



# Tariff Changes

*LIPA Board of Trustees Meeting*

May 22, 2024

**Presented by:** William Wai, Director of Rates



# Proposed Tariff Changes

## Residential Time-of-Day (“TOD”) Bill Protection Guarantee

- Bill protection guarantees a TOD customer will not pay more than the bill amount otherwise under the Flat Rate (Rate Code 180) for up to 12 months after the customer's first enrollment
- Tariff Changes will clarify that the TOD Bill Protection Guarantee, approved by the Board in March 2023, is applicable to:
  - Existing Rate 180 accounts that voluntarily switch or are migrated to Rates 194 or 195
  - New non-heating residential accounts assigned or requesting enrollment in Rate 194 or 195

## Long Island Choice Program – Community Choice Aggregation (“CCA”)

- Aligns the program with recent New York State Public Service Commission Orders including:
  - CCA Administrators must be authorized by the Commission
  - CCA Administrators must provide proof that the municipality exercised its Municipal Home Rule Law and enacted a Local Law to implement a CCA program, or submission of the agreement, or Memoranda of Understanding between the Administrator and municipality
  - No charge for the release of customer data
  - Refines the types of data to be disclosed
  - Establishes process for resolving disputes between LIPA, CCA administrators, and Energy Service Entities

# Proposed Tariff Changes (continued)

## Light-Emitting Diode (“LED”) Lighting

- Incorporates two new and more efficient LED lighting fixtures into the Dusk-to-Dawn Program, an outdoor area lighting service with equipment owned, operated, and maintained by LIPA
- No change to customers’ existing monthly base charges for LED fixtures
- Results in approximately 15% energy reduction

## PSEG Long Island Holiday - Good Friday

- Removes Good Friday as a PSEG Long Island Holiday
- PSEG Long Island Holidays are:
  - Applicable to charges for Special Meter Readings under the Long Island Choice program
  - Applicable to the Distribution Load Relief events that may be called under the Dynamic Load Management Program

# Timeline

✓ **February 28:**  
Proposals published for public comment.

✓ **May 4:**  
Last day for written public comments  
to be incorporated into Board briefing materials

✓ **April 29:**  
Public comment sessions

☐ **May 22:**  
LIPA Board consideration

# Questions?

**William Wai**  
Director of Rates

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## **FOR CONSIDERATION**

May 22, 2024

**TO:** The Board of Trustees  
**FROM:** John Rhodes  
**SUBJECT:** Approval of Tariff Changes

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### **Requested Action**

The Trustees are requested to approve the following proposals to modify LIPA's Tariff for Electric Service:

1. **Residential Time of Day ("TOD") Bill Protection:** Modifying LIPA's Tariff for Electric Service (the "Tariff"), effective June 1, 2024, to expand the TOD Bill Protection Guarantee to new customer accounts that do not qualify for Rate Code 580 and are assigned or request enrollment in Rate Code 194 or 195.
2. **Community Choice Aggregation ("CCA") Program:** Modifying LIPA's Tariff, effective June 1, 2024, to implement changes to its Long Island Choice Program consistent with recent New York State Public Service Commission (the "Commission") orders.
3. **Outdoor Area Lighting Program:** Incorporating two new and more efficient Light-Emitting Diode ("LED") lighting fixtures under the Dusk-to-Dawn Program to provide customer savings and environmental benefits.
4. **PSEG Long Island Holiday:** Removing Good Friday as a PSEG Long Island Holiday as the new Memorandum of Agreement regarding the Union's collective bargaining agreement removes Good Friday as a Union Holiday.

### **Residential TOD Bill Protection: Background**

**TOD rate becomes the standard rate for residential non-heating service:** On March 29, 2023, the LIPA Board of Trustees ("the Board") approved a Tariff modification to: (1) introduce a TOD rate that would become the standard rate for residential, non-heating service beginning in 2024; and (2) implement a 12-month bill protection guarantee to provide eligible customers with a risk-free transition to the new TOD rates (i.e., the TOD Bill Protection Guarantee). This Tariff modification became effective on April 1, 2023.

**TOD migration:** On September 29, 2023, the Board was briefed by LIPA Staff that the majority of the migration to the TOD rate will occur in 2025. Approximately 5,000 new residential accounts are established each month that would not be eligible for TOD Bill Protection as currently authorized, so given the anticipated 24-month duration for the migration schedule, approximately 120,000 accounts would not receive the TOD Bill Protection over that 2-year period.

### **Residential TOD Protection: Proposed Action**

LIPA Staff proposes to modify the Tariff to expand the TOD Bill Protection Guarantee to new customer accounts<sup>1</sup> that would have otherwise been assigned to Rate Code 180.<sup>2</sup> The proposed Tariff modification also clarifies that the TOD Bill Protection Guarantee will be provided to existing Rate 180 customers who request enrollment in Rate Code 194 or Rate Code 195 as well as those Rate 180 accounts that are migrated to the TOD rate code 194 by the last scheduled date of migration. Staff also notes that Customers currently enrolled in TOD rates from rate codes 181, 182, 184, 188, 190, 191, 192, and 193 would not be eligible for TOD Bill Protection under this proposal.

The TOD Bill Protection Guarantee is intended to facilitate a smooth transition for residential non-heating customers from a traditional flat rate (*i.e.*, Rate Code 180) to a standard time differentiated rate program by providing them with an opportunity to test the new TOD rate structure and learn how to time and modify their consumption. The proposed expansion of the categories of customers eligible for the TOD Bill Protection Guarantee will incentivize more customers to try the new TOD rates.

### **Residential TOD Bill Protection: Financial Impact**

Under this proposal, the TOD Bill Protection Guarantee will be available to approximately 60,000 additional customers per year during the migration period. LIPA Staff estimates that the TOD Bill Protection Guarantee will provide a \$13.00 benefit per customer per 12-month period on average; therefore, the total financial impact is estimated to be a reduction of approximately \$780,000 in total revenue per year during the migration period.<sup>3</sup>

### **Residential TOD Bill Protection: Stakeholder and DPS Comments**

Two public comment sessions were held on the Tariff proposals and written comments were also solicited from interested stakeholders. Fred Harrison of Merrick spoke at the evening public comment session. Mr. Harrison stated that he was very much in support of the tariff change and the rate guarantee is essential for the success of the TOD program.

The Department of Public Service (“DPS”) supported LIPA’s tariff change proposal and recommended adoption of the changes to the SGIP as proposed. In addition, DPS also recommended (1) the current TOD outreach and communication campaigns that targeted new and migrating customers be enhanced to be more clear, direct, and informative, and include a more direct explanation of the time variant pricing of the TOD Rates.

- LIPA Staff Response: Staff understands the recommended enhancement of the TOD outreach and communications campaigns and agrees to making the enhancement as recommended.

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<sup>1</sup> A new customer account is established when, for example, (1) a customer moves into LIPA’s service territory or (2) when a customer moves to a new location within LIPA’s service territory.

<sup>2</sup> Customers moving into premises that qualify for residential heating rates will default to Rate Code 580, rather than the new TOD Rate Codes, because Rate Code 580 is a discounted rate compared to rate 180.

<sup>3</sup> The estimated customer benefit and the total financial impact are based on an assumption that the 60,000 additional customers per year will be enrolled in Rate Code 194.

## **CCA Program: Background**

On April 21, 2016, the Commission issued an Order Authorizing Framework for the Community Choice Aggregation (“CCA”) Opt-Out Program, known as the CCA Framework Order.<sup>4</sup> On August 26, 2019, the Department of Public Service (“DPS”) issued the CCA Guidance Document “to assist and inform CCA administrators, participating utilities, Energy Service Companies (“ESCOs”), Distributed Energy Resource (“DER”) developers, and other stakeholders on the existing rules and regulations of New York State’s CCA program.”<sup>5</sup>

Several municipalities within LIPA’s service territory have expressed interest in exploring the adoption of CCA within their communities.<sup>6</sup> In response to the interest in CCA, LIPA’s Board of Trustees adopted a Tariff amendment that established a CCA program on Long Island effective June 1, 2020, in alignment with the requirements of the Commission’s CCA Framework Order and the 2019 DPS Guidance Document.

On April 14, 2021, DPS Staff filed the CCA Whitepaper,<sup>7</sup> which described the status of the State’s CCA programs, detailing successes and challenges and recommending program improvements. The identified improvements include standardization of CCA program filing requirements, streamlining of the filing process, modification of existing requirements, and adoption of additional requirements.

On November 18, 2021, the Commission issued its Order Denying Rehearing, Providing Clarification and Confirming Tariff Modifications in Case 20-M-0082 (“CCA Data Fee Order”) which, in relevant part, directed the regulated utilities to modify their respective tariffs to remove fees associated with the release of customer data, except for cost-based fees associated with requests for historical energy usage data in excess of 24 months.

On March 21, 2022, Section 74-b of the New York State Public Service Law (“PSL”) became effective which established CCA programs in Long Island (the “Long Island CCA Statute”). Specifically, PSL § 74-b required, in relevant part, that by no later than January 1, 2022, the Commission, in consultation with the New York State Energy Research and Development Authority and the Authority, establish “by order, rules, and regulations a Long Island community choice aggregation program.”<sup>8</sup>

On January 19, 2023, the Commission adopted the CCA Whitepaper recommendations with modifications (the “CCA Modification Order”). The CCA Modification Order, in relevant part, directed DPS to update the 2019 DPS Guidance Document. DPS accordingly issued its

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<sup>4</sup> Case 14-M-0224, Community Choice Aggregation, Order Authorizing Framework for Community Choice Aggregation Opt-Out Program (issued April 21, 2016) (CCA Framework Order).

<sup>5</sup> Case 14-M-224, Community Choice Aggregation, CCA Guidance Document (issued August 26, 2019) (DPS Guidance Document).

<sup>6</sup> Mark Harrington, *Brookhaven wants to be able [to] seek cheaper supplier of Electricity*, NEWSDAY, December 11, 2019. <https://www.newsday.com/long-island/suffolk/lipa-brookhaven-1.39450624>.

<sup>7</sup> Case 14-M-0224, Department of Public Service Staff Whitepaper on Community Choice Aggregation Programs, dated April 14, 2021.

