

POWER AUTHORITY OF THE STATE OF THE STATE OF NEW YORK

**ANNUAL REPORT TO THE GOVERNOR AND LEGISLATIVE LEADERS
PURSUANT TO PUBLIC AUTHORITIES LAW §§ 1005(9-A), (26) AND (27)**

Power Authority of the State of New York

Justin E. Driscoll, President and Chief Executive Officer

John R. Koelmel, Chair

Michael J. Cusick

Cecily L. Morris

Laurie Wheelock

Lewis M. Warren, Jr.

Dennis G. Trainor

Bethaida Gonzalez

January 2024

INTRODUCTION

This annual report is submitted to the Governor and legislative leaders for the purpose of reporting on the activities of the New York Power Authority (“NYPA”) regarding the implementation of subdivisions 9-a, 26 and 27 of section 1005 of the Public Authorities Law (“PAL”). These provisions were added to the PAL by Chapter 58 of the Laws of the 2019 (“Chapter 58”) and became effective on April 12, 2019 (the “Effective Date”).

This annual report covers the period from the Effective Date through December 31, 2023.¹

PAL § 1005(9-a)

PAL § 1005(9-a) authorizes NYPA to “design, finance, develop, construct, install, lease, operate and maintain electric vehicle charging stations throughout the state for use by the public.”

NYPA’s initial implementation work, undertaken primarily in 2019, focused on the following activities:

- planning, including identifying appropriate locations for electric vehicle (“EV”) charging stations, based on such considerations as priority corridors, traffic patterns, proximity to key exits/intersections, hours of operation and available amenities;
- engaging with landowners of prospective site hosts;
- preparation of documents, such as host site agreements, insurance, permits and utility interconnection forms; and
- securing appropriate contracts with third-party vendors for construction, management and other services.

¹ Copies of these statutory provisions are provided in an appendix to this report. PAL § 1005(9-a) requires that the information specified therein be reported on NYPA’s website. NYPA has included such information in this report for the sake of completeness.

Subsequently, NYPA commenced construction of EV charging stations under Section 1005(9-a). To date, NYPA has executed contracts providing for the installation of 184 EV charging stations. As of December 31, 2023, 156 chargers at 40 sites are operating. The following table provides a summary of information relating to the operational EV charging sites.

Host Site	Address	Number of Chargers
Amsterdam DRI	28 Church St., Amsterdam, NY 12010	2
Quackenbush	25 Orange Street, Albany, NY 12207	4
Bath	16 E. William St., Bath, NY 14810	4
Binghamton Downtown	33 S. Washington St., Binghamton, NY 13903	4
Bridgehampton	99 School St., Bridgehampton, NY 11932	4
Castle Creek	1165 Castle Creek Rd., Castle Creek, NY 13744	4
Clifton Park	1740 U.S. Rt. 9, Clifton Park, NY 12065	4
Commack	68 Commack Rd., Commack, NY 11725	4
Copiague	1149 Sunrise Hwy, Copiague, NY 11726	4
Fairport	50 S. Main St., Fairport, NY 14450	2
Geneva DRI	83 Seneca St., Geneva, NY 14456	2
Goldens Bridge	22 NY-138 Goldens Bridge, NY 10526	6
Hancock	661 West Main St., Hancock, NY 13783	8
JFK Public Chargers	JFK Airport: Cell Phone Lot, Jamaica, NY 11430	10
Keene	10857 NYS Rt. 9N, Keene, NY 12942	4
Kingston	451 Washington Ave, Kingston, NY 12401	4
Lagrangeville	16 John J Wagner Way, Lagrangeville, NY 12540	4
Latham	204 Wade Rd. Extension, Latham, NY 12110,	4
Liberty	1935 NY-52, Liberty, NY 12754	4
Malone	355 W. Main St., Malone, NY 12953	1
Middletown	14-16 South St., Middletown, NY 10940	2
Moreau	1311 Saratoga Rd., Gansevoort, NY 12831	4
Niagara Falls	7202 Niagara Falls Blvd., Niagara Falls, NY 14304	4
Olean	2501 W. State St, Olean, NY 14760	4

