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Federal

Department of Energy Announces Plan to Fund Distributed Generation

The Department of Energy's (DOE) research arm - ARPA-E – announced a commitment to spend up to \$30 million on a new program focused on lowering the costs of distributed generation, such as combined heat and power and fuel cells.

ARPA-E's program, Reliable Electricity Based on Electrochemical Systems, is actively seeking projects that can demonstrate distributed power generation able to provide electricity on a stable basis. The goal is to improve grid stability as increasing intermittent sources (such as wind and solar) are added to the energy mix. The DOE would also like to see proposals that will reduce carbon emissions compared to the current distributed generation paradigm.

The funding announcement can be found [here](#).

Bipartisan Coalition Promotes Utility Efficiency Contracts

A bipartisan group of lawmakers, led by Congressmen Peter Welch (D-VT) and Cory Gardner (R-CO), has introduced legislation in both the House and Senate designed to promote the use of Utility Energy Service Contracts (UESCs). *The Utility Energy Service Contracts Improvement Act of 2013* would give federal agencies increased opportunities to reduce energy by working with their local utility.

The legislation increases the term limits for an energy performance contract between a utility and a federal agency to up to 25 years. Under a UESC, a utility negotiates a contract with a federal agency that specifies the amount of energy savings it will achieve through retrofits and other measures. The utility is then paid for its performance out of the savings it achieves. Con Edison is an active participant in helping federal buildings in New York reduce their energy bills.

To read the text of *The Utility Energy Service Contracts Improvement Act*, click [here](#).

US Department of Transportation Responds to Buy America Concerns

On September 17, the Edison Electric Institute (EEI) and a number of trade organizations wrote a letter to the Department of Transportation (DOT) requesting additional guidance on how Buy America rules apply to transportation projects which require relocating certain utility assets. The letter asked DOT for guidance on compliance, training and technical assistance for utilities that are new to Buy America compliance.

In late November, the DOT responded to the inquiry and reiterated the previously-stated DOT position that Buy America rules will differ between Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) projects. Although DOT's response does not hint of a potential delay (the full impact of the rules will take effect January 1, 2014), the DOT does agree that additional guidance is needed.

In addition to their written response, the DOT will be hosting a webinar for utility stakeholders on Wednesday, December 11th, 2013 from 2-4 p.m. Additional information on the webinar can be found [here](#).

For more information about Buy America policies, click [here](#).

House Committee Questions FERC's 2014 Agenda

On December 5, the House Energy and Power Subcommittee held a hearing entitled, "Evaluating the Role of FERC in a Changing Energy Landscape." The hearing featured the entire Federal Energy Regulatory Commission (FERC), which consists of acting FERC Chair Cheryl LaFleur and Commissioners Philip Moeller, John Norris and Tony Clark.

The hearing touched on a broad array of FERC (and some non-FERC jurisdictional) issues, including cybersecurity, transmission planning and carbon regulations.

In his opening statement and throughout the question and answers, Congressman Henry Waxman (D-CA) cited a particular "unprecedented and sophisticated" attack on a substation in April. Waxman focused almost exclusively on grid security issues, calling for a private FBI and/or FERC briefing to provide the Committee with more details and a renewed effort to pass the GRID Act, legislation to expand FERC authority to address grid security issues, which passed the House in the 112th Congress.

To access the witness testimony and archived webcast, click [here](#).

Army Corp Cost Recovery

Electric utility and natural gas pipeline industries are working to enact a provision that would enable entities to enter into cost recovery agreements with the U.S. Army Corps of Engineers (Corps) to review pending permits in a reasonable and impartial manner. If enacted, this provision would speed review of transmission and distribution projects that require Corps permits to proceed.

The legislative proposal is part of H.R. 3080, The Water Resource Reform and Development Act that passed the House of Representatives in October. The cost recovery provision is not in the previously passed Senate version of the legislation and lobbying is focused on including the legislative language in the final bill currently in a House-Senate conference committee. On November 19, the American Gas Association, the Edison Electric Institute, the Interstate Natural Gas Association of America, the National Rural Electric Cooperative Association sent a letter to conferees requesting that this cost recovery provision be included in the final bill.

Obama Continues to Flesh Out June Pledge on Climate

President Obama continues to move full steam ahead on implementation on his Climate Action Plan. The president made two announcements last week – one relates to renewable energy in federal buildings and a plan to cut energy waste at multifamily housing such as apartments and condominiums.

On December 5, the president issued a Presidential Memorandum directing all of the federal government to use renewable sources of electricity for 20% of their energy needs by 2020. He said the federal government must lead in reducing carbon emissions, promoting energy independence and promoting domestic energy sources such as wind and solar. The government currently has a goal of using 7.5 percent of its electricity from renewable sources.