<sup>8</sup> The New York State Public Authorities Law was also amended to refer to the new Long Island CCA Statute. See N.Y. Pub. Auth. Law § 1020-s(1)(f) (West).



Community Choice Aggregation Program Rules on March 20, 2023 (“DPS CCA Program Rules”). On December 13, 2023, the LIPA Board of Trustees adopted Tariff amendments to align, in part with the DPS CCA Program Rules.

This proposal seeks to implement additional changes to the Tariff to be consistent with the DPS CCA Program Rules, the CCA Data Fee Order, and similar changes made by other utilities in New York State.

### **CCA Program: Proposed Action**

LIPA Staff proposes to modify the following aspects of the Tariff:

- (1) To make clear that CCA Administrators must be authorized by the Commission;
- (2) To clarify that CCA Administrators must provide proof that the municipality exercised its Municipal Home Rule Law and enacted a Local Law to implement a CCA program, or submission of the agreement or Memoranda of Understanding between the Administrator and municipality;
- (3) To clarify that fees shall not be charged for the release of customer data, except for any cost-based fees consistent with Section IV.C.10.a) of the Tariff;
- (4) To refine the types of data to be disclosed to a municipality or its designee; and
- (5) To establish a dispute resolution process for disputes between LIPA, CCA Administrators, and Energy Services Entities

### **CCA Program: Financial Impact**

There are no expected revenue impacts for LIPA.

### **CCA Program: Stakeholder and DPS Comments**

Two public comment sessions were held on the Tariff proposals and written comments were also solicited from interested stakeholders. No comments were received from the public on the CCA Program proposal.

After reviewing LIPA’s proposal, DPS Staff determined that it predominately brought LIPA’s CCA program into alignment with the CCA program requirements required of New York State’s Investor-Owned Utilities (IOUs and agreed that the proposed dispute resolution process was appropriate to facilitate a resolution under LIPA’s governance framework. Accordingly, DPS Staff recommends that LIPA’s tariff modifications be adopted as proposed.

### **Outdoor Area Lighting Program: Background**

SC No. 7A offers eligible customers outdoor area dusk-to-dawn lighting service with equipment owned, operated, and maintained by LIPA. Under SC No. 7A, there are three lighting technologies: high-pressure sodium, metal halide, and LED lighting. The LED lighting technology is the offering for any new installation.

PSEG Long Island recently conducted a review of the Dusk-to-Dawn Program and identified an opportunity to offer new, more efficient, lower-wattage LED fixtures to participating customers. The proposed addition of these new and more efficient fixtures to the Dusk-to-Dawn Program will benefit both customers and the environment by reducing energy usage.

### **Outdoor Area Lighting Program: Proposed Action**

LIPA Staff proposes to add two LED lighting fixture options in its Tariff under Service Classification SC No. 7A, effective June 1, 2024, that will be used for new installations and replacing fixtures currently in use as they go out. By offering this additional LED lighting type, the Authority will provide energy savings to customers and reduce greenhouse gas emissions. PSEG LI anticipates that the new installations will increase customer satisfaction and retention in this service classification due to the resulting energy savings and cost reductions.

### **Outdoor Area Lighting Program: Financial Impact**

There is no financial impact to LIPA. LIPA will produce about 15% less energy to serve these fixtures and the Customers will benefit from a corresponding reduction in power supply and distributed energy resource (“DER”) charges from the new lighting technology, given the lower wattages used by the new fixtures. Additionally, the customer will experience no change in the customer’s existing monthly base charges for LED fixtures.

### **Outdoor Area Lighting Program: Stakeholder and DPS Comments**

Two public comment sessions were held on the Tariff proposals and written comments were also solicited from interested stakeholders. No comments were received from the public on the Outdoor Area Lighting Program proposal.

DPS Staff agreed LIPA’s proposal contributed toward the State’s clean energy objectives and help customers save money by reducing energy usage. DPS Staff recommends adoption of LIPA’s LED tariff as proposed.

### **PSEG Long Island Holiday: Background**

LIPA’s current Tariff includes Good Friday as a PSEG Long Island Holiday. Good Friday occurs two days before Easter Sunday in the United States. While not a federal holiday, it is an important Christian religious holiday and has historically been observed as a PSEG Long Island Holiday by its Union members.

On October 21, 2023, Long Island Electric Utility ServCo LLC (“PSEG LI” or “Company”) and IBEW Local 1049 (the “Union”) entered into a new Memorandum of Agreement regarding the Union’s collective bargaining agreement that removed Good Friday as a Union Holiday and added Veterans Day (previously observed by PSEG LI Management, Administrative, Supervisory and Technical (“MAST”) employees<sup>9</sup> only). Thus, the Tariff must be modified to reflect this update.

### **PSEG Long Island Holiday: Proposed Action**

LIPA Staff proposes to remove Good Friday as a PSEG Long Island Holiday, effective June 1, 2024. PSEG Long Island Holidays are used in the Tariff provisions related to the Long Island Choice program to define the days on which charges for Special Metering Readings will apply. PSEG Long Island Holidays are also referenced in the tariff provisions for the Distribution Load Relief Program and Commercial System Relief Program to determine when load relief events may be called and when applications for participation may be submitted. Staff also notes that:

- PSEG Long Island Holidays do not determine when the peak and off-peak hours apply for LIPA’s time of day (“TOD”) rates, which are defined by the list of Federal Holidays, which are not proposed for change under the subject proposal.
- PSEG Long Island Holidays do not determine when LIPA may terminate service to a customer. Termination of service is governed by Public Holidays, which are defined in the New York State General Construction Law.

### **PSEG Long Island Holiday: Financial Impact**

No financial impacts on customers are anticipated as a result of this proposal, which only serves to affect the referenced Tariff leaves as distinct from LIPA’s overall cost of doing business.

### **PSEG Long Island Holiday: Stakeholder and DPS Comments**

Two public comment sessions were held on the Tariff proposals and written comments were also solicited from interested stakeholders. No comments were received from the public on the PSEG Long Island Holiday proposal.

DPS Staff confirmed that the proposal aligns with the Union agreement and recommends adoption LIPA’s Good Friday Tariff modification as proposed.

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<sup>9</sup> MAST employees are non-union.

## **Public Comments**

LIPA held two public comment sessions on the proposed tariff changes on April 29, 2024, and solicited written comments through May 4, 2024. Transcripts of the public comment sessions are attached as exhibits, and the comments are summarized above, together with responses from LIPA Staff.

## **Recommendation**

For the foregoing reasons, I recommend that the Trustees approve the modifications to the Tariff for Electric Service described herein and set forth in the accompanying resolutions.

## **Attachments**

<b><u>Exhibit A-1</u></b>	Resolution Approving updates to the Residential TOD Bill Protection
<b><u>Exhibit A-2</u></b>	Resolution Approving updates to the CCA Program
<b><u>Exhibit A-3</u></b>	Resolution Approving updates to the Outdoor Area Lighting Program
<b><u>Exhibit A-4</u></b>	Resolution Approving Removal of Good Friday as a PSEG Long Island Holiday
<b><u>Exhibit B-1</u></b>	Residential TOD Bill Protection - Tariff Redline
<b><u>Exhibit B-2</u></b>	Community Choice Aggregation Program - Tariff Redline
<b><u>Exhibit B-3</u></b>	Outdoor Area Lighting Program - Tariff Redline
<b><u>Exhibit B-4</u></b>	PSEG Long Island Holiday - Tariff Redline
<b><u>Exhibit C</u></b>	DPS Letter of Recommendation on Tariff Changes
<b><u>Exhibit D-1</u></b>	Public Comment Session Transcripts PM and Virtual Session
<b><u>Exhibit D-2</u></b>	Public Comment Session Transcripts AM Session

**APPROVAL OF MODIFICATIONS TO LIPA’S TARIFF RELATED TO THE RESIDENTIAL TOD BILL PROTECTION**

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**WHEREAS**, the Board of Trustees (the “Board”) of the Long Island Power Authority (“LIPA”) has adopted a Board Policy on Customer Value, Affordability, and Rate Design, which sets forth the Board’s commitment to establishing rates and tariffs that equitably allocate costs, provide customers with the opportunity to save money, employ innovative rate designs, encourage conservation, efficient use of energy resources, and the transition to a carbon-free economy, and offer programs to maintain electric bills that are a reasonable percentage of income for low-income customers; and

**WHEREAS**, the Board also has adopted a Board Policy on Clean Energy and Power Supply, which sets forth the Board’s commitment to achieving a zero-carbon electric grid by 2040, while meeting or exceeding LIPA’s share of the clean energy goals of New York’s Climate Leadership and Community Protection Act, including those for renewables, offshore wind, distributed solar, and storage; and

**WHEREAS**, the Board has reviewed the proposal and determined that the proposal is consistent with LIPA’s purpose, including as set forth in the Board Policy on Customer Value, Affordability, and Rate Design and the Board Policy on Clean Energy and Power Supply; and

**WHEREAS**, the Department of Public Service is supportive of this proposal; and

**WHEREAS**, following the issuance of public notice in the State Register on February 28, 2024, public hearings were held on April 29, 2024, in Nassau County in person, and Suffolk County in person, by phone and video conference accessible to all customers in LIPA’s service territory, and the public comment period has since expired;

**NOW, THEREFORE, BE IT RESOLVED**, that for the reasons set forth herein and in the accompanying Memorandum, the proposed modifications to LIPA’s Tariff, are hereby adopted and approved to be effective June 1, 2024; and be it further

**RESOLVED**, that the Chief Executive Officer and his designees are authorized to carry out all actions deemed necessary or convenient to implement this Tariff; and be it further

**RESOLVED**, that the Tariff amendments reflected in the attached redlined Tariff leaves are approved.

Dated: May 22, 2024

**APPROVAL OF MODIFICATIONS TO LIPA’S TARIFF RELATED TO THE COMMUNITY CHOICE AGGREGATION PROGRAM**

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**WHEREAS**, the Board of Trustees (the “Board”) of the Long Island Power Authority (“LIPA”) has adopted a Board Policy on Customer Value, Affordability, and Rate Design, which sets forth the Board’s commitment to establishing rates and tariffs that equitably allocate costs, provide customers with the opportunity to save money, employ innovative rate designs, encourage conservation, efficient use of energy resources, and the transition to a carbon-free economy, and offer programs to maintain electric bills that are a reasonable percentage of income for low-income customers; and