Oneonta	4968 NY Rt. 23, Oneonta, NY 13820	4
Oswego	93 W. 2nd St., Oswego, NY 13126	2
Plattsburgh	29 Consumer Square, Plattsburgh, NY 12901	4
Potsdam	26 Maple St., Potsdam NY 13676	4
Richmondville	1168 NY-7, Richmondville, NY 12149	4
Riverhead	205 East Ave., Riverhead, NY 11901	4
Salamanca	768 Broad St., Salamanca, NY 14779	4
Saratoga Springs	1311 Saratoga Rd. Gansevoort, NY 12831	4
Schodack	1811 Columbia Turnpike, Castleton-On-Hudson, NY 12033	4
Schroon Lake	1567 U.S. Rt. 9, Schroon Lake, NY 12870	4
Syracuse North	414 7th North Street, Syracuse, NY	3
Syracuse South	415 E. Brighton Ave., Syracuse, NY 13210	4
Preble	7073 NY-281, Tully, NY 13159	4
Watertown	1290 Arsenal St., Lot 3, Watertown, NY 13601	4
Utica	801 Union St., Utica, NY 13501	2
Victor	400 Commerce Dr., Victor, NY 14564	4

Approximately 212 additional chargers to be located at sites throughout the state are either under construction or in the pre-construction planning stage. NYPA expects the majority of these chargers to become operational in 2024 and 2025.

The 2023 capital expenditure for both charging stations in operation, under construction, or in the pre-construction planning, is \$17.17 million, and the cumulative spending since the inception of the program is approximately \$35.84 million.

NYPA maintains additional information and a map of its EV charging station deployment progress on its website at www.nypa.gov/evolveny.

PAL § 1005(26)

PAL § 1005(26) provides in pertinent part that NYPA, as deemed feasible and advisable by the trustees, is authorized to “plan, finance, construct, acquire, operate, improve and maintain, either alone or jointly with one or more other entities, transmission facilities for the purpose of transmitting power and energy generated by renewable wind energy generation projects that are located in state territorial waters, and/or in waters under the jurisdiction or regulation of the United States....”

In connection with PAL § 1005(26), NYPA is currently developing a transmission project and additional options to support the development of transmission assets to connect offshore wind to the New York State transmission grid. These projects are the Propel NY project and proposals being made in response to the NYISO’s New York City Public Policy Transmission Need (“PPTN”) process, both of which are described below in more detail.

The New York State Climate Leadership and Community Protection Act (“CLCPA”), enacted July 18, 2019, codified in law the state’s target to install 9,000 megawatts of offshore wind by 2035. Since the CLCPA enactment, the PSC has identified, in two separate orders (March 19, 2021 and June 22, 2023), that the law constitutes a Public Policy Requirement driving the need for bulk transmission to service offshore wind generation off the coast of New York City and Long Island. These two transmission needs are the Long Island (LI) PPTN and New York City (NYC) PPTN.

In response to the PSC’s March 19, 2021 order, the NYISO issued a request for solutions (“RFS”) on August 12, 2021 calling for transmission proposals to upgrade transmission facilities on Long Island and accommodate at least 3,000 megawatts of anticipated offshore wind, while

also installing at least one new connection between Long Island and the rest of New York State and upgrading the transmission backbone on Long Island. On October 11, 2021, the New York Power Authority, collaborating with New York Transco, responded to NYISO's RFS by submitting the Propel NY Energy solutions to deliver offshore wind to high-demand areas that predominately rely on fossil-fuel generation resources. On June 13, 2023, after an extensive project analysis of all potential proposals, the NYISO Board of Directors selected Propel NY's Alternative Solution 5 as the more efficient or cost-effective solution to address the Long Island PPTN. Key project components of the Propel NY project include new and upgraded substations, new underground and submarine transmission lines connecting Long Island with the rest of New York State, and a 345 kV transmission backbone across western/central Long Island. The project will provide greater access to diverse and efficient renewable generation resources and additional flexibility to the grid under a wide range of operating conditions. The project is expected to be in-service during the year 2030. In addition to the Propel NY project, the New York Power Authority elected to construct own and operate the transmission upgrades at the East Garden City substation that were identified by the NYISO in connection with this project.

On June 22, 2023, the PSC issued a second order in which the PSC determined that the CLCPA constitutes as a Public Policy Requirement driving the need for additional transmission facilities to deliver the output of offshore wind generating resources to New York City interconnection points. The June 2023 order directs the NYISO, consistent with their Open Access Transmission Tariff ("OATT"), to call for solutions that can accommodate the full output of at least 4,770 MW of incremental offshore wind to be in service by January 1, 2033, and include the ability to undertake future expansion to increase deliverability of up to 8,000 MW of offshore wind. The NYISO is in the process of conducting baseline analysis and it is anticipated will issue

a RFS the first quarter of 2024. The New York Power Authority continues to be engaged with NYISO and other stakeholders throughout the baseline development process, and anticipates responding to the NYISO RFS as a Qualified Developer. It is anticipated that the NYISO will select a project in early 2025 after an extensive evaluation of all responses to the RFS.

