

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held in the City of  
Albany on December 14, 2023

COMMISSIONERS PRESENT:

Rory M. Christian, Chair  
Diane X. Burman, concurring  
James S. Alesi  
John B. Howard  
David J. Valesky  
John B. Maggiore

CASE 15-E-0302 - Proceeding on Motion of the Commission to  
Implement a Large-Scale Renewable Program and a  
Clean Energy Standard.

ORDER APPROVING 2024 ADMINISTRATIVE FUNDING

(Issued and Effective December 18, 2023)

BY THE COMMISSION:

INTRODUCTION

The CES Framework Order designated the New York State Energy Research and Development Authority (NYSERDA) as the central administrator of the Clean Energy Standard (CES), which is comprised of the Renewable Energy Standard (RES) and Zero-Emission Credit (ZEC) programs.<sup>1</sup> As the administrator, NYSERDA must file an annual petition with the Public Service Commission (Commission) for recovery of the costs associated with administering the CES programs.

On July 31, 2023, NYSERDA filed a petition seeking authorization to recover approximately \$33.5 million in funds for administering the CES programs for the upcoming 2024

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<sup>1</sup> Case 15-E-0302, et al., Order Adopting A Clean Energy Standard (issued August 1, 2016) (CES Framework Order).

Compliance Year (Petition). This represents an increase of less than one percent from its current 2023 administrative budget. In this Order, the Commission approves the administrative funding request covering the 2024 CES Compliance Year.

#### BACKGROUND

In the CES Framework Order, the Commission established the CES to increase the State's renewable energy supply and to preserve New York's existing zero-emissions generation. The Commission divided the CES into a RES and ZEC requirement. The RES includes a Tier 1 component that obligates each load-serving entity (LSE) to serve its retail customers by procuring new renewable resources, evidenced by the procurement of qualifying Tier 1 Renewable Energy Certificates (RECs) from NYSERDA or other sources, or by making Alternative Compliance Payments (ACPs). The RES also includes a Tier 2 Maintenance program to provide financial support for existing baseline eligible renewable facilities that are at risk of ceasing operations.

Under the ZEC program (also known as Tier 3), each LSE that serves end-use customers in New York must purchase ZECs from NYSERDA in proportion to the load they serve relative to the total statewide load. NYSERDA administers this program by purchasing ZECs from qualifying nuclear generators during each compliance year and duly billing LSEs for their share.

The Commission established the offshore wind (OSW) program and accompanying standard in 2018 by requiring LSEs to support the procurement of 2,400 megawatts (MW) of OSW resources by 2030.<sup>2</sup> As with Tier 1, the OSW standard obligates each LSE to serve its retail customers by procuring new OSW resources,

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<sup>2</sup> Case 18-E-0071, In the Matter of Offshore Wind Energy, Order Establishing Offshore Wind Standard and Framework for Phase 1 Procurement (issued July 12, 2018) (OSW Framework Order).

evidenced by the procurement of OSW Renewable Energy Certificates (ORECs) from NYSERDA. On April 23, 2020, the Commission authorized NYSERDA to issue an additional OSW solicitation for up to 2,500 MW.<sup>3</sup>

On October 15, 2020, the Commission issued the CES Modification Order, which adopted the clean energy deployment targets within the Climate Leadership and Community Protection Act (CLCPA), including a goal to serve at least 70% of statewide load by renewable energy resources by 2030, and that 9,000 MW of OSW be procured by 2035.<sup>4</sup> The CES Modification Order also created two new programs to facilitate achievement of these goals. The first was the Competitive Tier 2 program designed to support non-state-owned wind and run-of-river hydroelectric generating facilities that commenced operation prior to January 2015. The second was the Tier 4 program designed to support renewable energy delivered into New York City.

The CES Modification Order authorized a REC and ZEC administrative adder to recover NYSERDA's anticipated administrative costs for 12 months, adjusted to take into account any shortfall or surplus from the previous year. Through the adder mechanism, administrative costs are allocated across the attributes NYSERDA annually sells to LSEs in each year via a commensurately increased attribute price or an increased LSE rate, depending on the program. The Commission also directed NYSERDA to combine administrative funding requests for all CES programs into one comprehensive annual funding petition for years 2022 and beyond.

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<sup>3</sup> Case 18-E-0071, supra, Order Authorizing Offshore Wind Solicitation in 2020 (issued April 23, 2020) (2020 Offshore Wind Order).