**WHEREAS**, the Board has also adopted a Board Policy on Clean Energy and Power Supply, which sets forth the Board’s commitment to achieving a zero-carbon electric grid by 2040, while meeting or exceeding LIPA’s share of the clean energy goals of New York’s Climate Leadership and Community Protection Act, including those for renewables, offshore wind, distributed solar, and storage; and

**WHEREAS**, the Board has reviewed the proposal and determined that the proposal is consistent with LIPA’s purpose, including as set forth in the Board Policy on Customer Value, Affordability, and Rate Design and the Board Policy on Clean Energy and Power Supply; and

**WHEREAS**, the Department of Public Service is supportive of this proposal; and

**WHEREAS**, following the issuance of public notice in the State Register on February 28, 2024, public hearings were held in Nassau and Suffolk County on April 29, 2024, in person, by phone and video conference accessible to all customers in LIPA’s service territory, and the public comment period has since expired;

**NOW, THEREFORE, BE IT RESOLVED**, that for the reasons set forth herein and in the accompanying Memorandum, the proposed modifications to LIPA’s Tariff are hereby adopted and approved to be effective June 1, 2024; and be it further

**RESOLVED**, that the Chief Executive Officer and his designees are authorized to carry out all actions deemed necessary or convenient to implement this Tariff; and be it further

**RESOLVED**, that the Tariff amendments reflected in the attached redlined Tariff leaves are approved.

Dated: May 22, 2024

**APPROVAL OF MODIFICATIONS TO LIPA’S TARIFF RELATED TO THE OUTDOOR AREA LIGHTING PROGRAM**

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**WHEREAS**, the Board of Trustees (the “Board”) of the Long Island Power Authority (“LIPA”) has adopted a Board Policy on Customer Value, Affordability, and Rate Design, which sets forth the Board’s commitment to establishing rates and tariffs that equitably allocate costs, provide customers with the opportunity to save money, employ innovative rate designs, encourage conservation, efficient use of energy resources, and the transition to a carbon-free economy, and offer programs to maintain electric bills that are a reasonable percentage of income for low-income customers; and

**WHEREAS**, the Board has also adopted a Board Policy on Clean Energy and Power Supply, which sets forth the Board’s commitment to achieving a zero-carbon electric grid by 2040, while meeting or exceeding LIPA’s share of the clean energy goals of New York’s Climate Leadership and Community Protection Act, including those for renewables, offshore wind, distributed solar, and storage; and

**WHEREAS**, the Board has reviewed the proposal and determined that the proposal is consistent with LIPA’s purpose, including as set forth in the Board Policy on Customer Value, Affordability, and Rate Design and the Board Policy on Clean Energy and Power Supply; and

**WHEREAS**, the Department of Public Service is supportive of this proposal; and

**WHEREAS**, following the issuance of public notice in the State Register on February 28, 2024, public hearings were held in Nassau and Suffolk County on April 29, 2024, in person, by phone and video conference accessible to all customers in LIPA’s service territory, and the public comment period has since expired;

**NOW, THEREFORE, BE IT RESOLVED**, that for the reasons set forth herein and in the accompanying Memorandum, the proposed modifications to LIPA’s Tariff (other than those related to the dispute resolution provisions which will be proposed in a separate rule making under the SAPA) are hereby adopted and approved to be effective June 1, 2024; and be it further

**RESOLVED**, that the Chief Executive Officer and his designees are authorized to carry out all actions deemed necessary or convenient to implement this Tariff; and be it further

**RESOLVED**, that the Tariff amendments reflected in the attached redlined Tariff leaves are approved.

Dated: May 22, 2024

**APPROVAL OF MODIFICATIONS TO LIPA’S TARIFF RELATED TO REMOVAL OF GOOD FRIDAY AS A PSEG LONG ISLAND HOLIDAY**

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**WHEREAS**, the Board of Trustees (the “Board”) of the Long Island Power Authority (“LIPA”) has adopted a Board Policy on Customer Value, Affordability, and Rate Design, which sets forth the Board’s commitment to establishing rates and tariffs that equitably allocate costs, provide customers with the opportunity to save money, employ innovative rate designs, encourage conservation, efficient use of energy resources, and the transition to a carbon-free economy, and offer programs to maintain electric bills that are a reasonable percentage of income for low-income customers; and

**WHEREAS**, the Board has also adopted a Board Policy on Clean Energy and Power Supply, which sets forth the Board’s commitment to achieving a zero-carbon electric grid by 2040, while meeting or exceeding LIPA’s share of the clean energy goals of New York’s Climate Leadership and Community Protection Act, including those for renewables, offshore wind, distributed solar, and storage; and

**WHEREAS**, the Board has reviewed the proposal and determined that the proposal is consistent with LIPA’s purpose, including as set forth in the Board Policy on Customer Value, Affordability, and Rate Design and the Board Policy on Clean Energy and Power Supply; and

**WHEREAS**, the Department of Public Service is supportive of this proposal; and

**WHEREAS**, following the issuance of public notice in the State Register on February 28, 2024, public hearings were held in Nassau and Suffolk County on April 29, 2024, in person, by phone and video conference accessible to all customers in LIPA’s service territory, and the public comment period has since expired;

**NOW, THEREFORE, BE IT RESOLVED**, that for the reasons set forth herein and in the accompanying Memorandum, the proposed modifications to LIPA’s Tariff are hereby adopted and approved to be effective June 1, 2024; and be it further

**RESOLVED**, that the Chief Executive Officer and his designees are authorized to carry out all actions deemed necessary or convenient to implement this Tariff; and be it further

**RESOLVED**, that the Tariff amendments reflected in the attached redlined Tariff leaves are approved.

Dated: May 22, 2024



**VIII. SERVICE CLASSIFICATIONS: (continued):**

**A. SERVICE CLASSIFICATION NO. 1 - Residential Service (continued):  
(Rate Codes: 180, 194, 195, 480, 481, 580)**

4. Special Provisions

a) Non-Time-of-Day Rate Option

Beginning in January 2024, Residential customers will be assigned to Rate Code 194 at the time their account is established or, if previously established, according to a migration schedule determined by LIPA. All Residential customers will retain the option of receiving service under Rate Code 180 or another eligible Rate Code. Existing customers scheduled for transfer to Rate Code 194 will be reminded, prior to their scheduled transfer, of their option to remain on Rate Code 180 or another eligible Rate Code.

- (1) Customers that do not have an AMI-equipped Smart Meter are not eligible for rate code 194 or 195.
- (2) Customers participating in Long Island Choice, Green Choice, or Rate Code 580 (space heating) will remain on their previously applicable rate at the discretion of the CEO or delegee, until LIPA is able to complete all necessary billing system enhancements and rate alternatives.
- (3) Customers enrolled in Rate Code 194 or 195 may transfer to another eligible rate code at any time.
- (4) Customers that choose to transfer out of Rate Code 194 and 195 to a flat rate (such as Rate Code-180) are not eligible to return to Rate Code 194 or 195 for a period of 12 months from their date of transfer.
- (5) A bill protection guarantee for up to 12 billing months will be provided to only those customers who: (i) were billed under Rate Code 180 at their current service address prior to December 31, 2023 and who are migrated to or request enrollment in Rate Code 194 or 195 by through the last scheduled customer migration will receive a bill protection guarantee for up to 12 billing months or (ii) are new residential accounts that do not qualify for Rate Code 580 and are assigned or request enrollment in Rate Code 194 or 195 through the last scheduled customer migration.
  - (a) At the end of the first 12 billing months following their transition to Rate Code 194 or 195, LIPA will calculate what the customer's bills would have been under Rate Code 180 for the same energy usage and, if lower, credit the difference on the next monthly bill.
  - (b) Customers that terminate their service or transfer to a Rate Code other than 194 or 195 before the first 12 months of billing have occurred will have their bill protection guarantee calculated up to that date of termination or transfer and receive the applicable credit in their next bill.
  - (c) Customers that transfer to another eligible Rate Code will see the rate change effective as of the date of their last issued bill.

b) Space Heating

The Space Heating Energy Charge in A.3. above will apply for the following heating applications, provided:

- (1) The size and design of the Customer's heating and heat pump equipment meets the Authority's specifications, and
- (2) The Customer submits a signed Application for this provision and a signed Certificate of insulation compliance, if it applies, and

- (3) The electric resistance heater or heat pump (fireplaces, coal and wood stoves are excluded) supplies all of the heating requirements of the building and is permanently connected.

**IX. Long Island Choice Program (continued):**

**B. Community Choice Aggregation (“CCA”) Program:**

1. A CCA Program allows municipalities (villages, towns, and cities) to aggregate the usage of eligible Mass Market customers within a defined jurisdiction in order to secure an alternative energy supply contract on a community-wide basis.
  - a) Before requesting customer data from the utility for participation in a CCA Program, the municipality or their designee (CCA Administrator or ESCO):
    - (1) Must sign a Data Security Agreement acceptable to the Manager, and
    - (2) ~~CCA Administrators must be authorized by the New York State Public Service Commission; Must have certification of local authorization approved by the Long Island Office of the Department of Public Service and~~
    - (3) ~~Proof that the municipality exercised its Municipal Home Rule Law and enacted a Local Law to implement a CCA program, or submission of the agreement or Memoranda of Understanding between the Administrator and municipality.-~~
  - b) Upon fulfilling the requirements in ~~XIX~~.B.1.a), the Manager will provide the following information to the municipality or their designee in accordance with the terms and fee(s) stated herein. ~~Fees shall not be charged for the release of customer data, except for any cost-based fees identified in Section IV.C.10.a).-~~
    - (1) Aggregated customer data, by billing cycle, including the number of customers by service class and the electric kWh by month for the past 12 months by service class. This information will be provided to the municipality or CCA Administrator within twenty days of a request.
    - (2) After each municipality has entered into a CCA contract with an ESCO, the Manager shall transfer customer-specific data to the municipality or CCA Administrator within five days of receipt of a request to support the mailing of opt-out notices. The data shall include all customers in the municipality eligible for opt-out treatment based on the CCA and the requirements of the Department of Public Service. The data should include:
      - (i) Customer of record’s name
      - (ii) Proxy ID
      - (iii) Mailing Address
      - (iv) Primary Language (if available from the Company’s billing system)
      - (v) Any customer-specific alternate billing name and address (if available from the Company’s billing system)
      - (vi) Billing cycle and bill period code indicating the month of the customer’s interim estimate, if applicable
      - ~~(vii) Tax exempt status;~~
      - ~~(viii) Net metered/VDER/solar account indicator.~~
    - (3) After the opt-out process has been completed, the Manager shall transfer account numbers for eligible customers that did not opt-out to the ESCO providing service within five days of receipt of a list of customers that opted out. These account numbers may be transmitted via electronic mail in secured, encrypted spreadsheets, through access to a secure website, or through other secure methods of transfer.



