



KATHY HOCHUL
Governor
RICHARD L. KAUFFMAN
Chair
DOREEN M. HARRIS
President and CEO

NOTICE OF MEETING AND AGENDA

October 17, 2024

TO THE MEMBERS OF THE OF THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY:

PLEASE TAKE NOTICE that a regular (the 268th) meeting of the New York State Energy Research and Development Authority (“Authority”) will be held at 17 Columbia Circle, Albany, New York, and at the NY Green Bank Office located at 1333 Broadway, New York, New York, on Wednesday, October 23, 2024, commencing at 2:00pm., for the following purposes:

I. Discussion Agenda

1. To receive a report from the President and CEO.
2. To consider and act upon a resolution to convene in executive session for the purpose of discussing the employment history of a particular person and a private session for the purpose of discussing attorney-client privileged matters.
3. To consider and act upon a resolution approving amendments to the Authority’s By-laws.
4. To receive a report from the Governance Committee.
5. To receive a report from the Program Planning Committee:
 - i. To consider and act upon a resolution recommending approval of revisions to the plan entitled *Operating Plan for Investments in New York Under the CO₂ Budget Trading Program and the CO₂ Allowance Auction Program*; and
 - ii. To consider and act upon a resolution approving revisions to the Authority’s Fiscal Year 2024-2025 Budget.
6. To receive a report from the Audit and Finance Committee.
7. To receive a report from the Waste and Facilities Management Committee.

New York State Energy Research and Development Authority

Albany
17 Columbia Circle, Albany, NY 12203-6399
(P) 1-866-NYSERDA | (F) 518-862-1091
nysesda.ny.gov | info@nysesda.ny.gov

Buffalo
726 Exchange Street
Suite 821
Buffalo, NY
14210-1484
(P) 716-842-1522
(F) 716-842-0156

New York City
1359 Broadway
19th Floor
New York, NY
10018-7842
(P) 212-971-5342
(F) 518-862-1091

**West Valley Site
Management Program**
9030-B Route 219
West Valley, NY
14171-9500
(P) 716-942-9960
(F) 716-942-9961

8. To receive program reports.

II. Consent Agenda

1. To consider and act upon resolutions approving:

- i. amendments to the Authority's Internal Control Manual;
- ii. Bond Counsel for the Authority;
- iii. the Audit and Finance Committee Charter and the Waste and Facilities Management Committee Charter; and
- iv. the periodic contracts report.

III. To transact such other business as may properly come before the meeting.

Members of the public may attend the meeting at any of the above locations or via the video conference which can be accessed at <https://www.nyserda.ny.gov/About/Board-Governance/Board-and-Committee-Meetings>.

The Authority will be posting a video and a transcript of the meeting to the web as soon as practicable after the meeting. The video and transcript will be posted at <http://www.nyserda.ny.gov/About/Board-Governance/Board-and-Committee-Meetings>.



Peter J. Costello
Secretary

PRESIDENT AND CEO
REPORT
(Oral Report)

Resolution No. ____

RESOLVED, that pursuant to Section 105 of the Public Officers Law, the Members of the New York State Energy Research and Development Authority shall convene in executive session on October 23, 2024, for the purpose of discussing the employment history of a particular person.

NEW YORK STATE

ENERGY RESEARCH AND DEVELOPMENT AUTHORITY BY-LAWS

As Amended through October ~~2022~~2024

NEW YORK STATE
ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

BY-LAWS

ARTICLE I

Offices

SECTION 1. Principal Office. The principal office of the Authority shall be located at such place within the State of New York as the Authority shall designate.

SECTION 2. Other Offices. The Authority may also have offices at such other place or places within the State of New York as the Authority may from time to time determine to be necessary or appropriate for the conduct of its operations.

SECTION 3. Books and Records. Except as otherwise directed by the Authority or as the operations of the Authority may require, all the books and records of the Authority shall be kept at the principal office of the Authority.

ARTICLE II

Members and Meetings

SECTION 1. Members. The powers of the Authority, including, but not limited to Section 2824 of the Public Authorities Law, shall be vested in and exercised by the Members of the Authority who shall be selected as provided in the New York State Energy Research and Development Authority Act and shall hold office subject to the terms and conditions therein set forth.

SECTION 2. Annual Meetings. The Annual Meeting of the Authority shall be held in June in each year or on such other date in each calendar year as the Chair may designate by notice given to the other Members.

SECTION 3. Regular Meetings. Regular meetings of the Authority shall be held in January, April, and October of each year or on such other dates as the Chair may designate by notice given to the other Members.

SECTION 4. Special Meetings. Special meetings of the Authority may be called by the Chair and shall be called by the Secretary at the request of the Chair or upon the written request of any three Members.

SECTION 5. Place of Meetings. The Annual Meeting of the Authority shall be held at the principal office of the Authority unless the Chair shall designate a different place or places for attendance in person or through videoconferencing by notice given to the other Members. Other meetings of the Authority may be held either within or without the State of New York at such places for attendance in person or through videoconferencing as may be designated in the respective notice of meeting or waiver thereof or as may be fixed by the Authority in the case of regular meetings of the Authority.

(A) Use of Videoconferencing. Videoconferencing may be used as a general matter when at least a quorum of Members are in physical locations where the public can attend. Provided the afore-mentioned quorum requirement is met, a Member may attend a meeting via videoconference at a private location when extraordinary circumstances prevent physical attendance.

(B) Extraordinary Circumstances. Extraordinary circumstances include disability, illness, other medical condition, caregiving responsibilities, military service, death of a relative, or other urgent or unexpected circumstances that prevents physical attendance. An extraordinary circumstances request shall be to the Chair (or the Chair's designee) and Authority staff assigned to support the Board as soon as reasonably possible after a Member becomes aware of the extraordinary circumstance. The Chair (or the Chair's designee) shall approve or deny an extraordinary circumstances request and shall inform the Member who made the request and the Authority staff assigned to support the Board of the decision. The minutes of the meeting shall include which, if any, Member participated by videoconferencing from a private location due to such extraordinary circumstances.

(C) Identification of Members. Except in the case of executive sessions, a Member shall be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon.

(D) State or Local Disaster or Emergency Declaration. The in-person participation requirements shall not apply during a state disaster emergency declared by the governor or a local emergency declared by the chief executive of a county, city, village, or town if the Members determine that the circumstances necessitating the emergency declaration would affect or impair the ability of the Members to hold an in-person meeting.

SECTION 6. Notices. Except as otherwise provided by these By-Laws, whenever a meeting is scheduled at least one week in advance, written notice of that meeting of the Authority, specifying the time, place, and purposes thereof, shall be given to each Member by mail, e-mail, telephonic facsimile transmission, or other electronic means at least five days before such meeting. For every other meeting, notice shall be given in person or by email, or telephonic facsimile transmission at least twenty-four hours before such meeting, to the extent practicable. Notices by

mail shall be deemed to have been given at the time when mailed to such Member at their address on the records of the Authority; notices by email shall be deemed to have been given at the time when transmission of such notice to the Member's email address on the records of the Authority has been completed, with no notice of a failure to deliver being received; notices by telephonic facsimile transmission shall be deemed to have been given at the time when transmission to such Member at their telephonic facsimile transmission number on the records of the Authority has been completed. If videoconferencing is used to conduct a meeting, the notice shall state such and include information as to where the public can view and/or participate in such meeting, where required documents and records will be posted or available, and identify the physical location or locations for the meeting where the public can attend.

SECTION 7. Waiver of Notice. In lieu of the notice prescribed in Section 6 of this Article II a waiver thereof in writing, signed by the Member or Members entitled to such notice whether before or after the time stated therein, shall be deemed equivalent to such notice for purposes of these By-Laws. No notice to or waiver by any Member with respect to any meeting shall be required if such Member is present at such meeting.

SECTION 8. Quorum and Voting. A majority of the whole number of the Members, gathered together in the presence of each other or through the use of videoconferencing, shall constitute a quorum for the transaction of any business or the exercise of any power or function of the Authority. Any act taken at any meeting by a majority of the whole number of the Members shall be the act of the Authority. For the purposes of these By-Laws, the words "whole number" shall mean the total number of the Members if there were no vacancies and if none of the Members are disqualified from acting. A Member who is participating via videoconference from a private location due to extraordinary circumstances shall not count toward a quorum but may participate and vote if there is a quorum of members at a physical location open to the public.

SECTION 9. Approval of Governor. Except to the extent the Governor of the State of New York has, by order filed with the Authority, relieved the Authority from the duty of procuring their approval of any action upon a particular matter or class of matters, no action taken at any meeting of the Authority shall have force or effect until the Governor shall have had an opportunity to approve or veto the same in accordance with the provisions of Section 1853 of the Public Authorities Law.

ARTICLE III

Officers

SECTION 1. In General. The officers of the Authority shall be a Chair, Vice Chair, President and CEO, , Executive Vice President for Policy and Regulatory Affairs, Secretary, Chief Financial Officer, and Chief Program Officer, and such additional officers as may be appointed pursuant to Section 2 of this Article III. Except for the Chair and the Vice Chair, who shall each

be a Member of the Authority, no officer need be a Member of the Authority. Any two offices, other than those of the Chair and Vice Chair, may be held by the same person.

SECTION 2. Appointment. The Chair shall be the Member of the Authority so designated by the Governor of the State of New York. The Authority shall appoint persons to fill the other offices of the Authority established in Section 1 of this Article III, and may from time to time appoint such additional officers as it may deem advisable and prescribe their respective powers and duties.

SECTION 3. Terms and Compensation. The Chair shall serve as Chair at the pleasure of the Governor of the State of New York. All officers of the Authority other than the Chair shall hold office at the pleasure of the Authority and shall receive such compensation as may be authorized by the Authority, subject to applicable provisions, if any, of the Civil Service Law and the regulations of the Civil Service Commission of the State of New York.

SECTION 4. Removal. The Chair may be removed as Chair, with or without cause, at any time, by the Governor of the State of New York acting at their pleasure. Any officer, other than the Chair, may be removed, with or without cause, at any time, by the Authority at any meeting called for that purpose.

SECTION 5. Resignation. Any officer may resign at any time by giving written notice to the Chair or to the Secretary, except that, in the case of the resignation of the Chair or a Member, such notice shall be given to the Governor of the State of New York. Any such resignation shall take effect upon the receipt of such notice or any later time specified therein, and, unless otherwise specified therein, the acceptance of resignation of an officer other than the Chair or a Member shall not be a condition to its effectiveness.

SECTION 6. Vacancies. A vacancy in any office shall be filled in the manner prescribed in these By-Laws for appointment to such office.

ARTICLE IV

Duties and Powers of the Officers

SECTION 1. The Chair. The Chair shall preside over meetings of the Authority and shall serve as the primary liaison between the Members and Authority staff. The Chair shall be primarily responsible for overseeing the discharge of the executive and administrative functions of the Authority. The Chair shall be responsible for the management, development, and effective performance of the Members and provide leadership to the Members for all aspects of their work.

The Chair shall act in an advisory capacity to the President and CEO and to the other management staff in all matters concerning the interests of the Members and the relationships between management and the Members. The Chair shall have the power to assign any officer to exercise the powers of any other officer during the period of any absence, disability or vacancy in any office. The Chair shall have all such other powers pertaining to the position of Chair or as may be assigned to the Chair by the Members of the Authority.

SECTION 2. The Vice Chair. The Vice Chair shall have the powers and shall perform the duties of the Chair during the period of any absence (including vacancy in office) or disability of the Chair. The Vice Chair shall perform such other duties as may be assigned from time to time by the Authority or the Chair.

SECTION 3. The President and CEO. The President and CEO shall be the chief executive officer of the Authority and shall be primarily responsible for the discharge of the executive and administrative functions of the Authority. The President and CEO shall report to the Chair on the day-to-day executive and administrative functions of the Authority. The President and CEO shall be responsible for the overall supervision of the other Officers, except the Chair and the Vice Chair, and staff and the implementation of policies, procedures, and directions, consistent with the guidance provided by the Members and the Chair. Subject to the provisions of the Authority's Procurement and Program Contracts Guidelines, Operative Policy and Instructions ("Contracting Guidelines"), the President and CEO shall have power to execute contracts, agreements, and other instruments in the name and on behalf of the Authority, including instruments encumbering funds; power to requisition disbursements from Authority bank accounts from the State Commissioner of Taxation and Finance, pursuant to Section 1859 of the Public Authorities Law; power to certify official rules and regulations of the Authority; and power to assign additional duties to any other Officer of the Authority except the Chair and the Vice Chair, and designate acting officers to perform necessary duties. The President and CEO shall also be authorized to exercise the powers of the Chair during the period of any absence (including vacancy in office) or disability of the Chair and the Vice Chair. The President and CEO shall have the power to assign any other officer to exercise the powers of any officer, including the President and CEO, during the period of any absence, disability or vacancy in any office. The President and CEO shall have the power to assign the ability to requisition disbursements from Authority bank accounts from the State Commissioner of Taxation and Finance, pursuant to Section 1859 of the Public Authorities Law to the Controller and Assistant Treasurer, or NY Green Bank personnel responsible for managing finance or operational matters, as designated by the President of NY Green Bank. The President and CEO shall perform such other duties as may be assigned from time to time by the Authority or the Chair.

SECTION 4. The Executive Vice President for Policy and Regulatory Affairs. The Executive Vice President for Policy and Regulatory Affairs shall be responsible to the President and CEO for the discharge of the Authority's policy and regulatory affairs function. The Executive Vice President for Policy and Regulatory Affairs also shall be responsible to the President and CEO for ongoing performance management across the Authority. Subject to the provisions of the

Authority's Contracting Guidelines, the Executive Vice President for Policy and Regulatory Affairs shall have power to execute contracts, agreements, and other instruments in the name and on behalf of the Authority, including instruments encumbering funds in an amount not to exceed \$1,000,000; and power to requisition disbursements from Authority bank accounts from the State Commissioner of Taxation and Finance, pursuant to Section 1859 of the Public Authorities Law. The Executive Vice President for Policy and Regulatory Affairs shall perform such other duties as may be assigned from time to time by the Authority or the President and CEO.

SECTION 5. The Chief Financial Officer. Subject to the provisions of the New York State Energy Research and Development Authority Act and the State Finance Law, the Chief Financial Officer shall have the care and custody of and be responsible for all the funds and securities of the Authority and receive and give receipts for moneys paid to the Authority from any source. The Chief Financial Officer shall assume the duties of the Treasurer of the Authority and shall administer the system of accounts prescribed by the Authority and shall render a statement of the condition of the finances of the Authority as at the end of the first three quarterly periods in each fiscal year, and at such other times as may be required and shall render a full financial report at the Annual Meeting of the Authority held in June of each year. The Chief Financial Officer shall be responsible for information security activities. The Chief Financial Officer shall perform such other duties as may be assigned from time to time by the Authority or the President and CEO. The Chief Financial Officer shall give such bond, if any, for the faithful discharge of their duties as may be required by the Authority or by any provision of law. Subject to the provisions of the Authority's Contracting Guidelines, the Chief Financial Officer shall have power to execute contracts, agreements, and other instruments in the name and on behalf of the Authority, including instruments encumbering funds in an amount not to exceed \$1,000,000; and power to requisition disbursements from Authority bank accounts from the State Commissioner of Taxation and Finance, pursuant to Section 1859 of the Public Authorities Law.

SECTION 6. The Secretary. The Secretary shall act as recording secretary at all meetings of the Authority and keep the minutes thereof in a book or books to be provided for that purpose; shall see that all notices of meetings required to be given are duly given; and shall see that all reports, statements, and other documents required by law are properly kept and filed. The Secretary shall transmit all rules and regulations adopted by the Authority to the Secretary of State pursuant to the provisions of Section 102 of the Executive Law. Subject to the provisions of the Authority's Contracting Guidelines, the Secretary shall have power to execute contracts, agreements, and other instruments in the name and on behalf of the Authority, including instruments encumbering funds in an amount not to exceed \$1,000,000; and power to requisition disbursements from Authority bank accounts from the State Commissioner of Taxation and Finance, pursuant to Section 1859 of the Public Authorities Law. The Secretary shall have power, when necessary or appropriate, to certify all documents and records of the Authority and to affix and attest to the corporate seal of the Authority on all contracts, agreements, and other instruments of the Authority. The Secretary shall perform such other duties as may be assigned from time to time by the Authority, the Chair, or the President and CEO.

SECTION 7. The Chief Program Officer. The Chief Program Officer shall be responsible to the President and CEO for the discharge of the Authority's programs. The Chief Program Officer also shall be responsible to the President and CEO for providing strategic guidance in program development. Subject to the provisions of the Authority's Contracting Guidelines, the Chief Program Officer shall have power to execute contracts, agreements, and other instruments in the name and on behalf of the Authority, including instruments encumbering funds in an amount not to exceed \$1,000,000; and power to requisition disbursements from Authority bank accounts from the State Commissioner of Taxation and Finance, pursuant to Section 1859 of the Public Authorities Law. The Chief Program Officer shall perform such other duties as may be assigned from time to time by the Authority or the President and CEO.

ARTICLE V

Advisory Committees

SECTION 1. Appointment. The Authority may appoint one or more advisory committees consisting of not more than seven Members each to consider and advise the Authority on matters submitted to them by the Authority.

SECTION 2. Terms. Upon the appointment of an Advisory Committee, the Authority shall specify the terms, not to exceed four years, of each Member thereof.

SECTION 3. Salaries. Members of Advisory Committees shall serve without salary, but shall be entitled to reimbursement for their actual and necessary travel expenses incurred in the performance of their official duties.

SECTION 4. Audit and Finance Committee. The Audit and Finance Committee shall be a standing advisory committee of the Authority. The Committee shall have not fewer than three nor more than six Members. The Committee shall consist of not less than three independent Members who shall constitute a majority on the Committee and who shall possess the necessary skills to understand the duties and function of the Committee, provided, however, that in the event that there are less than three independent Members, the Members may appoint non-independent Members, provided that the independent Members constitute a majority of the Members of the Committee. In addition, the membership of the Committee shall include the Chair of the Authority who shall serve ex-officio and who shall enjoy all the rights and privileges of membership, including the right to vote. A majority of the members of the Committee then in office, not including the Chair of the Authority, gathered together in the presence of each other or through the use of videoconferencing, pursuant to Section 5 of Article II, shall constitute a quorum, and the Chair of the Authority if present shall be counted toward a quorum. Members of the Committee shall be familiar with corporate financial and accounting practices.

The Audit and Finance Committee shall recommend the hiring of a certified independent accounting firm, establish the compensation to be paid, and provide direct oversight of the performance of the independent audit performed, shall review the annual financial statements of the Authority prior to submission for approval to the Members of the Authority, shall review proposals for the issuance of debt by the Authority and make recommendations, and may examine and consider such other matters in relation to the internal and external audit of the Authority's accounts, the Authority's financings, and in relation to the financial affairs of the Authority and its accounts as the Audit and Finance Committee may determine to be desirable.

SECTION 5. Program Planning Committee. The Program Planning Committee shall be a standing advisory committee of the Authority. The Committee shall have not fewer than three nor more than ten Members, who shall be elected from among the Members of the Authority other than the Chair. A majority of these committee members shall be other than Members of the Authority who serve ex-officio. In addition, the membership of the Committee shall include the Chair of the Authority, who shall serve ex-officio and who shall enjoy all the rights and privileges of membership, including the right to vote. A majority of the members of the Committee then in office, not including the Chair, gathered together in the presence of each other or through the use of videoconferencing, pursuant to Section 5 of Article II, shall constitute a quorum, and the Chair of the Authority if present shall be counted toward a quorum.

The Program Planning Committee shall review the annual updating of the Authority's strategic plan; ~~review and preparation of~~ the portions of the Authority's annual budget related to energy research and innovation, market development, clean energy financing, and other related programs and initiatives; ~~shall~~ provide guidance to the Authority's officers and employees with respect to program planning in the preparation of those plans and those portions of the budget; and shall consider such other matters related to the Authority's portfolios as the officers of the Authority may refer to the Committee.

SECTION 6. Waste and Facilities Management Committee. The Waste and Facilities Management Committee shall be a standing advisory committee of the Authority. The Committee shall have not fewer than three nor more than six members, who shall be elected from among the Members of the Authority other than the Chair. A majority of these committee members shall be other than Members of the Authority who serve ex-officio. In addition, the membership of the Committee shall include the Chair of the Authority, who shall serve ex-officio and who shall enjoy all the rights and privileges of membership, including the right to vote. A majority of the members of the Committee then in office, not including the Chair of the Authority, gathered together in the presence of each other or through the use of videoconferencing, pursuant to Section 5 of Article II, shall constitute a quorum, and the Chair of the Authority if present shall be counted toward a quorum.

The Waste and Facilities Management Committee shall review the Authority's program and plans for management of the Western New York Nuclear Service Center, including the West Valley Demonstration Project, and for radioactive waste policy and nuclear coordination; shall review the preparation of the Authority's annual West Valley site management program and

radioactive waste policy and nuclear coordination budgets; shall provide guidance to the Authority's officers and employees in the preparation of the plans and in preparation of such annual program budgets; shall consider such other matters related to West Valley site management and radioactive waste policy and nuclear coordination as the officers of the Authority may refer to such Committee; and shall review the Authority's plans and provide guidance for facilities unrelated to operations that are either owned by or under the control of the Authority.

SECTION 7. Governance Committee. The Governance Committee shall be a standing advisory committee of the Authority. The Committee shall have not fewer than three nor more than six Members. The Committee shall consist of not less than three independent Members who shall constitute a majority on the Committee and who shall possess the necessary skills to understand the duties and function of the Committee, provided, however, that in the event that there are less than three independent Members, the Members may appoint non-independent Members, provided that the independent Members constitute a majority of the Members of the Committee. In addition, the membership of the Committee shall include the Chair of the Authority who shall serve ex-officio and who shall enjoy all the rights and privileges of membership, including the right to vote. A majority of the members of the Committee then in office, not including the Chair of the Authority, gathered together in the presence of each other or through the use of videoconferencing, pursuant to Section 5 of Article II, shall constitute a quorum, and the Chair of the Authority if present shall be counted toward a quorum.

The Governance Committee shall keep the Members informed of current best practices, review corporate governance trends, update the Authority's corporate governance principles, as necessary, recommend updates to the corporate governance principles, advise appointing authorities on the skills and experiences required of Members, examine ethical and conflict of interest issues, perform Board self-evaluation, and recommend By-laws which include rules and procedures for conduct of Board business.

ARTICLE VI

Miscellaneous

SECTION 1. Seal. The official seal of the Authority shall consist of a circle within which shall be inscribed the name of the Authority, and in the center of which shall be inscribed the words "Established April 1, 1962," and such seal may include such other insignia as may be approved by the Authority.

SECTION 2. Fiscal Year. The fiscal year of the Authority shall begin on the first day of April and end at the close of business on the thirty-first day of March in each year.

SECTION 3. Annual and Budget Reports. The President and CEO shall prepare or cause to be prepared under the Chair's supervision the Annual Report, Budget Report and other reports required by Sections 1867, 2800, and 2801 of the Public Authorities Law. All such reports shall be prepared for submission to and action by the Authority, and, after action by the Authority, shall be submitted by the President and CEO within the times provided for and to the persons specified in such sections of the Public Authorities Law.

SECTION 4. Director of Contract Management. Subject to the provisions of the Authority's Contracting Guidelines, the Director of Contract Management shall have the power to execute contracts, agreements, and other instruments in the name and on behalf of the Authority, including instruments encumbering funds in an amount not to exceed \$100,000 and for low variability, low complexity contracts issued as offer letters or similar straightforward standard agreements the amounts of which are based upon a formulaic calculation dictated by program, not to exceed \$1,000,000. In the absence, vacancy, disability or recusal of the Director of Contract Management the Vice President for Operations shall have serve in the capacity of the Director of Contract Management with respect to signing authority.

SECTION 5. The President of NY Green Bank. The President of NY Green Bank shall have power to execute contracts, agreements, or other instruments (or any amendments, waivers or consents thereunder) not encumbering Authority funds in excess of \$250,000; the power to execute contracts, agreements, or other instruments related to financial investments (or any amendments, waivers or consents thereunder) for any dollar amount, so long as the terms and conditions of such contracts, agreements, or other instruments (or amendments, waivers or consents thereunder) are within parameters set by the President and CEO of the Authority or an Officer of the Authority assigned such duties by the President and CEO of the Authority. During the period of any absence, disability or recusal, the President of NY Green Bank shall have the power to assign their aforementioned powers to one or more NY Green Bank Managing Directors for Investment and Portfolio Management, provided that such delegee is not the Managing Director assigned to the subject transaction.

SECTION 6. The Managing Directors of NY Green Bank. Each of the Managing Directors of NY Green Bank shall have power to execute contracts, agreements, or other instruments (or any amendments, waiver or consents thereunder) not encumbering Authority funds in excess of \$50,000.

SECTION 7. The Director of the West Valley Site Management Program. The Director of the West Valley Site Management Program shall have the authority to sign, certify, authorize, approve, or transmit the following categories of documents pertaining to the ownership and management of the Western New York Nuclear Service Center on behalf of the Authority, within parameters established by the President and CEO of the Authority or an Officer of the Authority assigned such duties by the President and CEO of the Authority:-

State or federal permit or license applications required for the Authority or third-party work activities on the Retained Premises and State Licensed Disposal Area, or State or federal permit or license applications for West Valley Demonstration Project work activities where a signature, certification, authorization or approval from the landowner is require, and submittals of reports, notifications, or data required under permits, licenses, agreements, orders, etc., and submittals of notifications and approvals under the State Environmental Quality Review Act.

ARTICLE VII

Amendments

SECTION 1. Amendments. These By-Laws may be amended, supplemented or repealed by the affirmative vote of a majority, but not less than five, of the Members then in office, at any regular or special meeting if either all Members of the Authority then in office are present at such meeting or notice of the proposed amendments, supplement or repeal shall have been included in the notice of such meeting or in the waiver of notice thereof.