<sup>4</sup> Case 15-E-0302, Order Adopting Modifications to the Clean Energy Standard (issued October 15, 2020) (CES Modification Order).

THE PETITION

2024 CES Compliance Year Budget Proposal

NYSERDA requests administrative funding of \$33,549,661, an increase of less than one percent compared to 2023, to support the 2024 CES Compliance Year for the RES and ZEC programs. The Petition states that administrative funding includes CES staff salaries and overhead, system development to maintain and manage the CES operating systems, technical and implementation support, and the New York State Cost Recovery Fee expense.<sup>5</sup> In administering the CES, NYSERDA refers to its core responsibilities of managing the acquisition of CES resources in a cost-effective and timely manner as efficiently as possible. NYSERDA proposes to fund its 2024 administration of Tier 1, Tier 2, Tier 4, and OREC programs with revenues received in previous years including bid fees, ACPs, and interest income. For the ZEC program, NYSERDA proposes to continue to fund the program's administrative functions through an adder charge.

NYSERDA indicates that CES staff workload volume and complexity have increased exponentially in the past couple years and are expected to continue increasing in 2024 and beyond. The 2024 administrative funding does not include any new additional full-time employees, as the 2023 administrative budget was sufficient to add 14 new full-time employees to the CES team.<sup>6</sup>

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<sup>5</sup> The New York State Cost Recovery Fee is a fee (approximately one percent of total program expenditures) assessed to NYSERDA and other public authorities by New York State for an allocable share of state governmental costs attributable to the provision of services to public benefit corporation pursuant to Section 2975 of the Public Authorities Law. It is applicable to all CES spending and is allocated to each program's annual expenditures.

<sup>6</sup> Case 15-E-0302, Order Approving 2023 Clean Energy Standard Administrative Funding and Reconciliation of Year 2021 Administrative Costs (issued December 15, 2022).

The increase in salaries and overhead for 2024 of approximately 8.5% is due to the onboarding of the remainder of the staff approved in the 2023 budget as well as the payment of full year salaries during 2024 for staff that was hired and worked only part of 2023.

<b>Table 1. Full Time Equivalents by Fund</b>						
<b>Fund</b>	<b>Tier 1</b>	<b>Tier 2</b>	<b>Tier 3/ZEC</b>	<b>Tier 4</b>	<b>OREC</b>	<b>FTE Total</b>
<b>Full Time Equivalent</b>	21.35	1.00	1.75	1.90	17.25	43.25

Also, as part of the administrative budget request, NYSERDA is requesting funds for system development improvements to the New York Generating Attribute Tracking System (NYGATS), and other business systems that manage the suite of CES programs.<sup>7</sup> NYSERDA notes that the primary driver of system development costs are enhancements needed to enable the transition of Tier 1 obligations to a load share framework, as approved by the Commission.<sup>8</sup> NYSERDA is requesting funds for technical and implementation support for ongoing consultation support, development and issuance of procurements, technical and policy analysis, and technical evaluation panels for NYSERDA procurements. Third-party contractors will continue to assist in providing more substantial evaluation methodologies and study projects in greater detail to ensure projects are selected that exhibit greater benefits to the grid in the most cost-effective

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<sup>7</sup> NYGATS is an online certificate-tracking system that records information about electricity generated, imported, and consumed within New York State.

<sup>8</sup> Case 15-E-0302, Order Modifying Clean Energy Standard Tier 1 Obligation (issued April 20, 2023).

manner. NYSERDA adds that it plans to launch 2023 and 2024 Tier 1 solicitations and the costs associated with implementing the 2023 and 2024 solicitations are included in the Petition.

The Petition states that technical analysis includes the needs of, and impacts to, the transmission and distribution system, and support for and participation in coordination with Department of Public Service Staff's work for the Coordinated Grid Planning Process.<sup>9</sup> Funding would also support analysis of the supply chain for utility-scale solar projects significantly affected by import restrictions. Technical analysis funding would further support NYSERDA's efforts for the CES 2024 Biennial Review process, as directed by the CES Modification Order, and to monitor and analyze the Inflation Reduction Act of 2022 (IRA) incentives to maximize benefits for ratepayers. NYSERDA also requests funding for a solar panel and wind turbine blade recycling feasibility study to help inform end-of-use requirements.