**IX. Long Island Choice Program (continued):****B. Community Choice Aggregation (“CCA”) Program (continued):**

- (4) Upon request by the municipality or CCA Administrator, the Manager will transfer updated customer data as specified in b)(2) for CCA eligible customers that became customers of the Manager since the last eligible customer list was provided and were not on a previous eligible for opt-out list. The data will be provided to the requestor within five days of the request. After the opt-out process is complete for those customers, the Manager will provide account numbers for customers that did not opt-out as described in (b) (3). The updated eligible customer lists will be provided without charge.

**2. Rules and Governance**

- a) All CCAs will be created and governed in accordance with the Laws of New York State and the guidance of the Department of Public Service.
- b) LIPA, municipalities participating in the CCA, and CCA administrators will follow the Community Choice Aggregation Program Rules issued by Department of Public Service with the exception that all disputes between LIPA, CCA Administrators and/or Energy Service Entities (i.e., any entity seeking access to energy related data, and can include, among other entities, ESCOs and DER providers) shall follow the procedures set forth in section (IX.B.2.d)) below, regarding CCA will be referred to the Department of Public Service for resolution with the Service Provider as specified under Section VI of this Tariff.
- c) ESCOs participating in the Community Aggregation Program must follow all applicable rules for ESCOs provided in the Long Island Choice section of this tariff, except such items specified in the Community Choice Aggregation Program Rules, such as:
  - (1) Customer enrollment rules
  - (2) Provisions of customer data to the CCA/ESCO
- d) The dispute resolution for disputes between LIPA, CCA Administrators and/or Energy Service Entities (“ESEs”) is as follows:
  - (1) Standard Process. The parties shall use a method to send documents described in this paragraph that will verify the date of receipt. Any CCA Administrator, ESE or the Manager may initiate a formal dispute resolution process by providing written notice to the opposing party and New York State Department of Public Service Staff. Such notice shall include a statement that the CCA dispute resolution process is initiated, a description of the dispute, and a proposed resolution with supporting rationale. The Department of Public Service Staff may participate in the process at this or any later point to facilitate the parties' discussions and to assist the parties in reaching a mutually acceptable resolution.
    - (a) No later than ten calendar days following receipt of the dispute description, if no mutually acceptable resolution is reached, the opposing party shall provide a written response containing an alternative proposal for resolution with supporting rationale and send a copy to Department of Public Service Staff.
    - (b) No later than ten days after receipt of the response, if no mutually acceptable resolution is reached, any party or Department of Public Service Staff may request that the parties schedule a meeting for further discussions. The parties shall meet no later than 15 calendar days following such request, upon advance notice to Department of Public Service Staff, unless the parties and Department

| of Public Service Staff agree upon another date.

**IX. Long Island Choice Program (continued):****B. Community Choice Aggregation ("CCA") Program (continued):****2. Rules and Governance (continued)**

- (c) If no mutually acceptable resolution is reached within 40 calendar days after receipt of the written description of the dispute, any party may request an initial decision from the Department of Public Service. A party to the dispute may appeal the initial decision to the Authority's President and Chief Executive Officer.
  - (d) If the parties reach a mutually acceptable resolution of the dispute, they shall provide to Department Staff a description of the general terms of the resolution.
- (2) Expedited Process: In the event that an emergency situation arises to justify immediate resolution of a dispute, any party may file a formal dispute resolution request with the Secretary to the Public Service Commission asking for expedited resolution. An emergency situation includes, but is not limited to, a threat to public safety or system reliability or a significant financial risk to the parties or the public. The filing party shall provide a copy of the request to other involved parties and the Department Staff designated to receive information related to dispute resolution under this Section. The request shall describe in detail the emergency situation requiring expedited resolution, state in detail the facts of the dispute, and, to the extent known, set forth the positions of the parties.

**LIPA Statement No. 1 – CCA**

**Long Island Power Authority**

**Statement of Community Choice Aggregation (CCA) Fees**

<u>Type of Data:</u> .....	<u>Fee Per Account Provided</u>
<u>Aggregated Customer Information</u> .....	<u>\$0.16</u>
<u>Customer Specific Information</u> .....	<u>\$0.64</u>

CANCELLED



**VIII. SERVICE CLASSIFICATIONS (continued):**

**M. SERVICE CLASSIFICATION NO. 7A**

**Outdoor Area Lighting - HPS (High Pressure Sodium), MH (Metal Halide), and LED (Light Emitting Diode):**

**(Rate Codes: 781, 782)**

1. Who Is Eligible

Customers who will use this service for outdoor lighting, provided:

- a) Suitable overhead distribution facilities exist, except
- b) When only one (1) span of overhead secondary cable per lighting fixture is needed. In such cases, the Authority will provide the cable on existing poles. Charges for additional cable and poles are given below.

2. Character of Service

- a) Unmetered, single-phase, 60 hertz, alternating current supplied to Authority-owned, operated, and maintained lighting facilities, and
- b) Provided for approximately 4,090 hours per year (4,102 for a leap year), at suitable voltages chosen by the Authority, and
- c) Provided to high pressure sodium (HPS), metal halide (MH) and light emitting diode (LED) facilities.

3. Rates and Charges

a) Rates per Lighting Facility per Month

<u>Lamp Type</u>	<u>Type Luminaire</u>	<u>Approximate Lumens</u>	<u>Total Watts</u>	<u>Monthly Rates</u>
HPS*	Area Light	<del>00</del> 6,400	108	\$ 26.12
HPS*	Flood Light	<del>02</del> 7,500	309	\$ 32.02
HPS*	Flood Light	<del>05</del> 0,000	476	\$ 42.56
MH*	Flood Light	<del>03</del> 6,000	453	\$ 43.29
MH*	Flood Light	110,000	1,093	\$ 47.16
HPS**	Full Cut-off	<del>00</del> 4,000	63	\$ 35.47
HPS**	Full Cut-off	<del>00</del> 6,300	91	\$ 35.59
HPS	Full Cut-off	<del>00</del> 9,500	128	\$ 36.08

VIII. SERVICE CLASSIFICATIONS (continued):

M. SERVICE CLASSIFICATION NO. 7A

Outdoor Area Lighting - HPS (High Pressure Sodium), MH (Metal Halide), and LED (Lighting Emitting Diode) (continued):

(Rate Codes: 781, 782)

Rates and Charges (continued):

<u>Lamp Type</u>	<u>Type Luminaire</u>	<u>Approximate Lumens</u>	<u>Total Watts</u>	<u>Monthly Rates</u>
HPS**	Full Cut-off	28,500	305	\$ 40.44
HPS**	Full Cut-off	50,000	455	\$ 52.11
MH**	Full Cut-off	20,500	288	\$ 40.65
MH**	Full Cut-off	36,000	455	\$ 52.11
LED***	Full Cut-off	19,270	150	\$ 40.44
LED***	Full Cut-off	29,100	250	\$ 52.11
<u>LED</u>	<u>Full Cut-off</u>	<u>19,850</u>	<u>130</u>	<u>\$ 40.44</u>
<u>LED</u>	<u>Full Cut-off</u>	<u>30,300</u>	<u>210</u>	<u>\$ 52.11</u>

\*Commencing October 1, 2003, not available for new installations or replacements.

\*\* Effective January 1, 2019 these luminaires are no longer available for new installations or unit replacements. Effective January 1, 2022, bulbs and photocells replacements for these luminaires will also no longer be available.

\*\*\* Effective June 1, 2024, these luminaires are no longer available for new installations or unit replacements.

b) The charge for Additional Overhead Secondary Cable and Poles dedicated to the Customer is \$20.35 per span per month.

c) Adjustments to Rates and Charges

Each Customer's bill will be adjusted for the Power Supply Charge, Increases in Rates and Charges to Recover PILOT Payments, the Shoreham Property Tax Settlement Rider, the Distributed Energy Resources Cost Recovery Rate, the Merchant Function Charge, the New York State Assessment Factor, the Securitization Offset Charge, and the Delivery Service Adjustment.

4. Minimum Charge

The monthly Minimum Charge is the facilities charge computed under the rates in 3 a), b) and c) above for the number of lighting facilities in place on the billing date.

5. Terms of Payment

## B-3 Outdoor Area Lighting Program Tariff Redline

The Customer shall pay the balance due in cash, including checks and money orders, on receiving the bill. Late payments shall be subject to Late Payment Charges.

**I. General Information (continued):**

**B. Abbreviations and Definitions (continued):  
Power (Electric) (continued):**

3. Peak Power is the greatest demand which occurred in a specific period of time.

4. Reactive Power is that part of Apparent Power that is not useful, but is required by some types of electricity-consuming devices such as motors.

5. Real Power is the useful part of Apparent Power. It is measured by averaging the instantaneous power over a 15-minute period and expressed in kilowatts (kW).

**Power Supply Charge:** Provisions made in electric rates schedules for the automatic adjustment of rates due to changes in cost of fuel and purchased power.

**Primary Residence:** A service address at which a Customer-generator resides the majority of the time during the year, and which has been given by the Customer-generator and exists in the voter registration catalogues or used by the Customer-generator to determine his/her school district code number as he/she identifies the same on his/her New York State Income Tax Returns

**Power Factor:** The Real Power (kW) divided by the Apparent Power (kVA) at any given point and time in an electrical circuit. It is expressed as a percentage. (See *Power*)

**Private Property Agreement:** An Agreement between the Authority and a property owner regarding the right to pass over, occupy, or use land for the placement and access of Authority facilities. The Agreement is kept on file at the Authority. (See *Right-of-Way*)

**PSEG Long Island Holiday:** New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, ~~Good Friday~~, Memorial Day, Juneteenth, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day After Thanksgiving, Christmas Eve and Christmas Day.