Resolution No. _____

RESOLVED, that the amendments to the Authority's By-laws as presented at this October 23, 2024 meeting, with such non-substantive, editorial changes and grammatical changes as the President and Chief Executive Officer, in their discretion, may deem necessary or appropriate, are hereby approved and adopted by the Board.

**GOVERNANCE
COMMITTEE
(Oral Report)**

New York’s Regional Greenhouse Gas Initiative Draft 2024 Operating Plan Amendment (revised)

Background

In New York, responsibility for implementing the Regional Greenhouse Gas Initiative (RGGI) is shared by the Department of Environmental Conservation (DEC) and the New York State Energy Research and Development Authority (NYSERDA). DEC and NYSERDA program responsibilities are contained in coordinated regulations:

- DEC established New York's CO₂ Budget Trading Program and the State’s share of the total regional cap through a rule (6 NYCRR Part 242) and revisions to an existing rule (6 NYCRR Part 200, General Provisions). Part 242 establishes the cap-and-trade provisions, as well as program compliance responsibilities and other program aspects.
- NYSERDA set up the CO₂ Allowance Auction Program through regulations (21 NYCRR Part 507). Part 507 establishes administrative procedures for the auction process and provides that proceeds from the sale of the allowances will fund projects and programs for “energy efficiency, renewable or non-carbon emitting technologies, and innovative carbon emissions abatement technologies with significant carbon reduction potential, and for reasonable administrative costs incurred by the Authority.”

The NYSERDA regulations include a provision to annually convene a group of stakeholders representing a broad array of energy and environmental interests. This group advises NYSERDA regarding strategies to best utilize RGGI funds. NYSERDA’s RGGI Operating Plan is reviewed and revised on an annual basis. NYSERDA holds an open meeting of the stakeholder group each year, inviting input on how to achieve greater scale of implementation, advance activities that realize benefits in disadvantaged communities, expand private investments and partnerships, and address barriers to program success.

The Draft 2024 Operating Plan Amendment was presented to stakeholders for comment in December 2023 and was approved by NYSERDA's Board in January 2024. Since that time, one notable factor has contributed material changes, which prompted the development of this “Draft 2024 Operating Plan Amendment (revised)”. Namely, CO₂ allowance prices from recent auctions have been at a level well above the previously approved plan. This “Draft 2024 Operating Plan Amendment (revised)” provides program descriptions for the uses of these funds in the FY24-25 timeframe.

Review of Programs and Budgets for the 2024 Operating Plan

New York State invests RGGI proceeds to support comprehensive strategies that best achieve the RGGI greenhouse gas emissions reduction goals, through energy efficiency, renewable energy, and carbon abatement strategies, pursuant to 21 NYCRR Part 507. The programs in the portfolio of initiatives are designed to support the pursuit of the State’s greenhouse gas emissions reduction goals by:

- Deploying commercially available energy efficiency and renewable energy technologies;
- Building the State’s capacity for long-term carbon reduction;
- Empowering New York communities to reduce carbon pollution, and transition to cleaner energy;
- Stimulating entrepreneurship and growth of clean energy and carbon abatement companies in New York; and
- Creating innovative financing to increase adoption of clean energy and carbon abatement in the State.

The initiatives described below represent program activities proposed for the 2024 Operating Plan Amendment (revised). The latest portfolio builds on the prior portfolio, with an increased focus on disadvantaged communities.

RGGI programs have and will continue, alongside other state programs, to contribute to economy-wide greenhouse gas emissions reductions and provide benefits to New York’s historically overburdened and underserved communities. NYSERDA’s CO₂ Allowance Auction Program regulations reflect the provision of the Climate Leadership and Community Protection Act “that 40%, and no less than 35%, of the overall benefits from the investment of the [CO₂ Allowance Auctions] proceeds” will be realized in disadvantaged communities.

The funding allocation values represented in Table 1 provides the unprogrammed revenues from the last two auctions with the proposed uses of those funds and the estimated DAC contribution of those programs.

Multi-year programs that have remaining funds available for program expenditures but are not receiving additional funding under this 2024 Operating Plan Amendment (revised) are not described below as they are outside the scope of this document. Those programs will continue with the planned expenditure of their previously allocated funding as outlined in the 2023 RGGI Operating Plan and the 2024 RGGI Operating Plan Amendment.

For all RGGI-funded activities, NYSERDA will provide timely progress reports utilizing best practice protocols for project tracking and evaluation.

Programs with Pre-Approval from 2023 Operating Plan Amendment

In the previously approved Operating Plan Amendment, NYSERDA identified programs that it intended to fund in the event that auction proceeds exceed the anticipated budgets. NYSERDA proposes to allocate RGGI funding to the following programs:

ChargeNY

ChargeNY has been pursuing three strategies to promote plug-in electric vehicle (PEV) adoption by consumers across New York. First, NYSERDA implemented the Drive Clean rebate program for PEVs in March 2017, accelerating purchases of PEVs by reducing higher upfront costs. Second, NYSERDA will continue to invest in marketing and awareness-building activities to build interest in PEVs among the public. A focus on building greater public knowledge and awareness of the capabilities of PEVs is essential to spur more private investment in PEV purchases and PEV charging stations. This work may also include other market development activities, such as policy and business model development studies that support new ways for critical stakeholders, such as utilities, local governments, and car dealers, to get involved in the PEV market. Third, NYSERDA will also support the installation of PEV charging stations at workplaces, multi-family buildings, and targeted public locations – location types that have been seen to be effective drivers for PEV adoption based on usage data reported from previous installations – and work with the site owners to further promote PEV adoptions. This Operating Plan Amendment (revised) allocates an additional \$44 million to now total \$89.9 million through FY24-25, which will be used to support continuation of current and additional ChargeNY strategies to ensure effective engagement with the market to build scale and ensure a focus on a just transition into future years.

Expansion of Planned Programs

Disadvantaged Communities Schools/Buildings

NYSERDA's Clean Green Schools Initiative helps public schools that traditionally lack resources to invest in infrastructure improvements become healthier, more productive learning environments. This Initiative aims to improve the environmental sustainability of those schools by reducing school energy loads, decarbonizing their building portfolio, improving indoor air quality, and providing clean energy educational opportunities. This Operating Plan Amendment (revised) allocates an additional \$36 million to now total \$42.5 million through FY24-25. This additional \$36M in funding will be used in conjunction with existing Clean Energy Fund and Bond Act funds to support competitively selected clean heating and cooling installations and/or other capital projects that move schools towards decarbonization.

Building Retrofit and New Construction Challenges

This funding will support competitive challenges that demonstrate exemplary design and high performance for new construction and hard to decarbonize existing buildings. NYSERDA's investments provide funding to leverage design professionals and new technical solutions to create economically viable pathways for replicable approaches to removing emissions from existing commercial, multifamily and industrial buildings and the design and construction of new buildings. RGGI funding will allow these initiatives to serve non-SBC paying customers such as buildings located in Long Island as well as buildings served by municipal electric utilities. This Operating Plan Amendment (revised) allocates an additional \$30 million to these efforts to now total \$40 million during FY24-25.

Scoping Plan Implementation Research

The Climate Leadership and Community Protection Act (Climate Act) was signed into law in 2019 as one of the most ambitious climate laws in the world, putting the State on a course to reduce greenhouse gas emissions and achieve net-zero emissions, increase renewable energy usage, and ensure climate justice. In support of work to realize recommendations included in the Climate Action Council's final Scoping Plan, developed pursuant to the Climate Act, this funding will support a variety of activities to advance emissions reductions and policy deployment. These activities will include additional analysis in support of grid decarbonization; increased support of analysis, program integrity activities, and public outreach related to New York cap-and-invest; and other efforts to advance clean energy transition. It may also support technical infrastructure to aide in implementation of key policy components of the Scoping Plan. This Operating Plan Amendment (revised) allocates an additional \$2.2 million to now total \$7.2 million during FY24-25.

Green Jobs – Green New York

The Green Jobs-Green New York (GJGNY) Program, created under the Green Jobs-Green New York Act of 2009, provides New Yorkers with access to energy assessments, installation services, low interest financing, and pathways to training for various green-collar careers.

This Operating Plan Amendment (revised) allocates an additional \$17.4 million to now total \$32.2 million during FY24-25. These investments will continue GJGNY residential financing, including making 15-year unsecured financing at market or below- market interest rates available to consumers living in federal census block groups, where

more than 50 percent of households have household income less than 120% of area median income (and allowing consumers living outside of these communities to qualify for this rate if they meet this income threshold), and also offering access to financing for consumers who may not qualify under traditional unsecured loan underwriting criteria but who meet NYSERDA’s “Tier 2” underwriting criteria. This additional funding will also support energy audits for commercial buildings.

Other Programs

Circular Economy Renewable Energy Feasibility Study

NYSERDA will undertake a Circular Economy Renewable Energy Feasibility Study focusing on recycling of solar panels and wind turbine blades. This study will seek to identify the costs associated with the setup of recycling facilities within NYS, potential for job creation, cost savings and environmental benefits associated with the avoidance of landfilling expected refuse, and any barriers to entry into the recycling market, including potential changes needed in legislation or regulation. The study will also include an analysis of benefits for Disadvantaged Communities, including weighing potential job creation and any negative impacts facility siting might have. This Operating Plan Amendment (revised) allocates \$1 million to these efforts during FY24-25.

Comfort Home

This Operating Plan Amendment (revised) allocates \$6.5 million in FY24-25 for NYSERDA’s Comfort Home program, which supports smart investments for a more efficient home. Home sealing and insulation packages (e.g., sealing air leaks, insulation upgrades for ceilings, floors, and walls, as well as high performance windows) are installed by trained and qualified Comfort Home contractors across New York State.

Technical Services

This Operating Plan Amendment (revised) allocates \$5 million in FY24-25 for NYSERDA’s Technical Services programs, including, but not limited to, FlexTech and On-Site Energy Manager. These funds will be used to support the need for technical services that promote the adoption of technologies and practices that reduce energy loads and decarbonize buildings across all sectors, inclusive of multifamily.

Funding Assumptions

The projected revenues, program funding allocations, and estimates of benefits for DACs are presented below in Table 1. Additionally, the table presents program administration and evaluation costs, ongoing RGGI, Inc. costs, State Cost Recovery Fees, and other relevant factors.

This Operating Plan Amendment (revised) includes additional revenues from the last three RGGI Auctions above the amounts from the Operating Plan Amendment previously presented to stakeholders and approved by NYSERDA Board in January 2024. Those additional revenues from allowances available to NYSERDA are shown in Table 1.

Table 1: Revenues and Program Funding Allocations

| | | |
|----------------------------------|-------------------------------------------------------------------|--------------------|
| Proceeds | Actual RGGI Proceeds from 12/23, 3/24, 6/24 Auctions ¹ | 317,186,589 |
| | Less: Planned RGGI Proceeds from 12/23, 3/24, 6/24 Auctions | <u>181,814,359</u> |
| | Total Additional RGGI Proceeds | 135,372,230 |
| | Revised Interest Earnings | 42,331,679 |
| | Less: Planned Interest Earnings | <u>30,886,000</u> |
| | Total Additional Interest Earnings | 11,445,679 |
| Total Additional Revenues | | 146,817,909 |

| Category | Program | FY24-25 | Change from Plan FY24-25 | FY24-25 REVISED | Estimated DAC Contribution |
|-----------------------------------------------------|------------------------------------------------------------------|--------------------|--------------------------|--------------------|----------------------------|
| Renewable Energy | Circular Economy Renewable Energy Feasibility Study | - | 1,000,000 | 1,000,000 | 10% |
| Energy Efficiency / Building Electrification | Comfort Home | - | 6,500,000 | 6,500,000 | 15% |
| | Disadvantaged Communities Schools and Affordable Housing | 6,500,000 | 36,000,000 | 42,500,000 | 80% |
| | Building Retrofit and New Construction Challenges | 10,000,000 | 30,000,000 | 40,000,000 | 40% |
| | Technical Services | - | 5,000,000 | 5,000,000 | 40% |
| Innovative GHG Abatement Strategies | Electric Vehicle/Charge NY | 45,900,000 | 44,000,000 | 89,900,000 | 25% |
| | Scoping Plan Implementation Research | 5,000,000 | 2,200,000 | 7,200,000 | 40% |
| Directed | Green Jobs-Green NY | 14,800,560 | 17,411,133 | 32,211,693 | 35% |
| | All other funding allocations (unchanged from Plan) ² | 188,725,000 | - | 188,725,000 | |
| Administration and Other Non-Program Costs | Program Administration | 21,321,667 | 4,284,703 | 25,606,370 | |
| | State Cost Recovery | 2,360,913 | 422,073 | 2,782,986 | |
| Total Funding Allocations | | 294,608,140 | 146,817,909 | 441,426,049 | |
| Unprogrammed/(Overcommitment) | | | - | | |
| Cumulative Unprogrammed (Overcommitment) | | | - | | |

Notes:

1 Actual proceeds reflect the impact of clearing prices that were substantially higher in the last three auctions as compared to the roughly \$13+/- pricing seen in the eight auctions prior, as well as higher than budgeted allowances due to the release of all Cost Containment Reserve (CCR) allowances in Auction 63. No further CCR allowances are available for the remaining 2024 auctions.

2 “All Other Funding” reflects the total funding allocated in the 2024 Operating Plan for all programmatic initiatives except those shown above, as described in the approved 2024 Final RGGI Operating Plan Amendment.

Resolution No. _____

RESOLVED, that revisions to the “Operating Plan for Investments in New York Under the CO₂ Budget Trading Program and the CO₂ Allowance Auction Program” as presented to the Members for consideration at this October 23, 2024 meeting, with such non-substantive, editorial changes and supplementary schedules as the President and Chief Executive Officer, in their discretion, may deem necessary or appropriate, are approved.

New York State Energy Research and Development Authority

Fiscal Year 2025 Budget
(Revised October 2024)

Table of Contents

Page

| | |
|---|----------------------------------------------|
| 1 | Certification |
| 2 | Fiscal Year 2025 Budget Summary |
| 3 | Fiscal Year 2025 Budget By Function/Programs |

CERTIFICATION

I hereby certify that, to the best of my knowledge and belief after reasonable inquiry, the budget information contained herein for the fiscal year ending March 31, 2025, has been developed based on reasonable assumptions and methods of estimation.

Doreen M. Harris
President and Chief Executive Officer

Pamela C. Poisson
Chief Financial Officer

NYSERDA
Revised Budget FY 2025
(Amounts in thousands)

| | Approved Budget FY 2025 | Change | Revised Budget FY 2025 | Explanation for change |
|--------------------------------------------------|-------------------------------|-----------|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Revenues:</u> | | | | |
| State appropriations | | | | |
| Offshore wind port development | 241,568 | (155,974) | 85,594 | Reflects a decrease in reimbursable expenditures based on revised timing of when funds will be committed and expended. |
| NYS Bond Act | 53,737 | - | 53,737 | |
| Empower | 100,000 | - | 100,000 | |
| Other | 30,050 | - | 30,050 | |
| Total State Appropriations | 425,355 | (155,974) | 269,381 | |
| Third party reimbursement | 54,952 | - | 54,952 | |
| | | | | Primarily reflects new funding from a June 2024 PSC Order approving the Energy Storage 2.0 six gigawatt roadmap. Funding is pursuant to the Bill-As-You-Go funding approach providing for two months of working capital for anticipated Energy Storage expenditures. |
| Utility surcharge assessments | 743,156 | 12,069 | 755,225 | |
| Renewable energy credit proceeds | 54,726 | - | 54,726 | |
| Zero emission credit payments | 508,625 | - | 508,625 | |
| Clean energy standard backstop charge | 24,972 | - | 24,972 | |
| | | | | Increase reflects the actual results of the June (\$21.03) and September 2024 (\$25.75) auctions and includes an increase in the allowance prices forecasted for the remaining two auctions from \$12.31 to \$15.71 which represents the average prices over the past ten auctions. |
| Allowance auction proceeds | 236,091 | 139,396 | 375,487 | |
| Project repayments | 325 | - | 325 | |
| | | | | The change represents an increase reimbursable funding anticipated to be received based on two newly approved US Department Home Energy Rebate and Appliance grant awards. |
| Federal grants | 38,718 | 8,255 | 46,973 | |
| Rentals from leases | 1,215 | - | 1,215 | |
| Interest income | 53,230 | 2,280 | 55,510 | Increase is based on additional RGGI auction proceeds received and available for future program investments. |
| Loan interest | 66,164 | - | 66,164 | |
| Interest subsidy | 164 | - | 164 | |
| Fees and other income | 12,187 | - | 12,187 | |
| Total Revenues | 2,219,880 | 6,026 | 2,225,906 | |
| <u>Expenses:</u> | | | | |
| Salaries and benefits: | | | | |
| Salaries | 68,867 | - | 68,867 | |
| Benefits | 25,344 | - | 25,344 | |
| Salaries and benefits | 94,211 | - | 94,211 | |
| Program expenditures: | | | | |
| Clean Energy Fund | 367,921 | - | 367,921 | |
| NY-Sun | 259,382 | - | 259,382 | |
| Clean Energy Standard - Tiers 1,2,4,OREC | 68,785 | - | 68,785 | |
| | | | | |
| Clean Energy Standard - Tier 3 (ZEC) | 504,750 | - | 504,750 | |
| Clean Energy Standard - Port Development | 240,000 | (155,000) | 85,000 | Reflects a decrease in the Offshore Wind port development initiative based on revised timing of planned expenditures. |
| Regional Greenhouse Gas Initiative | 173,545 | - | 173,545 | |
| | | | | Increase primary reflects additional investments under the recently approved Energy Storage 2.0 six-gigawatt roadmap and a spending plan for the newly authorized US Department of Energy Home Energy Rebate and Appliance programs. |
| Other | 360,145 | 18,043 | 378,188 | |
| Program expenditures | 1,974,528 | (136,957) | 1,837,571 | |
| Investment related expenses | 1,517 | - | 1,517 | |
| Program operating costs | 5,350 | - | 5,350 | |
| General & administrative expenses | 22,984 | - | 22,984 | |
| Depreciation | 2,088 | - | 2,088 | |
| NYS Assessments | 13,594 | - | 13,594 | |
| Bond interest and fees | 3,734 | - | 3,734 | |
| Total Expenses | 2,118,006 | (136,957) | 1,981,049 | |
| Net (expense) revenue and change in net position | 101,874 | 142,983 | 244,857 | |
| | | | | Revised reflects actual balance from March 31, 2024, primarily driven by stronger RGGI revenues than planned, including NY Green Banks's net results, and from differences in budget estimates generally due to timing of other revenues and expenses. |
| Net position beginning of year | 1,943,750 | 224,844 | 2,168,594 | |
| Net position end of year | \$ 2,045,624 | 367,827 | 2,413,451 | |

NYSERDA
Revised Budget FY 2025
(Amounts in thousands)

| Functions/Programs | | | | | | | | | | |
|-----------------------------------------------------------|-----------------------------------------------------|---------------------|----------------|-----------------------------|----------------|---------------------------------------|----------------|----------------|---------------------------------------|-------------------------------|
| | Market Development / Innovation & Research | NY Green Bank | NY-Sun | Clean Energy Standard | RGGI | Energy & Environmental Analysis | West Valley | Other | Revised Budget FY 2025 | Approved Budget FY 2025 |
| Net position, beginning of year | \$ 103,945 | 1,089,414 | 45,859 | 57,967 | 524,078 | 5,002 | 189 | 342,140 | 2,168,594 | 1,943,750 |
| <u>Revenues:</u> | | | | | | | | | | |
| State appropriations | - | - | - | 85,594 | 4,100 | 150 | 25,800 | 153,737 | 269,381 | 425,355 |
| Utility surcharge assessments | 362,385 | - | 262,132 | 17,031 | - | 18,322 | - | 95,356 | 755,225 | 743,156 |
| Renewable energy credit proceeds | - | - | - | 54,726 | - | - | - | - | 54,726 | 54,726 |
| Zero emission credit payments | - | - | - | 508,625 | - | - | - | - | 508,625 | 508,625 |
| Clean energy standard backstop charge | - | - | - | 24,972 | - | - | - | - | 24,972 | 24,972 |
| Allowance auction proceeds | - | - | - | - | 375,487 | - | - | - | 375,487 | 236,091 |
| Third party reimbursement | 17,000 | - | - | - | - | - | 2,465 | 35,487 | 54,952 | 54,952 |
| Federal grants | - | - | - | - | - | 3,506 | - | 43,467 | 46,973 | 38,718 |
| Interest subsidy | - | - | - | - | - | - | - | 164 | 164 | 164 |
| Project repayments | - | - | - | - | - | - | - | 325 | 325 | 325 |
| Rentals from leases | - | - | - | - | - | - | - | 1,215 | 1,215 | 1,215 |
| Fees and other income | - | 5,600 | - | 6,400 | - | - | - | 187 | 12,187 | 12,187 |
| Loan interest | - | 57,730 | - | - | - | - | - | 8,434 | 66,164 | 66,164 |
| Interest income | 3,145 | 10,040 | 2,170 | 7,326 | 21,822 | - | - | 11,007 | 55,510 | 53,230 |
| Total Revenues | 382,530 | 73,370 | 264,302 | 704,674 | 401,409 | 21,978 | 28,265 | 349,379 | 2,225,906 | 2,219,880 |
| <u>Expenses:</u> | | | | | | | | | | |
| Salaries and benefits | 27,194 | 12,710 | 2,850 | 12,903 | 13,067 | 10,214 | 2,918 | 12,355 | 94,211 | 94,211 |
| Program expenditures | 367,921 | 450 | 259,382 | 672,658 | 173,545 | 8,004 | 24,206 | 331,405 | 1,837,571 | 1,974,528 |
| Investment related expenses | - | 1,517 | - | - | - | - | - | - | 1,517 | 1,517 |
| Program operating costs | 352 | 2,254 | 132 | 551 | 134 | 964 | 170 | 793 | 5,350 | 5,350 |
| General & administrative expenses | 6,634 | 3,082 | 695 | 3,152 | 3,190 | 2,493 | 718 | 3,020 | 22,984 | 22,984 |
| Depreciation | 444 | 196 | 115 | 255 | 203 | 159 | 57 | 659 | 2,088 | 2,088 |
| NYS Assessments | 2,814 | 141 | 1,840 | 4,820 | 1,329 | 153 | 196 | 2,301 | 13,594 | 13,594 |
| Bond interest and fees | - | - | - | - | - | - | - | 3,734 | 3,734 | 3,734 |
| Total Expenses | 405,359 | 20,350 | 265,014 | 694,339 | 191,468 | 21,987 | 28,265 | 354,267 | 1,981,049 | 2,118,006 |
| Net sources / (uses) of net position other than transfers | (22,829) | 53,020 | (713) | 10,335 | 209,941 | (9) | - | (4,888) | 244,857 | 101,874 |
| Inter-program transfers | 22,000 | - | - | - | (36,301) | - | - | 14,301 | - | - |
| Net Investment in Capital Assets | (22) | - | (70) | (54) | - | - | (11) | 7,219 | 7,062 | 7,062 |
| <u>Net Position End of Year:</u> | | | | | | | | | | |
| Restricted for specific programs | 103,116 | - | 45,147 | 68,301 | 697,718 | 4,993 | 14 | 319,680 | 1,238,969 | 893,965 |
| NY Green Bank Capitalization | - | 1,142,434 | - | - | - | - | - | - | 1,142,434 | 1,118,179 |
| Net Investment in Capital Assets | - | - | - | 1 | - | - | 175 | 15,166 | 15,342 | 19,948 |
| Unrestricted | - | - | - | - | - | - | - | 16,706 | 16,706 | 13,532 |
| Net position end of year | \$ 103,116 | 1,142,434 | 45,147 | 68,302 | 697,718 | 4,993 | 189 | 351,552 | 2,413,451 | 2,045,624 |

Resolution No. _____

RESOLVED, that the Fiscal Year 2024-2025 Budget and Financial Plan (Revised October 2024) submitted to the Members for consideration at this meeting, with such non-material, editorial changes and supplementary schedules as the President and CEO, in their discretion, may deem necessary or appropriate, be and it hereby approved.

**AUDIT AND FINANCE
COMMITTEE
(Oral Report)**

**WASTE AND FACILITIES
MANAGEMENT
COMMITTEE
(Oral Report)**



KATHY HOCHUL
Governor
RICHARD L. KAUFFMAN
Chair
DOREEN M. HARRIS
President and CEO

NOTICE OF MEETING AND AGENDA

October 15, 2024

TO THE MEMBERS OF THE OF THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY:

PLEASE TAKE NOTICE that a regular (the 268th) meeting of the New York State Energy Research and Development Authority (“Authority”) will be held at 17 Columbia Circle, Albany, New York, and at the NY Green Bank Office located at 1333 Broadway, New York, New York, on Wednesday, October 23, 2024, commencing at 2:00pm., for the following purposes:

I. Discussion Agenda

1. To receive a report from the President and CEO.
2. To consider and act upon a resolution to convene in executive session for the purpose of discussing the employment history of a particular person.
3. To consider and act upon a resolution approving amendments to the Authority’s By-laws.
4. To receive a report from the Governance Committee and to consider and act upon a resolution approving Officer Compensation.
5. To receive a report from the Program Planning Committee:
 - i. To consider and act upon a resolution recommending approval of revisions to the plan entitled *Operating Plan for Investments in New York Under the CO₂ Budget Trading Program and the CO₂ Allowance Auction Program*; and
 - ii. To consider and act upon a resolution approving revisions to the Authority’s Fiscal Year 2024-2025 Budget.
6. To receive a report from the Audit and Finance Committee.
7. To receive a report from the Waste and Facilities Management Committee.