PAL § 1005(27)

PAL § 1005(27) authorizes NYPA to, among other things, procure and sell market power and renewable power to NYPA customers, public entities and Community Choice Aggregation communities.

In 2020, following enactment of Chapter 58, NYPA focused on: (1) stakeholder outreach with entities who are eligible to purchase energy products from NYPA (“Eligible Entities”) to gain an understanding of the energy needs and expectations of Eligible Entities and associated opportunities for NYPA to address other energy needs of Eligible Entities (*e.g.*, energy efficiency and management); (2) market analyses, including potential sources of market and renewable energy supplies to serve potential new customers, and assessments of power usage by building type; (3) development of potential product offerings, focusing on such issues as energy products, potential allocation processes, cost and price analyses, risk assessments, procurement processes, and the availability of renewable energy products; and (4) design of tariff and contract forms that would be used for power sales.

In 2023, NYPA focused on efforts to proactively educate and sell market power to eligible entities under PAL 1005(27).

The following table describes the status of allocations made by NYPA under the market power program as of 2023.

Entity	Market Power Allocation/Contract Status	Estimated Market Power Allocation (MW)
Bausch + Lomb Corp	Contract executed – Active	2.10
City of Albany NY	Contract executed – Active	1.12
City of Albany NY (Extension)	Awaiting contract execution	1.26
County of Schoharie NY	Contract executed – Active	0.70
County of Schoharie NY	Contract executed – Active	0.20
County of Tompkins NY	Contract executed – Active	0.20
Genesee Community College	Contract executed – Active	1.10
Manitoba Corporation	Contract executed – Active	0.002
New York Law School	Contract executed – Active	0.60
New York State ORDA - Whiteface (extension)	Contract executed – Active	0.40
New York State ORDA - Belleayre (extension)	Contract executed – Active	0.10
Nova Bus, Inc.	Contract executed – Active	0.10
Perrigo New York, Inc.	Contract executed – Active	2.10
Town of Colonie NY	Contract executed – Active	2.30
Town of New Paltz (extension)	Contract executed – Active	0.10
Town of Thompson NY	Contract executed – Active	0.50
Vikings Industries, Inc.	Contract executed – Active	0.20
Village of New Paltz NY (extension)	Contract executed – Active	0.30

APPENDIX

The authority is authorized and directed:

9-a. As deemed feasible and advisable by the trustees, to design, finance, develop, construct, install, lease, operate and maintain electric vehicle charging stations throughout the state for use by the public. The authority shall annually post on their website a report on those activities undertaken pursuant to this subdivision, including but not limited to: the total number of electric vehicle charging stations in operation pursuant to such authorization, the locations of such charging stations, and the total costs to the authority associated with such activities.

26. (a) As deemed feasible and advisable by the trustees, to plan, finance, construct, acquire, operate, improve and maintain, either alone or jointly with one or more other entities, transmission facilities for the purpose of transmitting power and energy generated by renewable wind energy generation projects that are located in state territorial waters, and/or in waters under the jurisdiction or regulation of the United States, which supplies electric power and energy to the state of New York that the authority deems necessary and desirable in order to: (i) provide, support and maintain an adequate and reliable supply of electric power and energy in the state of New York, and/or (ii) assist the state in meeting state energy-related goals and standards.

(b) The source of any financing and/or loans provided by the authority for any of the actions authorized in paragraph (a) of this subdivision may be the proceeds of notes issued pursuant to section one thousand nine-a of this title, the proceeds of bonds issued pursuant to section one thousand ten of this title, or any other available authority funds.

(c) The authority shall complete and submit a report, on or before January thirty-first, two thousand twenty, and annually thereafter, on those activities undertaken pursuant to this subdivision to the governor, the speaker of the assembly, the temporary president of the senate, the minority leader of the senate, the minority leader of the assembly, the chair of the senate finance committee, the chair of the assembly ways and means committee, the chair of the assembly energy committee, and the chair of the senate energy and telecommunications committee. Such report shall be posted on the authority's website and accessible for public review.

