

**BEFORE THE NEW YORK STATE PUBLIC SERVICE COMMISSION**

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**Proceeding on Motion of the Commission )  
to Implement a Large-Scale Renewable ) Case 15-E-0302  
Program and a Clean Energy Standard )  
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**COMMENTS OF SIXTY ORGANIZATIONS ON THE  
DRAFT CLEAN ENERGY STANDARD BIENNIAL REVIEW**

**September 23, 2024**

Dear Commissioners and Staff,

We are proud of New York's nation-leading climate and clean energy commitments, including the Climate Leadership and Community Protection Act's ("CLCPA") mandate to achieve a 70% renewable energy grid by 2030. The Public Service Commission ("PSC") must continue to lead our state toward meeting these statutory obligations.

We urge you to reject the July 1, 2024 Draft Clean Energy Standard Biennial Review's determination that the State will likely miss the CLCPA's 2030 deadline as both premature and wholly unacceptable for current and future generations of New Yorkers who are increasingly feeling the impacts of climate change on their health, families, homes, neighborhoods, and communities. Prolonging our reliance on fossil fuel electricity generation harms New Yorkers' health by keeping polluting power plants running and, in the long term, exacerbating extreme heat and other dangerous climate impacts.

The 2030 deadline is foundational to meeting future climate targets, including the requirement that New York achieve a zero-emission electric grid by 2040. Missing the 2030 deadline imperils our mandates to aggressively reduce greenhouse gas emissions starting this decade, mandates that are consistent with the recommendations of global experts. Waving the white flag now puts our climate targets at risk—and could signal to renewable energy developers that New York is not serious about expanding the industry here. There is much more that the State can and must do to scale up renewable energy and avert the worst of the climate crisis, and the Commission should not take lightly the possibility of missing the 2030 deadline.

Changing conditions could lead to a faster buildout of renewable energy going forward with the right supports in place. The past five years, since the CLCPA came into effect, have been anomalous and included a global pandemic that caused unforeseen supply chain disruptions

and inflationary pressure. There is no reason to think that renewable energy will develop at the same slow pace over the next six years until the 2030 deadline. In fact, there is reason to believe that New York can and will meet its 2030 mandates, such as declining prices for solar and storage, and several transmission and offshore wind projects that are under construction and likely to be accelerated following the passage of the RAPID Act and the Build Public Renewables Act.

But market forces alone will not solve this problem, and the PSC must take active steps to bring renewable energy online. Weakening or extending the 2030 standard now risks dampening the motivation to expeditiously bring more clean energy and storage online. The PSC should move swiftly to address grid congestion and seek to prevent cancellations that ultimately harm New Yorkers, our climate, and our health. And there is still much more to do to advance energy efficiency, which will save customers money while decreasing demand – a clear win-win.

Yet the pace of renewable energy development and lack of effective energy efficiency programs are not the only reasons we are falling short of the CLCPA mandate – in fact, an unexpected surge in electricity demand is a major driver of our current shortfall, and the State must think creatively to address demand growth. The Commission should also advance creative demand management strategies, especially as electric vehicle charging ramps up in the coming years, including vehicle to grid integration that can support grid reliability.

A primary driver of load growth is data centers associated with AI and cryptomining, which are run by affluent (often out-of-state) companies. Evidence indicates that large loads like data centers and cryptocurrency miners pay one tenth of what regular New Yorkers pay for their electricity. These energy-intensive industries and companies must be better regulated to prevent extraordinary levels of energy consumption and be required to pay their fair share for electricity

and for the State's efforts to meet our renewable energy targets. If we care about New Yorkers' health and cost of living, this issue must be addressed. The burdens of their energy-intensive operations must not be subsidized by ordinary New Yorkers through their rates or health.

Finally, and perhaps most importantly, equity and public health demand that the State ramp up efforts to ensure we meet the CLCPA's mandates. Fossil fuel-burning electricity generation is a major contributor to air pollution and disproportionately affects disadvantaged communities in the state. Each year that the State falls behind the 2030 target and gas plants keep burning fossil fuels means more asthma attacks, respiratory disease, and other irreversible health impacts for New Yorkers. The most impacted of us are still carrying the most burdens of fossil fuel infrastructure. Downstate, clean and affordable energy needs to be immediately implemented. We must meet the statutory, and moral, obligations of the CLCPA's environmental justice statutory protections. Evidence shows that new clean energy is nearly always the lowest-cost electricity to meet our needs. And the State must also take better advantage of all cost savings and leverage federal funding to usher in a clean energy transition that benefits all New Yorkers.

Thank you for your attention to the critical climate goals enacted in the CLCPA. We look forward to working with you to achieve them.

Respectfully submitted,

Earthjustice	350Brooklyn	All Our Energy
Alliance for a Green Economy	Big Reuse	Buy Local, Grow Local
Campaign for Renewable Energy	Capital Region Interfaith Creation Care Coalition (CRICCC)	Catskill Mountainkeeper
Church Women United in New York State	Citizen Action of New York	Citizen's Climate Lobby, Brooklyn
Clean Air Action Network of Glens Falls	Climate Reality Project	Climate Solutions Accelerator
Committee to Preserve the Finger Lakes	Council on Intelligent Energy & Environmental Policy (CIECP)	Deignan Institute for Earth and Spirit at Iona University
Environmental Advocates NY	Environmental Justice Ministry of First Unitarian Church of Rochester	Food and Water Watch
For the Many	Fossil Free Tompkins	Gas Free Seneca
Grassroots Environmental Education	Green Education and Legal Fund	GreenLatinos
HabitatMap	Hudson River Sloop Clearwater	Long Island Progressive Coalition
Metro N.Y. Catholic Climate Movement	Mothers Out Front - Dutchess County	Network for a Sustainable Tomorrow

New York Lawyers for the Public Interest	New York Progressive Action Network	New Yorkers for Clean Power
North American Climate, Conservation and Environment (NACCE)	Northeast Organic Farming Association of New York (NOFA-NY)	NY Climate Advocacy Project
NY-GEO	NYPIRG	PAUSE (People of Albany United for Safe Energy)
Physicians for Social Responsibility - New York	Residents Allied for the Future of Tioga (RAFT)	Roctricity LLC
Safe Energy Rights Group	Seneca Lake Guardian, A Waterkeeper Alliance Affiliate	Sierra Club Atlantic Chapter
Solar One	Solidarity Committee, Capital District	South Shore Audubon Society
Stop the Algonquin Pipeline Expansion (SAPE)	Sustainable Finger Lakes	The Clean Air Coalition of Western New York
The Climate Reality Project New York State Chapters Coalition	Third Act Upstate New York	Tompkins County Climate Protection Initiative
Tri-State Transportation Campaign	Vote Solar	Westchester Alliance for Sustainable Solutions