New York State Energy Research and Development Authority

Albany
17 Columbia Circle, Albany, NY 12203-6399
(P) 1-866-NYSERDA | (F) 518-862-1091
nyserda.ny.gov | info@nyserda.ny.gov

Buffalo
726 Exchange Street
Suite 821
Buffalo, NY
14210-1484
(P) 716-842-1522
(F) 716-842-0156

New York City
1359 Broadway
19th Floor
New York, NY
10018-7842
(P) 212-971-5342
(F) 518-862-1091

West Valley Site
Management Program
9030-B Route 219
West Valley, NY
14171-9500
(P) 716-942-9960
(F) 716-942-9961

8. To receive program reports.

II. Consent Agenda

1. To consider and act upon resolutions approving:

- i. amendments to the Authority's Internal Control Manual;
- ii. Bond Counsel for the Authority;
- iii. the Audit and Finance Committee Charter and the Waste and Facilities Management Committee Charter; and
- iv. the periodic contracts report.

III. To transact such other business as may properly come before the meeting.

Members of the public may attend the meeting at any of the above locations or via the video conference which can be accessed at <https://www.nyserda.ny.gov/About/Board-Governance/Board-and-Committee-Meetings>.

The Authority will be posting a video and a transcript of the meeting to the web as soon as practicable after the meeting. The video and transcript will be posted at <http://www.nyserda.ny.gov/About/Board-Governance/Board-and-Committee-Meetings>.

A handwritten signature in blue ink that reads "Peter Costello". The signature is written in a cursive, flowing style.

Peter J. Costello
Secretary

NEW YORK STATE
ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

INTERNAL CONTROL MANUAL

Revised October ~~2023~~2024

TABLE OF CONTENTS

SECTION 1: PURPOSE AND OVERALL CONTROLS ENVIRONMENT..... 3

SECTION 2: BOARD MEMBER RESPONSIBILITIES.....5

SECTION 3: LOBBYING LAWS AND DISCLOSURE REQUIREMENTS.....7

SECTION 4: EMPLOYEE RESPONSIBILITIES.....9

SECTION 5: CORE FUNCTIONAL CONTROLS11

 A. SET VISION AND STRATEGY11

 B. DESIGN AND DELIVER POLICIES.15

 C. DESIGN AND ADMINISTER PROGRAMS..... 16

 D. ENABLE HIGH VALUE OUTCOMES..... 18

 E. MONITOR AND ADJUST.....24

SECTION 6: ENERGY SAFETY.....25

APPENDIX A INTERNAL AUDIT..... 27

APPENDIX B WHISTLEBLOWER POLICY.....30

APPENDIX C NYS COMPTROLLER STANDARDS FOR INTERNAL CONTROL.....30

SECTION 1: PURPOSE AND OVERALL CONTROLS ENVIRONMENT

The purpose of this Internal Control Manual is to set forth NYSERDA's system of internal controls that is designed to effectively manage risk while also promoting accountability and transparency.

Public Authorities Law, Article 9, Title 8, §2931, known as the New York State Governmental Accountability Audit and Internal Control Act ("Internal Control Act", or "ICA") requires NYSERDA to establish and maintain a system of internal controls. The ICA defines internal controls as a "process that integrates the activities, plans, attitudes, policies, systems, resources and efforts of the people of an organization working together, and that is designed to provide reasonable assurance that the organization will achieve its objectives and mission" (Article 9, §2930). The ICA lists specific objectives of an internal control system including, but not limited to:

- the safeguarding of assets;
- checking the accuracy and reliability of accounting data and financial reporting;
- promoting the effectiveness and efficiency of operations;
- ensuring compliance with applicable laws and regulations; and
- encouraging adherence to prescribed managerial policies.

The Public Authorities Accountability Act of 2005 ("PAAA"), which amended various sections of the Public Authorities Law, seeks to ensure greater efficiency, openness, and accountability for the State's public authorities by codifying model governance principles, removing legal impediments that prevent full implementation of model governance principles, establish a new public authorities office within the Executive Department to provide additional oversight and ensure full compliance with the principles, and allow for the creation of an independent inspector general to ensure greater accountability for public authority activities and operations.

Supporting these objectives, NYSERDA has instituted a layered internal control system that leverages:

- Board Member oversight
- Employee responsibilities for controls and compliance
- Regular education, validation, and acknowledgements
- Risk assessments conducted on a regular, recurring schedule
- Additional monitoring via internal and external auditors

OVERALL CONTROLS ENVIRONMENT

NYSERDA's controls environment is defined and documented primarily in the following artifacts.



Foundational principles of NYSERDA's overall controls environment that underpin this ICM and the policies, guidelines, and manuals/handbooks that flow from it can be defined as follows:



We Set a Clear Tone from the Top



Integrated Strategic Planning & Performance Management Aligns Us with Mission and Vision



We Control to State Budget, Commission Orders, Grants, and other Funding Requirements



We Maintain Transparency and Effective Checks and Balances



We Aim to Ensure Value through Competitive Selection Processes and Outcome Verification



We Keep New Policy, Program, and Product Development Data-Based and Risk-Adjusted



We Proactively Secure and Steward State Assets and Reputation



We Ensure Compliance with Federal, State, and Local Laws and Regulations



We Continuously Monitor and Improve our Internal Controls

SECTION 2: BOARD MEMBER RESPONSIBILITIES

Through their review and approval of various guidelines, reports, planning documents, and other activities of NYSERDA staff, NYSERDA's Board Members are actively engaged in overseeing NYSERDA use of processes, policies, and procedures that accomplish NYSERDA's mission through an effective system of internal controls.

In this section:

- Board Member Internal Control Responsibilities
- Board Member Accountability Responsibilities
- Board Committees

Board Member Internal Control Responsibilities. The ICA requires that NYSERDA's governing Board:

- Establish and maintain NYSERDA guidelines for a system of internal control that are in accordance with this article and internal control standards.
- Establish and maintain for NYSERDA a system of internal control and a program of internal control review. The program of internal control review shall be designed to identify internal control weaknesses, identify actions that are needed to correct actions, and periodically assess the adequacy of NYSERDA's ongoing internal controls.
- Make available to each Board Member, Officer, and employee a clear and concise statement of the generally applicable managerial policies and standards with which they are expected to comply. Such statement shall emphasize the importance of effective internal control to NYSERDA and the responsibility of each Board Member, Officer, and employee for effective internal control.
- Designate an Internal Control Officer (ICO), who shall report to the head of NYSERDA, to implement and review the internal control responsibilities established pursuant to this section.
- Implement education and training efforts to ensure that Board Members, Officers, and employees have achieved adequate awareness and understanding of internal control standards and, as appropriate, evaluation techniques.
- Periodically evaluate the need for an internal audit function.

Board Member Accountability Responsibilities. The PAAA of 2005 requires the Board Members to:

- Execute direct oversight of NYSERDA's President and CEO and other senior management in the effective and ethical management of NYSERDA.
- Understand, review, and monitor the implementation of fundamental financial and management controls and operational decisions of NYSERDA.
- Establish policies regarding the payment of salary, compensation, and reimbursements, and establish rules for the time and attendance of the President and CEO and senior management.
- Adopt a code of ethics applicable to each Board Member, Officer, and employee that, at a minimum, includes the standards established in section seventy-four of the Public Officers Law.
- Establish written policies and procedures on personnel including acts of wrongdoing, misconduct, malfeasance, or other inappropriate behavior by an employee or Board Member of NYSERDA, as well as investments, travel, the acquisition of real property and the disposition of real and personal property, and the procurement of goods and services.
- Adopt a defense and indemnification policy and disclose such plan to all prospective Board Members.

- Attend State approved training, including such continuing training as may be required to remain informed of best practices, regulatory and statutory changes relating to the effective oversight of the management and financial activities of public authorities, and to adhere to the highest standards of responsible government.

Through all of the processes, policies, and procedures set forth in this manual and underlying manuals (specifically the Operations and Procedures Manual, Personnel Handbook, and Accounting Policies and Procedures Manual), and through its review and approval of a diverse set of guidelines, reports, planning documents, and more detailed Committee review of staff activities, NYSERDA's Board Members comply with these statutory requirements.

Board Committees. NYSERDA's Board has established the following standing committees which, among other duties, play an instrumental role in setting, maintaining, and improving NYSERDA's internal control framework and adherence thereto. Details regarding each committee's exact scope, responsibilities, composition, and member selection can be found in their charters, found on NYSERDA's website under [Board Governance/Board Structure](#). A brief summary of each follows:

- Audit and Finance Committee – Oversees selection of a certified independent accounting firm and performance of the audit; reviews NYSERDA's annual financial statements prior to submission for approval to the Board Members; reviews proposals for NYSERDA's issuance of debt and makes recommendations; and may examine and consider such other matters in relation to internal and external audit of NYSERDA's accounts, NYSERDA's financings, and the financial affairs of NYSERDA and its accounts as the Audit and Finance Committee may determine to be desirable.
- Program Planning Committee - Reviews the annual updating of NYSERDA's Strategic Outlook; reviews NYSERDA's annual budget except for portions overseen by other board committees as noted herein; reviews NYSERDA's activities relative to the State's progress towards advancing the goals of the Climate Leadership and Community Protection act of 2019; and provides guidance to NYSERDA's Officers in the preparation of those plans and budget; and considers such other matters related to NYSERDA's programs as NYSERDA's Officers may refer to the Committee.
- Waste and Facilities Management Committee - Reviews NYSERDA's program and plans for management of the Western New York Nuclear Service Center, including the West Valley Demonstration Project, and for radioactive waste policy and nuclear coordination; reviews the preparation of NYSERDA's annual West Valley site management program and radioactive waste policy and nuclear coordination budgets; reviews NYSERDA's plans and provides guidance for facilities owned by or under the control of NYSERDA; provides guidance to NYSERDA's Officers and employees in the preparation of those plans and budgets; and considers such other matters related to West Valley site management and radioactive waste policy and nuclear coordination programs as the Officers of NYSERDA may refer to such Committee.
- Governance Committee - Keeps the Board Members informed of current best practices; reviews corporate governance trends; updates NYSERDA's corporate governance principles as necessary; recommends updates to the corporate governance principles; advises appointing authorities on the skills and experience required of Board Members; examines ethical and conflict of interest issues; performs Board self-evaluation; makes recommendations with respect to and monitors progress with respect to diversity,

equity, and inclusion goals; and recommends By-laws which include rules and procedures for conduct of Board business.

All meetings of NYSERDA subject to the Open Meetings Law will be broadcast on the Internet.

SECTION 3: LOBBYING LAWS, DISCLOSURE REQUIREMENTS, DISCRETIONARY FUNDS

NYSERDA is committed to transparency, fiscal responsibility, and avoidance of actual or potential conflicts of interest. The guidance in this section pertains to both Board members and employees.

Lobbying Laws

Procurement Lobbying: State Finance Law Sections 139-j and 139-k applies to all solicitations issued and procurements under active consideration that may result in a procurement contract in excess of \$15,000. Such solicitations and procurements under consideration must: (1) designate individuals at NYSERDA who may be contacted about the procurement by persons attempting to influence the procurement process, and (2) outline NYSERDA's procedures relating to contacts that are not permitted under the State Finance Law. All solicitations and procurements will identify NYSERDA employees, not Board Members, as the individuals that may be contacted under such circumstances.

The responsibility to record information about contacts that reasonably appear to be attempts to influence the procurement process applies during the "restricted period." The restricted period begins once NYSERDA has made a decision to initiate procurement and extends until execution of the contract(s). It begins again at any time a modification to a contract is proposed and extends until the modification is executed.

The decision to initiate procurement occurs at the earliest of: (1) the formal internal approval of the proposed issuance of a solicitation, (2) an employee's receipt of a proposal for a program project that does not meet the definition of Competitive Procurement Method under the Contracting Guidelines, or (3) at such other time when a determination is made to proceed with an administrative procurement. From this time until the time a contract is executed, Board Members must: (1) record information regarding contacts that reasonably appear to be attempts to influence the procurement process within the restricted period, and (2) submit the record to NYSERDA's Director of Contract Management who will maintain such records in the appropriate file. The record is to include the contact including their name, organization, address, telephone number, place of principal employment, and occupation, and whether the contacting person or organization is a "potential contractor" or is retained, employed, or designated by the potential contractor to appear before or to contact NYSERDA regarding the procurement.

Failure to comply with the requirements may result in a contractor being barred from governmental procurements. Board Members and employees should contact the General Counsel if they have any questions concerning these requirements.

Regulatory Lobbying: Public Authorities Law §2987 requires every Member, Officer, or employee to record all contacts, whether oral or written, that are an attempt to influence the adoption or rejection of any rule or regulation having the force and effect of law that is issued by NYSERDA. The record must include the day and time of the contact, the identity of the lobbyist, and a general summary of the substance of the contact. NYSERDA shall maintain these records for not less than seven years.

Disclosure: Project Sunlight, a component of the Public Integrity Reform Act of 2011, is intended to provide the public with an opportunity to see when outside individuals and entities are interacting with—and attempting

to influence—state government decision-makers in particular ways. Project Sunlight requires reporting in an online database all interactions that constitute “appearances” between “covered individuals” inside NYSERDA and “covered individuals” outside NYSERDA concerning one of five designated Project Sunlight subject areas.

An “appearance” is an in-person meeting, telephonic conversation, or video conference that is a substantive interaction meant to influence state government decision-making. Excluded from “appearance” are all written communications; administrative or ministerial interactions; purely informational exchanges; interactions regarding legislation or the budget; and meetings that are open to the public. NYSERDA “covered individuals” are those individuals designated as “policy-makers,” which includes Board Members. “Covered individuals” outside NYSERDA include internal and external representatives of outside entities, individuals representing themselves, and representatives of advocacy groups. Not included are employees of other state agencies and of other governments; state elected officials, executive and legislative employees, judges, and employees of the judiciary; representatives of the media; and persons under the age of 18. An “appearance” between “covered individuals” must be reported if it concerns one of five designated subject areas: procurement (outside of the restricted period defined by the Procurement Lobbying Law), regulatory matters, rulemaking, judicial or quasi-judicial proceedings, and rate making.

Reportable appearances must be recorded in the database within five business days after they occur, sending NYSERDA’s Project Sunlight reporting form to projectsunlight@nyserda.ny.gov. NYSERDA’s Project Sunlight Liaison, designated by the General Counsel, coordinates and oversees this reporting. Board Members should contact the Project Sunlight Liaison or General Counsel if they have any questions concerning these requirements.

Discretionary Funds: The expenditure of NYSERDA’s discretionary funds must relate directly to an enumerated power, duty, or purpose of NYSERDA. Public funds may not be used to purchase items that are considered personal expenses or that are intended to personally benefit a Member, Officer, or employee. NYSERDA may not use discretionary funds for purchases that are not necessary to advance its mission. NYSERDA’s handbooks and manuals provide further guidance regarding appropriate uses of discretionary funds for expenses directly related to an enumerated power, duty, or purpose of NYSERDA. The additional guidance sets forth a process for approving discretionary expenditures and notes the individual authorized to approve.

SECTION 4: EMPLOYEE RESPONSIBILITIES

In this section:

- Internal Control Policy
- Internal Control System
- Training and Awareness
- Review Process
- Controls Testing
- Decision Framework
- Annual Reporting

Internal Control Policy

It is the responsibility of every employee to abide by the requirements of the internal controls system. All employees are expected to be aware of NYSERDA's internal controls system and regularly consider the system in performing their tasks. All employees sign an annual acknowledgement of conflict of interest policy and code of conduct policy to foster awareness of, and commitment to adherence with, basic standards and State and Federal laws which NYSERDA employees are required to follow. These policies set forth NYSERDA's expectations that its employees conduct themselves in an honest and ethical manner. If an employee identifies a potential weakness in, or deviation from, NYSERDA's internal control systems or generally accepted systems of internal controls, they shall report such potential weakness or deviation immediately in accordance with NYSERDA's Whistleblower Policy, linked hereto as Appendix B.

Internal Control System

The Internal Control System establishes checks and balances over NYSERDA's functions. NYSERDA regularly reviews the adequacy of the controls, especially in areas of highest vulnerability, revising them as necessary to reflect organizational changes, new program mandates or staffing adjustments, and taking corrective action when internal control weaknesses are identified. NYSERDA stresses to every employee the importance of communicating and adhering to the policies and procedures in the Internal Control System.

The Internal Control Officer is responsible for assisting with the implementation and review of the internal control system and for implementing education and training of staff.

All employees and Officers have access to all manuals that comprise the Internal Control System which are:

- Internal Control Manual – the compilation of the accounting, operating and administrative controls of NYSERDA as described more fully in the following manuals;
- Operations and Procedures Manual – details the policies and procedures followed in planning and implementing NYSERDA's programs and administration, including its contracting process to ensure compliance with State statutes, regulatory requirements and Executive Orders;
- Personnel Handbook – details NYSERDA's personnel practices and policies which apply to all employees; and
- Accounting Policies and Procedures Manual – details the financing and accounting practices.

Internal Control Training and Awareness

The Internal Control Officer (ICO) shall coordinate training and awareness activities to ensure that all NYSERDA employees have an understanding of internal control principles and how they relate to the performance of their work assignments. The ICO and executive management shall at least once a year communicate to NYSERDA staff regarding internal control principles and responsibilities.

Internal Control Review Process

The ICO shall coordinate a process of organization-wide risk assessment at least once every three years. The risk assessment shall identify significant risks which threaten the achievement of unit/organizational objectives, the controls in place to eliminate or mitigate these risks, and an assessment of the relative likelihood of occurrence and the impact of such risks using a rating system to be established by executive management. Each risk assessment shall be reviewed and approved through executive management and shall also be provided to the Director of Internal Audit for review and comment. The results of the organization-wide risk assessment shall be communicated to the Audit and Finance Committee for review and comment.

In intervening years, the ICO shall coordinate a review of NYSERDA's internal control policies and procedures, organizational structure, and inventory of functions in consultation with the Executive team and the Director of Internal Audit and consider and recommend changes to improve internal controls. Employees are encouraged to regularly review and pursue opportunities to improve internal controls ongoing, and to coordinate with all stakeholders to ensure agreement and coordination on any such improvements.

The ICO shall be responsible for monitoring the implementation of corrective actions which result from internal control reviews, internal control testing, internal audit reports, or reports issued by external auditors related to internal control matters. The ICO shall provide a report to the President and CEO at least annually summarizing the status of all such corrective actions.

Internal Control Testing

To supplement the ongoing evaluation of the adequacy of NYSERDA's internal controls, NYSERDA shall conduct compliance testing at least annually to determine the extent to which staff follow prescribed policies and procedures.

Decision Framework

NYSERDA has established a documented decision-making framework that serves as a key control to ensure that major decisions - particularly those affecting state policy and significant budget allocations – are well-informed and elevated to appropriate levels of the organization. This framework instills a rigor in the data-gathering and analysis used to guide decisions, fosters assignment of project management resources to make major initiatives successful, builds in cross-coordination to ensure functional areas that need to support those initiatives are consulted prior to launch, and through the use of standard templates drives the identification of initiative success metrics to allow for objective assessment of progress and, as needed, timely course correction. It also provides a standard matrix to clarify which decisions need to be approved by various levels of management, to help ensure that Officers and/or the Board are consulted for major precedential and cross-cutting matters while supporting efficient, prudent delegation of more localized decisions. This decision framework is detailed in the Operations & Procedures Manual.

Annual Reporting

NYSERDA prepares the annual report required by Section 2800 of the Public Authorities Law and submits it to the Board Members for review and approval. The report is certified in writing by the President and CEO and the CFO/Treasurer that based on their knowledge the information provided therein is accurate, correct and does not contain any untrue statement of material fact, does not omit any material fact which, if omitted, would cause the financial statements to be misleading in light of the circumstances under which such statements are made and fairly presents in all material respects the financial condition and results of operations of NYSERDA as of and for the periods presented in the report.

Attached as part of the annual report is a copy of the annual independent audit report, performed by a certified public accounting firm in accordance with generally accepted government auditing standards, and management letter with any other external examination of the books and accounts (other than reports of any examinations made by the State Comptroller). This annual report is submitted to the persons designated by Sections 2800 and 2802 of the Public Authorities Law.

NYSERDA also submits the annual internal control certification and report in accordance with requirements established by the Authorities Budget Office.

SECTION 5: CORE FUNCTIONAL CONTROLS

Grounded by the scope of its enabling legislation, NYSERDA develops policies and strategies and executes programs geared to help NYS attain goals with regard to energy security, reliability, affordability, and climate change mitigation, while being a good steward of ratepayer and taxpayer funds and serving as a reliable source of information for New Yorkers. In this context, NYSERDA operates with a mission to “Advance clean energy innovation and investments to combat climate change, improving the health, resiliency, and prosperity of New Yorkers and delivering benefits equitably to all.” While NYSERDA functions are likely to evolve over time, there are five foundational functions that are likely to remain stable for the foreseeable future and encompass the majority of NYSERDA activities in some way, as outlined below.

Set Vision and Strategy



NYSERDA serves as New York’s State Energy Office, Chair of the State Energy Planning Board and Co-Chair of the Climate Action Council, established by the Climate Leadership and Community Protection Act (CLCPA). Through these roles, NYSERDA assesses, designs and implements actions that accelerate clean energy transition and climate mitigation, as well as drive an equitable transition to a clean energy economy. Complementing this work, NYSERDA also plays a key role in ensuring energy security for New York State, and by providing the State’s energy policy decision makers with a wide range of data and analyses to support policy making and leading statewide energy planning.

Governing Legislation and Regulatory Requirements

NYSERDA monitors legislative and regulatory developments that establish specific goals and timelines for achievement thereof, which NYSERDA may also then play a key role in attaining.

Mission and Vision

In this context, NYSERDA’s work is guided first and foremost by its [mission and vision](#) as published on our website. These, combined with core mandates and targets articulated in the CLPCA, serve as guideposts for strategy setting, planning, resource allocations, and goals determination ongoing. Mission and Vision are discussed with new employees as part of their onboarding, and reinforced in annual goal-setting sessions to help ensure that work efforts stay aligned with these overarching precepts and are periodically reviewed and updated to ensure NYSERDA is synchronized with current policy directions and energy market dynamics.



Core Mandates and Targets

NYSERDA is charged with coordinating and delivering clean energy outcomes, which may be the result of legislative directions, such as the CLCPA, regulatory actions, such as Public Service Commission initiatives and programs, as well as administrative directions, such as through the State Energy Plan. These actions, whether individually or in the collective, provide the foundation from which specific programs will organize program outcomes and implementation outputs as targets to advance overall state policy. These in turn provide an inherent “tone from the top” in articulating results NYSERDA is charged with delivering and related budgets and timeframes.

Strategic Outlook

Annually, NYSERDA develops a Strategic Plan (the “Strategic Outlook”), which describes how NYSERDA will pursue its mission, goals, and objectives over the ensuing three years. NYSERDA ensures that the Plan maps to and supports attainment of longer-term goals. The President’s office assigns a leader to develop the Plan, who then meets with executive management and program staff to discuss and evaluate goals and strategy options, then creates the draft planning documents. The final draft of the Plan is reviewed by the Officers before presenting to the Program Planning Committee and the Board for approval.

Financial Plan and Annual Budget

In parallel with the preparation of the Strategic Outlook, a proposed Budget and Financial Plan are prepared by NYSERDA staff in accordance with governing accounting principles and NYS Comptroller standards. The Budget reflects a view of projected sources and uses of funds for the upcoming fiscal year. The Financial Plan appends to these higher-level projections of the same for the three fiscal years thereafter. Data are presented in a manner consistent with NYSERDA’s programs and functions and include estimates of revenues and expenditures for each combination of major funding source and major program or function.

The proposed Budget and Financial Plan are made available for public inspection on NYSERDA’s website no less than 60 days before the start of the fiscal year and 30 days before approval by the Board Members. The materials published include a description of the budget process, the principal underlying assumptions and risks, a breakdown of the major sources of revenues, expenses by both functional category and major program, information on proposed capital investments, and a certification by the CFO and the President and CEO that, to the best of their knowledge and belief after reasonable inquiry, the proposed Budget and Financial Plan are based on reasonable assumptions and methods of estimation.

The proposed Budget and Financial Plan are then submitted to NYSERDA’s Board Members for approval as per Section 2801 of the Public Authorities Law, and upon approval then to the persons designated in such Section 2801 to receive such Budget and Financial Plan. This includes submitting copies to the State Comptroller within 7 days of approval by the Board Members subject to approval by the Governor pursuant to Section 1854 of the Public Authorities Law and making the approved Budget and Financial Plan available for public inspection on NYSERDA’s website at least 7 days before the start of the fiscal year.

The annual Budget and accompanying Financial Plan serve as a guide for ongoing spending plans. Performance against the annual Budget is tightly monitored. On an ongoing basis, NYSERDA prepares and publishes to its Board no less than quarterly financial statements that identify variances between actual revenues and expenses and those that were budgeted, the drivers thereof, and corrective measures as needed. NYSERDA posts on its website not less than 90 days after the close of each fiscal year actual financial results versus budget, as reported in NYSERDA’s audited financial statements. The CFO also notifies the Board Members and the State Comptroller in writing at any point during the fiscal year when he or she learns of any adverse development that would materially affect the Budget or Financial Plan.

