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U.S. Senate Confirms EPA Administrator

After a long delay, the Senate has confirmed Thomas Perez as Labor Secretary and Gina McCarthy as Administrator of the Environmental Protection Agency (EPA). Gina McCarthy was confirmed by a vote of 59-40 after the longest-ever wait period for a nominee to lead EPA.

McCarthy has a long history in state and federal environmental administration, including serving as an environmental advisor to former Massachusetts Governor Mitt Romney and Commissioner of the Connecticut Department of Environmental Protection. McCarthy's most recent role has been as the director of the EPA's air and radiation office.

To read Gina McCarthy's full biography, click [here](#).

Republicans Propose Stripping EPA Funding and Authority

In the latest draft 2014 federal spending bill, House Republicans have proposed cutting the Environmental Protection Agency (EPA) by 34-percent. The draft bill contains \$24.3 billion total spending, which is \$5.5 billion less than the 2013 enacted level and \$4 billion less than the current level caused by sequestration.

The funding bill ([Interior, Environment, and Related Agencies appropriations Act](#)) also includes language to limit the EPA's ability to implement air and water quality regulations.

The bill has been approved by the House Appropriations subcommittee but must still pass the full committee and then the House. Although the measure is unlikely to be considered in the Senate, Sen. John Barasso (R-WY) recently introduced a bill that would block new greenhouse gas emission standards for power plants unless explicitly authorized by Congress. You can read Sen. Barasso's press release [here](#).

Senators Introduce Bipartisan Cyber Bill

On July 24th, Senate Commerce Committee Chairman Rockefeller (D-WV) and Ranking Member Thune (R-SD) introduced the Cybersecurity Act of 2013 (S. 1353). The press release can be found [here](#).

The sponsors ultimately incorporated comments and suggestions submitted by the American Gas Association and the Edison Electric Institute. Specifically, Title I of the bill, "Public-Private Collaboration on Cybersecurity", seeks to ratify ongoing National Institute of Standards and Technology (NIST) efforts to develop a voluntary cyber security framework, which the utility industry views favorably. Other titles address research and development, education and workforce development, and public awareness and preparedness.

Chairman Rockefeller has indicated the bill will be reviewed by his Committee on Tuesday, July 30th.

Energy Services Companies Lobby Congress

On July 16, 2013, representatives from the National Association of Energy Services Companies (NAESCO), including ConEdison *Solutions*, met with 16 congressional offices in support of extending Section 179D of the Internal Revenue Code. The day began with a breakfast meeting with Senator Ben Cardin (D-MD) and ended with a de-briefing reception in the Capitol Visitor Center.

The 179D tax deduction, which is set to expire on December 31, 2013, allows a private commercial or multi-family building owner to receive a \$1.80 per square foot deduction for an energy efficiency upgrade. The current deduction also allows government buildings at the federal, state and local level to allocate this tax incentive to the designer of the efficiency project, thereby creating additional value.

A full list of NAESCO's federal priorities can be found [here](#).

Coal Waste Bill Passes the House

On July 25th, the House passed, H.R. 2218, a bi-partisan bill that would give states the lead role in overseeing the disposal of byproducts from coal-fired power plants. The bill would change the definition of ash produced by coal-burning power plants from a hazardous waste to a solid waste. In addition, [H.R. 2218](#) would give states the lead role in regulating disposal of the byproducts.

Although the bill showed bi-partisan support, many Democrats, including House Energy and Commerce Committee Ranking Member Henry Waxman (D-CA), opposed it on the basis that the legislation was not strong enough. Stopping short of threatening to veto the bill, President Obama has stated that there are "important gaps" to fill and that he is "concerned that overly broad preemption language in the bill may unintentionally block important protections under the Clean Water Act."

State

NYS Comptroller DiNapoli Releases June Cash Report

According to the June cash report released by State Comptroller Thomas DiNapoli, overall New York State finances are moving in a positive direction. "We are seeing positive signs on the revenue side of the ledger as sales tax collections continue to show growth," DiNapoli said. "The economy seems to be gaining momentum, but there is also uncertainty which demonstrates the ongoing need to be cautious."

The June cash report can be found [here](#).

Additionally, a review of New York City's financial plan by DiNapoli's office concludes that a strong economy, bolstered by job gains that have outpaced the nation, have helped balance the 2014 New York City budget and maintained services at current levels without raising taxes. Out-year budget gaps (2015-2017) are also smaller than projected a year ago.

"New York City has bounced back from the Great Recession and Superstorm Sandy faster than anyone could have imagined," DiNapoli said. However, DiNapoli remains cautious. "While the city is well positioned for the future, there remains some unfinished business and ongoing challenges that present risks to out-year budgets".

The largest uncertainty is the outcome of collective bargaining agreements between city government and labor, according to DiNapoli. In addition, the Comptroller asserts that the city has not budgeted for the potential impact of possible federal budget cuts.

The Comptroller's review can be found [here](#).

Governor Cuomo Hosts "Building Back Better: New York State Storm Recovery Conference"

On July 18th Governor Cuomo hosted a storm recovery conference where he launched the New York Rising Community Reconstruction Program, an initiative intended to enable communities hardest hit by recent superstorms to create and implement federally funded strategies for rebuilding.