The memorandum also instructs agencies to incorporate the “[Green Button](#)” data standard into their energy management practices. Green Button is a government and industry driven project to provide utility customers with easy and secure access to their energy usage information. Green Button is part of the Administration’s grid-modernization strategy and an important component of the strategy to cut energy waste in half by 2020. Con Edison is one of 48 utilities participating in the program and has committed to expanding availability to all customers.

A fact sheet on the President's Memorandum can be found [here](#) and you can learn more about Green Button [here](#) and [here](#).

In an effort to boost energy efficiency?, the Obama Administration expanded the Better Building Challenge to multifamily housing on December 2. The Better Building Challenge supports commercial and industrial building owners by providing technical assistance and proven solutions to energy efficiency. In the United States, about a quarter of households live in multifamily housing such as apartments and condominiums. The Administration said that improving the energy efficiency of these buildings by 20 percent would save nearly \$7 billion in energy costs each year and cut greenhouse gas emissions by 430 million tons of carbon dioxide.

More information on the expansion of the Better Building Challenge is available [here](#).

State

Funding Made Available for Solar and Biogas Projects in NYC and Hudson Valley

NY-Sun has made \$30 million available to help fund large-scale solar and biogas projects in New York City and the Hudson Valley. The New York State Energy Research and Development Authority (NYSERDA) will award money for systems larger than 200 kilowatts to be installed at businesses, factories, municipal buildings, larger commercial customers, and industrial customers.

Funding is capped at \$3 million per project and \$6 million per applicant. However, a “bonus” will be awarded if the project site is located in a “strategic location” where the installation of new solar systems is expected to provide benefits to the electric distribution system.

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

Westchester Receives Emergency Communications Grant

A combination of state and federal funding has been awarded through the State Division of Homeland Security and Emergency Services (DHSES) to support statewide preparedness programs, protect critical infrastructure, and increase search and rescue teams. The funding includes \$75 million from the annual DHSES Statewide Interoperable Communications Grant (SICG), which helps local governments enhance vital emergency communications systems and improve the ability of first responders to effectively communicate with neighboring counties during a disaster. Approximately \$6 million of the SICG funding was awarded to Westchester County.

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

NYS Republicans Release Jobs Agenda

In an effort to establish their platform for the 2014 elections, the New York State Republicans released a report outlining their “Job Agenda”. The agenda focuses largely on tax reform and advocates for a full repeal of the 18-a utility surcharge in the 2014-2015 Budget. Other highlights of the report include a call to keep Indian Point open, as well as replace “costly energy mandates with common sense reform” such as providing grants and low interest loans to farms that make energy efficiency improvements.

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

NY Rising Communities Conceptual Reconstruction Plans Released

The NY Rising Community Conceptual Plans are current snapshots of the thoughts of the participating communities and planning committees. The plans will likely evolve as communities continue to analyze the risk to their assets, their needs and opportunities, the potential costs and benefits of projects, and establish their priorities.

The [New York Rising Community Reconstruction Program](#) was established by Governor Cuomo to provide additional rebuilding and revitalization assistance to communities severely damaged by Hurricanes Sandy and Irene and Tropical Storm Lee. Under the program, New York State will allocate federal Community Development Block Grant Disaster Recovery (CDBG-DR) program funding to localities to help develop and implement rebuilding plans that consider current damage, future threats, and the community’s economic opportunities.

Communities in Con Edison's service territory include five communities in Queens, 3 in Brooklyn, 1 in Manhattan, and 1 community in Staten Island.

The plans for each area can be found [here](#).

Moreland Commission on Public Corruption Releases Preliminary Report

In July, Governor Cuomo convened a Moreland Commission to probe public corruption in state government, political campaigns, and elections. The Commission released its preliminary report which makes several recommendations including campaign finance reforms such as implementing a public finance system to eliminate candidate reliance on wealthy special interests.

Governor Cuomo has long-advocated for a public financing system but the Republicans have blocked the initiative arguing that the system would needlessly divert upwards of \$200 million away from schools, infrastructure, and other tax relief initiatives.

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

City

Proposed Paid Sick Leave Legislation to Allow Exemptions

The New York City Council is working to amend sick leave legislation that passed in June. The proposed and still unnamed amendment is targeted toward the manufacturing sector. The amendment exempts manufacturers from having to meet the designated number of employee threshold that was established by the original legislation.

There is also an exemption being created for those who employ domestic workers. They too will not be under the obligations of the legislation.

The original version was vetoed by Mayor Michael Bloomberg, as a jobs killer, but was eventually overridden by the Council by an overwhelming margin and passed into law.

The full text of the original Paid Sick Leave Bill: [Int. 97-A](#)

The full text of the new proposed amendment can be found [here](#).