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Federal

Senate Plans Vote on Energy Tax Credits

During a recent solar conference, Senate Majority Leader Harry Reid (D-NV) announced he has plans to schedule a vote by the end of the year on renewable energy tax credits. Wind and solar supporters have advocated that the credits are vital for the industry. The tax credit supporting wind expired at the end of 2013 and the 30 percent investment credit for solar expires in 2016.

Earlier this year, the Senate Finance Committee approved S.2260, the Expiring Provisions Improvement, Reform, and Efficiency (EXPIRE) Act of 2014. The bill would renew nearly every expired tax provision and passed with a strong bi-partisan vote. To learn more about the bill, click [here](#).

Bipartisan Policy Center Urges Passage of Cyber Bill

On October 14th, the Bipartisan Policy Center (BPC) weighed in on S.2588, the bipartisan Cybersecurity Information Sharing Act (CISA), which passed out of the Senate Intelligence Committee this summer.

The support came in the form of a letter signed by the chairmen of the 9/11 Commission. The Commission is chaired by former New Jersey Governor Thomas Kean and former Indiana Congressman Lee Hamilton. The letter urges the Senate to pass CISA, which “would dramatically improve our nation’s cyber-readiness.”

CISA would create a voluntary program that would strengthen businesses' protection and resilience against cyber attacks. Most notably, the bill would strengthen information-sharing capabilities by providing limited liability, disclosure, and antitrust provisions. Con Edison is among the supporters of the measure.

To learn more about the BPC or the 9/11 Commission, click [here](#). To learn more about CISA, click [here](#).

DOE Awards \$53Million for 40 Solar Energy Projects

The Department of Energy (DOE) recently announced it will be awarding \$53million in funding for solar research and development projects, with the intended outcome of driving down the cost of solar power.

The breakdown of the funding is as follows:

- \$14million to 10 research institutions to improve the performance, efficiency and durability of solar PV devices.
- \$14million in 20 small businesses whose projects take a number of approaches to decreasing costs, creating a software-based solution to quantify risk for solar investors, developing advanced materials and components that maximize efficiency for concentrating solar power (CSP) and identifying ways to eliminate the need for expensive silver in solar cell manufacturing.
- \$24million to 10 US-based solar manufacturers working to increase efficiency in manufacturing processes used to make PV and CSP technologies. These investments focus on tackling key cost-contributors such as raw materials, labor-intensive processes and capital expenses.

The DOE press release can be found [here](#).

State

Governor Cuomo Releases 2nd Term Policy Book

With little more than a week till Election Day, Governor Cuomo released a policy book, *Moving the New York Forward*, outlining an agenda for his second term.

Proposals include REV, investment in clean energy, promoting cyber security resiliency, brownfield reform, and the creation of an infrastructure bank.

Reforming the Energy Vision: The REV proceeding is referenced and the policy book advocates for reforming NY's utility regulatory structure, as well as transitioning to a self-sustaining clean energy economy.

Commitment to Clean Energy: New York would commit \$5billion dollars over ten years to support clean energy programs. Resources would be concentrated on communities and local governments that are looking for ways to reduce operating expenses, identify shared service opportunities, and obtain greater choice, resilience, or independence. As part of those efforts, the state would expand programs like K-solar, which facilitates solar installation at schools, to communities and local governments throughout the state.

In addition, the book sets forth policy goals specifically for 2015 and 2016, similar to REV's objectives. These goals include:

- A more efficient utility grid that enables lower costs for all customers;
- A cleaner electricity system that meets the state and federal governments' greenhouse gas emission reduction requirements in a cost effective manner;
- A regulatory structure that incentivizes innovation and new products and services, while also protecting consumers;
- Consumer-driven solutions to meet energy needs, such as greater deployment of distributed energy resources and demand response programs; and
- Private sector investment in clean energy deployment.

Promote Cyber Resiliency: The policy book recognizes that infrastructure like power grids are “targets for cyber-warfare” and proposes the creation of Regional Cyber Incident Response Teams that will facilitate enhanced communication and coordination strategies among critical infrastructure owners, law enforcement and state first responders. The state will create specific plans/annexes, train community leaders, hold annual exercises, and complete risks assessments. State regulators will also be directed to conduct regular exercises to test their own resiliency.

In addition, because organizations often do not report cyber incidents for fear of public disclosure or regulatory consequences, the State will create “hold harmless” agreements with companies to prevent penalties and fines from being assessed, as well as prevent disclosure from law enforcement outside those who need to know while investigations are pending.

Brownfield Cleanup Program Reform: The Brownfield Cleanup Program (BCP) provides tax credits for the remediation and redevelopment of contaminated sites. Governor Cuomo set forth a series of reforms last session which were rejected by the Legislature. The only action taken was passage of a two-year extension of BCP which was set to expire this year.