**Prorate:** To divide, distribute, or assess proportionately.

**Public Highway:** Any street, avenue, road, or way that is maintained for and used by the public. It is authorized and controlled by the legislative body of a village, town, city, county, or the State of New York.

**Public Holiday:** As defined in the General Construction Law Section 24, Public Holidays; half-holidays.

**Public Right-of-Way:** The area within a Public Highway which may be used for the placement of and access to Authority facilities.

**Pull Box:** An underground connection between either the Authority's and the Customer's underground facilities, or the Authority's overhead, terminating at the base of a pole, and the Customer's underground facilities.

**Q**

**Qualifying Low Income Customer:** A customer who provides documentation of enrollment in at least one of the following programs: Low Income Home Energy Assistance Program (LIHEAP); Medicaid; Supplemental Nutrition Assistance Program (SNAP); Supplemental Security Income (SSI); Temporary Assistance for Needy Family Assistance (FA); Safety Net Assistance – Public Assistance; United States Veteran's Disability Pension or Veteran's Surviving Spouse Pension or Child Health Plus. In addition, a customer may also qualify for the low income discount if they can provide documentation of proof of enrollment in the Federal Lifeline Program or any public assistance program that would qualify under the Federal Lifeline Program.

**R**

**Reactive Power:** (See *Power*)

**Real Power:** (See *Power*)

**Residence:** A permanent dwelling place.

**IX. Long Island Choice Program (continued):****C. SERVICE CLASSIFICATION NO. 14 ESCO and DRC Services (continued):****(Rate Codes: 390)****Rates, Charges and Credits per Month (continued):**1. Rates, Charges and Credits per Montha) Miscellaneous and Other Charges

ESCOs and DRCs will be billed monthly for miscellaneous services requested by the ESCO as agent for Participating Customers or DRC for its own purposes. Charges for these miscellaneous services that may be purchased by the ESCO and DRC are as follows:

- (1) **Special Metering:** ESCOs and DRCs may request the Authority to upgrade Participating Customers' meters from the standard meters used by the Authority to meters with capabilities for remote reading and for measuring load over shorter time intervals using AMI meters. ESCOs and DRCs who request the remote AMI meter reading data to be provided to them on a monthly basis will individually enter into a negotiated price agreement with the Authority. Customers can retrieve AMI data from the Manager's website at no charge.
- (2) **Bilateral Contracts:** the Authority may offer bilateral contracts to ESCOs and DRCs from time to time as set forth in the Operating Procedures.
- (3) **Special Meter Reading:** If a customer does not have an AMI equipped smart meter and special meter reading is necessary, than an ESCO or DRC may request a special meter read before the regularly scheduled read, providing the request is made seventy-two (72) hours before the date the read is needed. The ESCO or DRC shall pay the following charges:

<u>Description</u>	<u>Charge</u>
(a) Site visits during the hours of 8:30 a.m. to 4:00 p.m., weekdays excluding PSEG Long Island Holidays	\$32.05
(b) Site visits during the hours of 4:00 p.m. through 7:00 p.m. on weekdays or 8:30 a.m. through 4:00 p.m. on Saturday, when requested by the ESCO	\$37.75

### **XIII. Dynamic Load Management**

#### **A. Commercial System Relief Program (continued): Definitions (continued):**

CBL: A Customer Baseline Load Verification Methodology is calculated using one of the following three methods: (1) "5 of 10 Day Weather-Adjusted CBL"; (2) "5 of 10 Average-Day CBL"; or (3) "10 Day Weather-Adjusted CBL". The Customer Baseline Load methodologies are further described in the Authority's DLM operating procedures, which is available on the Manager's website.

CBL Verification Methodology: The methodology used by the Authority to verify the actual Load Relief provided (kW and kWh) during each hour of each designated Load Relief Period and Test Event. Actual load levels are compared to the customer baseline loads to verify whether the Direct Participant or Aggregator provided the kW of contracted Load Relief; provided, however, that the Authority may estimate the data pursuant to the Authority's operating procedure if data is not available for all intervals. When a weather-adjusted CBL methodology is used and the calculated weather adjustment falls outside of the Authority defined ranges (i.e., the Authority deems the weather to be atypical on the day of a Load Relief Period or Test Event when compared to the baseline period), the Authority may review and revise a participant's baseline based on the Customer's historical load data. When a weather-adjusted CBL methodology is used, the Authority, at its own discretion, may select alternate hours for the adjustment period to calculate the weather adjustment in order to accurately reflect the customer's typical usage.

Contracted Hours: The four-hour period within a weekday, Monday through Friday during the Capability Period excluding PSEG Long Island Holidays, during which the Direct Participant or Aggregator contracts to provide Load Relief in an Authority Designated Area whenever the Authority designates a Planned Event. The Load Relief Period will be identified for each Authority Designated Area on the Manager's website.

Direct Participant: A Customer who enrolls under this Program directly with the Authority for a single account and agrees to provide at least 50 kW of Load Relief.

Electric Generating Equipment: (a) electric generating equipment that is served under Service Classification Nos. 11 or 12 and used to provide Load Relief under this Program; or (b) emergency electric generating equipment that is interconnected and operated in compliance with Authority rules governing Emergency Generating Facilities used for self supply and used to provide Load Relief under this Program.

Load Relief: Power (kW) and energy (kWh): (a) ordinarily supplied by the Authority that is displaced by use of Electric Generating Equipment and/or reduced by the Direct Participant or Aggregator at the Customer's premises; or (b) that is produced by use of Electric Generating Equipment by a customer taking service pursuant to Service Classification No. 11 and delivered by that Customer to the Authority's distribution system during a Load Relief Period.

Load Relief Period: The hours for which the Authority requests Load Relief when it designates a Planned Event or an Unplanned Event.

New Participant: An Aggregator or Direct Participant that has not previously participated in a call for Load Relief under the Commercial System Relief Program.

Performance Adjusted kW: The kW level that a Direct Participant or Aggregator requests to provide subsequent to the Direct Participant or Aggregator performance during an event.

### **XIII. Dynamic Load Management**

#### **A. Commercial System Relief Program (continued):**

##### **3. Applications for Participation**

- a) Applications for participation under this program must be made electronically. Direct Participants and Aggregators may participate after the Authority's receipt and approval of a completed application. The Authority will accept an application by April 1 for a May 1 commencement date, or by May 1 for a June 1 commencement date. However, if the application is received by April 1 and the Authority does not bill the participant monthly using interval metering at the time of application, participation may commence on July 1 provided all conditions in section XIII.B.6. are satisfied.
- b) The desired commencement month must be specified in the application. Applications will not be accepted after the specified date for participation during the current Capability Period. If the first of the month falls on a weekend or PSEG Long Island Holiday, applications will be accepted until the first business day thereafter.
- c) The Authority will accept applications for participation in the Voluntary Participation Option under the Program at any time provided the metering and communications requirements are satisfied as specified in Section XIII.B.6.
- d) Participants without Qualifying Paired Battery Storage Equipment and without Eligible Net Metering Technology will receive the "5 of 10 Day Weather Adjusted CBL" as the default CBL Verification Methodology unless the application specifies that the "10 Day Weather -Adjusted CBL" or the "5 of 10 Average-Day CBL" is to be used for verification of performance. A single CBL Verification Methodology will be used for each customer to assess both energy (kWh) and demand (kW) Load Relief.
- e) Eligible Net Metering Technology will receive the "10 Day Weather-Adjusted CBL" for verification of performance.
- f) Participants without Qualifying Paired Battery Storage Equipment and without Eligible Net Metering Technology may apply in writing prior to the start of the Capability Period to change the CBL Verification Methodology.
- g) Participants with Qualifying Paired Battery Storage Equipment or Qualifying Stand-alone Battery Storage Equipment projects may choose to receive the performance measure based on the battery output directly measured through a third party vendor or the CBL Verification Methodology using the "10 Day Weather-Adjusted CBL".
- h) A Direct Participant or Aggregator may apply in writing, prior to the start of the Capability Period, to change the kW of pledged Load Relief, or to terminate service under this Program for the upcoming Capability Period provided the request is received prior to commencing participation for that Capability Period. In order for a Direct Participant or Aggregator to increase its kW of contracted Load Relief in an Authority Designated Area, the Direct Participant's or Aggregator's most recent Performance Factor in that Authority Designated Area must be no less than 1.00.
- i) Each application must state the kW of Load Relief that the Direct Participant or Aggregator contracts to provide for the Load Relief Period. Load Relief of an Aggregator will be measured on a portfolio basis separately for each Authority Designated Area.

##### **4. Notification by the Authority and Required Response**

- a) The Authority will notify Direct Participants and Aggregators by phone, e-mail, or machine-readable electronic signal, or a combination thereof, in advance of the commencement of a Load Relief Period or Test Event. The Direct Participant or Aggregator will designate in writing an authorized representative and an alternate representative, and include an electronic address if applicable, to receive the notice. If an Aggregator is served under this Program, only the Aggregator will be notified of the Load Relief Period or Test Event. The Aggregator is responsible for notifying all of the customers within its respective aggregation group.