In addition, NYSERDA uses the three mechanisms below to provide additional direction-setting guardrails and to ensure timely performance monitoring:

- *Assessments of Program Spending and Outcomes.* Large portions of NYSERDA’s work are driven by orders issued by the Public Service Commission (PSC), that identify expectations for outcomes and the funds approved to support work to attain those in a given timeframe. Additional significant work efforts are supported by state/federal grants, by Regional Greenhouse Gas Initiative (RGGI) proceeds which are programmed according to its governing regulations, and for certain functions through funding approved in New York’s state budget appropriations process. These four mechanisms all serve as restricted funding that require specific monitoring and reporting of progress, outcomes, and spending at fund level at least annually. In the case of certain larger and longer-term PSC orders, investment or operating plans that provide additional detail on specific programs, outcomes, and spending projections. In the case of grants, progress, outcomes, and spending are reported periodically to the funding organization per the terms of the grant. RGGI-funded programs are proposed and implemented by NYSERDA through an annual review of the Operating Plan, meeting yearly with a stakeholder advisory group to ensure alignment, and submission to the Board for approval. For direct state funding, NYSERDA reports annually to the Department of Budget on spending and outcomes.
- *Resource Planning and Monitoring.* NYSERDA develops a human capital resource budget as part of regular budgeting process, working with each division to understand evolving needs for employee and contractor support and reflect those in budgets where need-justified and as funds allow. The process includes challenge sessions to ensure that headcount remains grounded in reality and to encourage work reprioritization and/or resource redeployment to optimize the use of existing resources. These sessions also proactively surface skill-building needs soon enough to be addressed to execute the work successfully. After budget approval, follow-up sessions are held at least twice each year to ensure staffing stays in line with budget and allow timely pivots as needed. Any out-of-budget requests must be submitted through an exception process with approval of all Officers to proceed.
- *Capital Expenditures vs. Budget.* NYSERDA prepares a rolling four-year outlook of projected changes in capital assets. A more detailed one-year view is then created to feed into the annual budget process. The budget process includes Officer-level review of all requested investments to substantiate need, fit, and cashflow and depreciation impact.

Design and Deliver Policies

In the context of NYS overarching strategy and goals, and NYSEDA's mission and goals in support of those, NYSEDA develops macro-level policies to inform and enable attainment of key state energy goals.

Policy Design and Delivery Functions

- Support government affairs matters, serving as liaison between NYSEDA, other NYS Agencies and Authorities, and elected officials, and addressing inquiries from the Governor's office, Federal and State legislatures, and local government officials.
- Coordinate across NYSEDA on proposals, strategies, and approaches, for engagement in Public Service Commission proceedings, Federal Funding Opportunities, other agency proposed rulemakings, and through activities as initiated or identified by the State Energy Plan, the Scoping Plan, or other guidance.
- Research and analyze various public policy designs to determine optimal approaches to advance the combined goals of energy efficiency, emissions reduction, sustainability, and affordability.
- Engage in state and regional planning to foster a cohesive and timely approach to update and expand state energy infrastructure to enable reliable, resilient delivery of power.
- Coordinate environmental research to understand and mitigate potential cross-impacts and foster sustainable solutions.
- Advise staff to ensure Programs are designed specifically to support achievement of NYSEDA's core mandates and targets, with specific market interventions evaluated using intelligence from government affairs and policy, analysis, and research resources to ensure that program-specific approaches align with and support attainment of broader NYS public policy objectives.

Controls

While certain policy development work may have some unique controls, NYSEDA has established a fundamental suite of controls that it applies to all of its policy development.

- NYSEDA establishes a designated division to be accountable for tracking and communicating internally any potential Federal and State legislation that is likely to impact energy efficiency, emissions reduction, climate policies, and environmental justice, and also any which suggests potential implications for NYSEDA and its stakeholders.
- Staff monitors legislative hearings, assists with the preparation of testimony for hearings, and coordinates the management of NYSEDA's legislative agenda.
- NYSEDA maintains all records of oral and written contacts that are an attempt to influence the adoption or rejection of any rule or regulations having the force and effect of law that is issued by NYSEDA.
- Data is gathered regularly to stay abreast of emerging developments, including review of macro/external conditions and trends as well as regular outreach to internal program design teams.
- Credible, defensible methodologies are used in modeling assumptions, scientific research, and policy development.
- Consistent factors and assumptions are applied across the variety of policy development undertaken throughout the organization.

- Outside expert resources are utilized to provide reliable data inputs and objective review and validation of methodologies

Design and Administer Programs

Requirements of Commission Orders, Grants, and other Funding

Programs must operate in a manner that is consistent with any approved operating plan, funding agreement, Public Service Commission Order, law or regulation related to the program funding source. NYSERDA identifies a business owner for each program who is primarily responsible for development and implementation of their program area, for consistency with the Board-approved Plan, and for ensuring the collection and tracking of all required information and metrics needed for compliance filings according to the Public Authorities Law and other statutory and administrative requirements, in consultation with oversight provided by a division-head level employee.

Types of Programs

NYSERDA programs tend to fall in one of the following categories:

- Improving energy affordability, reliability, and public health at a local level through incentive programs where parties such as households, building owners, and businesses may apply for grants or rebates to install qualifying energy efficiency, renewable energy, or beneficial electrification improvements.
- Increasing the use of clean energy technologies through incentive programs and competitive solicitations for renewable energy development which NYSERDA monitors through completion through partnership with developers and community stakeholders and rigorous contract management.
- Providing technical expertise, reliable data, and advisory services to households, businesses, institutions, and communities seeking to improve energy efficiency, to deploy clean energy generation, and/or to electrify homes, buildings, and vehicles.
- Fostering climate and clean energy technology innovation, providing support for developing, commercializing, and demonstrating new technologies to help scale up solutions economically.
- Developing and offering financing mechanisms that lower the cost of capital for a clean energy transition, for instance through NYSERDA's NY Green Bank which helps demonstrate successful lending models for new technologies that in turn help attract and scale private capital.

Controls

While the programs above may have some unique controls, NYSERDA has established a fundamental suite of controls that it applies to all of its programs, as noted below.

- *Policy Alignment:* Programs are designed specifically to support achievement of NYSERDA's core mandates and targets, with specific market interventions evaluated using intelligence from Government and Regulatory Affairs and Policy, Analysis, and Research resources to ensure that program-specific approaches align with and support attainment of broader NYS public policy objectives.

- *Expert Design Input:* As programs are developed, they gather input from stakeholder groups and technical experts to ensure that program is designed to optimize outcomes based on market input. NYSERDA has developed internal resources to aid program teams with more specialized expertise, such as performance management, operations, community relations, energy and climate equity, siting, and workforce development to aid in program design.
- *Multidimensional Review and Readiness Checks:* Before launch, programs are reviewed through a cross-functional team of resources from across NYSERDA to refine program design, ensure organizational and operational readiness to deploy, ensure agreement on success metrics and potential stage gates, and verify compliance with governing law, approved funding, and other regulatory requirements as applicable.
- *Maximize Competitive Procurement:* Pursuant to the Board-approved Procurement and Program Contract Guidelines, Operative Policy and Instructions, NYSERDA uses its best efforts to maximize competitive selection of contractors, unless certain limited criteria for non-competitive selection are present. Before launch, solicitation materials are reviewed and approved internally through to ensure the designated funding amount is within the available budget, and that the intent of the solicitation is consistent with the Board approved Strategic Outlook. The solicitations are made public on, at a minimum, NYSERDA's website and other standard state opportunity notice publications. Solicitation results are reviewed by a Scoring Committee selected for their subject matter expertise and evaluated per evaluation criteria set forth in the Solicitation document.
- *Rigorous Contracting:* All contract actions require a clear and defined set of tasks and deliverables. For financing-type activities, a loan agreement or comparable document records the eligible use of funds and repayment terms. Contract statements of work and/or financing terms are defined by a qualified NYSERDA manager and carefully reviewed for accuracy, as well as procurement and legal compliance.
- *Closely Monitored Project Management and Oversight:* An assigned project manager is responsible for communicating with contractors, reviewing, and approving deliverables, reviewing and approving invoices, ensuring required data and reporting information is submitted and managing the lifecycle of the contract, including expiration date monitoring and project closeout.
- *Payment:* An integrated system with multi-tiered payment controls has built-in verification measures to ensure substantiation by NYSERDA's project manager that work has been completed as reflect on invoices submitted, as well as basic accuracy and counterparty identity checks.
- *Evaluation and Results Monitoring:* A designated performance management team assesses the outcomes of programs, maintaining sufficient separation from the program teams to ensure objectivity while providing relevant insights to keep improving program impact. *See Section E.*

Additional Controls for Financing Programs

While all programs are carefully controlled, lending programs have additional controls as noted below:

- Program design and major transactions approved at executive level.
- Pre-lending underwriting and fiscal due diligence using commercially accepted standards for comparable products and counterparties.
- Contractual requirements for regular borrower reporting to help assess status and financial health.
- Monthly review of individual loan status and portfolio level repayment outlook assessment, with material individual transaction risk overseen by a risk management committee.
- Regular accounting valuations vetted annually with financial auditors.
- Bonds structured by public financing experts, over-collateralized to minimize default risk, and issued only when approved by NYSERDA's Board and the Public Authorities Control Board.

Enable High-Value Outcomes

In this section:

- Provide Objective Information, External Messaging and Stakeholder Engagement
- Source, Deploy, and Develop Human Capital
- Facilities and Fleet Assets
- Technology and Data Assets
- Legal Services

Provide Objective Information, External Messaging and Stakeholder Engagement

Primary Functions

- Provide reliable, credible, accessible information to all audiences, both proactively (press releases, reports, and whitepapers) and responsively (government, media, and consumer inquiries).
- Design and drive public outreach and education campaigns to raise awareness of NYS' clean energy path and build confidence in NYS' ability to be successful in that regard.
- Identify appropriate events, conferences, and exhibit opportunities for NYSERDA program marketing, outreach, and education, and provide conference and meeting support including venue selection and contracting, equipment and facility logistics.

Controls

- Automated monitoring tools are employed to rapidly identify media reports or other public mention of NYSERDA's work scope and staff respond quickly to ensure that accounts are factual, unbiased, and up to date.
- Staff charged with any kind of direct external communications duties maintain up-to-date knowledge of NYS direction, relevant legislative and regulatory development, NYSERDA's role, goals, and priorities, and NYSERDA's initiatives and eligibility criteria, and they train and support any contracted resources supporting this function.

- Staff in this function receive legal alerts from in-house counsel that may pertain to communication modes and standards and promptly update practices and websites to stay current and compliant.
- Press Releases go through a cross-functional review prior to release. Prior to any public release, content is fact-checked, funding amounts verified to budget, and positioning aligned with broader NYS communications guidance.
- Reports and Whitepapers are developed using reliable, credible and consistent information, and go through a cross-functional review prior to release. Prior to any public release, content is fact-checked, potential and positioning aligned with broader NYS communications guidance.

Source, Deploy, and Develop Human Capital

Primary Functions

- Manage recruiting, compensation, and performance management to ensure human capital is sufficient to successfully execute work scope and deliver intended outcomes
- Assess skill needs and facilitate employee training
- Ensure legal compliance with human resources related matters
- Ensure NYSERDA practices foster an inclusive and equitable environment

Controls

- Human resources practitioners work closely with in-house counsel and DEI experts to design, update, communicate, and enforce practices that are compliant with governing laws and regulations and inclusive in nature.
- Annual resource planning discussions are used to establish total and division-level headcount budgets grounded in a realistic reflection of need. Requests for any positions not within this budget are elevated by HR to NYSERDA Officers for consideration with approval contingent on available funding.
- Compensation structures are founded on NYS standards, utilizing NY state employee health care and retirement plans and with published “Management/Confidential” grades as a guide for salary determination. Pay adjustments are determined using a consistent documented approach.
- All NYSERDA positions are filled based on merit, based upon defined job descriptions, and using a consistent recruitment process and standards. Recommended salaries are determined by HR and approved by the CEO prior to offer. Policy-maker positions are further vetted with the Comptroller’s Office for approval prior to offer.
- NYSERDA maintains a robust goal setting and performance review process whereby goals are cascaded from entity-level to division, department, and individual employee for alignment. Goals are reviewed by managers to ensure completeness and relevance. Annual performance evaluations are coordinated by human resources practitioners, including calibration sessions with Officer review to foster consistent application and policy adherence.
- Performance reviews, resource planning sessions, engagement surveys, and legal updates inform NYSERDA’s training plans to ensure skill development supports attainment of NYSERDA’s mission outcomes. Topics related to ethics, security, and other foundational matters are part of a suite of mandatory annual employee training logged in a system and carefully tracked to ensure completion.
- Annual personnel reporting is provided to the Comptroller’s office and the Department of Labor.

- In an effort to ensure consistent readiness to execute our mission, a comprehensive Continuity of Operations Plan has been developed to enhance NYSERDA's ability to operate in an emergency or disaster situation. It is reviewed and updated at least annually and approved at the Officer level, and is supplemented with periodic emergency and response testing or training to ensure it can be deployed promptly in practice.

Facilities and Fleet Assets

Primary Functions

- Secure cost-effective workspaces in appropriate locations and with the necessary infrastructure to foster an engaged, productive workforce.
- Ensure that all NYSERDA offices remain safe, secure and well-maintained while providing supplies, reception, mail and building services to allow the entire team to function effectively.
- Ensure NYSERDA facilities are aligned with NYS sustainability goals.

Controls

- NYSERDA updates facilities plans annually, and with a 4-year outlook.
- Physical security is maintained through a controlled electronic building access system, asset tracking, employee training, annual filing of emergency response plans, and staff notification systems. Insurance risk is reviewed and policies updated annually with an insurance broker.
- Energy efficiency and sustainability are regularly assessed and reported as per EO22 and similar statewide mandates.

Technology and Data Assets

NYSERDA has established a dedicated information technology team to provides access to secure networks, websites, applications, software, telecommunications and other core services for the organization, and has complemented that with an independent information security office. As a standard practice, NYSERDA aims to align with the relevant NYS Office of Information Technology Services (ITS) policies regarding system security, website standards, software development, and data governance.

Technology and Data Assets: Information Technology (IT)

Primary Functions

- Operate a service desk (help desk) to address staff questions/issues with hardware or software.
- Procure, operate, and maintain computer hardware and software.
- Review program solicitations that contain a software development component for compliance with NYS cybersecurity and ADA (Americans with Disabilities Act) requirements.
- Collaborate with staff to review potential system, software or data solutions needs, ensuring best practices, security, and alignment with the overall system strategy and ITS requirements are addressed in determining the best option to implement.
- Develop, enhance, maintain, and operate the core system and data platforms for NYSERDA.
- Maintain security of computer hardware and software.
- Provide training to staff on computer hardware and software usage.-
- Maintain NYSERDA's website.

Controls

- Technology needs identified by staff are assessed by IT to ensure business needs and ITS standards are met, whether through development on a NYSERDA platform or a 3rd party provider. The purchase of computer hardware or software must be approved by IT prior to procuring or installing.
- Governance committees are utilized to review, approval, and prioritize information technology projects. These committees include representatives of the business users, IT and operations staff on the primary systems and platforms used by NYSERDA.
- Provide a secure data storage structure for staff that provides for nightly back-up and disaster recovery capabilities, that meets the data governance requirements of the data being stored.
- Establish processes to ensure access to the network is restricted to valid users, and each user is given a password. Multi-factor authentication is employed for data accessed via the internet.
- Physical access to the network computer systems equipment is limited to authorized staff.
- All data stored on the network or personal computers is considered NYSERDA work product. NYSERDA computers and information systems (including email) must be used in accordance with New York State policy requirements (NYS-P14-001).
- Illegal copying of NYSERDA software, or use of illegal copies of software packages on any of NYSERDA's computers, is not permitted.
- Non-NYSERDA software may not be copied or installed on NYSERDA computers without written authorization (generally in the form of an approved service desk ticket) from the Service Desk Supervisor.
- Every staff member of NYSERDA is assigned a computer (or virtual machine) and is given access to the network. It is the responsibility of each staff member to protect NYSERDA's investment in computer technology. Staff members shall report immediately any lost, damaged or missing items. Upon leaving NYSERDA all assigned IT equipment and software must be returned and validated by IT before the final paycheck is issued.
- The IT staff records the serial number of each piece of equipment [above a designated value that is](#) provided to each staff member; and updates these records as equipment and software are added or removed. Hardware inventories are validated annually.

Technology and Data Assets: Information Security

Primary Functions

- Protect and maintain the confidentiality, integrity and availability of information and related infrastructure assets
- Manage the risk of system or data security exposure or compromise
- Assure a secure and stable information technology (IT) environment
- Identify and respond to events involving information asset misuse, loss or unauthorized disclosure
- Monitor systems for anomalies that might indicate compromise
- Promote and increase the awareness of information security

Controls

- The NYS Office of Information Technology Services (ITS) establishes and regularly updates policies, standards, and guidelines for information security (“ITS Security Policies”) for state entities. These policies apply to all NYSERDA information technology devices and data. All individuals who handle NYSERDA information must adhere to the provisions of these policies.

- The Information Security Officer (ISO) is the central point of contact for all information security matters and reports independently to the CFO & Treasurer, with duties segregated from the operation of the information technology systems.
- The ISO is responsible for the design, implementation and monitoring of systems and procedures to protect and assure the availability of NYSERDA's information and related infrastructure assets, and to monitor for and respond to events involving information misuse, loss or unauthorized disclosure using applicable federal and state standards as a guide.
- All data collected and stored by or on behalf of NYSERDA are classified and managed consistent with ITS standards. A cross-functional team is responsible for classifying data and coordinating external sharing requests. NYSERDA ensures that user authorization and permissions are established and regularly verified to protect confidential data. External parties granted limited data access where necessary to fulfill their NYSERDA-contracted responsibilities are bound by strict contract terms to enforce prudent data security measures.
- NYSERDA systems are equipped with Enterprise Detection and Response (EDR) software managed 24/7/365, configured for automatic checking and system shielding and scanning frequently for viruses, to protect against the introduction or spread of malicious intent.
- All NYSERDA employees are required to complete annual state cyber security training.

Legal Services

Primary Functions

- Provide legal advice and draft legal opinions and documents for NYSERDA, including proposed rules, regulations, and legislation as well as permits and applications
- Provide legal advice and oversight of NYSERDA strategy, programs, policies, and the contracting process
- Respond to Freedom of Information Law (FOIL) requests
- Oversee and provides guidance to staff and NYSERDA's Board on ethics matters
- Serve as Secretary for the Board and its standing committees and coordinate NYSERDA records management systems and compliance

Controls

- General Counsel represents NYSERDA's interests in legal actions or proceedings and consults with executive management and the Board as deemed necessary.
- Legal team resources monitor emerging legal developments and risks and ensure communication thereof to appropriate staff.
- Internal legal resources take regular ongoing training and are also supplemented with outside counsel expertise, to ensure access to highly knowledge practitioners on all the various topics with which NYSERDA may engage.
- Designation of a named Ethics Officer ensures staff have a knowledgeable resource to advise on ethics questions. The Ethics Officer will promptly investigate any potential improprieties and ensure satisfactory resolution, education, and as needed remediation.

- Designation of a named Records Access Officer ensures staff have a central point of contact to coordinate responses to FOIL requests.
- The Records Management Officer ensures a robust records management system and related policies in accordance with the General Retention and Disposition Schedule for New York State Government Records and provides staff with guidelines for maintaining records.

Monitor and Adjust

One key control NYSERDA has established is to assess the outcomes of its programs through an internal team that is intentionally separate from the program teams themselves and is charged with independent verification. Supplementing this, NYSERDA provides extensive public reporting of its programs, relative investment therein, and their respective outcomes, to ensure transparency of our work and reinforce accountability to attaining the target outcomes with which we are charged.

As a complement to these program-specific evaluations, NYSERDA also maintains a cross-cutting Internal Audit function. Internal Audit conducts ~~a series of~~ rotating audits and advisory engagements defined in annual audit plans approved by the Audit and Finance Committee of the Board as a means to independently review and test compliance with internal policies and procedures. Finally, NYSERDA also conducts an annual external audit of its accounting and financial reporting processes and the resulting financial statements, and periodically engages outside cyber security, audit, and risk management firms to conduct objective audits of relative risk levels and to recommend prioritized improvements.

Program Performance Evaluation and Outcome Reporting

NYSERDA target outcomes are defined from underlying mandates articulated in a combination of governing legislation, Public Service Commission orders, the Regional Greenhouse Gas Initiative (RGGI) operating plan approved by the Board, and the terms of grants NYSERDA is selected to receive. NYSERDA carefully monitors both interim and final outcomes of its programs and provides various reports to transparently convey status and progress.

NYSERDA has instituted a performance evaluation function to assess the effectiveness of its major programs in achieving the NYS public policy goals under NYSERDA's purview. Competitively selected, expert evaluation contractors measure and verify impacts attributable to NYSERDA's program activities and examine program efficiency and effectiveness. NYSERDA reports monthly, quarterly, and annually on the performance of various programs to executive staff, the Governor, the New York State Legislature, the Public Service Commission, other program sponsors, advisory groups, and stakeholders. Information gleaned from evaluation processes is used not only for maintaining accountability, but also an important input to continuously improve program and portfolio impact and cost effectiveness.

Financial Reporting and External Audits

NYSERDA prepares annual financial statements in accordance with generally accepted accounting principles (GAAP) applicable to state and local government entities. These are certified by NYSERDA's CFO & Treasurer, and also the President & CEO, as fairly presenting in all material respects the operations and financial condition of NYSERDA. As added control measures, the annual financial statements are independently audited by a Certified Public Accounting firm and then after review of said firm's Opinion Letter, approved by the NYSERDA Board. NYSERDA ensures that the Audit and Finance Committee of the Board has an opportunity to consult privately with the lead partner of the Certified Public Accounting to

ensure independence. To further ensure objectivity and compliance throughout the year, NYSERDA also prepares interim quarterly financial statements which are reviewed by NYSERDA's independent auditors and then distributed to the Board. NYSERDA's financial reports are posted to NYSERDA's website in accordance with NYS Comptroller standards.

Internal Audit Purpose and Mission

The purpose of NYSERDA's internal audit function is to provide independent and objective assurance and consulting services designed to add value and improve NYSERDA's operations, and, consistent with Public Authorities Law Section 2932, evaluate NYSERDA's internal controls and operations, identify internal control weaknesses that have not been corrected and make recommendations to correct these weaknesses. The mission of internal audit is to enhance and protect organizational value by providing risk-based and objective assurance, advice, and insight. This is to be accomplished through a systematic, disciplined approach of evaluating and improving the effectiveness of risk management, control, and governance processes. Please see Appendix A for details.

SECTION 6: ENERGY SAFETY

Along with its program activities, NYSERDA plays a role ensuring energy supply safety and security.

Energy Emergency Preparedness

NYSERDA has developed, and updates annually a the preparation of New York's State Energy Security Plan Energy Emergency Plan outlining steps to detail how NYS, working with public and private sector energy partners, takes prudent steps to secure its energy infrastructure against physical and cybersecurity threats, mitigate the risk of energy supply disruptions, enhance the response to and recovery from energy disruptions, and ensure that the state has secure, reliable, and resilient energy infrastructure. This plan is reviewed and updated at least annually and approved at the Officer level.

NYSERDA is also responsible for the ongoing maintenance of the State's strategic fuel reserves to ensure an appropriate supply is available for first responders in the event of a fuel supply emergency. Inventories and prices are monitored regularly, and reserves are proactively restocked to ensure availability.

Radioactive Waste Management

Primary Functions

- Management of NYSERDA's activities in the West Valley Demonstration Project (WVDP)
- Management of the State Licensed Disposal Area and Retained Premises of the Western New York Nuclear Service Center (WNYNSC)

Controls

- NYSERDA owns the Western New York Nuclear Services Center ("West Valley"), which it operates pursuant to a series of licenses and permits, including a Nuclear Regulatory Commission production and utilization license at the federal level, and a Radioactive Materials License issued by the NYS Department of Health, a Radiation Control Permit and a State Pollutant Discharge Elimination System permit issued by the New York State Department of Environmental Conservation, and a

Consent Order issued by the NYS Department of Environmental Conservation and the U.S. Environmental Protection Agency. NYSERDA must also comply with all other applicable State and federal regulations, including regulations for radioactive materials management; radioactive waste generation, management and disposal; hazardous waste generation, management, and disposal; worker industrial and radiation safety; wetland protection; and environmental review.

- Certain actions at West Valley are also controlled by federal legislation that gave sole possession of certain acres of the site to the United States Department of Energy (DOE) and resulting affiliated agreements. The West Valley Demonstration Project Act directs DOE to carry out a demonstration project on high-level radioactive waste solidification and decommissioning at the WNYNSC, and directs DOE and NYSERDA to enter into a Cooperative Agreement to carry out these activities and to implement cost share between the agencies.
- The Cooperative Agreement lays out a framework between DOE and NYSERDA as to the roles, cost shares, and coordination between the agencies, provides for NYSERDA's participation in DOE's procurement process for selecting the management and operations contractor for the WVDP, and provides for NYSERDA input on WVDP activities, progress, plans, funding, issues and concerns, and participates in WVDP meetings with the public, regulators, technical consultants and experts and other stakeholders. Cost share is also established through a federal Consent Decree that resolved the majority of claims brought by NYSERDA against DOE regarding cost allocation at the WVDP. The initial Cooperative Agreement was amended by the Supplemental Agreement to the Cooperative Agreement, the Second Supplemental Agreement and the Third Supplemental Agreement to address the preparation of the Decommissioning EIS, the Phase 1 Studies, and the preparation of the probabilistic performance assessment and Supplemental EIS, respectively.
- In addition to the above, site-level written plans and procedures provide the mechanism for implementing the regulatory requirements identified above and for implementing additional best management practices for operations and maintenance, environmental monitoring, emergency response and administrative processes and controls. These plans and procedures are prepared by technical staff or contractors, and are reviewed and approved by a Program Manager/ Program Director or Team Lead and appropriate internal (radiation safety or safety and health) committees before they are incorporated into the program for implementation.

APPENDIX A: INTERNAL AUDIT

Purpose

The purpose of the internal audit function is to strengthen NYSERDA's (the Authority's) ability to create, protect, and sustain value by providing the Board of Directors (Board) through the Audit and Finance Committee (AFC), and senior management with independent, risk-based, and objective assurance, advice, insight, and foresight.

The internal audit function enhances the Authority's:

- Successful achievement of its objectives.
- Governance, risk management, and control processes.
- Decision-making and oversight.
- Reputation and credibility.
- Ability to serve the public interest.

The Authority's internal audit function is most effective when:

- Internal auditing is performed by competent professionals in conformance with The IIA's Global Internal Audit StandardsTM, which are set in the public interest.
- The internal audit function is independently positioned with direct accountability to the Board's Audit and Finance Committee.
- Internal auditors are free from undue influence and committed to making objective assessments.