According to the book, Governor Cuomo would seek reforms that limit remediation credits to actual cleanup costs. The reforms would also create new categories of eligibility for redevelopment credits to favor certain sites such as those in areas with high poverty and unemployment.

There is no mention of the BCP-EZ program proposed by the Governor last year which would streamline the process and provide liability relief without tax credits. Con Edison supported a modified version of this proposal.

NY Infrastructure Bank: The NY Infrastructure Bank would be established to fund major infrastructure projects. It would be capitalized with potential revenue sources such as recent bank settlements or other one-time cash infusions, and used to leverage private investment.

New Commercial Energy Code Likely Effective January 1st

Next month, the New York State Department of State (DOS) will formally recommend that the New York State Fire Prevention and Building Code Council update the State Energy Conservation Construction Code of New York, as it applies to commercial buildings, to be effective January 1, 2015.

Specifically, the recommendation will be to adopt the commercial energy code provisions contained within the American Society of Heating, Refrigerating and Air-Conditioning Engineers' (ASHRAE) model code, and the International Code Council's model code, with New York State-specific modifications. These changes are intended to increase the energy efficiency of New York's commercial building stock, and align the State with U.S. Department of Energy requirements.

To support the implementation, DOS and the New York State Energy Research and Development Authority (NYSERDA) will conduct in-person and online training for architects, engineers, designers, contractors, and code officials, as well as provide other resources like technical publications.

The complete proposal can be found [here](#).

State Launches First Energy Management Center

New York's first energy management network operations center, the New York Energy Manager (NYEM), has been launched in Albany. The NYEM will provide public facilities with real-time data on their energy use, providing them with the ability to improve energy performance and lower the state's utility bills. The NYEM integrates energy data from facility sub-meters and meters of local utilities, enabling building engineers to diagnose equipment problems and take appropriate actions to reduce energy consumption in a timely manner. NYEM energy experts will also provide technical expertise and ongoing training to participating organizations for managing their facilities.

The NYEM is being managed by the New York Power Authority (NYPA) as part of the BuildSmart Initiative which seeks to reduce energy consumption by 20 percent in state government facilities by 2020. The data will be provided to state government facilities, as well as other entities such as the City University of New York.

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

Governor Cuomo Announces Modernization Plan for NY Airports

Governor Cuomo was recently joined by Vice President Joe Biden to announce a plan to modernize LaGuardia, John F. Kennedy International (JFK), Republic and Stewart International Airports.

As part of this plan, the State will launch the Master Plan Design Competition for JFK and LaGuardia which will solicit proposals from designers to modernize these airports. Specific enhancements will include improving transportation to the airport, redesigning airport layout to increase access, state-of-the-art amenities, and more resilient infrastructure to prepare the airport's facilities for future extreme weather threats.

In addition, a regional cargo distribution hub will be established at Stewart Airport by growing its current cargo capacity. This is intended to relieve JFK of most cargo shipping facilities and create room to expand potential amenities and services at JFK. The State will also issue an RFI to identify parties interested in serving as a new operator for Republic Airport on Long Island.

In his 2014 State of the State Address, Governor Cuomo announced that the State would assume management responsibility for construction at LaGuardia and JFK to help break gridlock and make necessary improvements. This plan is intended to build upon those efforts.

Additional information about the modernization plan can be found [here](#).

Comptroller DiNapoli Issues Annual Report on State Finances

Comptroller DiNapoli recently issued his annual report on the state's financial condition for the 2013-2014 fiscal year. According to the report, spending increased 3.3% (\$4.4billion) over the prior year, and has grown 8.4% since 2010, approximately in line with inflation over the same period.

Despite improvements, the report asserts that potential budget gaps continue to exist in future budget years, and the state and its local governments continue to face "real economic challenges." DiNapoli specifically warns against the state's dependence on temporary resources. "Recent budget actions and an economy that continues to strengthen have helped address the state's structural imbalance, but more progress is needed...until we stop depending on one-time or non-recurring resources, we will not achieve long-term balance," DiNapoli said.

A copy of the annual report can be found [here](#).

New York State Green Bank – First Round of Investments

The state on Wednesday announced the first round of projects that will be supported by the initial \$200 million investment in the NY Green Bank. NY Green Bank is a state-sponsored, specialized financial entity working in partnership with the private sector to increase investments into New York's clean energy markets, and funded by surcharges on utility customers and the auctioning of air pollution credits. Upon its unveiling, Governor Cuomo said the Green Bank would eventually become self-sustaining and would help lead the state's reliance on wind, solar and other renewable energy sources. The state estimates its initial round of investment will spur \$600 million in private investments.

