

Environmental

Advocates

NY

January 9, 2026

Via Email

rggiprograms@nyserda.ny.gov

Re: Draft 2026 Operating Plan Amendment

To Whom it May Concern:

Environmental Advocates NY (EANY) submits these comments on the New York State Energy Research and Development Authority's (NYSERDA) Draft 2026 New York Regional Greenhouse Gas Initiative (RGGI) Operating Plan Amendment (2026 Amendment).

EANY supports many elements of the 2026 Amendment, including its focus on affordability and increased investments in critical programs like EmPower+. Additional detail is needed, however, regarding NYSERDA's proposed new use of RGGI funds to support ratepayer bill credits. This use of RGGI proceeds appears counter to the authorized purposes specified in the State's RGGI regulations. These funds would yield greater benefits if directly invested in existing RGGI-funded programs.

Background – the Success of the RGGI Program

EANY has long supported the RGGI program. The State's participation in RGGI demonstrates that a cap-and-invest program provides "all-of-the-above" benefits in terms of emission reduction, affordability, job creation, public health, and economic impact. For example, power plant carbon dioxide (CO₂) emissions have declined by approximately half since the program's inception in 2009, all while generating over \$3 billion for State investments in energy efficiency and clean energy.

Moreover, EANY supports the recently proposed changes to the RGGI program, which would further strengthen this already successful program. EANY commends NYSERDA, along with its regulatory partner the Department of Environmental Conservation (DEC), for proposing draft regulatory amendments last month to implement these critical changes. The amendments support the 2026 Amendment by ensuring the continued

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availability of RGGI funds for directed investments. EANY intends to submit comments on the proposed regulations as part of the regulatory process.

Use of RGGI Funds Consistent with Regulatory Requirements

EANY supports the continued investment of RGGI funds in programs that are consistent with regulatory requirements; that is, renewable energy, energy efficiency, and CO₂ abatement efforts.¹ Furthermore, EANY understands and welcomes NYSERDA's focus on affordability in the 2026 Amendment. As the State has recognized, existing RGGI programmatic investments have already generated significant savings for consumers, in addition to considerable environmental benefits.

For example, as noted during the December 18, 2025 stakeholder meeting, \$2 billion in RGGI investments will result in \$12 billion in bill savings for participating customers. This impressive six-to-one return on investment for clean energy and affordability has been realized through programs like EmPower+ and others that are consistent with the terms of the DEC and NYSERDA RGGI regulations. EANY especially welcomes the 2026 Amendment's proposed increase in funding for the EmPower+ program.

Proposed New Use of RGGI Funds

Given the demonstrated affordability benefits of existing RGGI program investments consistent with regulatory requirements, EANY questions the proposed new use of RGGI funds for ratepayer bill credits. While no detail is provided, the 2026 Amendment proposes to use 34% of additional proceeds realized beyond assumed funding levels to "implement ratepayer-funded programs, prompting DPS and LIPA to reduce ratepayer collections by a proportionate amount."² NYSERDA did not provide any further information about this new proposal at the December 18, 2025 stakeholder meeting.

This would be an unprecedented use of RGGI funds and would be better directed to other existing RGGI-supported programs. First, while NYSERDA has not provided any new projections, the dollar value of any ratepayer relief would likely be negligible and not noticeable for individual households. Second, a ratepayer bill credit would likely result in a one-to-one return on investment, or in any case a far lesser return than the

¹ See 6 NYCRR § 242-5.3(a) and 21 NYCRR § 507.4(d).

² 2026 Amendment at p. 2 and 7.

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six-to-one return realized on existing investments. In other words, while EANY supports efforts to address consumer affordability, existing RGGI-funded programs would better serve this goal. Finally, without additional information, this proposed new use of RGGI funds appears to be inconsistent with the authorized uses of RGGI funds set forth in the regulations. Rather than using any additional RGGI funds in this unprecedented manner, NYSERDA should direct funds to renewable energy, energy efficiency, or carbon abatement efforts that are authorized by the DEC and NYSERDA RGGI regulations.

EANY appreciates the opportunity to comment on the 2026 Amendment. Please do not hesitate to contact me if you have questions.

Sincerely,

Niamh Moore

Niamh Moore,

Director, Healthy Communities,

Environmental Advocates NY