



***ECONOMIC DEVELOPMENT POWER
ALLOCATION BOARD***

PROPOSED AGENDA

**Monday, December 10, 2018
Videoconference – 11:30 a.m.**

***New York Power Authority Offices:
123 Main Street, 16th Floor, White Plains, NY
Silver Law Office, 44 Court Street, Canton, NY***

- 1. Adoption of the Proposed Meeting Agenda**
- 2. Adoption of the Minutes of the Meeting of September 26, 2018**
- 3. Adoption of the 2019 Proposed Meeting Schedule**
- 4. Recharge New York Power Program – New Allocations**
- 5. Recharge New York Power Allocation Extensions**
- 6. Extension of the Economic Development Plan**
- 7. Transfer of RNY Power and RNY Hydropower Allocations**

OTHER BUSINESS

- 8. Next Meeting**



NY State Economic Development Power Allocation Board

ANDREW M. CUOMO
Governor

ECONOMIC DEVELOPMENT POWER ALLOCATION BOARD

MINUTES

*September 26, 2018– 10:00 a.m.
Via Videoconference from
Clarence D. Rappleyea Building, White Plains, New York*

***New York Power Authority Offices:
123 Main Street, 16th Floor, White Plains, NY
21 Hawkins Point Rd, Massena, NY (St. Lawrence Visitor's Center)
Hauppauge Center, 150 Motor Parkway, Suite 401, Hauppauge, NY
Silver Law Office, 44 Court Street, Canton, NY***

1. Approval of the September 26, 2018 Proposed Meeting Agenda
2. Approval of the Minutes of the Meeting of August 6, 2018
3. Recharge New York Power Program Allocations

OTHER BUSINESS

4. Next Meeting

A regular meeting of the Economic Development Power Allocation Board was held via videoconference at the following participating locations:

- 1) New York Power Authority, 123 Main Street, White Plains, NY
- 2) New York Power Authority, 21 Hawkins Point Rd, Massena, NY
- 3) Hauppauge Center, 150 Motor Parkway, Suite 401, Hauppauge, NY
- 4) Silver Law Office, 44 Court Street, Canton, NY

The following Members of the Board were present:

Eugene L. Nicandri, Chair
Dennis Trainor, Member
Andrew Silver, Member

Also in attendance were:

Karen Delince	Vice President & Corporate Secretary, NYPA
Keith Hayes	Vice President of Economic Development, NYPA
Gerard McLoughlin	Manager Business Power Allocations & Compliance, NYPA
Timothy Muldoon	Manager - Power Contracts & Tariffs
Yale Brown	Business Power Allocations & Compliance, Analyst II, NYPA
Lorna Johnson	Senior Associate Corporate Secretary, NYPA

Introduction

Chair Nicandri welcomed members of the Economic Development Power Allocation Board (“EDPAB”), Dennis Trainor and Andrew Silver. He also welcomed Authority senior staff to the meeting. He said that the meeting had been duly noticed as required by the Open Meetings Law and called the meeting to order pursuant to the EDPAB Bylaws, Article III, Section 2.

1. Approval of the Proposed Meeting Agenda

Upon motion made by Member Andrew Silver and seconded by Member Dennis Trainor, the Agenda for the September 26, 2018 meeting was adopted.

Chair Eugene Nicandri and Members Dennis Trainor and Andrew Silver declared no conflicts of interest based on the list of entities being considered for power allocations.

2. **Approval of the Minutes**

Upon motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the Minutes of the Meeting held on August 6, 2018 were unanimously approved.

3. Recharge New York Power Program Allocations

SUMMARY

The Economic Development Power Allocation Board (“EDPAB” or “Board”) is requested to recommend that the New York Power Authority (“Authority” or “NYPA”) Trustees (“Trustees”) extend each of the existing 180 allocations of Recharge New York (“RNY”) Power (“Allocation” or collectively “Allocations”) awarded to the businesses listed in Exhibit “A” for a term of seven (7) years, to commence (1) on the expiration of each such Allocation, or (2) in the Authority’s discretion, on a date to be agreed upon by the parties for a term not to exceed 7 years (collectively, the “Extended Term”).