Commitment to Adhering to the Global Internal Audit Standards

The Authority's internal audit function will adhere to the mandatory elements of The Institute of Internal Auditors' International Professional Practices Framework, which are the Global Internal Audit Standards and Topical Requirements. The Director of Internal Audit will report periodically¹ to the Audit and Finance Committee and senior management regarding the internal audit function's activities and conformance with the Standards, which will be assessed through a quality assurance and improvement program.

¹ Internal Audit Reports are emailed directly to the members when issued. Internal Audit is on the quarterly Audit and Finance Committee meeting agendas. Due to the activities presented at the June board meeting, Internal Audit is only included at the Director of Internal Audit's request.

Mandate

Authority

The Authority's internal audit function mandate is found in the New York Public Authorities Law § 2932, which states:

1. The governing board of each covered authority or its designee shall determine, and periodically review the determination of, whether an internal audit function within the covered authority is required. Establishment of such function shall be based upon an evaluation of exposure to risk, costs and benefits of implementation, and any other factors that are determined to be relevant. In the event it is determined that an internal audit function is required, the governing board of each covered authority shall establish an internal audit function which operates in accordance with generally accepted professional standards for internal auditing. Any such internal audit function shall be directed by an internal audit director who shall report directly to the governing board of the authority. Internal audit director appointments shall be based on appropriate internal auditing credentials of the proposed appointee, consistent with generally accepted standards for internal auditing, including internal auditing education and experience. The internal audit function shall evaluate the authority's internal controls and operations, identify internal control weaknesses that have not been corrected and make recommendations to correct these weaknesses.
2. In the event the governing board does not establish an internal audit function pursuant to subdivision one of this section it shall nevertheless establish and maintain the program of internal control review required by section twenty-nine hundred thirty-one of this title.

Internal Audit's authority is created by its direct reporting relationship to the Authority's Board of Directors through the Audit and Finance Committee. Such authority allows for unrestricted access to the Authority.

The Board of Directors authorizes Internal Audit to:

- Have full and unrestricted access to all functions, data, records, information, physical property, and personnel pertinent to carrying out internal audit responsibilities. Internal auditors are accountable for confidentiality and safeguarding records and information.
- Allocate resources, set frequencies, select subjects, determine scopes of work, apply techniques, and issue communications to accomplish the function's objectives.
- Obtain assistance from the necessary personnel of the Authority and other specialized services from within or outside NYSERDA to complete internal audit services.

Independence, Organizational Position, and Reporting Relationships

The Director of Internal Audit will be positioned at a level in the organization that enables internal audit services and responsibilities to be performed without interference from management, thereby

establishing the independence of the internal audit function. (See “Mandate” section.) The Director of Internal Audit will report functionally to the Board’s Audit and Finance Committee, and administratively (for example, day-to-day operations) to the President and CEO of the Authority. This positioning provides the organizational authority and status to bring matters directly to senior management and escalate matters to the Board, when necessary, without interference and supports the internal auditors’ ability to maintain objectivity.

The Director of Internal Audit will confirm to the Audit and Finance Committee, at least annually, the organizational independence of the internal audit function. The Director of Internal Audit will disclose to the Audit and Finance Committee any interference internal auditors encounter related to the scope, performance, or communication of internal audit work and results. The disclosure will include communicating the implications of such interference on the internal audit function’s effectiveness and ability to fulfill its mandate.

Changes to the Mandate and Charter

Circumstances may justify a follow-up discussion between the Director of Internal Audit, the Audit and Finance Committee (or Board), and senior management on the internal audit mandate or other aspects of the internal audit charter. Such circumstances may include but are not limited to:

- A significant change in the Global Internal Audit Standards.
- A significant reorganization within the Authority.
- Significant changes in the Director of Internal Audit, Audit and Finance Committee, and/or senior management.
- Significant changes to the organization’s strategies, objectives, risk profile, or the environment in which the organization operates.
- New laws or regulations that may affect the nature and/or scope of internal audit services.

Board Oversight

To establish, maintain, and ensure that NYSERDA’s internal audit function has sufficient authority to fulfill its duties, the Board of Directors through the Audit and Finance Committee will:

- Approve the appointment or removal of the Director of Internal Audit, ensuring adequate competencies and qualifications and conformance with the Global Internal Audit Standards.
- Discuss with the Director of Internal Audit and senior management the appropriate authority, role, responsibilities, scope, and services (assurance and/or advisory) of the internal audit function.
- Ensure that the internal audit function is organizationally independent from operations and that the Director of Internal Audit confirms, at least annually, the organizational independence of the internal audit activity.

- Ensure the Director of Internal Audit has unrestricted access to and communicates and interacts directly with the Chairman of the Audit and Finance Committee and to the Board of Directors as necessary, including in private meetings without senior management present. Make appropriate inquiries of senior management and the Director of Internal Audit to determine whether scope or resource limitations exist and to determine whether they are inappropriate.
 - Participate in discussions with the Director of Internal Audit and senior management about the “essential conditions,” described in the Global Internal Audit Standards, which establishes the foundation that enables an effective internal audit function.
 - Approve the internal audit function’s charter (attached as Appendix A to the Internal Control Manual), which includes the internal audit mandate and the scope and types of internal audit services.
 - Review the internal audit charter annually (or as needed) with the Director of Internal Audit to consider changes affecting the organization, such as the employment of a new Director of Internal Audit or changes in the type, severity, and interdependencies of risks to the organization.
 - Approve the risk-based internal audit plan on an annual basis, and any significant changes as they arise.
 - Provide input to the internal audit function’s staffing, resources, and budget.
 - Receive communications from the Director of Internal Audit about the internal audit function including its performance relative to its plan.
 - Review the results of audit activities and approve procedures for implementing accepted recommendations of the internal auditor.
 - Review and provide input to senior management on the Director of Internal Audit’s performance.
 - Ensure a quality assurance and improvement program has been established and periodically reviewed. An independent formal review must occur every 5 years, following the requirements outlined in the Global Internal Audit Standards. This is further outlined below in the *Quality Assurance and Improvement Program* section.
 - Make appropriate inquiries of senior management and the Director of Internal Audit to determine whether scope or resource limitations exist and to determine whether they are inappropriate.
- ~~— Discuss with the Director of Internal Audit and senior management the appropriate authority, role, responsibilities, scope, and services (assurance and/or advisory) of the internal audit function.~~
- ~~— Ensure the Director of Internal Audit has unrestricted access to and communicates and interacts directly with the Chairman of the Audit and Finance Committee and to the Board of Directors as necessary, including in private meetings without senior management present.~~
- ~~— Discuss with the Director of Internal Audit and senior management other topics that should be included in the internal audit charter.~~

- Participate in discussions with the Director of Internal Audit and senior management about the “essential conditions,” described in the Global Internal Audit Standards, which establishes the foundation that enables an effective internal audit function.
- Approve the internal audit function’s charter (attached as Appendix A to the Internal Control Manual), which includes the internal audit mandate and the scope and types of internal audit services.
- Review the internal audit charter annually (or as needed) with the Director of Internal Audit to consider changes affecting the organization, such as the employment of a new Director of Internal Audit or changes in the type, severity, and interdependencies of risks to the organization; and approve the internal audit charter.
- Approve the risk-based internal audit plan.
- Provide input to the internal audit function’s staffing, resources, and budget.
- Provide input to senior management on the appointment and removal of the Director of Internal Audit, ensuring adequate competencies and qualifications and conformance with the Global Internal Audit Standards.
- Review and provide input to senior management on the Director of Internal Audit’s performance.
- Receive communications from the Director of Internal Audit about the internal audit function including its performance relative to its plan.
- Ensure a quality assurance and improvement program has been established and periodically reviewed. An independent formal QAR must occur every 5 years, following the requirements outlined in the Global Internal Audit Standards. This is further outlined below in the *Quality Assurance and Improvement Program* section.
- Make appropriate inquiries of senior management and the Director of Internal Audit to determine whether scope or resource limitations exist and to determine whether they are inappropriate.

Director of Internal Audit Roles and Responsibilities

Ethics and Professionalism

The Director of Internal Audit will ensure that internal auditors:

- Conform with the Global Internal Audit Standards, including the principles of Ethics and Professionalism: integrity, objectivity, competency, due professional care, and confidentiality.
- Understand, respect, meet, and contribute to the legitimate and ethical expectations of the organization and be able to recognize conduct that is contrary to those expectations.
- Encourage and promote an ethics-based culture in the organization.

- Report organizational behavior that is inconsistent with the organization's ethical expectations, as described in applicable policies and procedures.

Objectivity

The Director of Internal Audit will ensure that the internal audit function remains free from all conditions that threaten the ability of internal auditors to carry out their responsibilities in an unbiased manner, including matters of engagement selection, scope, procedures, frequency, timing, and communication. If the Director of Internal Audit determines that objectivity may be impaired in fact or appearance, the details of the impairment will be disclosed to appropriate parties.

Internal auditors will maintain an unbiased mental attitude that allows them to perform engagements objectively such that they believe in their work product, do not compromise quality, and do not subordinate their judgment on audit matters to others, either in fact or appearance.

Internal auditors will have no direct operational responsibility or authority over any of the activities they review. Accordingly, internal auditors will not implement internal controls, develop procedures, install systems, or engage in other activities that may impair their judgment, including:

- Assessing specific operations for which they had responsibility within the previous year.
- Performing operational duties for the Authority or its affiliates.
- Initiating or approving transactions external to the internal audit function.
- Directing the activities of any Authority employee that is not employed by the internal audit function, except to the extent that such employees have been appropriately assigned to internal audit teams or to assist internal auditors.

Internal auditors will:

- Disclose impairments of independence or objectivity, in fact or appearance, to appropriate parties and at least annually, such as the Director of Internal Audit, the Audit and Finance Committee, senior management, or others.
- Exhibit professional objectivity in gathering, evaluating, and communicating information.
- Make balanced assessments of all available and relevant facts and circumstances.
- Take necessary precautions to avoid conflicts of interest, bias, and undue influence.

Where the Director of Internal Audit has or is expected to have roles and/or responsibilities that fall outside of internal auditing (e.g. advisory services), safeguards will be established to limit impairments to independence or objectivity.

Standards for the Professional Practice of Internal Auditing

The internal audit function will govern itself by adherence to the mandatory elements of The Institute of Internal Auditors' International Professional Practices Framework, including the Core Principles for the

~~Professional Practice of Internal Auditing, the Code of Ethics, the *International Standards for the Professional Practice of Internal Auditing* (the *Standards*), and the Definition of Internal Auditing. The Director of Internal Audit will report periodically to senior management and the Audit and Finance Committee regarding the internal audit function's conformance to the Code of Ethics and the *Standards*.~~

Organization, Reporting Structure and Authority

~~The internal audit function shall be directed by a chief audit executive ("Director of Internal Audit"), who shall be appointed by the Board Members, as determined by the Audit and Finance Committee. Selection of the Director of Internal Audit shall be based upon his or her internal auditing credentials, including knowledge, skills, experience, and professional certifications necessary to perform the responsibilities described in this section.~~

~~The Director of Internal Audit shall report functionally to the Authority's Audit and Finance Committee and administratively (i.e., day-to-day operations) to the President and CEO. To establish, maintain, and assure that the Authority's internal audit function has sufficient authority to fulfill its duties, the Audit and Finance Committee will:~~

- ~~● Approve the internal audit function's description in this Section.~~
- ~~● Approve the risk-based internal audit plan.~~
- ~~● Provide input to the Director of Internal Audit for the internal audit function's budget and resource plan.~~
- ~~● Receive communications from the Director of Internal Audit on the internal audit function's performance relative to its plan and other matters.~~
- ~~● Approve the appointment or dismissal of the Director of Internal Audit.~~
- ~~● Make appropriate inquiries of management and the Director of Internal Audit to determine whether there are inappropriate scope or resource limitations. —~~

~~The Chair of the Audit and Finance Committee will consult with the President and CEO on the performance reviews and compensation of the Director of Internal Audit.~~

~~The Director of Internal Audit shall have unrestricted access to and communicate and interact directly with the Audit and Finance Committee and the Board, including, if necessary, private meetings without management present.~~

~~The Audit and Finance Committee authorizes the internal audit function to:~~

- ~~● Have full, free, and unrestricted access to all functions, records, property, and personnel pertinent to carrying out any engagement, subject to accountability for confidentiality and safeguarding of records and information.~~
- ~~● Allocate resources within budgets approved by the board, set frequencies, select subjects, determine scopes of work, apply techniques required to accomplish audit objectives, and issue reports.~~
- ~~● Obtain assistance from the necessary personnel of the Authority, as well as other specialized services from within or outside the Authority, in order to complete the engagement.~~

Independence and Objectivity

~~The Director of Internal Audit will ensure that the internal audit function remains free from all conditions that threaten the ability of internal auditors to carry out their responsibilities in an unbiased manner, including matters of audit selection, scope, procedures, frequency, timing, and report content. If the Director of Internal Audit determines that independence or objectivity may be impaired in fact or appearance, the details of the impairment will be disclosed to appropriate parties.~~

~~Internal auditors will maintain an unbiased mental attitude that allows them to perform engagements objectively and in such a manner that they believe in their work product, that no quality compromises are made, and that they do not subordinate their judgment on audit matters to others.~~

~~Internal auditors will have no direct operational responsibility or authority over any of the activities audited. Accordingly, internal auditors will not implement internal controls, develop procedures, install systems, prepare records, or engage in any other activity that may impair their judgment, including:~~

- ~~● Assessing specific operations for which they had responsibility within the previous year.~~
- ~~● Performing any operational duties for the Authority or its affiliates.~~
- ~~● Initiating or approving transactions external to the internal audit function.~~
- ~~● Directing the activities of any Authority employee not employed by internal audit, except to the extent that such employees have been appropriately assigned to auditing teams or to otherwise assist internal auditors.~~

~~Where the Director of Internal Audit has or is expected to have roles and/or responsibilities that fall outside of internal auditing, safeguards will be established to limit impairments to independence or objectivity.~~

~~Internal auditors will:~~

- ~~● Disclose any impairment of independence or objectivity, in fact or appearance, to appropriate parties.~~
- ~~● Exhibit professional objectivity in gathering, evaluating, and communicating information about the activity or process being examined.~~
- ~~● Make balanced assessments of all available and relevant facts and circumstances.~~
- ~~● Take necessary precautions to avoid being unduly influenced by their own interests or by others in forming judgments.~~

~~The Director of Internal Audit will confirm to the Audit and Finance Committee, at least annually, the organizational independence of the internal audit function.~~

~~The Director of Internal Audit will disclose to the Audit and Finance Committee any interference and related implications in determining the scope of internal auditing, performing work, and/or communicating results.~~

Scope of Internal Audit Activities

~~The scope of internal audit activities encompasses, but is not limited to, objective examinations of evidence for the purpose of providing independent assessments to the Audit and Finance Committee, management, and outside parties on the adequacy and effectiveness of governance, risk management, and control processes for the Authority. Internal audit assessments include evaluating whether:~~

- ~~● Risks relating to the achievement of the Authority's strategic objectives are appropriately identified and managed.~~

- ~~The actions of the Authority's Officers, directors, employees, and contractors are in compliance with the Authority's policies, procedures, and applicable laws, regulations, and governance standards.~~
- ~~The results of operations or programs are consistent with established goals and objectives.~~
- ~~Operations or programs are being carried out effectively and efficiently.~~
- ~~Established processes and systems enable compliance with the policies, procedures, laws, and regulations that could significantly impact the Authority.~~
- ~~Information and the means used to identify, measure, analyze, classify, and report such information are reliable and have integrity.~~
- ~~Resources and assets are acquired economically, used efficiently, and protected adequately.~~

~~The Director of Internal Audit will report periodically to senior management and the Audit and Finance Committee regarding:~~

- ~~The internal audit function's purpose, authority, and responsibility.~~
- ~~The internal audit function's plan and performance relative to its plan.~~
- ~~The internal audit function's conformance with The Institute of Internal Auditor's Code of Ethics and Standards, and action plans to address any significant conformance issues.~~
- ~~Significant risk exposures and control issues, including fraud risks, governance issues, and other matters requiring the attention of, or requested by, the Audit and Finance Committee or the Board.~~
- ~~Results of audit engagements or other activities.~~
- ~~Resource requirements.~~
- ~~Any response to risk by management that may be unacceptable to the Authority.~~

~~The Director of Internal Audit also coordinates activities, where possible, and considers relying upon the work of other internal and external assurance and consulting service providers as needed. The internal audit function may perform advisory and related client service activities, the nature and scope of which will be agreed with the client, provided the internal audit function does not assume management responsibility.~~

~~Opportunities for improving the efficiency of governance, risk management, and control processes may be identified during engagements. These opportunities will be communicated to the appropriate level of management.~~

Responsibility

~~The Director of Internal Audit has the responsibility to:~~

- ~~Submit, at least annually, to senior management a risk-based internal audit plan.~~
- ~~Submit, at least annually, to the Audit and Finance Committee a risk-based internal audit plan for review and approval.~~
- ~~Communicate to senior management and the Audit and Finance Committee the impact of resource limitations on the internal audit plan.~~
- ~~Review and adjust the internal audit plan, as necessary, in response to changes in the Authority's business, risks, operations, programs, systems, and controls.~~
- ~~Communicate to senior management and the Audit and Finance Committee any significant interim changes to the internal audit plan.~~
- ~~Ensure each engagement of the internal audit plan is executed, including the establishment of objectives and scope, the assignment of appropriate and adequately supervised resources, the documentation of work programs and testing results, and the communication of engagement results with applicable conclusions and recommendations to appropriate parties.~~

- ~~Follow up on engagement findings and corrective actions, and report periodically to senior management and the Audit and Finance Committee any corrective actions not effectively implemented.~~
- ~~Ensure the principles of integrity, objectivity, confidentiality, and competency are applied and upheld.~~
- ~~Ensure the internal audit function collectively possesses or obtains the knowledge, skills, and other competencies needed to meet the requirements of this Section.~~
- ~~Ensure trends and emerging issues that could impact the Authority are considered and communicated to senior management, and the Audit and Finance Committee as appropriate.~~
- ~~Ensure emerging trends and successful practices in internal auditing are considered.~~
- ~~Establish and ensure adherence to policies and procedures designed to guide the internal audit function.~~
- ~~Ensure adherence to the Authority's relevant policies and procedures, unless such policies and procedures conflict with this Section. Any such conflicts will be resolved or otherwise communicated to senior management and the Audit and Finance Committee.~~
- ~~Ensure conformance of the internal audit function with the *Standards*, with the following qualifications:~~
 - ~~If the internal audit function is prohibited by law or regulation from conformance with certain parts of the *Standards*, the Director of Internal Audit will ensure appropriate disclosures and will ensure conformance with all other parts of the *Standards*.~~
 - ~~If the *Standards* are used in conjunction with requirements issued by other authoritative bodies, the Director of Internal Audit will ensure that the internal audit function conforms with the *Standards*, even if the internal audit function also conforms with the more restrictive requirements of other authoritative bodies.~~

Quality Assurance and Improvement Program

~~The internal audit function will maintain a quality assurance and improvement program that covers all aspects of the internal audit function. The Quality Assurance and Improvement Program will include an evaluation of the internal audit function's conformance with the *Standards* and an evaluation of whether internal auditors apply The Institute of Internal Auditors' Code of Ethics. The Quality Assurance and Improvement Program will also assess the efficiency and effectiveness of the internal audit function and identify opportunities for improvement.~~

Managing the Internal Audit Function

The Director of Internal Audit has the responsibility to:

- At least annually, develop a risk-based internal audit plan that considers the input of the Board, Audit and Finance Committee, and senior management. Discuss the plan with the Audit and Finance Committee and senior management and submit the plan to the Board for review and approval.
- Communicate the impact of resource limitations on the internal audit plan to the Audit and Finance Committee and senior management.
- Review and adjust the internal audit plan, as necessary, in response to changes in the Authority's business, risks, operations, programs, systems, and controls.
- Communicate with the Audit and Finance Committee and senior management if there are significant interim changes to the internal audit plan.
- Ensure internal audit engagements are performed, documented, and communicated in accordance with the Global Internal Audit Standards and laws and/or regulations.
- Follow up on engagement findings and confirm the implementation of recommendations or action plans and communicate the results of internal audit services to the Audit and Finance Committee and senior management periodically and for each engagement as appropriate.
- Manage and supervise the internal audit activity to develop and retain internal auditors, evaluating individual competencies and encouraging professional development.
- Ensure the internal audit function collectively possesses or obtains the knowledge, skills, and other competencies and qualifications needed to meet the requirements of the Global Internal Audit Standards and fulfill the internal audit mandate.
- Identify and consider trends and emerging issues that could impact the Authority's and communicate to the Audit and Finance Committee and senior management as appropriate.
- Consider emerging trends and successful practices in internal auditing.
- Establish and ensure adherence to methodologies designed to guide the internal audit function.
- Ensure adherence to the Authority's relevant policies and procedures unless such policies and procedures conflict with the internal audit charter or the Global Internal Audit Standards. Any such conflicts will be resolved or documented and communicated to the Audit and Finance Committee and senior management.
- Coordinate activities and consider relying upon the work of other internal and external providers of assurance and advisory services. If the Director of Internal Audit cannot achieve an appropriate level of coordination, the issue must be communicated to senior management and if necessary escalated to the Audit and Finance Committee.

Communication with the Audit and Finance Committee and Senior Management

The Director of Internal Audit will report periodically¹ to the Audit and Finance Committee and senior management regarding:

- The internal audit function's mandate.
- The internal audit plan and performance relative to its plan.
- Internal audit budget.
- Significant revisions to the internal audit plan and budget.
- Potential impairments to independence, including relevant disclosures as applicable.
- Results from the quality assurance and improvement program, which include the internal audit function's conformance with The IIA's Global Internal Audit Standards and action plans to address the internal audit function's deficiencies and opportunities for improvement.
- Significant risk exposures and control issues, including fraud risks, governance issues, and other areas of focus for the Audit and Finance Committee that could interfere with the achievement of Authority's strategic objectives.
- Results of assurance, advisory, and consulting services.
- Resource requirements.
- Management's responses to risk that the internal audit function determines may be unacceptable or acceptance of a risk that is beyond the Authority's risk appetite, the parameters of which are generally governed by the Authority's internal control program.

Quality Assurance and Improvement Program

The Director of Internal Audit will develop, implement, and maintain a quality assurance and improvement program that covers all aspects of the internal audit function. The program will include external and internal assessments of the internal audit function's conformance with the Global Internal Audit Standards, as well as performance measurement to assess the internal audit function's progress toward the achievement of its objectives and promotion of continuous improvement. The program also will assess, if applicable, compliance with laws and/or regulations relevant to internal auditing. Also, if applicable, the assessment will include plans to address the internal audit function's deficiencies and opportunities for improvement.

Annually, the Director of Internal Audit will communicate with the Audit and Finance Committee and senior management about the internal audit function's quality assurance and improvement program, including the results of internal assessments (ongoing monitoring and periodic self-assessments) and external assessments. External assessments will be conducted at least once every five years by a qualified, independent assessor or assessment team from outside of the Authority; qualifications must include at least one assessor holding an active Certified Internal Auditor[®] credential, public sector competencies, as well as knowledge of the Global Internal Audit Standards.

Scope and Types of Internal Audit Services

The scope of internal audit services covers the entire breadth of the organization, including all NYSERDA's activities, assets, and personnel. The Director will maintain an audit universe as part of its risk assessment activities. The scope of internal audit activities also encompasses but is not limited to objective examinations of evidence to provide independent assurance and advisory services (also known as consulting services) to the Board and management on the adequacy and effectiveness of governance, risk management, and control processes for the Authority.

Internal Audit provides both assurance and advisory services, defined herein according to the IIA's Global Internal Audit Standards.

Assurance Services – Services through which internal auditors perform objective assessments to provide assurance. Examples of assurance services include compliance, financial, operational/performance, and technology engagements. Internal auditors may provide limited or reasonable assurance, depending on the nature, timing, and extent of procedures performed.

Advisory Services - Services through which internal auditors provide advice to an organization's stakeholders without providing assurance or taking on management responsibilities. The nature and scope of advisory services are subject to agreement by NYSERDA's President & CEO and in consultation with the Board's Audit & Finance Committee, which shall be apprised of advisory services during the Annual Audit Plan and/or periodic reports to the Committee. Examples include advising (as such term is defined in the Global Auditing Standards) on the design and implementation of new policies, processes, systems, and products; providing forensic services; providing training (in conjunction with the relevant business unit responsible for the subject process); and facilitating discussions about risks and controls. Advisory services are also known as consulting services.

The Director of Internal Audit also coordinates activities, where possible, and considers relying upon the work of other internal and external assurance and advisory service providers as needed.

The nature and scope of advisory services may be agreed with the party requesting the service, provided the internal audit function does not assume management responsibility. Opportunities for improving the efficiency of governance, risk management, and control processes may be identified during advisory engagements. These opportunities will be communicated to the appropriate level of management.

Internal audit engagements relative to assurance services may include evaluating whether:

- Risks relating to the achievement of NYSERDA's strategic objectives are appropriately identified and managed.
- The actions of NYSERDA's officers, directors, management, employees, and contractors or other relevant parties comply with the Authority's policies, procedures, and applicable laws, regulations, and governance standards.
- The results of operations and programs are consistent with established goals and objectives.

- Operations and programs are being carried out effectively, efficiently, ethically, and equitably.
- Established processes and systems enable compliance with the policies, procedures, laws, and regulations that could significantly impact the Authority.
- The integrity of information and the means used to identify, measure, analyze, classify, and report such information is reliable.
- Resources and assets are acquired economically, used efficiently and sustainably, and protected adequately.

Approved by the Board at its meeting on [date].

Acknowledgments/Signatures

Director of Internal Audit _____ Date _____

The Board's approval is documented in the Authority's Board Meeting Minutes.

