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Federal

Senate Committee Plans Confirmation Hearing for FERC Chairman

President Obama's pick for the Federal Energy Regulatory Commission (FERC) Chairman, Ronald Binz, is scheduled for a Senate confirmation hearing on September 17th. The Senate Energy and Natural Resources Committee, which is holding the hearing, has jurisdiction over energy-related nominations prior to coming to a vote by the full Senate.

Binz would succeed Jon Wellinghoff, who is retiring after four years at the post. Most recently Binz was the chairman of the Colorado Public Utility Commission and during his tenure focused efforts on reducing coal power generation in the state.

Other members of the Commission are Phillip Moeller (R), John Norris (D), Cheryl LaFleur (D), and Tony Clark (R). To read Ronald Binz's full biography, click [here](#).

House Republicans Challenge Fracking Rules

On July 17th, Rep. Bill Flores (R-TX) introduced the "Protecting States' Rights to Promote American Energy Security Act" ([H.R. 2728](#)). The bill is aimed at limiting federal regulation of hydraulic fracturing and is expected to be considered by the full House this fall.

H.R. 2728 would prohibit the Interior Department from imposing hydraulic fracturing regulations on any land in a state that already regulates the practice (see last week's [Capitol Connection](#) for a summary of the Interior Department's rule making).

In a memo outlining this fall's legislative schedule, House Majority Leader Eric Cantor (R-VA) references the bill and states that, "We must focus on expanding our energy production in an environmentally friendly way to lower the price of energy for all Americans."

Although the bill is likely to pass the House, it is unlikely to be taken up by the Senate. A copy of the bill can be read [here](#).

BlueGreen Alliance Seeks Natural Gas Partners

The [BlueGreen Alliance](#) (BGA), a non-profit group focused on bringing labor and environmental interests together, has approached the American Gas Association (AGA) seeking utility partners for a new program known as the "Reliable Infrastructure for Natural Gas" ("RING") campaign.

RING would promote the modernization of natural gas pipeline and delivery infrastructure as a means of creating jobs while also addressing their environmental goals to reduce methane emissions from aging infrastructure. The campaign would last 12 months and include job creating studies, communications research and public/policymaker outreach at the state level with a focus on states that have strong labor union influence. BGA's proposal envisions an education and advocacy initiative to accelerate large-scale investments, innovative financing approaches, and supportive policies to modernize natural gas pipe distribution systems.

BGA members include the following: United Steel Works, Service Employees International Union, American Federation of Teachers, United Auto Workers, Utility Workers Union of America, Communications Workers of America, Amalgamated Transit Union, United Food and Commercial Workers International Union, Plumbing and Pipefitters Association, Sheet Metal, Air, Rail and Transportation Workers, Environmental Defense Fund, National Wildlife Federation, Sierra Club, Natural Resources Defense Council, and the Union of Concerned Scientists.

Bipartisan Senate Efficiency Bill Makes Slow Progress

Despite plans to have the Energy Savings and Industrial Competitiveness Act (S.1392) on the Senate floor immediately after the August recess, efforts to address the crisis in Syria and fund the federal government delayed the bill's consideration. During a recent break in the Senate schedule, Majority Leader Harry Reid (D-NV) allowed several hours of debate on S.1392 and potential amendments. The debate was slowed down – and eventually cut off by – Republican pressure to include approval of the Keystone XL Pipeline and repeal of the Affordable Care Act (also known as Obamacare).

Dozens of amendments have been filed on everything from the Renewable Fuel Standard to lead paint. The full text of these amendments can be found [here](#).

Even in light of the potential setbacks, Majority Leader Harry Reid has indicated there may be votes on the bill early this week. However, the Senate must also pass a continuing resolution to keep the government funded by Friday, which creates an uncertain future for the first potential energy bill to be passed by the Senate in over five years.

State

Green Bank Launched

The New York State Energy Research and Development Authority (NYSERDA) has filed a petition with the Public Service Commission (PSC) to use approximately \$165 million in uncommitted funds for the Green Bank's initial capitalization. This initial funding will permit the Green Bank to leverage private sector financing for clean energy projects that create jobs and help make New York's communities more sustainable. It is anticipated that the Green Bank will offer its initial financial products in early 2014. Governor Cuomo first announced the Green Bank initiative in his 2013 State of the State address. It is intended to mobilize private investment and remove barriers that are currently preventing the flow of private capital into the clean energy economy.

The Green Bank will partner with private sector lenders by providing financial products such as credit enhancement, loan loss reserves and loan bundling to support securitization and build secondary markets. These products will support economically viable clean energy projects that cannot currently access financing due to market barriers, such as federal policy uncertainty, insufficient performance data, and the lack of publicly-traded capital markets for clean energy.

NYSERDA anticipates that further capitalization of the Green Bank will be considered by the PSC in a subsequent proceeding. Both this petition and the subsequent PSC proceeding will include public comment periods. When fully capitalized, the Green Bank is expected to have a \$1 billion balance sheet. Additional information about NYSEDA's petition can be found [here](#) in the Governor's press release.

Additional information about the Green Bank can be found [here](#).