Funding is also requested to support the Tier 2 market by initiating new activities to support transactions directly between generators and purchasers of RECs to create a robust and sustained competitive market. In addition, NYSERDA requests funding to support Tier 4 activities such as analysis related to assessing transmission constraints, monitoring new NYISO market developments and procedures, evaluating coincident offshore wind generation, and new methods for contract compliance within NYSERDA's business systems.

Further, funds have been included in the proposed 2024 budget to develop an OREC and supply chain contract deliverables tracking system to ensure project milestones and economic benefits are collected, and to support industry liaisons for

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<sup>9</sup> See, Case 20-E-0197, Transmission Planning Pursuant to the Accelerated Renewable Energy Growth and Community Benefit Act.

ports, labor, and construction to ensure supply chain investments are developed efficiently. NYSERDA states that funding would support a portion of activities related to the development of the "New York State Offshore Wind Masterplan 2.0: Deep Water" while also supporting work on core programmatic workstreams in 2024, including those related to stakeholder engagement and outreach and environmental research initiatives. Funding would also support continuation of four offshore wind Technical Working Groups (TWGs) and the launch of the Environmental Justice TWG. Lastly, the Petition states that funding would support education and outreach via marketing campaigns, in-person community meetings, workshops, public facing materials, K-12 programming, and the continuation of the "Learning from the Experts" webinar series.

The CES administrative budget, presented in Table 2 below, includes NYSERDA CES staff salaries, fringe benefits, and other direct program operating costs and allocated general and administrative expenses.

<b>Table 2. Proposed CES Year 2024 Budget</b>						
<b>Program Expenses</b>	<b>Tier 1</b>	<b>Tier 2</b>	<b>Tier 3/ZEC</b>	<b>Tier 4</b>	<b>OREC</b>	<b>Totals</b>
<b>Salaries and Overhead</b>	\$6,659,230	\$374,478	\$679,498	\$661,094	\$5,546,437	<b>\$13,920,737</b>
<b>Technical Support</b>	\$2,847,992	\$116,600	\$156,600	\$1,510,600	\$7,836,100	<b>\$12,467,892</b>
<b>System Development</b>	\$426,487	\$0	\$592,042	\$25,000	\$50,000	<b>\$1,093,528</b>
<b>Subtotal</b>	<b>\$9,933,709</b>	<b>\$491,078</b>	<b>\$1,428,140</b>	<b>\$2,196,694</b>	<b>\$13,432,537</b>	<b>\$27,482,158</b>
<b>NYS Cost Recovery Expense</b>	\$845,688	\$4,911	\$5,060,596	\$21,969	\$134,339	<b>\$6,067,504</b>
<b>Total</b>	<b>\$10,779,397</b>	<b>\$495,989</b>	<b>\$6,488,736</b>	<b>\$2,218,664</b>	<b>\$13,566,876</b>	<b>\$33,549,661</b>

2022 Budget Reconciliation

The Petition includes Tables 3 through 6, which reflect the reconciliation of CES Compliance year 2022 administrative expenses by fund.

<b>Table 3. CES Compliance Period Funds - Tier 1 and Tier 3 (ZECs) (2022)</b>			
<b>Program Expenses</b>	<b>Year 2022 Budget</b>	<b>End of Year 2022 Committed</b>	<b>Uncommitted Funds</b>
Tier 1 Salary and Overhead	\$5,419,000	\$3,830,804	\$1,588,196
Tier 1 NYS Cost Recovery Fee Expenses	\$1,073,000	\$193,133	\$879,867
Tier 1 Non-Recurring Charges		\$0	\$0
Tier 1 Technical Support	\$3,165,000	\$3,723,773	(\$558,773)
Tier 1 System Development	\$150,000	(\$447,842)	\$597,842
<b>Tier 1 Total</b>	<b>\$9,807,000</b>	<b>\$7,299,868</b>	<b>\$2,507,132</b>



Tier 3/ZEC Salary and Overhead	\$537,000	\$441,726	\$95,274
Tier 3/ZEC NYS Cost Recovery Fee Expenses	\$6,399,000	\$5,892,178	\$506,822
Tier 3/ZEC Non-Recurring Charges		\$0	\$0
Tier 3/ZEC Technical Support	75,000	\$27,500	\$47,500
Tier 3/ZEC System Development	582,000	\$1,131,239	(\$549,239)
<b>ZEC Total</b>	<b>\$7,593,000</b>	<b>\$7,492,644</b>	<b>\$100,356</b>
<b>Total</b>	<b>\$17,400,000</b>	<b>\$14,792,512</b>	<b>\$2,607,488</b>