**XIII. Dynamic Load Management****C. Distribution Load Relief Program (continued):**4. Applications for Participation

- a) Applications for participation under this program must be made electronically. Direct Participants and Aggregators may participate after the Authority's receipt and approval of a completed application. The Authority will accept an application by April 1 for a May 1 commencement date or by May 1 for a June 1 commencement date. However, if the application is received by April 1 and the Authority does not bill the participant monthly using interval metering at the time of application, participation may commence on July 1 provided all conditions in section XIII.C.7. are satisfied. Applicants with existing requisite metering and communication capabilities as specified in Section XIII.B.6. who wish to participate in the program on a voluntary basis may apply at any time.
- b) The desired commencement month must be specified in the application. Applications will not be accepted after the specified date for participation during the current Capability Period. If the first of the month falls on a weekend or PSEG Long Island Holiday, applications will be accepted until the first business day thereafter.
- c) Participants without Qualifying Paired Battery Storage Equipment and without Eligible Net Metering Technology, the "5 of 10 Day Weather Adjusted CBL" will be the default CBL Verification Methodology, unless the application specifies that the "10 Day Weather-Adjusted CBL" or "5 of 10 Day Average-Day CBL" is to be used for verification of performance. A single CBL Verification Methodology will be used for each customer to assess both energy (kWh) and demand (kW) Load Relief.
- d) Eligible Net Metering Technology will receive the "10 Day Weather-Adjusted CBL" for verification of performance.
- e) Participants without Qualifying Paired Battery Storage Equipment and without Eligible Net Metering Technology may apply in writing prior to the start of the Capability Period to change the CBL Verification Methodology.
- f) Participants with Qualifying Paired Battery Storage Equipment or Qualifying Stand-alone Battery Storage Equipment projects may choose to receive the performance measure based on the battery output directly measured through a third party vendor or the CBL Verification Methodology using the "10 Day Weather-Adjusted CBL".
- g) A Direct Participant or Aggregator may apply in writing to prior to the start of the Capability Period, to change the kW of pledged Load Relief, or to terminate service under this Program for the upcoming Capability Period provided the request is received prior to commencing participation for that Capability Period. In order for a Direct Participant or Aggregator to increase its kW of contracted Load Relief in an Authority Designated Area, the Direct Participant's or Aggregator's most recent Performance Factor in that Authority Designated Area must be no less than 1.00.
- h) Each application must state the kW of Load Relief that the Direct Participant or Aggregator contracts to provide for the Load Relief Period. Load Relief of an Aggregator will be measured on a portfolio basis separately for each Authority Designated Area.





**Rory M. Christian**  
Chair and  
Chief Executive Officer

125 East Bethpage Road, Plainview, NY 11803  
[www.dps.ny.gov/longisland](http://www.dps.ny.gov/longisland)

May 17, 2024

Via Email and U.S. Mail

Honorable Tracey Edwards, Chairwoman  
Board of Trustees  
Long Island Power Authority  
333 Earle Ovington Blvd.  
Uniondale, New York 11553  
[boardoftrustees@lipower.org](mailto:boardoftrustees@lipower.org)

Re: Matter 24-00490 – Recommendations Regarding Long Island Power Authority's Proposed Modifications to its Tariff for Electric Service

Dear Chairwoman Edwards:

I am pleased to provide the recommendations of the New York State Department of Public Service (DPS or the Department) regarding the proposed changes to the Tariff for Electric Service (Tariff) by the Long Island Power Authority (LIPA or the Authority), effective June 1, 2024. The LIPA Reform Act grants the Department the authority to make recommendations concerning the operations and terms and conditions of service provided by the Authority and its Service Provider. The Department recommends the adoption of the Authority's proposals in accordance with the discussion set forth herein.

LIPA proposes several modifications to its Tariff for Electric Service. These changes to the Tariff include proposals to: 1) extend the Time of Day (TOD) Bill Protection Guarantee to new non-heating residential customers who are enrolled in TOD Rates 194 or 195 and to further clarify the 12-month TOD Bill Protection Guarantee for existing Rate 180 customers; 2) modify the Long Island Choice (LI Choice) program and Community Choice Aggregation (CCA) Tariff provisions consistent with recent updates to DPS CCA program rules; 3) remove Good Friday as a PSEG Long Island (PSEG LI) Holiday from the Tariff; and 4) offer two new and more efficient Light-Emitting Diode (LED) lighting fixture options under Service Classification (SC) No. 7A.

**Extending the TOD Bill Protection Guarantee to New Customers**

LIPA proposes modifying Tariff Leaf 187 to provide a twelve-month (12-month) TOD Bill Protection Guarantee for new non-heating residential customer accounts that

would have previously been assigned to Rate Code 180 had TOD rates not been introduced. A new account is opened when a customer either moves into LIPA's service territory or moves within LIPA's service territory.<sup>1</sup> The proposed modifications also confirm that the twelve-month TOD Bill Protection Guarantee will be provided to existing Rate 180 customers who voluntarily enroll in Rate Code 194 or 195, in addition to customers automatically migrated to Rate Code 194 up until the last scheduled customer migration. LIPA also proposes modifying the Tariff to clarify that customers who are billed under Rate Codes 480, 481, 580, 181, 182, 184, 188, 190, 191, 192, and 193 are not eligible for the Bill Protection Guarantee. Staff recommends adoption of these modifications as proposed.

LIPA's bill protection is calculated by comparing what customers would have paid if they had been billed on Rate 180, i.e., the flat rate, to what they actually paid on either TOD Rates, during their first twelve months of enrollment.<sup>2</sup> If a customer would have saved money on the flat rate, they would then receive a bill credit at the end of the bill protection period for which they qualify. Customers who opt out of their TOD rate or terminate their service prior to reaching twelve months of enrollment will be credited for the duration of their enrollment in the TOD rate. Currently, under the terms of the Tariff, any customer who switches from Rate 180 to the TOD rates before the last scheduled customer migration would be entitled to a bill protection guarantee for a maximum of 12 months.

LIPA projects that the proposal to expand the TOD Bill Protection Guarantee would benefit an estimated 60,000 new customer accounts each year over the anticipated 24-month migration period, with an average of 5,000 new accounts created each month. LIPA estimates, over 12 months, that a new customer will save \$13.00 or \$1.08 per month. These savings would result in a \$780,000 revenue reduction per year over the course of the migration period, which would be recovered through LIPA's Revenue Decoupling Mechanism, assuming those customers would be billed on Rate 194.<sup>3</sup>

As of May 1, 2024, LIPA and PSEG LI have 20,635 active TOD accounts, with 4,544 customers voluntarily opting into the TOD rates, and 16,084 new customers defaulted into TOD rates.<sup>4</sup>

Staff recommends that the current TOD outreach and communication campaigns that target new and migrating customers be enhanced to be more clear, direct, and informative. The campaigns should go beyond the message of simply how customers can save money based on "timing their usage" and indicate the differential and ratios of

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<sup>1</sup> LIPA's Proposal for TOD Bill Protection, <https://www.lipower.org/wp-content/uploads/2024/03/TOD-Tariff-Modification-Proposal-1.pdf> (accessed November 22, 2023) (LIPA's TOD Proposal).

<sup>2</sup> LIPA's TOD Proposal, p. 3.

<sup>3</sup> *Id.*, p. 2.

<sup>4</sup> PSEG LI's supplemental response to DPS-24004 (PSEG LI was unable to determine whether seven customers chose to opt-in to TOD rates or were enrolled by default as a new customer).

how much customers would pay for usage during on-peak hours and off-peak hours on TOD rates as compared to what they would pay on the flat rate.

Further, Staff's initial recommendations provided in March 2023 expressly identified the importance of a robust customer communications and marketing plan to help customers understand both how TOD rates and billing work as well as how they can adjust their usage to save money.<sup>5</sup> Staff identified the significant amount of time required to educate customers, and moreover, that LIPA and PSEG LI need to update their plans based on feedback from migrating customers. Staff reiterates these earlier recommendations and also recommends that their customer communication and marketing plans are enhanced to include a more direct explanation of the time variant pricing of the TOD Rates.

Staff supports LIPA's proposal to extend the TOD Bill Protection Guarantee to include new and moving customers who will default into TOD rates. Staff believes that expanding bill protection will incentivize additional customer enrollment in the TOD rates and improve customer retention rates, as new customers can experiment and learn how to adjust their energy usage pattern with bill protection in their first year of enrollment. As discussed above, further enrollment and experimentation can be bolstered through enhanced outreach and marketing. As discussed above, Staff recommends adopting LIPA's expansion of TOD Bill Protection as proposed and recommends enhancement of the TOD outreach and communications campaigns as discussed.

### **LI Choice Program/CCA Tariff change**

LIPA proposes to modify the tariff for its LI Choice Program to align with recent policy changes contained in the Commission's CCA Modification Order issued on January 19, 2023, and the Department's CCA Program Rules established pursuant to that Order.<sup>6</sup> LIPA's proposed changes to its Tariff clarify that CCA administrators must be authorized by the Commission, require proof of implementation of a CCA by the local municipality, discontinue customer data fees excluding certain cost-based fees, expand the data types to be disclosed to administrators, and establish a dispute resolution process.

Community Choice Aggregation programs offer residential and small non-residential customers an opportunity to receive multiple benefits including access to renewable energy, contractual bargaining power through aggregation, guidance from local governments and CCA Administrators, and engagement in critical energy decisions that help advance the State's clean energy goals.

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<sup>5</sup> Matter 23-00071, Tariff Filing of Long Island Power Authority to Modify its Tariff for Electric Service 2023, Recommendations Concerning New Time of Day Rates (issued March 28, 2023), p. 17.

<sup>6</sup> Case 14-M-0224, Proceeding on Motion of the Commission to Enable Community Choice Aggregation, Order Modifying Community Choice Aggregation Programs and Establishing Further Process (issued January 19, 2023) (CCA Modification Order).

On January 19, 2023, the Commission issued the CCA Modification Order which adopted the recommendations of the Staff CCA Whitepaper<sup>7</sup> with modifications.<sup>8</sup> The CCA Modification Order directed DPS to file a complete listing of program rules to further support clarity and consistency between CCA Administrators. These CCA Program Rules incorporate all existing requirements adopted by the Commission to date and identify the responsibilities of CCA market participants.<sup>9</sup> Further, CCA Administrators must attest to the acknowledgement of these program rules when submitting their Master Implementation Plan. The CCA Program Rules can be updated as rules are added or modified by the Commission and are available on the Department's CCA webpage.<sup>10</sup>

DPS Staff reviewed LIPA's proposal and determined that it predominately brings LIPA's CCA program into alignment with the CCA program requirements required of New York State's Investor-Owned Utilities (IOUs). LIPA's CCA tariff as modified would now require program administrators to be authorized by the Commission rather than by Staff in DPS' Long Island Office, creating greater consistency with the requirements placed on administrators overseeing CCA programs in other IOU's territories.