~~The Director of Internal Audit will communicate to senior management and the Audit and Finance Committee on the internal audit function's Quality Assurance and Improvement Program, including results of internal assessments (both ongoing and periodic) and external assessments conducted at least once every five years by a qualified, independent assessor or assessment team from outside the Authority.~~

APPENDIX B: WHISTLEBLOWER POLICY

APPENDIX C: NYS COMPTROLLER STANDARDS FOR INTERNAL CONTROL IN NEW YORK STATE GOVERNMENT

Resolution No. _____

RESOLVED, that the amendments to the Authority's Internal Control Manual as presented at this October 23, 2024 meeting, with such non-substantive, editorial changes and grammatical changes as the President and Chief Executive Officer, in their discretion, may deem necessary or appropriate, are hereby approved and adopted by the Board.

Resolution No. _____

RESOLVED, that the President and CEO is authorized to engage the firms of Hawkins Delafield & Wood, LLP, Nixon Peabody LLP, and Hodgson Russ, LLP to serve as bond counsel for the Authority on its financings, and provide legal advice and counsel as may be necessary or desirable on matters involving trusts and other financial related services, as the President and CEO may determine is required from time to time.

AUDIT AND FINANCE COMMITTEE CHARTER

Established September 18, 1980

Purposes

Pursuant to Article V, Section 5, of the Authority's By-laws, the purposes of the Audit and Finance Committee are to recommend the hiring of a certified independent auditing firm, including the compensation to be paid, and provide direct oversight of the performance of the independent audit performed; review the annual financial statements of the Authority prior to submission for approval to the Members of the Authority; and may examine and consider such other matters in relation to the internal and external audit of the Authority's accounts, the Authority's financings, and in relation to the financial affairs of the Authority and its accounts as the Audit and Finance Committee may determine to be desirable.

Powers of the Committee

The Committee will:

- recommend appointment, including compensation, and oversee the work, of the independent auditors and, as appropriate, any other public accounting firm employed by the Authority;
- conduct or authorize investigations into any matters within its scope of responsibility;
- seek any information it requires from Authority employees; and
- meet with Authority staff and independent auditors, as necessary.

The Committee shall have sufficient resources to carry out its duties.

Composition of Committee and Selection of Members

The Committee shall be established as set forth in and pursuant to Article V, Section 5, of the Authority's By-laws. The Committee shall be a standing advisory committee of the Authority. The Committee shall have not fewer than three nor more than six Members. The Committee shall consist of not less than three independent Members who shall constitute a majority on the Committee and who shall possess the necessary skills to understand the duties and function of the Committee, provided however, that in the event that there are less than three independent Members, the Members may appoint non-independent Members, provided that the independent Members constitute a majority of the Members of the Committee. In addition, the membership of

the Committee shall include the Chair of the Authority who shall serve ex-officio and who shall enjoy all the rights and privileges of membership, including the right to vote. A majority of the members of the Committee then in office, not including the Chair of the Authority, gathered together in the presence of each other or through the use of videoconferencing, shall constitute a quorum, and the Chair of the Authority if present shall be counted toward a quorum.

The Members of the Authority will appoint the Chair of the Committee.

Committee members shall be familiar with corporate financial and accounting practices and at least one should be a financial expert. The financial expert should have: (a) an understanding of generally accepted accounting principles and financial statements; (b) experience in preparing or auditing financial statements of comparable entities; (c) experience in applying such principles in connection with the accounting for estimates, accruals and reserves; (d) experience with internal accounting controls; and (e) an understanding of audit committee functions.

Meetings

The Committee will meet, as necessary, and special meetings may be called in accordance with the Bylaws. Members of the Committee are expected to attend each committee meeting, in person or by video conference. The Committee may invite other individuals to attend meetings and provide pertinent information, as necessary.

The Committee will meet with the independent auditor at least annually to discuss the financial statements of the Authority.

Notices of meetings will be prepared in accordance with the By-laws and agendas and briefing materials will be prepared and provided to the Committee members. To the extent practicable, briefing materials will be provided to the Committee members not less than 5 business days prior to each meeting. Minutes of each meeting will be maintained in a central location at the Authority's principal office.

Meetings will be conducted in accordance with the open meetings law.

Responsibilities

The Committee will be responsible for reporting on significant material matters related to its: (a) oversight of the independent auditors and financial statements; (b) oversight of internal audit activities; (c) oversight of management's internal controls, compliance, and risk assessment practices; (d) review and approval or recommendations concerning approval of Authority financings; (e) review and recommendations concerning approval of investments and investment activities; (f) oversight of special investigations and whistle blower policies; and (g) review or

oversight of any other issues related to the audit and finance practices of the Authority as it deems appropriate.

Independent Auditors and Financial Statements. The Committee will:

- recommend appointment and approval of compensation and oversee independent auditors retained by the Authority and approve all audit services provided by the independent auditor;
- review the procedures for the selection of the independent auditor to ensure compliance with procurement guidelines, internal controls, and any other applicable requirements. The independent auditors will be prohibited from providing non-audit services unless having received previous written approval from the Committee (Non-audit services include tasks that directly support operations, such as bookkeeping or other services related to the accounting records or financial statements of the Authority, financial information systems design and implementation, appraisal or valuation services, actuarial services, investment banking services, and other tasks that may involve performing management functions or making management decisions);
- review audited financial statements and the associated management letter, and report on internal controls and all other auditor communications;
- review significant accounting and reporting issues, new accounting requirements and understand their impact on the financial statements;
- meet with the independent audit firm and discuss any significant issues that may have surfaced during the course of the audit; and
- review and discuss any significant risks reported in the independent audit findings and recommendations and assess the responsiveness and timeliness of management's follow-up activities.

Internal Audit and Other Activities.

To establish, maintain, and ensure that NYSERDA's internal audit function has sufficient authority to fulfill its duties, the ~~The~~ Committee will:

- approve the appointment or removal of the Director of Internal Audit, ensuring adequate competencies and qualifications and conformance with the Global Internal Audit Standards;

- discuss with the Director of Internal Audit and senior management the appropriate authority, role, responsibilities, scope, and services (assurance and/or advisory) of the internal audit function;
- ensure that the internal audit function is organizationally independent from operations and that the Director of Internal Audit confirms, at least annually, the organizational independence of the internal audit activity;
- ensure the Director of Internal Audit has unrestricted access to and communicates and interacts directly with the Chairman of the Audit and Finance Committee and to the Board of Directors as necessary, including in private meetings without senior management present. Make appropriate inquiries of senior management and the Director of Internal Audit to determine whether scope or resource limitations exist and to determine whether they are inappropriate;
- participate in discussions with the Director of Internal Audit and senior management about the “essential conditions,” described in the Global Internal Audit Standards, which establishes the foundation that enables an effective internal audit function;
- approve the internal audit function’s charter (attached as Appendix A to the Internal Control Manual), which includes the internal audit mandate and the scope and types of internal audit services;
- review the internal audit charter annually (or as needed) with the Director of Internal Audit to consider changes affecting the organization, such as the employment of a new Director of Internal Audit or changes in the type, severity, and interdependencies of risks to the organization;
- approve the risk-based internal audit plan on an annual basis, and any significant changes as they arise;
- provide input to the internal audit function’s staffing, resources, and budget;
- receive communications from the Director of Internal Audit about the internal audit function including its performance relative to its plan;
- review the results of audit activities and approve procedures for implementing accepted recommendations of the internal auditor;
- review and provide input to senior management on the Director of Internal Audit’s performance;

- ensure a quality assurance and improvement program has been established and periodically reviewed. An independent formal review must occur every 5 years, following the requirements outlined in the Global Internal Audit Standards;
- make appropriate inquiries of senior management and the Director of Internal Audit to determine whether scope or resource limitations exist and to determine whether they are inappropriate; and
- ~~— review the results of audits performed by the Office of the State Comptroller and any other federal or State agencies, and procedures for implementing accepted recommendations of the audit. discuss with the Director of Internal Audit and senior management the appropriate authority, role, responsibilities, scope, and services (assurance and/or advisory) of the internal audit function;~~
- ~~— ensure the Director of Internal Audit has unrestricted access to and communicates and interacts directly with the Chairman of the Audit and Finance Committee and to the Board of Directors Members as necessary, including in private meetings without senior management present;~~
- ~~— discuss with the Director of Internal Audit and senior management other topics that should be included in the internal audit charter;~~
- ~~— participate in discussions with the Director of Internal Audit and senior management about the “essential conditions,” described in the Global Internal Audit Standards, which establishes the foundation that enables an effective internal audit function;~~
- ~~— approve the internal audit function’s charter (attached as Appendix A to the Internal Control Manual), which includes the internal audit mandate and the scope and types of internal audit services;~~
- ~~— review the internal audit charter annually (or as needed) with the Director of Internal Audit to consider changes affecting the organization, such as the employment of a new Director of Internal Audit or changes in the type, severity, and interdependencies of risks to the organization; and approve the internal audit charter;~~
- ~~— approve the risk based internal audit plan;~~
- ~~— provide input to the internal audit function’s staffing, resources, and budget;~~
- ~~— provide input to senior management on the appointment and removal of the Director of Internal Audit, ensuring adequate competencies and qualifications and~~

~~conformance with the Global Internal Audit Standards;~~

- ~~— review and provide input to senior management on the Director of Internal Audit's performance;~~
- ~~— receive communications from the Director of Internal Audit about the internal audit function including its performance relative to its plan;~~
- ~~— ensure a quality assurance and improvement program has been established and periodically reviewed. A formal quality assurance review ("QAR") review must occur every 5 years;~~
- ~~— make appropriate inquiries of senior management and the Director of Internal Audit to determine whether scope or resource limitations exist and to determine whether they are inappropriate approve the Internal Audit Section of the Internal Control Manual and the risk-based audit plan on an annual basis;~~
- ~~— provide input to the Director of Internal Audit on the internal audit function's budget and resource plan;~~
- ~~— review with management and the Director of Internal Audit, the audit plans and activities of the internal audit function.~~
- ~~— approve significant changes to the risk-based audit plan;~~
- ~~— receive communications from the Director of Internal Audit regarding internal audit's performance related to the audit plan and other matters;~~
- ~~— approve the appointment or removal of the Director of Internal Audit;~~
- ~~— ensure that the internal audit function is organizationally independent from operations and that the Director of Internal Audit confirms, at least annually, the organizational independence of the internal audit activity;~~
- ~~— make appropriate inquiries of management and the Director of Internal Audit to determine whether there are inappropriate scope or resource limitations;~~
- ~~— review the internal audit function's conformance with the Institute of Internal Auditors' International Professional Practices Framework, including the Definition of Internal Auditing, the Core Principles for the Professional Practice of Internal Auditing, the Code of Ethics, and the International Standards for the Professional Practice of Internal Auditing (the Standards), and action plans to address any~~

~~significant conformance issues;~~

- ~~• as permitted by law, meet separately with the Director of Internal Audit to discuss any matters that the Audit and Finance Committee or the Director of Internal Audit believes should be discussed privately;~~
- ~~• review the results of audit activities and approve procedures for implementing accepted recommendations of the internal auditor; and~~
- ~~• review the results of audits performed by the Office of the State Comptroller and any other federal or State agencies, and procedures for implementing accepted recommendations of the audit.~~

Internal Controls, Compliance, and Risk Assessment Practices. The Committee will:

- review internal controls policies and procedures; and
- review annually management's assessment of the effectiveness of internal controls; and review the report on compliance with internal controls by the independent auditors as a part of the financial audit engagement.

Authority Financings. The Committee will:

- review and approve declarations of intent;
- review Authority financings;
- review and make recommendations concerning proposals for issuance of debt; and
- review and make recommendations concerning approval of an annual bond sale report.

Investment Activities. The Committee will:

- require the Authority's independent auditors to perform a review of, and issue a report on, the Authority's compliance with Section 201.3 of Title Two of the New York Codes, Rules, and Regulations, under *Government Auditing Standards* issued by the Comptroller General of the United States;
- review the quarterly, annual, and any other periodic investment reports, and recommend to the Members of the Authority such changes in the annual investment report as it deems necessary or appropriate; and

- review not less frequently than annually the Investment Guidelines, and recommend to the Members of the Authority such changes in the Investment Guidelines as it deems necessary or appropriate.

Special Investigations. The Committee will:

- ensure availability of an appropriate confidential mechanism for individuals to report suspected fraudulent activities, allegations of corruption, fraud, criminal activity, conflicts of interest or abuse by the directors, officers, or employees and any persons having business dealings with the Authority, and breaches of internal control;
- review and recommend approval of procedures for the receipt, retention, investigation and referral of complaints concerning accounting, internal controls, and auditing to the appropriate body;
- request and oversee special investigations as needed and refer specific issues to the appropriate body for further investigation; and
- review all reports delivered to it by the Inspector General and serve as a point of contact with the Inspector General.

Other Responsibilities. The Committee will:

- report significant material issues to the Members;
- obtain information and assess training needs to enhance the Committee members' understanding of the role of internal audits and the independent auditor, the risk management process, internal controls, and familiarity with financial reporting standards;
- review the Committee's charter, reassess its adequacy, and recommend proposed changes, as it deems appropriate; and
- review and make recommendations concerning approval of the annual report required by the Public Authorities Law and such other guidelines, policies, procedures, and reports, as deemed appropriate.

WASTE AND FACILITIES MANAGEMENT COMMITTEE CHARTER

Established September 21, 1987

Purposes

Pursuant to Article V, Section 6 of the Authority's By-laws, the purposes of the Waste and Facilities Management Committee are to: review the Authority's program and plans for management of the Western New York Nuclear Service Center, including the West Valley Demonstration Project, and for radioactive waste policy and nuclear coordination; to review the preparation of the Authority's annual West Valley site management program and radioactive waste policy and nuclear coordination budgets; to provide guidance to the Authority's officers and employees in the preparation of the plans and in preparation of such annual program budgets; and to consider such other matters related to West Valley site management and radioactive waste policy and nuclear coordination as the officers of the Authority may refer to the Committee.

Powers of the Committee

The Committee will:

- review the Authority's program and plans for management of the Western New York Nuclear Service Center, including the West Valley Demonstration Project, and for radioactive waste policy and nuclear coordination;
- review the preparation of the Authority's annual West Valley site management program and radioactive waste policy and nuclear coordination budgets;
- provide guidance to the Authority's officers and employees in the preparation of the plans and in preparation of such annual program budgets;
- consider such other matters related to West Valley site management and radioactive waste policy and nuclear coordination as the officers of the Authority may refer to the Committee;
- review the Authority's plans and provide guidance for the facilities unrelated to operations owned by or under the control of the Authority; and
- meet with and seek assistance from Authority staff as necessary.

The Committee shall have sufficient resources to carry out its duties.

Composition and Selection

The Committee shall be a standing advisory committee of the Authority. The Committee shall have not fewer than three nor more than six members, who shall be elected from among the Members of the Authority other than the Chair. A majority of these committee members shall be other than Members of the Authority who serve ex-officio. In addition, the membership of the Committee shall include the Chair of the Authority, who shall serve ex-officio and who shall enjoy all the rights and privileges of membership, including the right to vote. A majority of the members of the Committee then in office, not including the Chair of the Authority, gathered together in the presence of each other or through the use of videoconferencing, shall constitute a quorum, and the Chair of the Authority if present shall be counted toward a quorum.

The Members of the Authority will appoint the Chair of the Committee.

Meetings

The Committee will meet, as necessary, and special meetings may be called in accordance with the By-laws. Members of the Committee are expected to attend each committee meeting, in person or by video conference. The Committee may invite other individuals to attend meetings and provide pertinent information, as necessary.

Notices of meetings will be prepared in accordance with the By-laws and agendas and briefing materials will be prepared and provided to the Committee members. To the extent practicable, briefing materials will be provided to the Committee members not less than 5 business days prior to each meeting. Minutes of each meeting will be maintained in a central location at the Authority's principal office.

Meetings shall be conducted in accordance with the open meetings law.

Responsibilities

The Committee will be responsible for reporting to the Members on significant and material matters related to: (a) the Authority's program and plans for management of the Western New York Nuclear Service Center, including the West Valley Demonstration Project, and for radioactive waste policy and nuclear coordination; (b) the preparation of the Authority's annual West Valley site management program and radioactive waste policy and nuclear coordination budgets; (c) such other matters related to West Valley site management and radioactive waste policy and nuclear coordination as the officers of the Authority may refer to the Committee; and (d) the exercise of oversight over Authority facilities unrelated to operations that are either owned by or under the control of the Authority.

Review the Authority's program and plans for management of the Western New York Nuclear Service Center, including the West Valley Demonstration Project, and for

radioactive waste policy and nuclear coordination. The Committee will:

- receive and review reports from the Authority's officers and staff regarding the program and plans;
- recommend such revisions to the program and plans as the Committee deems necessary.

Review the preparation of the Authority's annual West Valley site management program and radioactive waste policy and nuclear coordination budgets. The Committee will:

- review drafts of the annual spending plan and the annual operating budget with respect to the West Valley site management and radioactive waste policy and nuclear coordination programs;
- recommend such revisions to these documents as the Members deem necessary;
- review any proposed revisions by the Officers to the operating budget with respect to the West Valley site management and radioactive waste policy and nuclear coordination programs.

Consider such other matters related to the Authority's programs within its jurisdiction as the officers of the Authority may refer to the Committee. The Committee will:

- receive reports on any other matters with respect to the West Valley site management and radioactive waste policy and nuclear coordination programs as the officers of the Authority may refer to the Committee and make such recommendations on such matters as the Members deem necessary.

Exercise oversight over Authority facilities unrelated to operations that are either owned by or under the control of the Authority:

- receive reports related to Authority facilities unrelated to operations that are either owned by or under the control of the Authority, and make such recommendations on such matters as the Members deem necessary.

Resolution No. _____

RESOLVED, the Audit and Finance Committee Charter and the Waste and Facilities Management Committee Charter, as presented to the Members for consideration at this October 23, 2024 meeting, with such non-substantive, editorial changes and grammatical changes as the President and Chief Executive Officer, in their discretion, may deem necessary or appropriate, are approved.

Periodic Contracts Approvals

Contracts executed or modified during the period - 5/16/2024 to 8/15/2024

| | Count of Contracts | Committed this Period |
|--------------------------------------|--------------------|-----------------------|
| Procurement Contracts > 1year | 90 | \$35.3M |
| Competitive Program Contracts > \$3M | 23 | \$3,940.6M |
| Grand Total | 113 | \$3,975.9M |

Contracts anticipated to be executed or modified during the period - 5/16/2024 to 8/15/2024

| | Count of Contracts | Anticipated Amount |
|----------------------------------------------------|---------------------------|---------------------------|
| Procurement Contracts > 1year | 22 | \$8.0M |
| Competitive Program Contracts > \$3M | 29 | \$3,128.1M |
| Non-competitive Program Contracts > \$1M | 0 | \$0.0M |
| Grand Total | 51 | \$3,136.1M |

NYSERDA PERIODIC CONTRACTS APPROVAL REPORT: Section 1
Summary - 5/16/2024 to 8/15/2024

| Category | Report Type | Type | Count of Contracts | Committed this period |
|--------------------|--------------------|-----------------|---------------------------|------------------------------|
| PCMT | Procurement | Competitive | 76 | \$25,523,949 |
| | | Discretionary | 10 | \$1,263,848 |
| | | Non-Competitive | 4 | \$8,517,600 |
| | Total | | 90 | \$35,305,397 |
| PGRM | Procurement | Competitive | 23 | \$3,940,561,181 |
| | | Total | 23 | \$3,940,561,181 |
| Grand Total | | | 113 | \$3,975,866,578 |

NYSDA PERIODIC CONTRACTS APPROVAL REPORT - 5/16/2024 to 8/15/2024

| Category | Initiative | Type | Term > 1 Year | Contract ID | Contractor | Contract Description | Date | Committed this period | Committed to Date | Amt Paid this Period | Amt Paid to Date |
|------------------------------------|-----------------|---------------|---------------|---------------------------------------|------------------------------------------|--------------------------------|------------|-----------------------|-------------------|----------------------|------------------|
| PCMT | | Competitive | Y | 109917-1 | BDO USA LLP | Background Investigation Servi | 05/24/2024 | \$60,600 | \$60,600 | \$9,000 | \$54,600 |
| | | Competitive | Y | 149702 | Hodgson Russ LLP | RFP 12 - NYGB Legal Services | 12/31/2019 | \$811 | \$22,630 | \$811 | \$22,630 |
| | | Competitive | Y | 152999 | Foley & Lardner LLP | RFP 12: NYGB Legal Services | 03/30/2020 | \$57,646 | \$85,146 | \$57,646 | \$85,146 |
| | | Competitive | Y | 204979 | Sive Paget & Riesel PC | TWO 7 - CAC/Cap and Invest | 03/10/2023 | \$500,000 | \$1,300,000 | \$113,833 | \$613,930 |
| | | Competitive | Y | 223140 | Kelliher Samets LTD | TWO 39 - C&I Spon Content | 12/27/2023 | \$310,260 | \$426,260 | \$158,130 | \$182,913 |
| | | Competitive | Y | 230022 | RANGAM CONSULTANTS INC | SA.026_TWO# 1_LSR_PM1 | 05/01/2024 | \$567,758 | \$567,758 | \$16,632 | \$16,632 |
| | | Competitive | Y | 230365 | Guidehouse Inc. | Landlord Outreach | 05/07/2024 | \$198,000 | \$198,000 | | |
| | | Competitive | Y | 230634 | Kelliher Samets LTD | TWO 42 - Holistic Res Mktg | 05/13/2024 | \$4,103,000 | \$4,103,000 | \$170,265 | \$170,265 |
| | | Competitive | Y | 233267 | Kelliher Samets LTD | TWO 42 - Mission Video | 06/24/2024 | \$110,000 | \$110,000 | | |
| | | Competitive | Y | 234408 | Experis US LLC | SA.041_TWO# 8_GOV_PM1 | 07/10/2024 | \$428,320 | \$428,320 | | |
| ASSISTED HOME PERFORMANCE WITH E.. | | Competitive | Y | 230566 | Tech Valley Talent, LLC | TWO #32 SFR. Staff Aug Dev.- P | 05/09/2024 | \$187,200 | \$187,200 | | |
| BR: Environmental | | Competitive | Y | 233749 | TRC Engineers, Inc. | BRVW - Solar Permitting - TRC | 06/28/2024 | \$236,000 | \$236,000 | | |
| BR: Program Implementation | | Competitive | Y | 230795 | Sive Paget & Riesel PC | TWO 10 - BR/Auction prep | 05/15/2024 | \$85,000 | \$85,000 | | |
| BR: Screening | Non-Competiti.. | Y | 235573 | Reynolds Architecture Engineering LLC | Build Ready - RAE | 07/30/2024 | \$100,000 | \$100,000 | | | |
| CI Engy Siting & Soft Cost Red | | Competitive | Y | 191331 | Leviton & Associates, Inc. | TWO 4 - Tax Model Tech Support | 08/02/2022 | \$34,543 | \$534,543 | \$35,358 | \$534,538 |
| CLEAN TRANSPORTATION | | Competitive | Y | 214292 | Kelliher Samets LTD | TWO 35 - Clean Trans Mktng | 08/02/2023 | \$387,000 | \$787,000 | \$70,264 | \$158,012 |
| | | Competitive | Y | 230992 | TRC Environmental Corporation | SA.035_TWO# 7_CT_PM2 | 05/17/2024 | \$539,355 | \$539,355 | \$13,821 | \$13,821 |
| Cleantech Ignition | | Competitive | Y | 151220 | Mintz, Levin, Cohn, Ferris, Glosky and | RFP 12 - NYGB Legal Services | 02/11/2020 | \$4,614 | \$116,869 | \$717 | \$112,860 |
| Code to Zero | | Discretionary | Y | 231340 | SUSTAIN RESILIENCE LLC | Technical support | 05/23/2024 | \$500,000 | \$500,000 | \$36,040 | \$36,040 |
| Combined Heat and Power | | Competitive | Y | 157319A | DNV Energy Insights USA Inc. | TWO 1 On Site Res Power | 07/15/2021 | \$100,000 | \$280,000 | | \$0 |
| Direct Injection Program | | Competitive | Y | 205700 | FAC CLUSTER HOUSING DEVELOPMENT FUND COR | FACSMP | 03/24/2023 | \$851,871 | \$851,871 | | |
| ENERGY ANALYSIS | | Competitive | Y | 182702 | The Cadmus Group, LLC | TWO #1 BEEM Revision | 03/15/2022 | \$157,389 | \$757,389 | \$14,988 | \$599,988 |
| | | Competitive | Y | 226728 | The Cadmus Group, LLC | BEEM Redevelopment: Phase 2 | 03/07/2024 | \$50,000 | \$199,975 | \$184,009 | \$184,009 |
| | | Competitive | Y | 231419 | Couch White, LLP | TWO 7 - FERC Order 1920 | 05/24/2024 | \$12,000 | \$12,000 | \$8,047 | \$8,047 |
| ENVIRONMENTAL RESEARCH | | Competitive | Y | 156226 | University of Rochester | Changes in PM Composition | 07/27/2020 | \$148,658 | \$830,181 | \$205,326 | \$678,925 |
| | | Competitive | Y | 156228 | The Research Foundation for the State | Low-Cost AQ Sensors | 07/27/2020 | \$105,963 | \$709,115 | \$59,236 | \$580,541 |
| ESTOR: Implementation Support | | Competitive | Y | 232906 | Indotronix International Corporation | SA.034_TWO# 3_DER_ADV | 06/17/2024 | \$855,989 | \$855,989 | \$15,912 | \$15,912 |
| Eval MCDC: MF Building Stock | | Competitive | Y | 160541 | The Cadmus Group, LLC | Statewide Multifamily Baseline | 11/05/2020 | \$200,000 | \$5,348,942 | \$113,355 | \$5,218,145 |
| Grid ClimateTech Ready Capital | | Competitive | Y | 232368 | Indotronix International Corporation | SA.033_TWO# 2_IN_APM | 06/10/2024 | \$211,769 | \$211,769 | | |