<b>Table 4. CES Compliance Period Funds - Tier 2 (2022)</b>			
<b>Program Salary Expenses</b>	<b>Year 2022 Approved Budget</b>	<b>End of Year 2022 Committed</b>	<b>Uncommitted Funds</b>
Tier 2 Salary and Overhead	\$379,000	\$238,235	\$140,765
Tier 2 NYS Cost Recovery Fee Expenses	\$13,000	\$8,578	\$4,422
Tier 2 Technical Support	\$195,000	\$129,200	\$65,800
Tier 2 System Development	\$40,000	(\$29,846)	\$69,846
<b>Total</b>	<b>\$627,000</b>	<b>\$346,167</b>	<b>\$280,833</b>

<b>Table 5. CES Compliance Period Funds - Tier 4 (2022)</b>			
<b>Program Salary Expenses</b>	<b>Year 2022 Approved Budget</b>	<b>End of Year 2022 Committed</b>	<b>Uncommitted Funds</b>
Tier 4 Salary and Overhead	\$443,000	\$252,799	\$190,201
Tier 4 NYS Cost Recovery Fee Expenses	\$6,000	\$10,949	(\$4,949)
Tier 4 Technical Support	\$60,000	\$48,834	\$11,166
Tier 4 System Development	\$20,000	\$0	\$20,000
<b>Total</b>	<b>\$529,000</b>	<b>\$312,581</b>	<b>\$216,419</b>

<b>Table 6. OREC Compliance Period Funds - (2022)</b>			
<b>Program Salary Expenses</b>	<b>Year 2022 Approved Budget</b>	<b>End of Year 2022 Committed</b>	<b>Uncommitted Funds</b>
OREC Salary and Overhead	\$2,995,000	\$2,211,982	\$783,018
OREC NYS Cost Recovery Fee Expenses	\$136,000	\$76,422	\$59,578
OREC Technical Support	\$8,502,000	\$8,891,885	(\$389,885)
OREC System Development	\$20,000	\$0	\$20,000
<b>Total</b>	<b>\$11,653,000</b>	<b>\$11,180,288</b>	<b>\$472,712</b>

#### Sources of Funds and Funding Proposal

NYSERDA proposes to fund its 2024 administration of the Tier 1, Tier 2, Tier 4, and OREC programs with revenues received in the previous years, including bid fees, ACPs, and interest income, and to fund the ZEC program with an adder charge. For 2023, NYSERDA states that it carried a balance of \$57,604,797 in surplus funds into 2023, as reflected in Table 7.

The surplus represents expenditures and commitments through the 2022 compliance year.

<b>Table 7. Preliminary Estimate of CES RES surplus funding</b>	
	<b>Amount</b>
<b>Beginning Surplus/(Deficit), January 1, 2023<sup>1</sup></b>	\$57,604,797
<b>Revenue/Source of Funds (Tier 1)</b>	
Renewable Energy Credit Proceeds	\$58,082,574
Alternative Compliance Payments	\$43,800,000
Voluntary Compliance Payments	\$5,865,006
Management/Bid Fees	\$2,650,000
Contract Security and Bid Deposits	\$2,101,428
Investment Income	\$4,517,216
<b>Total Tier 1 Revenue</b>	\$117,016,224
<b>Expense/Use of Funds (Tier 1)</b>	
Program Administration	\$6,094,206
Program Support	\$3,224,892
System Development Costs	\$202,046
REC Payments to Generating Facilities	\$58,082,574
NYS Cost Recovery Fee	\$471,197
<b>Total Tier 1 Expense</b>	\$68,074,915
<b>Transfers to Other Funds</b>	
Transfer to OREC	\$12,831,631
Transfer to Tier 2	\$988,799
Transfer to Tier 4	\$1,410,241
<b>Total Transfer from Tier 1 to Other Funds</b>	\$15,230,671
<b>Surplus/(Deficit), 1/1/2023-12/31/2023</b>	\$33,710,638
<b>Cumulative Surplus/(Deficit), December 31, 2023</b>	\$91,315,435

NOTICE OF PROPOSED RULE MAKING

Pursuant to the State Administrative Procedure Act (SAPA) §202(1), a Notice of Proposed Rulemaking (Notice) was published in the State Register on August 30, 2023 [SAPA No. 15-E-0302SP62]. The time for submission of comments pursuant to the Notice expired on October 30, 2023. Comments were received by the City of New York and are summarized below.