U.S. Housing and Urban Development (HUD) Secretary Shaun Donovan, who also chairs the Federal Hurricane Sandy Rebuilding Task Force, joined Cuomo at the conference. Two hundred community officials and planners also attended.

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

Governor Cuomo to Sign LIPA Restructuring Legislation

Governor Cuomo is expected to sign the LIPA restructuring legislation into law on Monday, July 29th. The legislation vastly expands the role of PSE&G and reduces LIPA to a small holding company. It also creates a new office within the Department of Public Service that will be dedicated to overseeing the utility.

After Superstorm Sandy, Cuomo convened a Moreland Commission to review utilities' responses to the storm. The Commission concluded that LIPA was ineffective and needed to be restructured. Initially, the Commission and Cuomo proposed a complete privatization of the service territory but faced substantial

opposition from legislative and local officials. The Legislature and Cuomo ultimately agreed on this hybrid approach.

The legislation can be found [here](#).

City

NYC Council Approves Disaster Preparation Legislation

The New York City Council overwhelmingly approved 9 pieces of legislation intended to improve New York City's disaster preparedness. Specific proposals target outreach to homebound people, prioritizing fuel distribution to first responders, and increasing communication to shelters and medical facilities to locate missing persons. The 9 bills are summarized as follows:

Int. 1053-2013 - A Local Law to ensure the tracking of admission, registration, transfer, and discharge of persons to and from special medical needs shelters established as a result of emergency conditions and potential incidents. [Int. 1053](#)

Int. 1054-2013 - A Local Law to create of a community recovery plan to be utilized after emergency conditions and potential incidents as such conditions and incidents. Such plan shall specify steps that the office, with relevant agencies and other partners, shall take to assist city residents immediately after such conditions. [Int. 1054](#)

Int. 1065-2013 - A Local Law to create of an outreach and recovery plan to assist vulnerable and homebound individuals before, during and after emergency conditions and potential incidents as such conditions and incidents. Such plan shall create a strategy for conducting outreach to and assisting such individuals prior to and during such conditions and incidents and during recovery efforts after such conditions and incidents. [Int. 1065](#)

Int. 1069-2013 - A Local Law to ensure the distribution of food and water to areas of the city impacted by emergency conditions and potential incidents as such conditions and incidents, when there is a disruption of food and water access that impacts the ability to purchase, prepare or consume food or water. [Int. 1069](#)

Int. 1070-2013 - A Local Law that anticipates the operation of shelters for short, medium or long-term periods of time as a result of emergency conditions and potential incidents. [Int. 1070](#)

Int. 1072-2013 - A Local Law requiring the formulation of a recovery plan for small businesses that are impacted by emergency conditions and to develop strategies that can be implemented before, during and after such conditions to facilitate small business recovery. [Int. 1072](#)

Int. 1075-2013 - A Local Law to require the commissioner to provide to the city council a copy of any plan prepared by the New York City office of emergency management for the purpose of responding to emergency conditions which require a multi-agency response in relation to coastal storms, hurricanes, earthquakes and other severe weather incidents and other natural hazards and disasters. [Int. 1075](#)

Int. 1076-2013 - A Local Law to develop and implement a traffic management plan in consultation with other city agencies and relevant governmental entities, to be implemented during and after emergency

conditions and incidents as such conditions and incidents, when such conditions or incidents severely impact automotive, subway, and/or commuter train transportation in the city of New York.

[Int. 1076](#)

Int. 1077-2013 - A Local Law to develop and implement a fuel management plan in consultation with other city agencies and other relevant governmental entities, to be implemented during and after emergency conditions and incidents, when such conditions or incidents disrupt the fuel supply in the city of New York. [Int. 1077](#)

Legislation Moves the Filing Deadline of Real Property Income and Expense Statements

Mayor Michael Bloomberg has signed legislation designed to move the deadline to file annual Real Property Income and Expense statements from September 1st to June 1st.

Moving up the filing deadline will provide the Finance Department more time to review the information submitted, yielding more accurate and transparent assessments for these properties. The Department of Finance uses Real Income and Expense statements, commonly known as RPIEs, to assess the value of hundreds of thousands of residential condominium and cooperative properties, as well as tens of thousands of businesses.

Mayor Applauds State Legislation Authorizing the Installation of Speed Cameras

Legislation recently approved by the state legislature and signed into law by Governor Andrew Cuomo authorizing the use of “speed cameras” was lauded by Mayor Bloomberg. The new law authorizes the first-ever use of speed cameras at 20 locations with documented speeding issues within a quarter-mile of schools. It also authorizes \$50 fines for dangerous speeding, which, paired with existing red-light cameras and continuing aggressive enforcement of traffic laws, is expected to help sustain record traffic safety gains in New York City.

The City is currently authorized to use red-light cameras at 150 locations citywide, which along with the installation of pedestrian countdown signals, safety education campaigns, Neighborhood Slow Zones, and redesigned intersections and corridors across the city, have contributed to New York’s record safety gains.