NYSERDA PERIODIC CONTRACTS APPROVAL REPORT - 5/16/2024 to 8/15/2024

| Category | Initiative | Type | Term > 1 Year | Contract ID | Contractor | Contract Description | Date | Committed this period | Committed to Date | Amt Paid this Period | Amt Paid to Date |
|-------------|--------------------------|-----------------|---------------|--------------------------------------|---------------------------------------|--------------------------------|------------|-----------------------|-------------------|----------------------|------------------|
| PCMT | High Performing Grid | Non-Competiti.. | Y | 199431 | New York Power Authority, | NYPA GEMINI | 12/05/2022 | \$8,000,000 | \$8,000,000 | | |
| | Housing Agencies Support | Competitive | Y | 235724 | TRC Environmental Corporation | SA.042_TWO# 9_MF_PM1 | 08/01/2024 | \$395,258 | \$395,258 | | |
| | IEDR: Program Manager | Competitive | Y | 172192 | Deloitte Consulting LLP | IEDR Program Manager RFP CM | 08/02/2021 | \$4,615,827 | \$9,586,728 | \$188,646 | \$5,142,390 |
| | Market Tests | Competitive | Y | 233272 | EME Consulting Engineering Group, LLC | SA.043_TWO# 3_AES_PM2 | 06/24/2024 | \$403,128 | \$403,128 | | |
| | Multifam Performance Pgm | Competitive | Y | 211534 | Taitem Engineering, P.C. | Multifamily Technical Assistan | 06/26/2023 | \$108,450 | \$743,700 | \$43,322 | \$323,179 |
| | | Competitive | Y | 228909 | DNV Energy Insights USA Inc. | TWO 6 - MPP Impact Eval | 04/16/2024 | \$384,957 | \$384,957 | \$10,651 | \$10,651 |
| | Natural Carbon Solutions | Competitive | Y | 232028 | TRC Environmental Corporation | SA.032_TWO# 8_IN_APM | 06/03/2024 | \$333,501 | \$333,501 | \$2,512 | \$2,512 |
| | New Construction Housing | Competitive | Y | 230441 | Experis US LLC | SA.030_TWO# 3_NC_PM1 | 05/08/2024 | \$442,565 | \$442,565 | \$3,339 | \$3,339 |
| | | Competitive | Y | 230446 | TRC Environmental Corporation | SA.031_TWO# 6_NC_PM1 | 05/08/2024 | \$508,688 | \$508,688 | \$22,920 | \$22,920 |
| | | Competitive | Y | 233184 | Experis US LLC | SA.040_TWO# 6_NC_PM1 | 06/20/2024 | \$369,138 | \$369,138 | | |
| | | Competitive | Y | 233840 | Experis US LLC | SA.028a_TWO# 7_NC_PM1 | 07/02/2024 | \$392,150 | \$392,150 | | |
| | NEW YORK GREEN BANK | Competitive | Y | 150712 | Windels Marx Lane & Mittendorf, LLP | RFP 12 - NYGB Legal Services | 01/29/2020 | \$7,401 | \$46,504 | \$14,401 | \$46,504 |
| | | Competitive | Y | 167099 | Dunsky Energy Consulting | NYGB Financial Market Transfor | 04/15/2021 | \$91,487 | \$647,997 | \$42,229 | \$392,192 |
| | | Competitive | Y | 230025 | INTEGRATION APPLIANCE, INC. | CRM Platform Deal Cloud | 05/02/2024 | \$523,441 | \$523,441 | \$166,040 | \$166,040 |
| | NYCH: Comfort Home | Competitive | Y | 232625 | Performance Systems Development | Compass 7/1/24-12/31/25 | 06/13/2024 | \$520,000 | \$520,000 | | |
| | NYCH: District | Competitive | Y | 229249 | Eclaro International | SA.010_TWO# 5_CHC_PM1 | 04/19/2024 | \$318,680 | \$318,680 | \$27,563 | \$27,563 |
| | NYCH: LMI | Competitive | Y | 233036 | Vermont Energy Investment Corporation | Program Design Support | 06/18/2024 | \$485,000 | \$485,000 | | |
| | | Discretionary | Y | 232698 | Mzansi Clean Energy LLC | Inflation Reduction Act (IRA) | 06/13/2024 | \$250,000 | \$250,000 | \$12,660 | \$12,660 |
| | NYSERDA ADMINISTRATION | Competitive | Y | 124908 | First Columbia Property Services, LLC | Property Management | 03/27/2018 | \$258,456 | \$1,735,140 | \$43,903 | \$1,369,933 |
| Competitive | | Y | 127360 | Xerox Corp | NYSERDA ADMINISTRATION | 05/30/2018 | \$76,390 | \$513,281 | \$17,372 | \$451,440 | |
| Competitive | | Y | 162423 | Lincoln Life & Annuity Company of NY | Insurance SL/LT/PFL 2021-22 | 12/22/2020 | \$175,000 | \$717,517 | \$62,842 | \$573,253 | |
| Competitive | | Y | 173007 | Tech Valley Talent, LLC | TWO #11 Info Security Services | 08/20/2021 | \$218,400 | \$819,000 | \$50,150 | \$556,232 | |
| Competitive | | Y | 188858 | Tech Valley Talent, LLC | TWO #21 Salesforce Dev. Magesh | 06/29/2022 | \$210,080 | \$617,760 | \$46,805 | \$347,526 | |
| Competitive | | Y | 216536 | Bond, Schoeneck & King, PLLC | TWO 12 - HR Invest | 09/08/2023 | \$4,602 | \$14,602 | \$7,072 | \$14,602 | |
| Competitive | | Y | 226937 | SHI, Inc. | Adobe Acrobat licenses - 1 yea | 03/12/2024 | \$7,597 | \$126,362 | \$7,597 | \$126,362 | |
| Competitive | | Y | 227090 | Mintzer Mauch PLLC | TWO 5 - Agency Preservation Of | 03/15/2024 | \$5,000 | \$22,000 | \$17,000 | \$17,000 | |
| Competitive | | Y | 229252 | HiHello, Inc. | Digital BCard Subscription | 04/22/2024 | \$37,570 | \$37,570 | \$37,570 | \$37,570 | |
| Competitive | | Y | 229517 | Stone Tablet, LLC | Employee & Labor Relations Sof | 04/24/2024 | \$21,940 | \$21,940 | \$21,940 | \$21,940 | |
| Competitive | | Y | 229698 | ThunderCat Technology LLC | Cisco Umbrella Renewal | 04/26/2024 | \$57,477 | \$57,477 | | | |

NYSERDA PERIODIC CONTRACTS APPROVAL REPORT - 5/16/2024 to 8/15/2024

| Category | Initiative | Type | Term > 1 Year | Contract ID | Contractor | Contract Description | Date | Committed this period | Committed to Date | Amt Paid this Period | Amt Paid to Date |
|------------------------------|------------------------|-------------------------|---------------|-------------|------------------------------------------|--------------------------------|----------------------|------------------------------|-------------------|----------------------|------------------|
| PCMT | NYSERDA ADMINISTRATION | Competitive | Y | 230707 | SHI, Inc. | Tableau Desktop Maintenance 1 | 05/13/2024 | \$107,037 | \$107,037 | \$107,037 | \$107,037 |
| | | Competitive | Y | 230993 | SHI, Inc. | Keeper Security - 70 users | 05/20/2024 | \$5,436 | \$5,436 | \$5,436 | \$5,436 |
| | | Competitive | Y | 231936 | CVENT, Inc. | Event Management Platform | 05/31/2024 | \$173,562 | \$173,562 | \$56,156 | \$56,156 |
| | | Competitive | Y | 232267 | Raj Technologies Inc. | Raj / Hypergen Peoplesoft | 06/06/2024 | \$868,790 | \$868,790 | | |
| | | Competitive | Y | 232365 | Raj Technologies Inc. | Content Delivery Network Renew | 06/07/2024 | \$122,185 | \$122,185 | | |
| | | Competitive | Y | 234321 | Carahsoft Technology Corporation | CIS Albert Monitoring Sensor | 07/10/2024 | \$12,840 | \$12,840 | | |
| | | Discretionary | Y | 201901 | W. B. Mason Co. Inc | W. B. Mason Office Supplies | 01/13/2023 | \$24,000 | \$39,000 | \$2,128 | \$16,996 |
| | | Discretionary | Y | 201958 | Staples, Inc. | Staples Office Supplies | 01/13/2023 | \$15,000 | \$23,000 | \$2,381 | \$10,218 |
| | | Discretionary | Y | 221132 | Stock Studios Photography | TWO 3 - Tom Stock Photography | 11/21/2023 | \$4,580 | \$4,580 | \$3,180 | \$3,180 |
| | | Discretionary | Y | 230092 | ePlus inc | VEEAM Support (Software Only) | 05/02/2024 | \$11,712 | \$11,712 | \$11,712 | \$11,712 |
| | | Discretionary | Y | 230812 | ThunderCat Technology LLC | Sitecore CMS License 2024-2025 | 05/15/2024 | \$95,507 | \$95,507 | \$95,507 | \$95,507 |
| | | Discretionary | Y | 232201 | Speridian Technologies LLC | Speridian - UiPath addition Se | 06/06/2024 | \$50,000 | \$50,000 | | |
| | | Discretionary | Y | 233259 | ePlus inc | Veeam Protect Microsoft 365 | 06/21/2024 | \$11,049 | \$11,049 | \$11,049 | \$11,049 |
| | | Non-Competiti.. | Y | 125834 | Level 3 Communications, LLC | Century Link_Extend Level 3 | 04/17/2018 | \$72,000 | \$784,377 | \$41,268 | \$751,262 |
| | | Non-Competiti.. | Y | 233607 | NYS Office of Information Technology Ser | Office 365: 4/1/24 - 3/31/25 | 06/27/2024 | \$345,600 | \$345,600 | | |
| | | OREC: Technical Support | | Competitive | Y | 149695 | Holland & Knight LLP | RFP 12 - NYGB Legal Services | 12/31/2019 | \$38,617 | \$809,311 |
| Competitive | Y | | | 197962 | Essense Partners Inc. | TWO #1 - LSR/OSW | 11/14/2022 | \$500,000 | \$1,090,000 | \$127,510 | \$516,742 |
| Competitive | Y | | | 216821 | ECONcrete Inc | Eval of Eco Scour Protection | 09/13/2023 | \$10,000 | \$366,539 | \$4,538 | \$55,656 |
| Competitive | Y | | | 225089 | Holland & Knight LLP | TWO 9 - ORECRFP23-1 OSW Solici | 02/07/2024 | \$29,401 | \$179,401 | \$54,964 | \$126,362 |
| Competitive | Y | | | 230360 | Holland & Knight LLP | TWO 11 - LSR Labor Law Matters | 05/07/2024 | \$50,000 | \$50,000 | \$4,234 | \$4,234 |
| Competitive | Y | | | 231142 | Sustainable Energy Advantage, LLC | TWO#1 MP2.0 Workforce study | 05/21/2024 | \$150,000 | \$150,000 | \$1,754 | \$1,754 |
| Competitive | Y | | | 231851 | Holland & Knight LLP | TWO 12 - ORECRFP24-1 (NY5) | 05/30/2024 | \$75,000 | \$75,000 | | |
| OTHER PROGRAM AREA | | Discretionary | Y | 216068 | Eckholm Studios | Climate Technology Solutions | 08/31/2023 | \$302,000 | \$500,000 | \$141,600 | \$291,600 |
| REC4:CES REC4 Tech Support | | Competitive | Y | 227622 | Sive Paget & Riesel PC | TWO 9 - Tier 4 solicitation | 03/22/2024 | \$75,000 | \$125,000 | | |
| | | Competitive | Y | 233838 | Management Solutions, LLC | RFP5481 Design Services | 07/02/2024 | \$490,627 | \$490,627 | | |
| REC:CES REC System Dev Costs | | Competitive | Y | 143059 | Fusco Personnel, Inc. | TS.007 - LSR_Office Admin | 07/30/2019 | \$32,400 | \$361,485 | \$13,928 | \$281,302 |
| | | Competitive | Y | 217131 | Arcadis of New York, Inc. | Tech Supp NYGATS - TWO Minibid | 09/19/2023 | \$100,000 | \$250,000 | \$62,448 | \$74,909 |
| RTEM and Tenants | | Competitive | Y | 234780 | EME Consulting Engineering Group, LLC | SA.043_TWO# 4_AES_PM1 | 07/17/2024 | \$422,129 | \$422,129 | \$2,245 | \$2,245 |
| SARATOGA TECHNOLOGY & ENER.. | | Competitive | Y | 177155 | Harris Beach PLLC | TWO 1 STEP Matters | 11/17/2021 | \$25,000 | \$100,000 | \$4,075 | \$71,456 |

NYSERDA PERIODIC CONTRACTS APPROVAL REPORT - 5/16/2024 to 8/15/2024

| Category | Initiative | Type | Term > 1 Year | Contract ID | Contractor | Contract Description | Date | Committed this period | Committed to Date | Amt Paid this Period | Amt Paid to Date |
|----------------------|---------------------------------|-------------|---------------|------------------------------------------|-----------------------------------------|--------------------------------|-------------|------------------------|------------------------|----------------------|---------------------|
| PCMT | Tech Assistanc Multifamily LMI | Competitive | Y | 224674 | 22nd Century Technologies, Inc. | SA.006_TWO# 1_EPE_APM | 01/30/2024 | \$10,000 | \$520,000 | \$18,960 | \$30,480 |
| | WEST VALLEY DEVELOPMENT PROGR.. | Competitive | Y | 179849 | Sive Paget & Riesel PC | TWO 1 - West Valley SEQRA | 01/13/2022 | \$125,000 | \$190,000 | \$7,795 | \$65,485 |
| | Workforce Industry Partnership | Competitive | Y | 198802 | Kelliher Samets LTD | TWO 17 - Workforce Dev Mark | 11/28/2022 | \$625,000 | \$1,152,255 | \$61,071 | \$460,355 |
| PGRM | CI Carbon Challenge | Competitive | Y | 178792 | Holcim US Inc | C&I Carbon Challenge | 12/21/2021 | \$5,000,000 | \$5,000,000 | | |
| | | Competitive | Y | 221688 | Saint-Gobain Gypsum USA, Inc. | Accelerated Efficiency & Elect | 11/30/2023 | \$3,101,350 | \$3,101,350 | | |
| | Clean Energy Communities | Competitive | Y | 155908 | Central New York Regional Planning and | Clean Energy Communities | 07/17/2020 | \$1,364,347 | \$6,664,347 | \$263,091 | \$2,867,102 |
| | Clean Energy Hub | Competitive | Y | 189073 | Cornell Cooperative Extension of Oneida | Regional Clean Energy Hub | 06/30/2022 | \$604,999 | \$3,281,181 | \$57,365 | \$757,371 |
| | Direct Injection Program | Competitive | Y | 177056 | Housing Trust Fund Corporation | HCR 2021 | 11/15/2021 | \$42,000,000 | \$90,500,000 | \$16,436,500 | \$44,281,000 |
| | ESTOR:Retail Storage Incentive | Competitive | Y | 157687B | GI Endurant LLC | Retail Storage | 06/26/2024 | \$3,600,000 | \$3,600,000 | | |
| | FUEL NY | Competitive | Y | 37615 | NIC Holding Corp | NYS Strategic Gasoline Reserve | 11/22/2013 | \$529,500 | \$15,127,208 | \$128,331 | \$14,629,577 |
| | Hydrogen Innovation | Competitive | Y | 223301 | Travertine Technologies, Inc. | Clean Hydrogen Innovation | 01/02/2024 | \$3,170,033 | \$3,170,033 | | |
| | NYCH: Technical Assistance | Competitive | Y | 186723 | West Monroe Partners, LLC | RFP4886 RES Market Engagement | 05/25/2022 | \$3,273,236 | \$11,328,236 | \$1,816,177 | \$3,899,478 |
| | | Competitive | Y | 219354 | CLEAResult Consulting, Inc. | Program Ops & Tech Support SFR | 10/25/2023 | \$1,215,545 | \$17,156,801 | \$1,399,650 | \$2,840,208 |
| | REC:CES REC Contracts | Competitive | Y | 218566 | ACE Development Company LLC | RESRFP22-1 | 10/11/2023 | \$190,695,808 | \$190,695,808 | | |
| | | | Y | 218571 | ACE Development Company, LLC | RESRFP22-1 | 10/11/2023 | \$90,701,551 | \$90,701,551 | | |
| | | | Y | 218574 | ACE Development Company LLC | RESRFP22-1 | 10/11/2023 | \$161,972,833 | \$161,972,833 | | |
| | | | Y | 218577 | ACE Development Company, LLC | RESRFP22-1 | 10/11/2023 | \$71,407,538 | \$71,407,538 | | |
| | | | Y | 218578 | VC Renewables Holdings LLC | RESRFP22-1 | 10/11/2023 | \$23,194,501 | \$23,194,501 | | |
| | | | Y | 218579 | SCE DevCo, LLC | RESRFP22-1 | 10/11/2023 | \$321,163,757 | \$321,163,757 | | |
| | | | Y | 218580 | Cordelio Development LLC | RESRFP22-1 | 10/11/2023 | \$20,650,043 | \$20,650,043 | | |
| | | | Y | 218581 | VC Renewables Holdings LLC | RESRFP22-1_Clearview Solar | 10/11/2023 | \$23,241,638 | \$23,241,638 | | |
| | | | Y | 229172 | | RESRFP23-1 | 04/19/2024 | | | | |
| | | | Y | 229173 | | RESRFRFP23-1 | 04/19/2024 | | | | |
| Y | | | 229176 | | RESRFP23-1 | 04/19/2024 | | | | | |
| Y | | | 229177 | | RESRFP23-1 | 04/19/2024 | | | | | |
| Translation Services | Competitive | Y | 184663 | Association for Energy Affordability, In | Regional Clean Energy Hub | 04/21/2022 | \$1,925,000 | \$8,931,028 | \$203,355 | \$1,687,006 | |
| Grand Total | | | | | | | | \$3,975,866,578 | \$4,101,602,770 | \$23,315,921 | \$93,757,221 |

NYSDA PERIODIC CONTRACTS APPROVAL REPORT: Contractor Addresses - 5/16/2024 to 8/15/2024

| Contractor | SupplierAddress | SupplierCity | SupplierState | SupplierZipCode | Business Type | WBE | MBE | SDVOB | SBE |
|------------------------------------------|-----------------------------------|----------------|---------------|-----------------|---------------|-----|-----|-------|-----|
| 22nd Century Technologies, Inc. | 220 Davidson Ave., Ste 118 | Somerset | NJ | 08873 | FSBE | | | | |
| ACE Development Company LLC | Hemlock Ridge Solar LLC | Radnor | PA | 19087 | FSBE | | | | |
| | White Creek Solar LLC | Salt Lake City | UT | 84106 | FSBE | | | | |
| ACE Development Company, LLC | Riverside Solar, LLC | Salt Lake City | UT | 84106 | FSBE | | | | |
| | Somerset Solar, LLC | Salt Lake City | UT | 84106 | FSBE | | | | |
| Arcadis of New York, Inc. | 6723 Towpath Rd | Syracuse | NY | 13214 | NYSBE | | | | |
| Association for Energy Affordability, In | 105 Bruckner Boulevard | Bronx | NY | 10454 | NYSBE | | | | |
| BDO USA LLP | PO Box 642743 | Pittsburgh | PA | 15264-2743 | FSBE | | | | |
| Bond, Schoeneck & King, PLLC | 22 Corporate Woods Blvd., Ste 501 | Albany | NY | 12211-2503 | NYSBE | | | | |
| Carahsoft Technology Corporation | 11493 Sunset Hills Road | Reston | VA | 20190 | FSBE | | | | |
| Central New York Regional Planning and | Development Board | Syracuse | NY | 13202-1065 | NYSBE | | | | |
| CLEAResult Consulting, Inc. | 6504 Bridge Point Parkway | Austin | TX | 78730-5005 | FSBE | | | | |
| Cordelio Development LLC | Niagara NY Solar LLC | Wilmington | DE | 19808 | FSBE | | | | |
| Cornell Cooperative Extension of Oneida | 121 Second Street | Oriskany | NY | 13424 | NYSBE | | | | |
| Couch White, LLP | 540 Broadway, PO Box 22222 | Albany | NY | 12201 | NYSBE | | | | |
| CVENT, Inc. | 1765 Greensboro Station Pl | Mc Lean | VA | 22102-3467 | FSBE | | | | |
| Deloitte Consulting LLP | 1299 Pennsylvania Avenue, NW, | Washington | DC | 20004 | FSBE | | | | |
| DNV Energy Insights USA Inc. | 1400 Ravello Drive | Katy | TX | 77449 | FSBE | | | | |
| Dunsky Energy Consulting | 50 STE-Catherine West | Montreal | QC | H2X 3V4 | FSBE | | | | |
| Eckholm Studios | 220 Water St Apt 408 | Brooklyn | NY | 11201 | NYSBE | | | | |
| Eclaro International | 450 Seventh Avenue, Suite 1102 | New York | NY | 10123 | NYSBE | | | | |
| ECONcrete Inc | 99 WALL Street FRNT 1 | New York | NY | 10005 | NYSBE | | | | |
| EME Consulting Engineering Group, LLC | 550 Seventh Avenue 10th Floor | New York | NY | 10018 | NYSBE | | | | |
| ePlus inc | 13595 Dulles Technology Dr | Herndon | VA | 20171 | FSBE | | | | |
| Essense Partners Inc. | 216 East 45th St., 11th Floor | New York | NY | 10017 | NYSBE | X | X | | |
| Experis US LLC | 100 Manpower Place | Milwaukee | WI | 53212 | FSBE | | | | |
| FAC CLUSTER HOUSING DEVELOPMENT FUND COR | 621 DEGRAW STREET | BROOKLYN | NY | 11217 | NYSBE | | | | |
| First Columbia Property Services, LLC | 22 Century Hill Dr Ste 301 | Latham | NY | 12110-2116 | NYSBE | | | | |
| Foley & Lardner LLP | 3000 K Street, NW, Suite 600 | Washington | DC | 20007 | FSBE | | | | |
| Fusco Personnel, Inc. | 4 Executive Park Dr Ste B | Albany | NY | 12203-3718 | NYSBE | X | | | |

NYSDA PERIODIC CONTRACTS APPROVAL REPORT: Contractor Addresses - 5/16/2024 to 8/15/2024

| Contractor | SupplierAddress | SupplierCity | SupplierState | SupplierZipCode | Business Type | WBE | MBE | SDVOB | SBE |
|------------------------------------------|-----------------------------------|---------------|---------------|-----------------|---------------|-----|-----|-------|-----|
| GI Endurant LLC | d/b/a GI Energy | Chicago | IL | 60601 | FSBE | | | | |
| Guidehouse Inc. | 150 N Riverside Plz Ste 2100 | Chicago | IL | 60606-1528 | FSBE | | | | |
| Harris Beach PLLC | 99 Garnsey Road | Pittsford | NY | 14534 | NYSBE | | | | |
| Hecate Energy Group LLC | Hecate Energy Cider Solar LLC | Chicago | IL | 60661 | FSBE | | | | |
| HiHello, Inc. | 927 Industrial Ave. | Palo Alto | CA | 94303 | FSBE | | | | |
| Hodgson Russ LLP | 140 Pearl Street, Suite 100 | Buffalo | NY | 14202 | NYSBE | | | | |
| Holcim US Inc | 6446 Route 9W | Catskill | NY | 12414 | NYSBE | | | | |
| Holland & Knight LLP | PO Box 864084 | Orlando | FL | 32886 | FSBE | | | | |
| Honeywell International Inc. | 700 Airways Park Drive | East Syracuse | NY | 13057 | NYSBE | | | | |
| Housing Trust Fund Corporation | 38-40-State Street | Albany | NY | 12207 | NYSBE | | | | |
| Indotronix International Corporation | 687 Lee Road | Rochester | NY | 14606 | NYSBE | | | | |
| INTEGRATION APPLIANCE, INC. | 3101 PARK BLVD | PALO ALTO | CA | 94306 | FSBE | | | | |
| Invenergy Renewables Holdings LLC | Alle-Catt Wind Energy LLC | Chicago | IL | 60606 | FSBE | | | | |
| | Canisteo Wind Energy LLC | Chicago | IL | 60606 | FSBE | | | | |
| Kelliher Samets LTD | d/b/a KSV | Burlington | VT | 05401 | FSBE | X | | | |
| Level 3 Communications, LLC | 1025 Eldorado Blvd | Broomfield | CO | 80021 | FSBE | | | | |
| Levitan & Associates, Inc. | 20 Custom House Street | Boston | MA | 02110 | FSBE | | | | |
| Lincoln Life & Annuity Company of NY | P.O. Box 7247-0347 | Philadelphia | PA | 19170-0347 | FSBE | | | | |
| Management Solutions, LLC | 2202 Award Winning Way, Suite 201 | Knoxville | TN | 37932 | FSBE | | | | |
| Mintz, Levin, Cohn, Ferris, Glovsky and | One Financial Center | Boston | MA | 02111 | FSBE | | | | |
| Mintzer Mauch PLLC | 290 Madison Avenue | New York | NY | 10017 | NYSBE | X | | | |
| Mzansi Clean Energy LLC | 289 Convent Avenue | New York | NY | 10031 | NYSBE | | | | |
| Neighborhood Housing Services of Queens | 60-20 Woodside Ave | Woodside | NY | 11377 | NYSBE | | | | |
| New York Power Authority, | 123 Main Street, 4th Floor | White Plains | NY | 10601 | NYSBE | | | | |
| NIC Holding Corp | 225 Broad Hollow Rd | Melville | NY | 11747 | NYSBE | | | | |
| NYS Office of Information Technology Ser | State Capital ESP | Albany | NY | 12220-0062 | NYSBE | | | | |
| Performance Systems Development | of New York, LLC | Ithaca | NY | 14850 | NYSBE | | | | |
| Raj Technologies Inc. | 110 Terminal Dr. | Plainview | NY | 11803 | NYSBE | | X | | |
| RANGAM CONSULTANTS INC | 270 DAVIDSON AVENUE, SUITE #103 | SOMERSET | NJ | 08873 | FSBE | | | | |
| Reynolds Architecture Engineering LLC | 40 Tamarack Lane | Niskayuna, NY | NY | 12309 | NYSBE | X | | | |