SUMMARY OF COMMENTS

City of New York (the City)

The City takes no issue with NYSERDA's 2024 compliance year budget, nor its request for authorization to recover its administrative costs. The City's sole concern with the Petition pertains to the manner in which NYSERDA proposes to recover its administrative costs. The City argues that it is no longer reasonable to use existing funds to only cover the costs of the RES and OREC programs, and suggests they should also be used to cover the ZEC administrative costs to avoid placing more burden on ratepayers. The City notes that NYSERDA is projected to have a surplus of \$91 million, and argues that such funds are more than sufficient to cover the ZEC adder. The City recommends that the Commission should not permit a customer surcharge while NYSERDA continues to accumulate funds that could be used for this very purpose. The City requests that the Commission deny NYSERDA's proposal to use the adder mechanism for the ZEC program and instead direct it to use existing funds to cover all of its CES-related administrative costs in 2024 and future years until such time that the funds are exhausted.

LEGAL AUTHORITY

The Commission's authority derives from the New York State Public Service Law (PSL), through which numerous

legislative powers are delegated to the Commission. Pursuant to PSL §5(1), the "jurisdiction, supervision, powers and duties" of the Commission extend to the "manufacture, conveying, transportation, sale or distribution of ... electricity." PSL §5(2) requires the Commission to "encourage all persons and corporations subject to its jurisdiction to formulate and carryout long-range programs, individually or cooperatively, for the performance of their public service responsibilities with economy, efficiency, and care for the public safety, the preservation of environmental values and the conservation of natural resources." PSL §66(2) provides that the Commission shall "examine or investigate the methods employed by [] persons, corporations and municipalities in manufacturing, distributing and supplying ... electricity ... and have power to order such reasonable improvements as well as promote the public interest, preserve the public health and protect those using such gas or electricity...".

PSL §4(1) also expressly provides the Commission with "all powers necessary or proper to enable [the Commission] to carry out the purposes of [the PSL]" including, without limitation, a guarantee to the public of safe and adequate service at just and reasonable rates,<sup>10</sup> environmental stewardship, and the conservation of resources.<sup>11</sup> Further, PSL §65 provides the Commission with authority to ensure that "every electric corporation and every municipality shall furnish and

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<sup>10</sup> See International R. Co. v Public Service Com., 264 AD 506, 510 (1942).

<sup>11</sup> PSL §5(2); see also, Consolidated Edison Co. v Public Service Commission, 47 N.Y.2d 94 (1979) (overturned on other grounds) (describing the broad delegation of authority to the Commission and the Legislature's unqualified recognition of the importance of environmental stewardship and resource conservation in amending the PSL to include §5).

provide such service, instrumentalities and facilities as shall be safe and adequate and in all respects just and reasonable." The Commission also has authority to prescribe the "safe, efficient and adequate property, equipment and appliances thereafter to be used, maintained and operated for the security and accommodation of the public" whenever the Commission determines that the utility's existing equipment is "unsafe, inefficient or inadequate."<sup>12</sup> In addition to the PSL, the New York State Energy Law §6-104(5)(b) requires that "[a]ny energy-related action or decision of a state agency, board, commission or authority shall be reasonably consistent with the forecasts and the policies and long-range energy planning objectives and strategies contained in the plan, including its most recent update."

#### DISCUSSION AND CONCLUSION

The NYSERDA-proposed administrative budget of \$33,549,661 represents an increase of approximately 1% over the 2023 authorized budget of \$33,453,188, which is reasonable given that the CES's scope of work continues to expand in pursuit of the State's climate and energy goals. The Commission also finds NYSERDA's proposal to fund its 2024 administrative costs for Tier 1, Tier 2, Tier 4, and the OSW standard with revenues received in the previous years, including bid fees, ACPs, contract security forfeitures, and interest income, as detailed in Table 7, to be reasonable. The Commission thus approves NYSERDA's proposed 2024 compliance period RES and ZEC program budgets.

The estimated cumulative surplus through the end of 2023, as shown in Table 7, is approximately \$91.3 million due in

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<sup>12</sup> PSL §66(5).

large part to ACPs. This surplus shall continue to be used to fund NYSERDA's CES administrative costs, negating the need for any incremental collection from ratepayers in 2024. Table 7 also illustrates the necessary transfers to OREC, Tier 2, and Tier 4 to mitigate the impact of CES program costs through funding these programs with surplus funds. These transfers permit reallocation of surpluses within the RES between tiers to avoid requests of additional ratepayer funds to cover individual tier deficits.