The Board is further requested to recommend that, in addition to any other terms and conditions that the Authority determines in its discretion to be appropriate for the sale of the Allocations as extended (“Extended Allocation”), such terms and conditions include:

- (1) provisions for effective periodic audits of the customer whose Allocation is extended for the purpose of determining contract and program compliance, and for the partial or complete withdrawal of an Allocation if the holder fails to maintain mutually agreed upon commitments, relating to, among other things, employment levels, power utilization, capital investments, and/or energy efficiency measures;
- (2) a requirement that the customer whose Allocation is extended (a) undertake at its own expense an energy audit of its facilities at which the allocation is consumed at least once during the term of the allocation absent good cause, and (b) provide the Authority with a copy of any such audit or, at the authority's option, a report describing the results of such audit, and provide documentation requested by the Authority relating to the implementation of any efficiency measures at the facilities; and
- (3) an agreement by the customer whose Allocation is extended to make its facilities available for energy audits and related assessments that the Authority desires to perform, if any, and provide information requested by the Authority or its designee in surveys, questionnaires and other information requests relating to energy efficiency and energy-related projects, programs and services.

BACKGROUND

On April 14, 2011, Governor Andrew M. Cuomo signed into law the RNY Power Program as part of Chapter 60 (Part CC) of the Laws of 2011. The RNY Power Program is codified primarily in Economic Development Law (“EDL”) § 188-a and Public Authorities Law (“PAL”) § 1005(13-a). The program makes available 910 megawatts (“MW”) of “RNY Power,” 50% of which will be provided by the Authority’s resources and 50% of which will be procured by the Authority from other sources. RNY Power contracts can be for a term of up to seven years in exchange for job and capital investment commitments. RNY Power is available to businesses and not-for-profit corporations for job retention and business expansion and attraction.

“Eligible applicant” is defined by statute to mean an eligible business, eligible small business, or eligible not-for-profit corporation, however, an eligible applicant shall not include retail businesses as defined by EDPAB, including, without limitation, sports venues, gaming or entertainment-related establishments or places of overnight accommodations.

RNY Power allocation awards are comprised of 50% hydropower and 50% Authority-procured market power. Prior to entering into a contract with an eligible applicant for the sale of RNY power, and prior to the provision of electric service relating to the RNY power allocation, the Authority shall offer each eligible applicant the option to decline to purchase the RNY market power component of such allocation. If

an eligible applicant declines to purchase the RNY market power component, the Authority has no responsibility for supplying such market power to the eligible applicant.

Under applicable law, applications for RNY Power are first considered by EDPAB. EDPAB is authorized to recommend applicants to the Authority Trustees that it believes should receive an award of RNY Power based on applicable statutory criteria and other pertinent considerations. The statutory criteria are listed in Exhibit "B" to this memorandum. An allocation recommended by EDPAB qualifies the subject applicant to enter into a contract with the Authority for the purchase of the RNY Power if the Authority makes an allocation award.

Currently, there are 743 customers who have been awarded a collective total of 829 Allocations of RNY Power. Of this number, 422 RNY Power allocations are scheduled to expire in 2019 and 199 are scheduled to expire on June 30, 2019. These customers were among the RNY Power applicants to receive RNY Power applications at the inception of the RNY Power program in 2012.

DISCUSSION

To date, the Authority has reviewed applications from 180 RNY Power customers who have filed applications requesting that their existing RNY Power allocations be extended. Exhibit "A" lists, among other things, the name of each such customer, the amount of its current RNY Power Allocation, and its supplemental commitments for jobs and capital investments under its existing RNY Power contract with the Authority (the "Existing Contract").

Staff has analyzed the applications of the RNY Power customers listed on Exhibit "A" and a copy of each application has been made available to the Board. Staff's review has included on a customer-specific basis consideration of such issues as the amount of each Allocation that would be extended, the supplemental commitments that these customers have made under their Existing Contract and are prepared to make as consideration for an extension, and the customer's compliance status under its Existing Contract, including its compliance with supplemental commitments for jobs and capital investments.

