

May 6, 2020

The Honorable Michelle L. Phillips
Secretary to the Commission
New York State Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350

Re: Case 20-M-0187 – Petition of Multiple Intervenors Seeking Immediate, Material Rate Relief for Electric and Gas Customers, including a Pause in Surcharges and Collections for Projects and Programs Delayed as a Result of the COVID-19 Pandemic

Dear Secretary Phillips,

On behalf of Consumer Energy Alliance (CEA) and our membership across New York, I write today regarding a Petition filed by Multiple Intervenors requesting a pause in surcharge collections due to the economic hardship being imposed by COVID-19 across the state and country.

Founded in 2006, CEA is a nonpartisan, nonprofit organization advocating for a balanced energy policy and responsible access to resources. CEA represents virtually every sector of the U.S. economy – from the iron and steel industry to truckers, airlines, agriculture, labor organizations, restaurants, chemical manufacturers, small businesses, and families all across the nation – that are concerned about U.S. energy policies, energy security, and long-term price and supply stability. CEA has more than 550,000 individual members and almost 300 academic, non-profit, corporate, and union affiliates throughout the country. Our members support a rational, all-of-the-above energy policy that utilizes all of our domestic natural resources – both traditional and renewable – while ensuring commonsense environmental protections are in place.

Due to the widespread nature of COVID-19 and attendant restrictions across the country, we are seeing unprecedented impacts to all facets of the energy and electricity delivery, generation, transmission, distribution and supply chain. CEA's members, manufacturing companies, utilities, and community groups are stepping up to provide financial donations, production and disbursement of personal protective equipment, food deliveries, life-saving cleaning and hygiene products in addition to suspending service shut-offs and working with families, seniors and customers who have been hit hard by this global pandemic. They have stepped up and continue to provide energy and services to keep hospitals, healthcare providers, first responders, grocery stores and our homes powered, fueled and online – often at great personal sacrifice for their employees and coworkers. CEA salutes their amazing dedication and the incredible work our frontline workers are performing for the benefit of our public health and nation.

It is through that lens and perspective that we urge the Commission to consider some of the key points and issues raised by the groups in the Petition. New York and our nation's consumers and large energy users in particular are experiencing tremendous economic hardship. Recent media reports [note](#) that over 1.6 million people in New York have filed for unemployment and businesses across the state continue to lay-off or furlough employees to try and stay afloat. It has come to our attention in the Petition that over \$1.15 billion is available from unspent or uncommitted funds collected from

consumers and customers that have never been used for New York State Energy Research and Development Authority (NYSERDA) projects or programs. The Petition raises important issues that we encourage the Commission to consider regarding rate relief and the appropriateness of temporarily suspending or pausing fee collection for mandates and programs that are not of critical importance to maintain grid reliability, service and other mission-essential activities. Considering the methodology behind the programs appears to be creating a surplus even before the COVID-19 pandemic occurred, it seems appropriate at this time for the Commission to at least consider suspending or pausing the collection of these fees for a limited amount of time or until recovery and response efforts begin to subside. Further, an additional \$1.15 billion back in the hands of small businesses, households, seniors, and manufacturers could make a significant difference in these uncertain times – especially since it would not impact existing projects or activities underway at NYSERDA.

In addition, CEA urges the Commission to explore the creation of a working group that would bring all interested parties together to work out the various, complex issues and considerations that would be at play from granting this Petition and to explore potential paths forward to help provide rate relief for customers and temporary regulatory relief for utilities. Power providers have been stuck in the untenable position of having to serve as the collection agency for fees to fund mandated programs, which in the middle of an economic crisis, can put significant strain on their customer's ability to meet payroll or provide benefits to their employees.

We understand this is an extraordinary time with unique and challenging pressures and issues to consider. CEA stands ready to be a constructive partner to help create solutions as New Yorkers recover and gets back on their feet.

Thank you for your consideration of these comments.

Sincerely,

Wendy Hijos
Executive Director
CEA New York