Prior to requesting customer data from the utility, LIPA's proposal will require that administrators provide proof that the associated municipality(ies) exercised its "Municipal Home Rule Law" to enact a CCA Program. Similarly, a CCA administrator may provide an agreement between the administrator and the municipality which equally demonstrates the municipality's action. This implements the Commission's requirement to provide proof of municipal authorization to implement a CCA program.<sup>11</sup>

LIPA's proposal also discontinues customer data fees with the exception of cost-based fees associated with certain specific requests. Requests for historical meter reading data beyond 24 months, requests for hourly or fifteen-minute interval data, and requests for an ongoing supply of data will still necessitate that a fee be paid prior to release. The Tariff modifications also expand the types of data disclosed to a municipality or its designee.

Finally, LIPA's proposal also establishes a new dispute resolution process. Staff highlights that LIPA's Tariff proposal outlines a dispute resolution process which differs slightly from the rest of the IOUs. The process follows LIPA's Uniform Business Practices (UBP) for Electric Energy Service Companies and provides for a collaborative process between the parties involved in the dispute, as well as DPS. Staff agrees that this process is appropriate to facilitate a resolution under LIPA's governance framework and recommends adoption of the dispute resolution process as proposed. Accordingly, Staff recommends that LIPA's tariff modifications be adopted as proposed.

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<sup>7</sup> Case 14-M-0224, *supra*, Department of Public Service Staff Whitepaper on Community Choice Aggregation Programs, (issued April 14, 2021).

<sup>8</sup> CCA Modification Order.

<sup>9</sup> Case 14-M-0224, *supra*, Department of Public Service Staff Community Choice Aggregation Program Rules (issued March 20, 2023) (Community Choice Aggregation Program Rules).

<sup>10</sup> <https://dps.ny.gov/community-choice-aggregation> (accessed April 29, 2024).

<sup>11</sup> Community Choice Aggregation Program Rules, p. 2.

## Good Friday

LIPA proposes to remove Good Friday as a PSEG LI holiday from its current tariff.<sup>12</sup> PSEG LI and the International Brotherhood of Electrical Workers (IBEW) Local 1049 (Union) signed a new Memorandum of Agreement on October 21, 2023. This new agreement replaced Good Friday with Veterans Day as a Union Holiday. LIPA's proposal modifies the Tariff to reflect this change.

In its proposal, LIPA emphasized that PSEG LI holidays do not affect LIPA's peak and off-peak hours for TOD rates, nor does it affect the termination of service by LIPA. The peak and off-peak hours for TOD rates are determined by Federal Holidays and the termination of service is governed by Public Holidays, as defined in New York State General Construction Law. LIPA also states that there will be no financial impacts to customers as a result of this modification.

Staff reviewed the new Memorandum of Agreement and confirmed that the proposal aligns with the Union agreement. Therefore, Staff recommends adoption LIPA's Good Friday Tariff modification as proposed.

## LED Lighting

LIPA proposes to modify its current Tariff to integrate two new and more efficient LED lighting fixture options under Service Classification ("SC") No. 7A. SC No. 7A offers eligible customers outdoor area lighting service under its "Dusk-to-Dawn program." Under this proposal, eligible customers in SC No. 7A will receive these new highly efficient LED lights for both new installations and replacements. Within this service class, there are three lighting technologies: High Pressure Sodium (HPS), Metal Halide (MH), and LED. LIPA's proposal will update two existing LED options with the new and more energy efficient LED option(s). Customers in this program receive approximately 4,090 hours of lighting per year.

With this modification, LIPA anticipates requiring 15 percent less energy to power these light fixtures, thus reducing power supply and distributed energy resource (DER) charges for eligible customers.<sup>13</sup> In order to be eligible for SC No. 7A, customers must have suitable overhead distribution facilities, except when only one span of overhead secondary cable per lighting fixture is needed. Customers under SC No. 7A will not experience any additional charges in their existing monthly base charges for these newly proposed LED fixtures.

LIPA's proposal contributes toward the State's clean energy objectives as two new LED lighting options will use less energy to offer outdoor area lighting service to SC

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<sup>12</sup> LIPA's proposal for Good Friday, <https://www.lipower.org/wp-content/uploads/2024/03/Good-Friday-Tariff-Modification-Proposal-1.pdf> (accessed April 29, 2024)

<sup>13</sup> LIPA's proposal for LED lighting, <https://www.lipower.org/wp-content/uploads/2024/03/LED-Tariff-Modification-Proposal-ww.pdf>, (accessed April 29, 2024)

No. 7A customers. In addition, these new LED lighting fixtures will also help customers save money by reducing energy usage. As such, Staff recommends adoption of LIPA's LED tariff as proposed.

**Conclusion**

Department Staff has reviewed LIPA's proposed Tariff modifications and finds the proposed updates consistent with Commission Orders, DPS Staff Whitepapers, and other New York IOU Tariffs. The Department therefore recommends that, in accordance with the foregoing discussion, the Tariff modifications be adopted by the LIPA Board of Trustees.

Respectfully submitted,



Rory M. Christian  
Chief Executive Officer

- CC: John Rhodes, LIPA Acting Chief Executive Officer  
Bobbi O'Connor, LIPA General Counsel & Secretary to the Board of Trustees  
William Wai, LIPA Director of Rates  
David C. Lyons, PSEG LI Interim President and Chief Operating Officer  
Andrea Elder-Howell, PSEG LI VP Legal Services  
Joseph Trainor, PSEG LI Senior Manager of Rates  
Carrie Meek Gallagher, DPS LI Director  
Nicholas Forst, DPS LI Deputy Director  
Peter Hilerio, DPS LI Counsel

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LONG ISLAND POWER AUTHORITY

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HYBRID PUBLIC HEARING

May 2024 Tariff Changes

-----X

LIPA

333 Earle Ovington BLD.

Uniondale, New York

April 29th, 2024

6:00 p.m.

B E F O R E:

WILLIAM WAI,

Director of Rates, LIPA

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4 A P P E A R A N C E S:

5 OTHER LIPA STAFF

6 ALSO PRESENT:

7 Fred Harrison

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9 Marc Russo, Stenographer

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P R O C E E D I N G S

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MR. WAI: Okay. On the record

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now. Good evening. Welcome to this evening's

5

public hearing of the Long Island Power Authority.

6

My name is William Wai and I'll be the presiding

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officer for the hearing this evening.

8

The purpose of this hearing is to

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receive public comments regarding proposal to the

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Authority tariff on four topics. Copies of the

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tariff proposals are available on the

12

Authorities' website, [www.lipower.org](http://www.lipower.org), and are

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incorporated into the records for this hearing.

14

The procedure for this evening's

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public hearing is very simple. In a moment, I'll

16

provide a short overview of the proposal. Then I'm

17

going to call for comments from the public on the

18

signup sheet. When you are called to speak, please

19

come sit at the table by the mic. Start by telling

20

us your name, and whether you are speaking on

21

behalf of any organization or group. If you want

22

to speak this evening and have not signed in yet,

23

you'll have need to do so before speaking.

24

Please note that as the purpose of

25

this hearing is to receive your comments. I will

1

2 not be responding to questions or comments today.

3 Your comments will be related to the Authority

4 staff and the Board of Trustees for their

5 consideration in the next Board meeting.

6 Now, let's turn to the proposals.

7 There are four topics this time. The first one is

8 on the TOD bill protection. Again, TOD bill

9 protection guarantees the residential TOD customer

10 will not pay more than the bill amount, otherwise

11 under the flat rate, 180 for up to 12 months after

12 the customer's first enrollment.

13 The proposed change or to clarify

14 the TOD bill protection: it's applicable to the

15 existing rate 180 customers that have migrated or

16 voluntarily switch to the TOD program rate 194 or

17 195.

18 And the bill protections is also

19 applicable to the new non-heating residential

20 customers, assigned or requesting enrollment in the

21 TOD program. The bill protection is not applicable

22 to the existing customers in rate 480, 481, 580,

23 181, 182, 184, 188, 190, 191, 192, and 193.

24 The second topic is to align the

25 Authority's Community Choice Aggregation, also

1

2 known as a CCA of the Long Island Choice Program,  
3 with recent New York State Public Service  
4 commissioned orders including; one, CCA  
5 administrators must be authorized by the  
6 commission;

7 Two, CCA administrators must  
8 provide proof of that municipality exercised its  
9 municipal home rule law and enact a local law, to  
10 implement a CCA program or submission of the  
11 agreement or memoranda of understanding between the  
12 administrator and municipality;

13 Three, no charge for the release  
14 of customer data;

15 Four, refine the type of data to  
16 be disclosed;

17 Five, establish process for  
18 resolving dispute to LIPA, CCA administrators, and  
19 the energy service entities.

20 The third topic is to incorporate  
21 two new and more efficient LED lighting fixtures  
22 into the dusk-to-dawn program. That's an outdoor  
23 area lighting service with equipment owned,  
24 operated, and maintained by LIPA. There would be  
25 no change to the customer's existing monthly base

1

2 charge for the LED fixtures. And the energy  
3 consumption is approximately 15 percent less for  
4 these new fixtures compared to the existing one.

5 And lastly, the fourth change is  
6 to remove the Good Friday as a PSEG Long Island  
7 holiday. And again, PSEG Long Island holidays  
8 applicable to charges for special meter reading  
9 under the Long Island Choice Program and applicable  
10 to the distribution load relief events that might  
11 be called under the Dynamic Load management  
12 program.

13 So these are the topics for this  
14 evening's discussion. I'm not -- I'm now going to  
15 open the floor for public comments, starting with  
16 people in the room.

17 MR. HARRISON: Yes, sir. Thank  
18 you for holding this session. My name is Fred  
19 Harrison. I'm a ratepayer, I live at Merrick, and  
20 I volunteer with Food and Water Watch and other  
21 environmental groups, and other community  
22 organizations. I came this evening because I  
23 wanted to say that I'm very much in support, and  
24 people that I work with are very much in support of  
25 the tariff change for time and day rates.