Staff has concluded that the businesses listed on Exhibit "A" which are located throughout the State bring valuable benefits to the State. In total, the Allocations listed in Exhibit "A" are supporting the retention of some 60,197 jobs and over \$ \$1.7 billion in capital investments throughout New York State, and the Authority will require customers to commit to the same or substantially similar supplemental commitments for jobs and capital investments that are contained in Exhibit "A" for the Extended Term. Staff believes that an extension of each Allocation of the customers listed on Exhibit "A" is warranted and is consistent with the statutory criteria that are used to evaluate applications for an award of RNY Power which are summarized in Exhibit "B".

In summary, EDL § 188-a (c)(2) provides that a recommendation by the EDPAB that the Authority provide a RNY Power allocation to an eligible applicant shall include: (1) the amount of the RNY Power allocation the Board is recommending should be awarded to such eligible applicant and an effective term of the allocation which shall not exceed seven years; (2) provisions for effective periodic audits of the recipient of an allocation for the purpose of determining contract and program compliance, and for the partial or complete withdrawal of an allocation if the recipient fails to maintain commitments, relating to such things as employment levels, power utilization, capital investments, and/or energy efficiency measures; (3) requirements for an agreement by the recipient of an allocation undertake at its own expense an energy audit of its facilities at which the allocation is consumed modified by the authority on a showing of good cause by the recipient, and that the recipient provide the Authority with a copy of any such audit or a report describing the results of such audit; and (4) a requirement for an agreement by the recipient of an allocation to make its facilities available at reasonable times and intervals for energy audits and related assessments that the authority desires to perform. In addition, the Board's recommendation shall require that if the actual metered load at the facility where the allocation is utilized is less than the allocation, such allocation will be reduced accordingly.

The amount of each Allocation that would be extended is identified in Exhibit "A". As described above, each Allocation would be extended for a term not to exceed 7 years. If EDPAB recommends the extension of the Allocations and the NYPA Trustees accept such recommendations, the sale of the Extended Allocations would be governed by an Authority contract form that is approved by the Authority's Trustees. Consistent with EDL § 188-a (c)(2) discussed above, the contract form will contain provisions addressing such matters as effective periodic audits of the customer for the purpose of determining contract and program compliance, including supplemental commitments for jobs, capital investment and power utilization, and the partial or complete withdrawal of an RNY Power if the recipient fails to maintain mutually agreed upon commitments relating to among other things the aforementioned supplemental commitments. In addition, the contract will require that the customer perform an energy efficiency audit at its facility and provide access to the facility at the Authority's request.

RECOMMENDATION

For the reasons stated above, staff recommends that EDPAB:

1. Recommend to the NYPA Trustees that each of the existing 180 Allocations of RNY Power awarded to the businesses listed in Exhibit "A" be extended for a term of seven (7) years, to commence on the expiration of such Allocation, or at the Authority's discretion on a date to be agreed upon by the parties for a term not to exceed 7 years.
2. Recommend to the NYPA Trustees that, in addition to any other terms and conditions that the Authority determines in its discretion to be appropriate for the sale of the Extended Allocations, such terms and conditions include:
 - (a) provisions for effective periodic audits of the customer whose Allocation is extended for the purpose of determining contract and program compliance, and for the partial or complete withdrawal of an Allocation if the business fails to maintain mutually agreed upon commitments, including those relating to employment levels, capital investments, power usage and energy efficiency measures;
 - (b) a requirement that the customer whose Allocation is extended undertake at its own expense an energy audit of its facilities at which the allocation is consumed at least once during the term of the allocation absence good cause, and provide the Authority with a copy of any such audit or, at the Authority's option, a report describing the results of such audit, and provide documentation requested by the authority relating to the implementation of any efficiency measures at the facilities; and
 - (c) an agreement by the customer whose Allocation is extended to make its facilities available for energy audits and related assessments that the authority desires to perform, if any, and provide information requested by the Authority or its designee in surveys, questionnaires and other information requests relating to energy efficiency and energy-related projects, programs and services.

