load through efficiency, shedding load, shifting load, using batteries and inverters to modulate power draw to help maintain grid frequency or control system voltage, and generate electricity to the grid.
 - Significant Caveats: This study does not broadly include DERs such as rooftop solar, battery storage, backup generators, and other technologies that generate or discharge electricity, as well as electric vehicle charging load. Analysis assumes that all of the analyzed technologies reach achievable levels of adoption without consideration of utility or customer cost effectiveness. This analysis does not include the adoption of technologies through fuel switching (e.g., switching from a natural gas furnace to an electric heat pump).

- Power system benefits quantified in the analysis include avoided generation capacity costs, reduced energy costs (fuel, variable operations and maintenance (O&M), and line losses), ancillary services (i.e., fast-response services to keep the grid balanced in real-time), avoided transmission capacity costs, and avoided CO2 emissions.
- Unquantified benefits include: Avoided or deferred need for distribution capacity: Geographically targeted EE and demand flexibility deployments can help to alleviate the need for distribution system upgrades to meet increasing electricity demand. Benefits are highly utility- and location-specific. Reduced need for renewable portfolio standard (RPS)- related procurement: By reducing system load, EE reduces the amount of investment in renewable generation that is otherwise required to satisfy RPS requirements. "Option value:" The benefits in this study are based on normal weather and load conditions. System costs are disproportionately higher when load increases due to warmer- or colder-than-average weather conditions, which would result in a higher valuation of EE and demand flexibility resources. Other consumer benefits: In addition to reduced costs and improved reliability, GEBs can improve the comfort, health, and productivity of building occupants, increase choice and flexibility in how electricity is consumed, and reduce electricity bills.
- Integrating building technologies, including envelope technologies, is key to activate the full GEB potential of building systems with minimal impact on building services or EE.
- Many barriers to GEBs are common to both EE and demand flexibility

Additional Con Edison Reimbursements to Electric Consumers from Hurricane Isaias

- 6/8/21 – NY Attorney General announced \$534.5K in additional reimbursements outages from Con Edison to thousands of consumers in Westchester and NYC who suffered food losses from power after Hurricane Isaias and an additional \$20K in costs and penalties for violating NY GBL Section 349 (for deceptive acts or practices) and Executive Law Section 63(12) (for fraudulent or illegal acts).

Energy Earthshots Initiative launched by Dept. of Energy

- 6/8/21 – The first Energy Earthshot – Hydrogen Shot, seeks to reduce cost of clean hydrogen by 80% from \$5/kilogram to \$1/kilogram in one decade. Request for Information responses are due 7/7/21.

REPORTS FROM COMMITTEES

- Education Committee – Lauren Brust Moss, Chair

There was no update in addition to the ENYA event.

- Membership Committee – Mike Forese & Steve Mosto, Co-Chairs

Member applications have been sent to a few prospective members recently.

- Outreach Committee – H.G. Chissell, Chair

There was no update.

- Regulatory Committee – Daniel Avery, Chair

The Energy Grid working group has been discussing carbon factors and time of day solutions. By the end of the summer, the group will have a recommendation for the advisory board.

The Commercial Buildings working group is focusing on electrification. There are sensible recommendations. The DOB is reviewing the adjustment application for buildings that are 40% over the maximum carbon limit.

- Diversity, Equity and Inclusion Committee – H.G. Chissell, Lauren Brust Moss & Luis Rios, Co-Chairs

The DEI Committee’s work toward establishing the JEDI award (see ENYA) was noted.

OTHER BUSINESS

Advanced Energy Group is holding its next event on July 28th in NYC on grid modernization.

Daniel Egan adjourned the June full member meeting at 9:21 AM.

SUBSEQUENT BOARD MEMBER ONLY MEETING

- Vote Interim Board Member

The Board will vote on the interim director opening with rank choice voting. There are five qualified candidates. Hopefully, the other four candidates who are not chosen will stay involved and attend meetings and participate in committees. Steve Mosto of Mosto Technologies was elected as an interim Director to the Class of 2021.

ANTICIPATED ADJOURNMENT

Daniel Egan adjourned the June Board Only Meeting at 9:36 AM.