1  
2                   It's a wonderful program and I  
3 guess I'm here because I want to just express both  
4 my support and concern that be done in an  
5 exceptionally careful manner. All studies that  
6 I've read, and I've gone back and done a little bit  
7 of research on this, show that how time-of-day  
8 rates are implemented is crucial to their success.  
9 And I think we know this. And I think that a rate  
10 guarantee is certainly an under (unintelligible)  
11 for that success. It's been shown to be successful  
12 by other utilities, and it was really good to see  
13 that LIPA is adopting such a program.

14                   Clearly, that rate guarantee  
15 allows customers to experiment with time-of-day  
16 rates risk-free. And that's very important.  
17 Because for many customers, adjusting to the new  
18 rates is going to be very challenging. Many homes,  
19 and we've talked about this earlier, many homes  
20 aren't yet equipped with the kind of equipment that  
21 automates energy use management. Which is one of  
22 the ways that time-of-day rates really can be  
23 useful to homeowners.

24                   Studies show that saving money is  
25 the key driver behind ratepayer satisfaction with

1  
2 time-of-day rates, yet we do know that savings may  
3 be marginal for some households. I think the lack  
4 of fact sheet that it has on its web page shows  
5 that, that if you use certain electricity in  
6 certain ways, there'll be greater savings. I mean,  
7 I think that's sort of a no-brainer, if you have an  
8 EV, if you have a battery backup system as -- and  
9 you don't have central air conditioning and so on  
10 and so forth, you may not have the same kind of  
11 savings.

12 But nevertheless, time-of-day  
13 rates are still a good thing because they're a  
14 trifecta win for everybody. They are a win for the  
15 environment, they're reducing greenhouse gases, we  
16 know this. They're wonderful for a non-profit  
17 utility like LIPA because it reduces potential  
18 capital expenditures, which keeps rates for  
19 everyone down. And it's good for ratepayers  
20 because most have the potential to save money. And  
21 if you don't save money, you can stay on the flat  
22 rate. And I think that's a pretty satisfying thing  
23 for ratepayers.

24 These benefits need clear and  
25 frequent emphasis. The American Public Power

1  
2 Association doing a study about this, reviewed  
3 various implementation programs at various public  
4 power utilities around the country. And they  
5 focused on the Sacramento Utility Ministry, Utility  
6 District, and how they implemented their time of  
7 day rates. And one of the points that they made in  
8 this brief review and study of the SUD (sic)  
9 transition, was that the SUD utility use 60  
10 different means of communicating with ratepayers.

11 You know, from -- and I don't mean  
12 to be silly about this, but they were very  
13 specific, you know, from print publications to  
14 digital search and display, to billboards and buses  
15 and social media, mail hangers, direct mail, and so  
16 on and so forth. They had a really rich and  
17 thorough program of communication so that people  
18 could understand in a simple and sensible way what  
19 these things involved.

20 Some utilities have taken  
21 advantage and I hope that LIPA could maybe consider  
22 doing this. Some utilities have taken advantage of  
23 smart media data, and have provided shadow bills  
24 highlighting customer usage patterns with  
25 accompanying nudges to help them along. And I

1  
2 think using shadow bills may be something to think  
3 about, particularly for customers that opt out,  
4 because we don't want people opting out because the  
5 -- I think for the obvious reasons. So how do we  
6 nudge those people to be more aware and maybe that  
7 kind of shadow them. And again, it's being done  
8 elsewhere, so it's obviously something that can be  
9 looked at and must be thought about.

10 I'll conclude really quickly. I  
11 know that LIPA PSEG has been planning for this  
12 transition. It's been discussed at length at LIPA  
13 Board meetings. I hope and I anticipate that its  
14 rollout will be absolutely ratepayer-friendly, and  
15 not a source of frustration and irritation.  
16 Communication and education are crucial, LIPA and  
17 PSEG need to avoid mistakes. And we know that lots  
18 of ratepayers, we're watching all this, so we need  
19 to do it really well, all this. So thank you very  
20 much for your time, and keep up the good work on  
21 this particular area. Thank you.

22 MR. WAI: Thank you.

23 At this time, we don't have any  
24 members from public in the room except --

25 MALE VOICE 1: (Unintelligible).



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MR. WAI: Right. Do we have anyone in the Zoom?

MALE VOICE: No.  
(Unintelligible).

MR. WAI: So at this time, I'm going to close the -- I'm going to close the record for now and probably wait for a little bit, and we have -- so it's at 6:11, so we'll wait until 6:30, see if anybody will come. I'm going to close the record.

(A recess was taken.)

MR. WAI: Okay. We're back on the record now. The time is 6:30 p.m., there are no members from public in the room. There are no members from the public in the Zoom. I am going to close the record. Thanks.

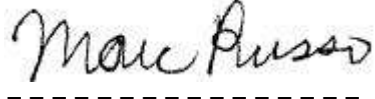
(Whereupon, at 6:30 p.m., the meeting proceeding was adjourned.)

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STATE OF NEW YORK )  
SS.  
COUNTY OF NEW YORK )

I, MARC RUSSO, a Shorthand  
(Stenotype) Reporter and Notary Public within and  
for the State of New York, do hereby certify that  
the foregoing pages 1 through 12, taken at the time  
and place aforesaid, is a true and correct  
transcription of my shorthand notes.

IN WITNESS WHEREOF, I have  
hereunto set my name this 6th day of May, 2024.



-----  
MARC RUSSO

Concordance

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May, 2024.  
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LONG ISLAND POWER AUTHORITY

-----X

PUBLIC HEARING RE: May 2024 Tariff Changes

-----X

H. Lee Dennison Bldg  
100 Veterans Memorial Hwy -  
Hauppauge, NY 11788

April 29th, 2024  
10:00 a.m.

B E F O R E:

WILLIAM WAI,  
Director of Rates, LIPA



1

2     A P P E A R A N C E S:

3     FOR LIPA

4     William Wai, Director of Rates

5     Other LIPA officials

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8     Marc Russo, Stenographer

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P R O C E E D I N G S

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MR. WAI: Okay. We're into the record now. I think it's 10 o'clock in my clock. Good morning. Welcome to this morning's public hearing of the Long Island Power Authority.

My name is William Wai, I'll be the presiding officer for this hearing this morning.

The purpose of this hearing is to receive public comments regarding the proposed changes to the Authority tariff on four topics. Copy of the Tariffs Proposals are available on the Authority's website, [www.lipower.org](http://www.lipower.org), and I'll incorporate into the record for this morning.

The procedure for this morning's public hearing is very simple. In a moment, I'll provide a short overview of the proposal, and I'm going to call for comments from the public from the sign-up sheet. When you are called to speak, please come sit at the table with the -- and start by telling us your name, and whether you're speaking on behalf of any organization or group.

If you wish to speak this morning and have not signed in yet, you need to do so

1

2 before speaking. Please note that the purpose of  
3 this hearing is to receive your comments. I will  
4 not be responding to any questions in comments  
5 today. Your comments will be relayed to the  
6 Authority staff and the Board of Trustees for their  
7 consideration in the next Board meeting.

8 Now, it's to the proposal. There  
9 are four topics this time. The first one is on TOD  
10 bill protection. Again, TOD bill protection  
11 guarantees a TOD customer will not pay more than  
12 the bill amount otherwise under the Flat Rate, 180,  
13 for up to 12 months after the customer's first  
14 enrollment.

15 The proposed change is to clarify  
16 the TOD bill protection is:

17 Applicable to existing Rate 180  
18 customers that are migrated or voluntarily switch  
19 to the TOD program rate 194 or 195. And the bill  
20 protection is also applicable to new non-heating  
21 residential customers, assigned or requesting  
22 enrollment in the TOD program. The bill protection  
23 is not applicable to existing customers in rate  
24 480, 481, 580, 580, 181, 182, 184, 188, 190, 191,  
25 192, and 193.

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The second; to align the Authorities at community choice aggregation of the Long Island Choice Program with the recent orders by the New York State Public Service Commission, including one, CCA administrators must be authorized by the Commission;

Two, CCA administrators must provide proof that the municipality exercised its municipal home rule law, and it added a local law to implement a CCA program or submission of the agreement or memorandum of understanding between the administrator in the municipality;

Three, no charge for the release of the customer data;

Four, refine the type of data to be disclosed;

Fifth and the final one, established process for resolving this bill between LIPA, CCA administrators and energy service entities.

The third proposal is to incorporate two new and more efficient LED lighting fixtures into the dusk-to-dawn program and outdoor area lighting services with equipment owned,

1

2 operated and maintained by LIPA. There are no  
3 change to the existing customer's monthly base  
4 charge for the LED fixtures.

5

The energy consumption is  
6 approximately 15 percent less for these new  
7 fixtures, compared to the existing ones.

8

And lastly, the fourth is to  
9 remove Good Friday as a PSEG Long Island holiday.  
10 And again, PSEG Long Island holidays are applicable  
11 to charges for special meter readings under the  
12 Long Island Choice Program, and to the distribution  
13 Load Relief events that might be called under the  
14 Dynamic Load Management Program.

15

So, those are the topics for this  
16 morning's discussion. I am now going to open the  
17 floor for a public comment.

18

Hearing no comment, now it is  
19 10:05, I'll close the record in -- we shall wait  
20 for 10 to 15 minutes. We'll close the record now  
21 and see if anybody will show up.

22

(A recess was taken.)

23

MR. WAI: Now, let's get back on  
24 the record. It's now 10:31, and so far, we have  
25 one person from the public named Jamie Carroll.

1

2 She has no comment, and we don't have anybody else  
3 in the room right now from the public. So I'm  
4 going to close the record. Thank you.

5 (Whereupon, at 10:45 a.m., the  
6 meeting proceeding was adjourned.)

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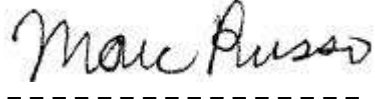
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STATE OF NEW YORK )  
SS.  
COUNTY OF NEW YORK )

I, MARC RUSSO, a Shorthand  
(Stenotype) Reporter and Notary Public within and  
for the State of New York, do hereby certify that  
the foregoing pages 1 through 8, taken at the time  
and place aforesaid, is a true and correct  
transcription of my shorthand notes.

IN WITNESS WHEREOF, I have  
hereunto set my name this 3rd day of May, 2024.



-----  
MARC RUSSO

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