The following resolution was unanimously adopted by members of the Board present.

RESOLVED, That the Economic Development Power Allocation Board (“Board”) approves that the Board of Trustees (“Trustees”) of the Power Authority of the State of New York (“Authority”) extend each of the existing 180 allocations of Recharge New York (“RNY”) Power (“Allocation” or collectively “Allocations”) awarded to the businesses listed in Exhibit “A” to the attached memorandum of the Vice President-Economic Development for a term of seven (7) years, to commence (1) on the expiration of each such Allocation, or (2) at the Authority’s discretion on a date to be agreed upon by the Authority and the customer for a term not to exceed seven (7) years (the “Extended Term”); and be it further

RESOLVED, That the Board further approves that in addition to any other terms and conditions that the Authority determines in its discretion to be appropriate for the sale of the Allocations as extended (“Extended Allocations”), such terms and conditions include:

- (1) provisions for effective periodic audits of the customer whose Allocation is extended for the purpose of determining contract and RNY Power program compliance, and for the partial or complete withdrawal of an Extended Allocation if the customer fails to maintain mutually agreed upon commitments, including specifically commitments relating to, among other things, employment levels, power utilization, capital investments, and/or energy efficiency measures;
- (2) a requirement that the customer whose Allocation is extended (a) undertake at its own expense an energy audit of its facilities at which the Extended Allocation would be consumed at least once during the term of the Extended Allocation absence good cause as determined by the Authority, and (b) provide the Authority with a copy of any such audit or, at the Authority's option, a report describing the results of such audit, and provide documentation requested by the authority relating to the implementation of any efficiency measures at the facilities; and

- (3) an agreement by the customer whose Allocation is extended to make its facilities available for audits and related assessments that the authority desires to perform, if any, and provide information requested by the authority or its designee in surveys, questionnaires and other information requests relating to energy efficiency and energy-related projects, programs and services.

Chair Nicandri invited Mr. Keith Hayes, Vice President of Economic Development to present the Recharge New York Power (“RNY”) Program item to the Board.

Mr. Hayes said staff is requesting that EDPAB recommend that the Authority’s Trustees approve the extension of each of the existing 180 allocations of Recharge New York (“RNY”) Power (“Allocation or collectively “Allocations”) listed in Exhibit “A” for a term of seven (7) years, to commence on the expiration of each such Allocation, or at the Authority’s discretion on a date to be agreed upon by the Authority and the customer for a term not to exceed seven (7) years.

Upon motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the Recharge New York Power Program allocations, as recommended by staff, were approved by the Board.