NYSERDA PERIODIC CONTRACTS APPROVAL REPORT: Contractor Addresses - 5/16/2024 to 8/15/2024

| Contractor | SupplierAddress | SupplierCity | SupplierState | SupplierZipCode | Business Type | WBE | MBE | SDVOB | SBE |
|---------------------------------------|---------------------------------------|------------------|---------------|-----------------|---------------|-----|-----|-------|-----|
| RWE Renewables Development LLC | Baron Winds II LLC | Chicago | IL | 60654 | FSBE | | | | |
| Saint-Gobain Gypsum USA, Inc. | 20 Moores Road | Malvern | PA | 19355 | FSBE | | | | |
| SCE DevCo, LLC | Mineral Basin Solar Power, LLC | Boston | MA | 02210 | FSBE | | | | |
| SHI, Inc. | P.O. Box 952121 | Dallas | TX | 75395 | FSBE | | | | |
| Sive Paget & Riesel PC | 560 Lexington Ave., Floor 15 | New York | NY | 10022-1994 | NYSBE | | | | |
| Speridian Technologies LLC | 2400 Louisiana Blvd. NE, Bldg 3 | Albuquerque | NM | 87110 | FSBE | | | | |
| Staples, Inc. | Store # 1602 | Framingham | MA | 01702 | FSBE | | | | |
| Stock Studios Photography | 216 West Avenue | Saratoga Springs | NY | 12866 | NYSBE | | | X | |
| Stone Tablet, LLC | 233 Needham Street | Newton | MA | 02464 | FSBE | | | | |
| SUSTAIN RESILIENCE LLC | 108 Main Street, Unit 3 | Tarrytown | NY | 10591 | NYSBE | | | | |
| Sustainable Energy Advantage, LLC | 161 Worcester Rd., Ste 503 | Framingham | MA | 01701 | FSBE | | | | |
| Taitem Engineering, P.C. | 110 South Albany Street | Ithaca | NY | 14850 | NYSBE | | | | |
| Tech Valley Talent, LLC | 20 Prospect St. Suite 200, Building 1 | Ballston Spa | NY | 12020 | NYSBE | X | | | |
| The Cadmus Group, LLC | 410Totten Pond Road | Waltham | MA | 02451 | FSBE | | | | |
| The Research Foundation for the State | SUNY-ESF, ESF Open Academy | Syracuse | NY | 13210 | NYSBE | | | | |
| ThunderCat Technology LLC | 1925 Isaac Newton Square | Reston | VA | 20190 | FSBE | | | X | |
| Travertine Technologies, Inc. | 1900 55th Street, Suite A-105 | Boulder | CO | 80301 | FSBE | | | | |
| TRC Engineers, Inc. | 21 Griffin Rd North | Windsor | CT | 06095 | FSBE | | | | |
| TRC Environmental Corporation | d/b/a TRC Advance Energy | New York | NY | 10018 | NYSBE | | | | |
| University of Rochester | 515 Hylan Building | Rochester | NY | 14627 | NYSBE | | | | |
| VC Renewables Holdings LLC | Clear View Solar LLC | Houston | TX | 77098 | FSBE | | | | |
| | Hatchery Solar LLC | Houston | TX | 77098 | FSBE | | | | |
| Vermont Energy Investment Corporation | 20 Winooski Falls Way | Winooski | VT | 05404 | FSBE | | | | |
| W. B. Mason Co. Inc | 59 Centre Street | Brockton | MA | 02301 | FSBE | | | | |
| West Monroe Partners, LLC | 311 West Monroe Street, 14th Floor | Chicago | IL | 60606 | FSBE | | | | |
| Windels Marx Lane & Mittendorf, LLP | 156 West 56th Street, 22nd Floor | New York | NY | 10019 | NYSBE | | | | |
| Xerox Corp | 800 Phillips Rd | Webster | NY | 14580 | NYSBE | | | | |

NYSDA PERIODIC CONTRACTS APPROVAL REPORT: Anticipated Contracts - 5/16/2024 to 8/15/2024

| Category | Type | Term > 1 Year | Contract ID | Contractor | Contract Description | Reason | Date | Anticipated Amount | Total Contract Amount |
|-----------------|---------------|---------------|-------------------------------|------------------------------------------|--------------------------------|-------------------------|------------|--------------------|-----------------------|
| PCMT | Competitive | Y | 149695 | Holland & Knight LLP | RFP 12 - NYGB Legal Services | Added New Tasks | 12/31/2019 | \$4,664 | \$813,976 |
| | Competitive | Y | 155706A | JR & SONS EXCAVATING INC. | Ops and Maintenance | New Agreement | 06/30/2022 | \$280,000 | \$2,251,601 |
| | Competitive | Y | 172771 | Pecan Street Inc. | IEDR Utility Data Advisor | Added New Tasks | 08/16/2021 | \$470,700 | \$870,700 |
| | Competitive | Y | 190503 | Sive Paget & Riesel PC | TWO #4 - Standard Form Agmnt | Change in Contact Terms | 07/21/2022 | \$25,000 | \$65,000 |
| | Competitive | Y | 202371 | Carter Ledyard & Milburn LLP | TWO 5 - Empire Wind 1 DEIS | Added New Tasks | 01/23/2023 | \$37,000 | \$37,000 |
| | Competitive | Y | 209890 | New York Power Authority, | NYPANYCHA 120V Induction Stove | New Agreement | 05/31/2023 | \$757,000 | \$757,000 |
| | Competitive | Y | 212481 | Hawkins Delafield & Wood LLC | TWO 1 - Build Ready | New Agreement | 07/10/2023 | \$25,000 | \$25,000 |
| | Competitive | Y | 227031 | Guidehouse Inc. | SFR Operations Risk Analysis | New Agreement | 03/13/2024 | \$198,000 | \$198,000 |
| | Competitive | Y | 230714 | Holland & Knight LLP | TWO 11 - ORECRFP24-1 | New Agreement | 05/14/2024 | \$75,000 | \$75,000 |
| | Competitive | Y | 233970 | Opinion Dynamics Corporation | TWO 2 - CEC Impact Eval | New Agreement | 07/09/2024 | \$499,544 | \$499,544 |
| | Competitive | Y | 235203 | NMR Group, Inc. | TWO 1 - PAS Impact & Eval | New Agreement | 07/24/2024 | \$3,054,103 | \$3,054,103 |
| | Competitive | Y | 235725 | The Brattle Group Inc. | TWO - 5 NYS Grid of the Future | Added New Tasks | 08/01/2024 | \$1,726,372 | \$1,726,372 |
| | Competitive | Y | 236057 | Carahsoft Technology Corporation | Qualtrics Software (2024-2025) | New Agreement | 08/07/2024 | \$70,262 | \$70,262 |
| | Competitive | Y | 236518 | EME Consulting Engineering Group, LLC | SA.054_TWO# 5_EPE_APM | New Agreement | 08/14/2024 | \$547,000 | \$547,000 |
| | Discretionary | Y | 154665 | Praveen Amar | Science Advisors | Added New Tasks | 06/04/2020 | \$49,000 | \$190,000 |
| | Discretionary | Y | 192297 | Integrated Staffing Corporation | TS.032 - EEA_Coordinator | New Agreement | 08/17/2022 | \$74,763 | \$224,289 |
| | Discretionary | Y | 221132 | Stock Studios Photography | TWO 3 - Tom Stock Photography | Added New Tasks | 11/21/2023 | \$1,000 | \$5,580 |
| | Discretionary | Y | 230976 | Developed Well Group | Geothermal drilling support | New Agreement | 05/16/2024 | \$50,000 | \$50,000 |
| | Discretionary | Y | 232126 | Uline | Supplies for Facilities | New Agreement | 06/04/2024 | \$5,000 | \$5,000 |
| | Discretionary | Y | 234318 | Inclusive Prosperity Capital, Inc | Financing Strategy for RCEH | New Agreement | 07/09/2024 | \$50,000 | \$50,000 |
| Discretionary | Y | 235358 | SiteCapture, Inc | SiteCapture Licenses | New Agreement | 07/25/2024 | \$44,000 | \$44,000 | |
| Non-Competitive | Y | 146716 | W & E Phillips Locksmith, Inc | NYSDA ADMINISTRATION | Exercising Option to Renew | 10/28/2019 | \$4,500 | \$50,000 | |
| PGRM | Competitive | Y | 135614 | L&S Energy Services, Inc. | L&S GJGNY Energy Audits | Added New Tasks | 12/28/2018 | \$400,000 | \$4,294,948 |
| | Competitive | Y | 167521 | Alliance for Sustainable Energy, LLC | TWO #7 T&D Tool Dev Co-Optimiz | New Agreement | 04/26/2021 | \$2,240,000 | \$3,540,000 |
| | Competitive | Y | 171925 | CEC Stuyvesant Cove, Inc. | RFP4641 CECC Downstate | Added New Tasks | 07/28/2021 | \$849,538 | \$4,549,539 |
| | Competitive | Y | 193635 | Revel Transit, Inc. | Red Hook Recharge Zone | Extend Contract Term | 09/07/2022 | \$5,929,428 | \$7,000,000 |
| | Competitive | Y | 195131 | NYC Department of Education | NYC DOE Track II Round 1 | New Agreement | 10/03/2022 | \$4,000,000 | \$4,000,000 |
| | Competitive | Y | 218583 | Stonewall Solar LLC | RESRFP22-1 | New Agreement | 10/11/2023 | \$250,410,870 | \$250,410,870 |
| | Competitive | Y | 218584 | Gravel Road Solar - Gravel Road Solar, L | RESRFP22-1 | New Agreement | 10/11/2023 | \$150,196,332 | \$150,196,332 |
| | Competitive | Y | 222064 | University of Rochester | C&I Carbon Challenge | New Agreement | 12/07/2023 | \$4,988,910 | \$4,988,910 |
| | Competitive | Y | 225238 | Long Island Power Authority | LIPA RGGI MOU | New Agreement | 02/09/2024 | \$40,000,000 | \$40,000,000 |
| | Competitive | Y | 229174 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |

NYSERDA PERIODIC CONTRACTS APPROVAL REPORT: Anticipated Contracts - 5/16/2024 to 8/15/2024

| Category | Type | Term > 1 Year | Contract ID | Contractor | Contract Description | Reason | Date | Anticipated Amount | Total Contract Amount |
|--------------------|-------------|---------------|-------------|------------|----------------------|---------------|------------|--------------------|-----------------------|
| PGRM | Competitive | Y | 229175 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229178 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229179 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229180 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229181 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229182 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229183 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229184 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229185 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229186 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229187 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229188 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229189 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229190 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229191 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229192 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229193 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| | Competitive | Y | 229194 | | RESRFP23-1 | New Agreement | 04/19/2024 | | |
| Competitive | Y | 229195 | | RESRFP23-1 | New Agreement | 04/19/2024 | | | |
| Grand Total | | | | | | | | \$3,136,122,084 | \$3,149,649,122 |

NYSERDA PERIODIC CONTRACTS APPROVAL REPORT: Section 1
Summary - 5/16/2024 to 8/15/2024

| Category | Report Type | Type | Count of Contracts | Committed this period |
|--------------------|--------------------|-----------------|---------------------------|------------------------------|
| PGRM | Program | Competitive | 900 | \$4,033,520,357 |
| | | Discretionary | 4 | \$540,059 |
| | | Non-Competitive | 6 | \$3,514,325 |
| Total | | | 910 | \$4,037,574,741 |
| Grand Total | | | 910 | \$4,037,574,741 |

NYSERDA PERIODIC PROGRAM REPORT

5/16/2024 to 8/15/2024

Table: All Market Focus Committed this Period

| MarketFocus | Count of Contracts | Committed this period |
|-------------------------------------------|---------------------------|------------------------------|
| Agriculture | 16 | \$83,675 |
| Anaerobic Digesters | 2 | \$841,925 |
| Building Innovation | 4 | \$1,599,677 |
| Clean Heating and Cooling | 6 | \$878,832 |
| Clean Trans (Innov & Research) | 81 | \$21,847,618 |
| Clean Transportation (Mkt Dev) | 1 | \$95,000 |
| Codes | 2 | \$135,441 |
| Commercial | 115 | \$15,846,054 |
| Communities and Local Governme | 43 | \$4,838,656 |
| Energy & EnvironmentalAnalysis | 3 | \$634,285 |
| Energy Storage | 22 | \$7,372,480 |
| Energy-Rltd Environmental Res | 1 | \$20,000 |
| Evaluation | 1 | \$468,016 |
| Fuel NY | 1 | \$529,500 |
| Gas Innovation | 6 | \$5,677,228 |
| Green Jobs-Green NY | 1 | \$31,078 |
| Grid Modernization | 6 | \$4,563,943 |
| Industrial | 18 | \$9,091,315 |
| Innovation | 1 | \$15,000 |
| Large Scale Renewables | 24 | \$21,163,321,121 |
| LMI | 74 | \$43,675,768 |

NYSERDA PERIODIC PROGRAM REPORT

5/16/2024 to 8/15/2024

Table: All Market Focus Committed this Period

| MarketFocus | Count of Contracts | Committed this period |
|-----------------------------|--------------------|-----------------------|
| Low Income | 2 | \$1,908,542 |
| Mkt Char & Design (Mkt Dev) | 2 | \$68,063 |
| Moderate Income | 1 | \$5,000 |
| Multifamily (Mkt Rate Only) | 70 | \$13,137,658 |
| New Construction | 13 | \$7,538,243 |
| NY-Sun | 472 | \$32,483,166 |
| Products | 2 | \$100,000 |
| Renewables Optimization | 3 | \$3,346,444 |
| Single Family Residential | 7 | \$4,378,589 |
| Workforce Development | 150 | \$4,491,120 |
| Grand Total | 1,150 | \$21,349,023,438 |

NYSDERDA PERIODIC PROGRAM REPORT
 5/16/2024 to 8/15/2024
 Graph: All Market Focus Committed this Period

| MarketFocus | | | | | | | | | | | | |
|--------------------------------|--------------|-----------------|-----------------|-----------------|-----------------|------------------|-----------------------|------------------|------------------|------------------|------------------|------------------|
| Large Scale Renewables | | | | | | | | | | | | \$21,163,321,121 |
| LMI | \$43,675,768 | | | | | | | | | | | |
| NY-Sun | \$32,483,166 | | | | | | | | | | | |
| Clean Trans (Innov & Research) | \$21,847,618 | | | | | | | | | | | |
| Commercial | \$15,846,054 | | | | | | | | | | | |
| Multifamily (Mkt Rate Only) | \$13,137,658 | | | | | | | | | | | |
| Industrial | \$9,091,315 | | | | | | | | | | | |
| New Construction | \$7,538,243 | | | | | | | | | | | |
| Energy Storage | \$7,372,480 | | | | | | | | | | | |
| Gas Innovation | \$5,677,228 | | | | | | | | | | | |
| Communities and Local Governme | \$4,838,656 | | | | | | | | | | | |
| Grid Modernization | \$4,563,943 | | | | | | | | | | | |
| Workforce Development | \$4,491,120 | | | | | | | | | | | |
| Single Family Residential | \$4,378,589 | | | | | | | | | | | |
| Renewables Optimization | \$3,346,444 | | | | | | | | | | | |
| Low Income | \$1,908,542 | | | | | | | | | | | |
| Building Innovation | \$1,599,677 | | | | | | | | | | | |
| Clean Heating and Cooling | \$878,832 | | | | | | | | | | | |
| Anaerobic Digesters | \$841,925 | | | | | | | | | | | |
| Energy & EnvironmentalAnalysis | \$634,285 | | | | | | | | | | | |
| Fuel NY | \$529,500 | | | | | | | | | | | |
| Evaluation | \$468,016 | | | | | | | | | | | |
| Codes | \$135,441 | | | | | | | | | | | |
| Products | \$100,000 | | | | | | | | | | | |
| Clean Transportation (Mkt Dev) | \$95,000 | | | | | | | | | | | |
| Agriculture | \$83,675 | | | | | | | | | | | |
| Mkt Char & Design (Mkt Dev) | \$68,063 | | | | | | | | | | | |
| Green Jobs-Green NY | \$31,078 | | | | | | | | | | | |
| Energy-Rtld Environmental Res | \$20,000 | | | | | | | | | | | |
| Innovation | \$15,000 | | | | | | | | | | | |
| Moderate Income | \$5,000 | | | | | | | | | | | |
| | \$0 | \$2,000,000,000 | \$4,000,000,000 | \$6,000,000,000 | \$8,000,000,000 | \$10,000,000,000 | \$12,000,000,000 | \$14,000,000,000 | \$16,000,000,000 | \$18,000,000,000 | \$20,000,000,000 | \$22,000,000,000 |
| | | | | | | | Committed this period | | | | | |

NYSDA PERIODIC PROGRAM REPORT
5/16/2024 to 8/15/2024
Table: By REDC Region and County

| REDC Region | County | Count of Contracts | Committed this period |
|-------------------------|---------------|---------------------------|------------------------------|
| | | | |
| | | | |
| Capital Region | Albany | 22 | \$8,963,831 |
| | Columbia | 7 | \$607,500 |
| | Greene | 5 | \$1,509,968 |
| | Rensselaer | 11 | \$2,455,474 |
| | Saratoga | 7 | \$857,171 |
| | Schenectady | 9 | \$321,006 |
| | Warren | 3 | \$206,035 |
| | Washington | 5 | \$163,198 |
| | Total | 69 | \$15,084,183 |
| Central New York | Cayuga | 6 | \$609,575 |
| | Cortland | 3 | \$300,076 |
| | Madison | 5 | \$1,354,799 |
| | Onondaga | 15 | \$1,718,648 |
| | Oswego | 6 | \$605,733 |
| | Total | 35 | \$4,588,832 |
| Finger Lakes | Genesee | 1 | \$713,971,794 |
| | Livingston | 8 | \$185,339,164 |
| | Monroe | 25 | \$2,772,882 |
| | Ontario | 7 | \$198,982 |

NYSERDA PERIODIC PROGRAM REPORT
5/16/2024 to 8/15/2024
Table: By REDC Region and County

| REDC Region | County | Count of Contracts | Committed this period |
|----------------------|---------------|---------------------------|------------------------------|
| Finger Lakes | Orleans | 2 | \$190,736,468 |
| | Seneca | 3 | \$61,330 |
| | Wayne | 6 | \$53,820 |
| | Wyoming | 3 | \$20,661,643 |
| | Total | 55 | \$1,113,796,083 |
| Long Island | Nassau | 26 | \$265,423 |
| | Suffolk | 45 | \$775,396 |
| | Total | 71 | \$1,040,819 |
| Mid-Hudson | Dutchess | 21 | \$2,390,565 |
| | Orange | 17 | \$1,847,148 |
| | Putnam | 10 | \$440,165 |
| | Rockland | 19 | \$1,066,842 |
| | Sullivan | 2 | \$1,184,360 |
| | Ulster | 17 | \$390,851 |
| | Westchester | 66 | \$10,643,631 |
| | Total | 150 | \$17,959,896 |
| Mohawk Valley | Fulton | 8 | \$141,438 |
| | Herkimer | 6 | \$1,219,248 |
| | Montgomery | 5 | \$1,576,188 |
| | Oneida | 11 | \$1,969,652 |
| | Otsego | 2 | \$98,167 |

NYSERDA PERIODIC PROGRAM REPORT
5/16/2024 to 8/15/2024
Table: By REDC Region and County

| REDC Region | County | Count of Contracts | Committed this period |
|----------------------|---------------|---------------------------|------------------------------|
| Mohawk Valley | Schoharie | 3 | \$24,260 |
| | Total | 35 | \$5,028,953 |
| New York City | Bronx | 62 | \$9,286,322 |
| | Kings | 101 | \$8,817,048 |
| | New York | 115 | \$9,638,872 |
| | Queens | 158 | \$5,288,882 |
| | Richmond | 41 | \$6,279,395 |
| | Total | 473 | \$37,803,038 |
| North Country | Clinton | 4 | \$465,025 |
| | Essex | 6 | \$96,240 |
| | Franklin | 2 | \$88,759 |
| | Hamilton | 1 | \$26,250 |
| | Jefferson | 5 | \$72,081,963 |
| | Lewis | 2 | \$117,225 |
| | St. Lawrence | 1 | \$5,280 |
| | Total | 22 | \$72,877,742 |
| Southern Tier | Broome | 14 | \$343,979 |
| | Chemung | 6 | \$1,364,098 |
| | Chenango | 8 | \$2,650,325 |
| | Delaware | 4 | \$70,178 |
| | Schuyler | 3 | \$269,810 |

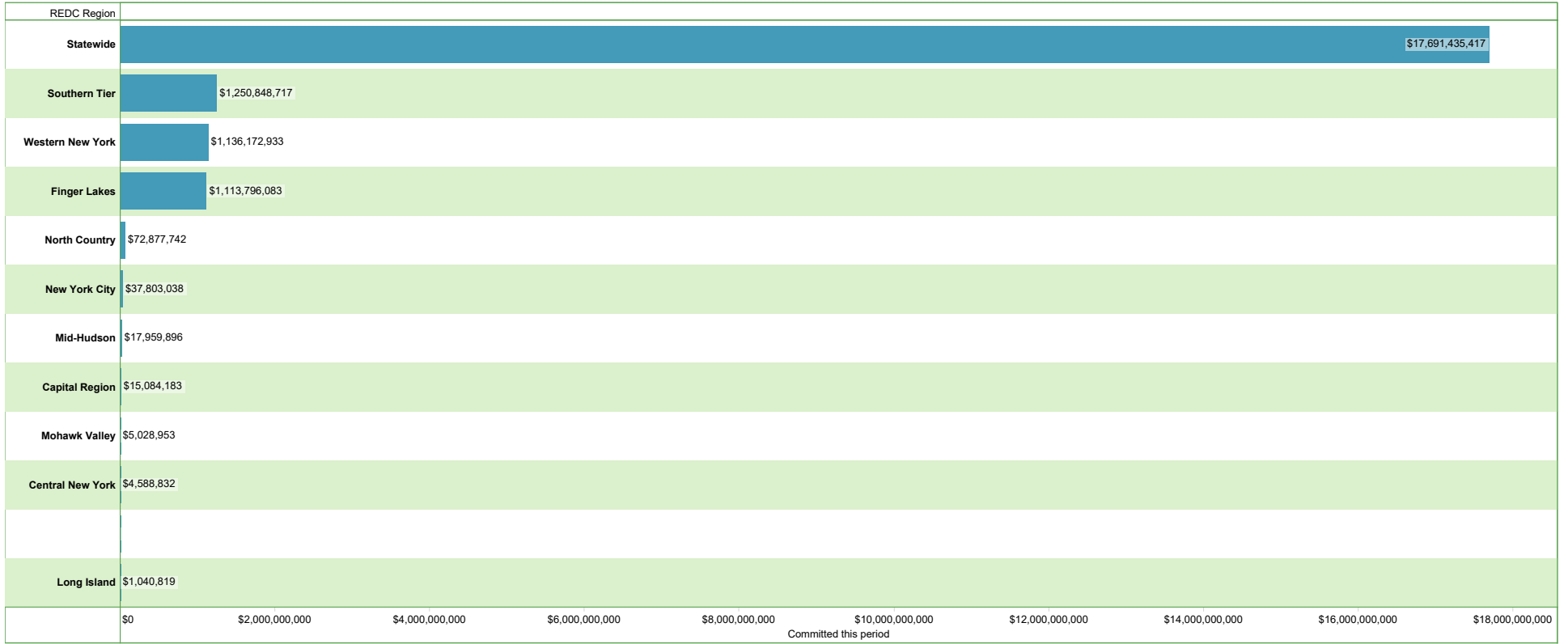
NYSERDA PERIODIC PROGRAM REPORT
5/16/2024 to 8/15/2024
Table: By REDC Region and County

| REDC Region | County | Count of Contracts | Committed this period |
|-------------------------|---------------|---------------------------|------------------------------|
| Southern Tier | Steuben | 5 | \$1,244,730,244 |
| | Tompkins | 13 | \$1,420,084 |
| | Total | 53 | \$1,250,848,717 |
| Statewide | STATEWIDE | 100 | \$17,691,435,417 |
| | Total | 100 | \$17,691,435,417 |
| Western New York | Allegany | 5 | \$136,191 |
| | Cattaraugus | 4 | \$1,036,517,293 |
| | Chautauqua | 10 | \$4,217,257 |
| | Erie | 41 | \$4,006,331 |
| | Niagara | 4 | \$92,171,736 |
| | Total | 64 | \$1,136,172,933 |
| Grand Total | | 1,134 | \$21,349,023,438 |

NYSDA PERIODIC PROGRAM REPORT

5/16/2024 to 8/15/2024

Graph: By REDC Region



NYSERDA PERIODIC PROGRAM REPORT
5/16/2024 to 8/15/2024
Table: By Electric Utility

| Electric Utility | Count of Contracts | Committed this period |
|----------------------------------------|---------------------------|------------------------------|
| | | |
| ANDOVER | 1 | \$30,000 |
| Central Hudson Gas and Electric | 48 | \$10,123,124 |
| Consolidated Edison | 537 | \$48,270,670 |
| Long Island Power Authority | 71 | \$1,040,819 |
| Municipal Utilities | 4 | \$119,884 |
| National Grid | 177 | \$2,311,913,325 |
| NYS Electric and Gas | 129 | \$1,277,278,788 |
| Orange and Rockland Utilities | 30 | \$3,532,301 |
| Rochester Gas and Electric | 32 | \$3,770,188 |
| Statewide | 100 | \$17,691,435,417 |
| Grand Total | 1,134 | \$21,349,023,438 |