Long Island Power Authority's 2.0 Plan

The Long Island Power Authority updated Utility 2.0 proposal includes a significant expansion over the plan's first version. LIPA went from spending \$215 million over four years to \$345 million in the same period. Using energy efficiency, renewables and demand management technology, the plan went from saving 185 megawatts to saving 250 megawatts of power.

Daniel Zarrilli, who heads Mayor Bill de Blasio's Office of Recovery and Resiliency, applauded the goals of the plan but said it does not allow for climate change preparation and parts of the plan shortchange the Rockaways where LIPA delivers power. He said updated flood-related data should be incorporated in the plan, specifically calling for projects to withstand floods three feet higher than 100-year flood elevations projected by the Federal Emergency Management Agency.

Environmental groups such as the Sierra Club, Environmental Advocates of New York and the Natural Resources Defense Council submitted joint comments and while they were mostly supportive, the groups took exception to some elements of the new plan, criticizing the efficiency reductions for Queens and advocating for more specific carbon reductions, with five-year progress reports.

City

New York City to Invest \$13 Million to Increase The City's Energy Efficiency

Mayor Bill de Blasio announced \$13 million in energy efficiency investments across multiple City agencies as part of the Accelerated Conservation and Efficiency (ACE) program. The program is a competitively funding program managed by the Department of Citywide Administrative Services (DCAS) to fast track energy capital projects, in order to guarantee optimal greenhouse gas (GHG) reductions and cost savings.

The \$13 million represents the first portion of what will be an overall \$39 million investment for energy infrastructure improvements at wastewater treatment plants, boiler upgrades and steam optimization at schools, boiler upgrades at NYPD facilities, high-efficiency rooftop units and lighting replacements at FDNY facilities, and upgrades at City University of New York and Fashion Institute of Technology among other projects. Collectively, these projects are expected to result in an annual reduction of 13,800 metric tons of carbon emissions and provide energy savings of \$5.06 million a year as part of the much larger sustainability commitment that the Mayor has made. The commitment is for New York City to reduce by 80 percent, its GHG emissions over 2005 levels by the year 2050.

In his recently released report, *One City, Built to Last*, Mayor de Blasio proposes retrofitting every single City-owned building with key efficiency upgrades.

New York City Moves Closer to Its 80 by 50 Goal

The New York City Council is considering a proposal to overhaul the energy-efficiency standards of all its public buildings and to pressure private landlords to make similar improvements. The goal of the legislation is to reduce the City's greenhouse gases by 80-percent by the year 2050, similar to the Mayor's "One City" initiative. The Council's environmental protection committee recently held its first hearing on the bill.

Testimony was heard from several environmental groups in support for the city's "80 by 50" commitment. City Agency officials testified regarding the city's commitment to keeping New York at the forefront of emissions reductions, both nationally and globally. They also stated that although the city had experienced good results so far with incentives and encouragement with private building owners, legislative mandates may have to be employed in order to achieve the desired emissions goals.

At the conclusion of the hearing, the matter was laid over by the committee, pending future hearings.

NYC Planning Commission Starts Public Review Process for East Midtown Rezoning

Public review officially began for the rezoning of the East Midtown area with a look at the proposal for rezoning of the Vanderbilt, which signifies the first phase of the de Blasio Administration's two-part strategy around the East Midtown area. The Mayor's overall plan seeks to convert the area around Grand Central into a world-class 21st Century commercial district which will attract more quality jobs to New York City, address vital infrastructure concerns, along with public realm improvements will spur new development.

The current zoning proposal would allow for larger state-of-the-art buildings along Vanderbilt and Madison avenues in Manhattan that would provide specific, significant and public transit infrastructure upgrades. The Vanderbilt Corridor proposal addresses specific concerns raised during the public review process of the 2013 East Midtown proposal, such as infrastructure and public realm challenges like congestion in the Grand Central subway station, crowded sidewalks and a lack of publicly accessible open space. One of the most notable changes also, is the replacement of the district improvement bonus (Where builders would pay the city an unspecified amount in order to go 20 percent above the existing size limits. The revenue would then be used to improve subway connections and public spaces in the neighborhood) with a mechanism whereby developers of new projects must complete infrastructure improvements along with construction of their buildings.

With the official launch of public review on October 20, 2014, the proposed Vanderbilt Corridor zoning changes and the One Vanderbilt special permit application now go to Manhattan Community Boards 5 and 6, followed by the Borough Board and Borough President, the City Planning Commission and the City Council as part of the City's Uniform Land Use Review Procedure (ULURP).

For specifics of the zoning proposal or more details on the ULURP timeline, please visit the [DCP website](#).