

NYSDEC/NYSRC Meeting Summary – September 11, 2025, at 9am

- **2025 Legislative Update - Rad** - the following are proposed legislative bills that we will track at the beginning of the 2026 Legislative Session. Each bill indicates the current movement of the legislation in each house.
 - **Permit Modifications, Suspensions, Revocations, and Renewals** – S.6833-A (Harckham) / A.8553 (Wright) - The bill moved from the Senate Environmental Conservation Committee to the Senate Floor and is in the Assembly Environmental Conservation Committee.
 - **“Just Energy Transition Act”** – S.5111 (Parker) - The Senate has passed the bill, and it does not have an Assembly companion bill.
 - **Economy-Wide Cap-and-Invest Program** - S.4651-A (Parker) / A.3975 (Kelles) - The bills are in the Environmental Conservation Committees of both houses.
 - **Climate Corporate Data Accountability and Climate Accountability and Emissions Disclosure Fund** - S.3456 (Hoylman-Sigal) / A.4282 (Glick) - The Senate bill moved from the Senate Environmental Conservation Committee to the Senate Finance Committee and the Assembly bill advanced from the Assembly Environmental Conservation Committee to the Assembly Codes Committee.
 - **Eliminates One Hundred Free Feet Natural Gas Hook-Up** - S.8417 (Krueger) / A.8888 (Simon) - The legislation passed both houses but has not yet been delivered to the Governor for her consideration.
 - **NY HEAT Act** – Enacts the "NY Home Energy Affordable Transition Act" and Repeals Certain Provisions of the Public Service Law Relating to Gas Service and Sale – S.4158 (Krueger) / A.4870-A (Simon) - The Senate bill moved from the Senate Energy and Telecommunications Committee to the Senate Floor and the Assembly bill is in the Assembly Corporations Committee.
- **CO2 Programs – Ona Papageorgiou**
 - **Status of RGGI Program Re-Evaluation Process** – Ona
 - RGGI participating states completed the Third Program Review announced on July 2, 2025.
 - See: (https://www.rggi.org/sites/default/files/Uploads/Press-Releases/Press_Release_Program_Review_Announcement.pdf)
 - Expected effective date January 1, 2027.
 - **Status of NYSDEC Cap & Invest Regulatory Process** – Ona
 - no update on Cap & Invest. NYSDEC continues to work on it.
 - **Part 253 – GHG Reporting Rule Mandatory Reporting** –
 - DEC staff continue to review public comments in order to satisfy the Assessment of Public Comments requirement of the SAPA documentation process.
 - Work on a new platform to accept emissions data has begun. DEC is working with a consultant on this development.
 - DEC is working to avoid duplication of reporting by the regulated community and will collaborate with reporting entities to help inform the platform build.
 - **GHG EPA actions of note** – Ona
 - EPA announced intention to eliminate Part 98 reporting (see: [Proposed Rule: Reconsideration of the Greenhouse Gas Reporting Program](#))

- EPA had previously proposed to repeal the Power Plant GHG rule, the Mercury Air Toxics rule, vehicle GHG standards and the endangerment finding.

C – Waxman – if EGRID goes away, can you still track data? Ona – it is an important issue, and we are evaluating it with our consultant as we develop our new platform.