NYSERDA to Fund LIPA Residential Solar Program with RGGI Funds

The New York State Energy Research and Development Authority (NYSERDA) announced that it will provide the Long Island Power Authority (LIPA) with \$5 million to restart its residential Solar Pioneer program. The funding is being provided by NYSEDA using Regional Greenhouse Gas Initiative (RGGI) auction proceeds.

This funding is in support of Governor Cuomo's NY-Sun initiative. The NY Sun Initiative is an administrative program that allocates existing funding streams to support the deployment of solar in New York. This approach has been widely viewed as an alternative to previous proposals which required IOUs to enter into long-term contracts for the purchase of solar commodity or purchase costly solar renewable energy credits (SREC). In January's State of the State address, Cuomo announced that funding would be increased to \$150 million annually for solar deployment.

Also part of the Governor's NY-Sun Initiative, NYSEDA recently submitted a petition to the New York State Public Service Commission (PSC) seeking authorization to work with New York State Department of Public Service and LIPA staff to identify the merits and potential for greater efficiencies and success with a more coordinated statewide PV incentive program. Currently, NYSEDA and LIPA each offer separate solar incentive programs.

More information can be found [here](#) in NYSEDA's press release.

Governor Cuomo Recommends John B. Rhodes to be NYSERDA President & CEO

Gov. Cuomo has recommended John B. Rhodes to be NYSERDA's president and chief executive officer, replacing Francis Murray. The position requires approval of NYSERDA's board, which is expected to occur later this month.

Mr. Rhodes previously served as the Director of the Center for Market Innovation (CMI) for the Natural Resources Defense Council, and served as Chief Operating Officer at Good Energies, an energy investment firm.

Additional information can be found [here](#) in NYSERDA's press release.

NYS Senate to Hold Hearing on Indian Point Contingency Plan

The New York State Senate Committee on Energy and Telecommunications is scheduled hold a hearing on September 30th to examine and analyze the plans, contentions, and arguments put forward in relation to the Indian Point Contingency proceeding being conducted by the Public Service Commission (PSC).

Entergy Corporation is seeking a renewal of Indian Point Energy Center's (IPEC) license from the Nuclear Regulatory Commission to operate the nuclear power plant in Westchester County for 20 years. As part of the Governor's Energy Highway Blueprint, the PSC directed Con Edison, in conjunction with the New York Power Authority (NYPA), to develop a contingency plan in preparation for the possibility that IPEC's license will not be renewed and the facility will be closed. The contingency plan is now the subject of an ongoing proceeding before the PSC.

Currently scheduled to testify are the PSC, NYPA, Con Edison, and Entergy.

Assembly to Hold Public Hearing on Data Collection and Use

The New York State Assembly Committees on Consumer Affairs & Protection and Oversight, Analysis, and Investigation will hold a hearing to examine company privacy policies and data collection efforts, as well as the current state and federal laws relating to the distribution and use of personal consumer data by businesses, including digital data brokers, and the state.

The hearing will also explore what resources are or can be made available to consumers to obtain access to their own personal information used by companies or data brokers, and to control the use of their information.

The hearing will take place in New York City on September 23rd. A copy of the hearing notice can be found [here](#).

Funding Awarded for Clean Water Infrastructure Projects

More than \$451.6 million has been approved for grants and low-cost loans to improve drinking water and wastewater infrastructure across the state. The projects are intended to protect public health and the environment by creating cleaner water supplies.

\$7.9 million in grants was awarded and \$443.7 million was made available for low-cost financing. The funds are administered by New York State Environmental Facilities Corporation (EFC) which provides low-cost financing to help local governments fund new drinking water and wastewater infrastructure in a cost effective manner.

Specifically, \$350 million in subsidized, short-term loans has been made available to New York City Municipal Water Finance Authority to support wastewater improvement projects by the New York City Department of Environmental Protection. \$43 million was made available to Rockland County for completion of its wastewater collection systems and construction of an advanced wastewater treatment plant in Western Ramapo area.

Additional information on the project awards can be found [here](#) in the Governor's press release.

City

New York Citywide Primary Update

New York City Public Advocate Bill DeBlasio will be the Democratic candidate for New York City Mayor after former City Comptroller Bill Thompson, who placed second in the race, conceded at a press conference held a week after the Primary.

Preliminary results had de Blasio with 40.2% of the vote followed by Thompson with 26%. For almost a week following the primary there remained a possibility of a run-off between the top two Democratic mayoral candidates. Also on the democratic ballot, City Council Speaker Christine Quinn received 15.5% of the vote, current City Comptroller John Liu received 7% and former Congressman Anthony Weiner received 4.9%.

On the Republican side, former MTA chairman Joe Lhota won the party's nomination when he received 52% of the votes and defeated supermarket magnate John Catsimatides, who received 41% of the vote and George McDonald who received 7%. Lhota will face-off against de Blasio and former Bronx Borough President Adolfo Carrion, Jr. - the Independent Party candidate - in the November general election.

In addition, outgoing Manhattan Borough President Scott stringer defeated former NYS Governor Eliot Spitzer for City Comptroller. Stringer received 52% of the vote to Spitzer's 48%.

In the race for Public Advocate, term limited Councilwoman Leticia James received 36% of the vote and leads Congressman Daniel Squadron who received 33% of the vote. The two will compete October 1 in a run-off to determine the winner.