Retention-Based Allocations

Line	Company	City	County	Economic Development Region	IOU	Description	Current kW Amount	kW Recommendation	Job Commitments	Capital Investment Commitment (\$)	Contract Term (years)
1	3M Company	Tonawanda	Erie	Western New York	NGRID	Manufacturer of cellulose sponges	1,750	1,750	349	\$35,000,000	7
2	Adirondack Beverages Corp.	Scotia	Schenectady	Capital District	NGRID	Beverage manufacturer & distributor	1,060	1,060	292	\$11,000,000	7
3	Air Techniques, Inc.	Melville	Suffolk	Long Island	LIPA	Manufacturer of dental products	330	330	195	\$6,500,000	7
4	Albany Molecular Research, Inc.	Rensselaer	Rensselaer	Capital District	NGRID	Pharmaceutical research organization	1,810	1,810	280	\$25,000,000	7
5	Albany Molecular Research, Inc.	Rensselaer	Rensselaer	Capital District	NGRID	Pharmaceutical research organization	136	136	19	\$500,000	7
6	Albany Molecular Research, Inc.	Albany	Albany	Capital District	NGRID	Pharmaceutical research organization	1,280	1,280	321	\$7,500,000	7
7	Albert Einstein College of Medicine, Inc.	Bronx	Bronx	New York City	CONED	Medical college	1,320	1,320	1,800	\$30,000,000	7
8	Allied Frozen Storage, Inc.	Cheektowaga	Erie	Western New York	NGRID	Frozen food storage facility	240	240	31	\$1,000,000	7
9	American Rock Salt Company LLC	Mt. Morris	Livingston	Finger Lakes	RGE	Distributor of rock salt	2,250	2,250	225	\$25,000,000	7
10	Anchor Glass Container Corporation	Elmira	Chemung	Southern Tier	NYSEG	Manufacturer of glass containers	6,630	6,630	239	\$44,000,000	7
11	Angion Biomedica Corp.	Uniondale	Nassau	Long Island	LIPA	Biopharmaceutical research & development	130	130	7	\$2,500,000	7
12	Anheuser-Busch, LLC	Baldwinsville	Onondaga	Central New York	NGRID	Manufacturer & distributor of malt beverages	8,090	8,090	384	\$13,500,000	7
13	Arch Chemicals, Inc.	Rochester	Monroe	Finger Lakes	RGE	Manufacturer of microbial control products	1,240	1,240	165	\$60,000,000	7
14	Ascension Industries Inc.	North Tonawanda	Niagara	Western New York	NGRID	Manufacturer of filtration equipment	76	76	125	\$1,000,000	7
15	Aurubis Buffalo, Inc.	Buffalo	Erie	Western New York	NGRID	Manufacturer of copper & brass strips	1,750	1,750	640	\$33,000,000	7
16	BAE Systems Information and Electronic Systems Integration Inc.	Greenlawn	Suffolk	Long Island	LIPA	Develops surveillance systems for military intelligence	1,250	1,250	600	\$11,000,000	7
17	Barnes & Noble, Inc.	Westbury	Nassau	Long Island	LIPA	Business center for bookstore retailer	670	670	184	\$83,000,000	7
18	Bestway Enterprises Inc.	Cortland	Cortland	Central New York	NGRID	Lumber treater & building products distributor	70	70	40	\$250,000	7
19	Blasch Precision Ceramics, Inc.	Albany	Albany	Capital District	NGRID	Manufacturer of ceramic & refractory components	246	246	102	\$3,000,000	7
20	BorgWarner Ithaca LLC	Ithaca	Tompkins	Southern Tier	NYSEG	Manufacturer of automotive components	3,500	3,500	1,200	\$76,200,000	7
21	Broadridge Investor Communication Solutions, Inc.	Edgewood	Suffolk	Long Island	LIPA	Technology-driven financial solutions	2,400	2,400	1,713	\$30,677,200	7
22	Bronx-Lebanon Hospital Center	Bronx	Bronx	New York City	CONED	Hospital & healthcare center	2,146	2,146	1,065	\$1,027,614	7
23	Bronx-Lebanon Hospital Center	Bronx	Bronx	New York City	CONED	Hospital & healthcare center	2,146	2,146	2,713	\$10,264,057	7
24	Cascades Containerboard Packaging - New York City Inc.	Mechanicville	Saratoga	Capital District	NYSEG	Manufacturer of tissue paper	2,070	2,070	36	\$1,325,500	7