- **NYSDEC Regulatory/SIP Update – Bob Bielawa – we are commenting on proposed EPA changes.**
 - **Federal Executive Orders – State Programs, New Generation Resource Expansion Impacts** – no update.
 - **EPA revisions** – Already Implemented Federal Regulations – Power Plant Emissions Rule, Vehicles – No specific update, but NYSDEC is monitoring all EPA revisions to its regulations and is commenting as needed/directed.
 - **EPA Revisions to the Air Emissions Reporting Requirements** – no update
 - **EPA Cross State Air Pollution Rule (CSAPR 3)** – no update
 - **6 NYCRR 482-3, Ozone Nonattainment Fee Programs** – NYSDEC staff anticipates a proposal of the regulation by the end of October 2025.
 - **SIP Revision for 2015 Ozone Standard, Moderate Classification** – NYSDEC submitted a SIP revision entitled “NEW YORK STATE IMPLEMENTATION PLAN FOR THE 2015 OZONE NATIONAL AMBIENT AIR QUALITY STANDARDS: NEW YORK-N. NEW JERSEY-LONG ISLAND, NY-NJ-CT MODERATE NONATTAINMENT AREA; Elements Addressed: Emissions Inventories (Clean Air Act Section 182(a)(1)), Reasonable Further Progress (RFP) (Clean Air Act Sections 172(c)(2) & 182(b)(1)), Contingency Measures for Failure to meet RFP (Volatile Organic Compounds and Oxides of Nitrogen), Nonattainment New Source Review, Inspection/Maintenance (Basic); July 2025” on Friday, September 8, 2025. It can be found here at <https://dec.ny.gov/environmental-protection/air-quality/plans> under the ozone tab.
 - **Northeast Supply Enhancement (NESE) & Constitution Pipeline** - Update – no updates. This agenda item will remain on our agenda to track any activity.
- **NYISO Update – James Sweeney**
 - **Interregional Transmission Planning Update** – IPSAC – no update. NYISO expects another meeting in late Fall.
 - **Winter Capacity Market Enhancements Update** – August 19 ICAP Working Group. Market Design Options and Demand Curve Changes, Additional meetings expected at the NYISO ICAP WG.
 - <https://www.nyiso.com/documents/20142/53269544/Winter%20Reliability%20-%20Proposed%20Demand%20Curve%20Changes%20Final.pdf/71c9d9f2-135e-3803-c74b-0bcdd0b07ea9>
 - https://www.nyiso.com/documents/20142/53269544/2025%20Winter%20Reliability%20-%20August%2019%20ICAPWG_CAF%20Analysis.pdf/c91e2f6c-cfe1-5e6f-b2f7-d35870f8cb81
 - **System & Resource Outlook Update** – 2025-2044 Outlook Update is under way. It is currently being discussed at ESPWG. Assumptions for the Outlook are expected to be finalized by October 20.
 - <https://www.nyiso.com/documents/20142/53594989/2025-2044-Outlook-Assumptions-09042025-ESPWG.pdf/7ec684db-271e-689d-3426-3b3155b8cc87>

- **NYSERDA Update – Chris Hall**
State Energy Planning Process – Update – The State Energy Planning Board continues to conduct Public Hearings. Stakeholders encouraged to make comments. Written comments are due on October 6, 2025.
- **NYSRC Update – Chris Wentlent**
 - NYSRC meets tomorrow -Friday, Sept 12
 - We continue to work through the IRM process.
 - We are discussing Large Load and Large Load future reliability requirements. If any action is taken – it would require drafting a new reliability rule and following our established rulemaking process.
 - NYSRC is monitoring the state energy plan process and is considering potential comments.
- **NYSPSC Staff Regulatory Update – Jerry Mathew**
 - **Energy Storage Proceeding** – 18-E-0130. – no report.
 - **Clean Energy Standard** - 15-E-0302
 - *Zero Emissions Resource Proceeding* – Clean Path NY/NYPA Petition Update - NYSERDA submitted its CY26 Administrative Funding Budget for approval.
 - August 15 – Q2 CES reports submitted by NYSERDA.
 - August 14 - CPNY – PSC Order denied NYPA petition. NYSPSC stated the Petition did not meet priority classification requirement. An earlier in-service date does not impact near term CLCPA goals. The project does not relieve immediate constraints or congestion. The NYISO System & Resource Outlook report also indicated CPNY has a capacity factor of 47% in 2042. In addition, the CGPP Process result further supports the CPNY project does not address urgent needs. NYISO's analysis of Renewable Pocket Z2 (Delaware County) found no constraints until 2035 for expected wind and solar levels. CPNY will not deliver significant renewable generation to NYC until the 2040s.
 - **Offshore Wind Proceeding** – 18-E-0071. – no report
 - **PSC's Transmission Planning Proceeding** – 20-E-0197 – no report.
 - **Matter of the Advancement of Distributed Solar** - 21-E-0629
 - August 14 – NYSEIA Petition denied. NY-Sun budget reduced from \$421M to \$150M. Surplus funds were moved to legacy NYSERDA portfolio accounts to reduce future collections as part of a recent NYSPSC Order. The Commission denied the petition stating it does not conflict with CLCPA. The state has already realized its 6GW goal, and the funds were better allocated to other legacy fund accounts.
 - Each IOU submitted their Statewide Solar for All implementation reports.
 - **Grid of the Future** – 24-E-0165 – no report.
 - **RAPID ACT Implementation** – Case 24-M-0433 Update – no report.
- **New Business – none.**
- **Next Call** – Proposed for **Thursday, November 13 at 9am.**