27. (a) Notwithstanding any other provision of this title, as deemed feasible and advisable by the trustees, the authority is authorized to undertake the following actions when it deems it necessary or desirable to address the energy-related needs of any (i) authority customer, (ii) public entity, or (iii) CCA community:

(1) (A) supply power and energy procured from competitive market sources to any (i) authority customer, (ii) public entity, or (iii) CCA community through the supply of such products through an energy services company or other entity that is authorized by the public service commission to procure and sell energy products to participants of a CCA program, provided, however, that the authority shall not supply at any point more than a total of four hundred megawatts of power and energy to authority customers and public entities pursuant to the authority of this clause;

(B) supply renewable power, energy, or related credits or attributes procured through a competitive process, from competitive market sources, or through negotiation when a competitive procurement is not reasonably feasible and such products can be procured on reasonably competitive terms to (i) any authority customer, (ii) any public entity, or (iii) any CCA community through the supply of such products through an energy services company or other entity that is authorized by the public service commission to procure and sell energy products to participants of a CCA program; and

(2) (A) alone or jointly with one or more other entities, finance the development of renewable energy generating projects that are located in the state, including its territorial waters, and/or on property or in waters under the jurisdiction or regulatory authority of the United States, (B) purchase power, energy or related credits or attributes produced from such renewable energy generating projects, and (C) allocate and sell any such products to (i) any authority customer, (ii) any public entity, and (iii) any CCA community through an energy services company or other entity that is authorized by the public service commission to procure and sell energy products to participants of a CCA program, provided that the authority shall not, pursuant to the authority in this subparagraph, finance more than six renewable energy generation projects and have a per-project electric generating capacity in excess of twenty-five megawatts.

(b) Nothing in this subdivision authorizes the authority to act as an energy supply company or administrator for CCA programs.

(c) Power and energy sold pursuant to the authority provided in paragraph (a) of this subdivision shall only be sold for use at facilities located in the state.

(d) Any public entity is hereby authorized to contract with the authority for the purchase of power, energy, or related credits or attributes which the authority is authorized to supply under paragraph (a) of this subdivision.

(e) The source of any financing and/or loans provided by the authority for any of the actions authorized in paragraph (a) of this subdivision may be the proceeds of notes issued pursuant to section one thousand nine-a of this title, the proceeds of bonds issued pursuant to section one thousand ten of this title, or any other available authority funds.

(f) The authority shall complete and submit a report, on or before January thirty-first, two thousand twenty, and annually thereafter on those actions undertaken pursuant to this subdivision to the governor, the speaker of the assembly, the temporary president of the senate, the chair of the assembly ways and means committee, the chair of the senate finance committee, the chair of

the assembly energy committee and the chair of the senate energy and telecommunications committee. Such report, at a minimum, shall include: (i) an accounting of the total amount of power, energy, and related credits and attributes procured from competitive market sources and supplied to authority customers, public entities, and CCA communities; (ii) an accounting of the total amount of renewable power, energy, and related credits and attributes procured through negotiation and supplied to authority customers, public entities, and CCA communities; (iii) a description of all renewable energy generating projects financed by the authority, including the aggregate amount of financing; (iv) an accounting of all power, energy, and related credits and attributes purchased by the authority from such projects; and (v) an identification of all public entities, authority customers, and CCA communities to which the authority supplied, allocated or sold any power, energy or related credits or attributes.

(g) For purposes of this subdivision, the following terms shall have the meanings indicated in this paragraph unless the context indicates another meaning or intent:

(i) "Authority customer" means an entity located in the state to which the authority sells or is under contract to sell power or energy under the authority in this title or any other law.

(ii) "CCA community" means one or more municipal corporations located within the state that have provided for the purchase of power, energy, or related credits or other attributes under a CCA program.

(iii) "CCA program" means a community choice aggregation program approved by the public service commission.

(iv) "Public entity" has the meaning ascribed to that term by subparagraph five of paragraph (b) of subdivision seventeen of this section.

(v) "Renewable energy resources" means solar power, wind power, hydroelectric, and any other generation resource authorized by any renewable energy standard adopted by the state for the purpose of implementing any state clean energy standard.

(vi) "Renewable energy generating project" means a project that generates power and energy by means of renewable energy resources, or that stores and supplies power and energy generated by means of renewable energy resources, and includes the construction, installation and/or operation of ancillary facilities or equipment done in connection with any such renewable energy generating projects, provided, however, that such term shall not include the authority's Saint Lawrence hydroelectric project or Niagara hydroelectric project.

(vii) "State" means the state of New York.