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May 12, 2020

Honorable Michelle Phillips
Secretary to the Commission New York State
Public Service Commission
Three Empire State Plaza Albany, NY 12223

Sent Via Email

**RE: Regulations Implementing Article 10 of the Public Service Law—Definitions.
Proposed Action: Amendment of Parts 1000 and 1001 of Title 16 NYCRR.**

Dear Secretary Phillips,

On behalf of the Alliance for Clean Energy New York please accept these brief comments on the proposed amendment of Parts 1000 and 1001 of Title 16 NYCRR, the regulations implementing Article 10 of the Public Service Law. The New York State Board on Electric Generation Siting and the Environment is proposing to amend the regulations implementing Article 10 to change the definition of “revision.”

The Alliance for Clean Energy New York supports this change for all of the reasons articulated in the Notice of Proposed Rulemaking, published pursuant to the State Administrative Procedures Act in the New York State Register on March 4, 2020. It is appropriate to require additional review process related to a change in the project only when that change is one that will result in *more* significant environmental impacts, not *less* environmental impacts.

The amendments proposed in this Notice are common-sense, practical, and fully in keeping with the intent of the Public Service Law with respect to Article 10. By redefining to focus the evaluation entirely on environmental impacts, the process will now ensure that when a project is modified in response to a concern of a state agency, local agency, or utility -- often specifically to reduce impacts -- it will not trigger additional unnecessary review that causes a costly delay.

As described in the Notice, this amendment should be viewed in the context of New York’s policies to encourage renewable energy development in the interest of local economic benefits; clean energy job creation; and the State’s clean air and energy benefits. Outside of these important state goals, this change simply makes sense from the perspective of the need for efficient and timely State agency operations.

Respectfully Submitted,

Anne Reynolds, Executive Director
Alliance for Clean Energy New York