In addition to salaries and overhead, the budget addresses necessary system upgrades to NYGATS that will enable the transition of Tier 1 LSE obligations to a load share framework. Further, the budget maintains funding to support the Tier 1 and OREC 2024 solicitations, including third-party, technical contractors to develop and review submitted bids. We note that it is the responsibility of NYSERDA to ensure, through appropriate administration of the CES, that ratepayer funding is used to acquire renewable resources cost-effectively, timely and with as much certainty of completion as possible. The approved budget also supports the activities surrounding the management of over 100 RES generator contracts, and activities to support offshore wind supply chain and community engagement to those communities affected by offshore wind installations. With its developer and market knowledge experience, we expect NYSERDA, as one of its core responsibilities, to oversee projects as they progress through development and effectively manage issues as they arise to increase the certainty of completing the projects through to commercial operation. Lastly, the budget includes the State-mandated New York State Cost Recovery Fee assessed to public authorities.

The City argues that the ZEC program administrative adder should be funded with surplus funds like the RES

administrative adder. The City states that it isn't reasonable to place the burden on ratepayers for the ZEC program when there are sufficient existing funds available.

The Commission disagrees with the City's recommendation. According to the Phase 2 Implementation Plan Order, ACPs collected are to be used to offset the cost of achieving the RES goals, which are distinct and separate from the ZEC program goals.<sup>13</sup> Further, the Phase 2 Implementation Plan Order states that ACPs should be used to mitigate any impact to customers related to the CES financial backstop. ACPs, bid fees, and interest income are all collected in relation to RES projects planned to further the RES goals. While the generators associated with the ZEC program do contribute to the State's zero-emission goals, they do not contribute to the State's renewable energy goals. It would be inappropriate to repurpose these funds collected for RES purposes to offset the ZEC administrative adder. Therefore, we approve NYSERDA's proposal to continue to collect 2024 compliance year ZEC administrative costs though an adder. The approved 2024 compliance period RES and ZEC budget is contained in Table 8 below.

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<sup>13</sup> Case 15-E-0302, Order Approving Phase 2 Implementation Plan (issued November 17, 2017) (Phase 2 Implementation Plan Order).



**Table 8. CES 2024 Compliance Year Budget**

<b>Program Expenses</b>	<b>Tier 1</b>	<b>Tier 2</b>	<b>Tier 3/ZECR</b>	<b>Tier 4</b>	<b>OREC</b>	<b>Totals</b>
Salaries and Overhead	\$6,659,230	\$374,478	\$679,498	\$661,094	\$5,546,437	\$13,920,737
Technical Support	\$2,847,992	\$116,600	\$156,600	\$1,510,600	\$7,836,100	\$12,467,892
System Development	\$426,487	\$0	\$592,042	\$25,000	\$50,000	\$1,093,528
Subtotal	\$9,933,709	\$491,078	\$1,428,140	\$2,196,694	\$13,432,537	\$27,482,158
NYS Cost Recovery Expense	\$845,688	\$4,911	\$5,060,596	\$21,969	\$134,339	\$6,067,504
<b>Total</b>	<b>\$10,779,397</b>	<b>\$495,989</b>	<b>\$6,488,736</b>	<b>\$2,218,664</b>	<b>\$13,566,876</b>	<b>\$33,549,661</b>

The Commission orders:

1. The 2024 Clean Energy Standard administrative budget proposed by the New York State Energy Research and Development Authority is approved, as discussed in the body of this Order.

2. The New York State Energy Research and Development Authority is authorized to use previously collected revenues including bid fees, forfeited contract security funds, Alternative Compliance Payments received, and interest income to fund the 2024 Clean Energy Standard compliance period for the Renewable Energy Standard, and is authorized to fund the 2024 Clean Energy Standard compliance period of the Zero-Emission Credit program through the Zero-Emission Credit Adder, as discussed in the body of the Order.

3. The New York State Energy Research and Development Authority shall continue to file Quarterly reports containing itemized expenses associated with the administration of the Renewable Energy Standard and Zero-Emission Credit programs.

4. In the Secretary's sole discretion, the deadlines set forth in this Order may be extended. Any request for an extension must be in writing, must include a justification for the extension, and must be filed at least three days prior to the affected deadline.

5. This proceeding is continued.

By the Commission,

(SIGNED)

MICHELLE L. PHILLIPS  
Secretary