25	Cascades Containerboard Packaging - Niagara Falls Inc.	Niagara Falls	Niagara	Western New York	NGRID	Manufacturer of corrugated paper	2,990	2,990	137	\$11,000,000	7
26	Clarkson University	Potsdam	St. Lawrence	North Country	NGRID	Institution of higher education	1,466	1,466	784	\$35,000,000	7
27	Cliffstar LLC	Dunkirk	Chautauqua	Western New York	NGRID	Producer of private label juices & drinks	1,000	1,000	400	\$10,000,000	7
28	Codino's Foods, Inc.	Scotia	Schenectady	Capital District	NGRID	Manufacturer of frozen pasta products	310	310	35	\$300,000	7
29	Commitment 2000, Inc.	Buffalo	Erie	Western New York	NGRID	Manufacturer of flour tortillas & flat breads	126	126	78	\$750,000	7
30	Commodore Plastics, LLC	Bloomfield	Ontario	Finger Lakes	RGE	Manufacturer of foam packaging products	550	550	168	\$2,000,000	7
31	ConMed Corporation	Utica	Oneida	Mohawk Valley	NGRID	Manufacturer of surgical & medical instruments	1,440	1,440	556	\$4,000,000	7
32	Cooper Power Systems, LLC	Olean	Cattaraugus	Western New York	NGRID	Manufacturer of surge arrester products	620	620	120	\$7,000,000	7
33	Corelle Brands LLC	Corning	Steuben	Southern Tier	NYSEG	Manufacturer of kitchenware products	6,000	6,000	450	\$7,000,000	7
34	Currier Plastics, Inc	Auburn	Cayuga	Central New York	NYSEG	Manufacturer of plastic molded products	930	930	150	\$1,250,000	7
35	Dayton T. Brown, Inc.	Bohemia	Suffolk	Long Island	LIPA	Independent engineering & testing laboratory	100	100	170	\$3,000,000	7
36	Delphi Automotive Systems, LLC	West Henrietta	Monroe	Finger Lakes	RGE	Engineering center for automotive components	1,100	1,100	220	\$7,500,000	7
37	Derrick Corporation	Buffalo	Erie	Western New York	NYSEG	Manufacturer of separation technologies	960	960	420	\$10,000,000	7
38	Disc Graphics, Inc.	Hauppauge	Suffolk	Long Island	LIPA	Commercial printing & packaging services	650	650	150	\$5,000,000	7
39	Diversified Manufacturing, Inc.	Lockport	Niagara	Western New York	NYSEG	Manufacturer of industrial equipment	196	196	99	\$375,000	7
40	Dynabrade, Inc.	Clarence	Erie	Western New York	NYSEG	Manufacturer of abrasive power tools	176	176	160	\$1,500,000	7
41	Eastern Forest Products, Inc.	Cobleskill	Schoharie	Mohawk Valley	NGRID	Manufacturer of finger joint boards	176	176	85	\$250,000	7
42	Eastern Niagara Hospital, Inc.	Lockport	Niagara	Western New York	NYSEG	Hospital & healthcare center	466	466	500	\$8,700,000	7
43	Eastman Machine Company	Buffalo	Erie	Western New York	NGRID	Manufacturer of fabric cutting machines	110	110	50	\$200,000	7
44	EG Industries, Inc.	Rochester	Monroe	Finger Lakes	RGE	Custom injection molder of thermoplastic materials	616	616	200	\$2,000,000	7
45	Empire Merchants, LLC	Long Island City	Queens	New York City	CONED	Wine & spirits distributor	220	220	592	\$250,000	7
46	Empire Merchants, LLC	Brooklyn	Kings	New York City	CONED	Wine & spirits distributor	676	676	535	\$250,000	7
47	Favorite Plastic Corp.	New York	Kings	New York City	CONED	Producer of polyethylene films	346	346	41	\$1,000,000	7
48	Felix Schoeller North America Inc.	Pulaski	Oswego	Central New York	NGRID	Digital imaging converting facility	506	506	200	\$850,000	7
49	Fieldbrook Foods Corporation	Dunkirk	Chautauqua	Western New York	NGRID	Manufacturer of ice cream products	780	780	550	\$20,000,000	7
50	Fitzpatrick and Weller, Inc.	Ellicottville	Cattaraugus	Western New York	NGRID	Manufacturer of lumber & wood components	476	476	98	\$1,952,000	7
51	Flexible Business Systems, Inc.	Hauppauge	Suffolk	Long Island	LIPA	IT support & technology consulting	46	46	15	\$6,000,000	7
52	Flower City Printing, Inc.	Rochester	Monroe	Finger Lakes	RGE	Commercial printing services	596	596	217	\$4,000,000	7
53	G & L Davis Meat Co., Inc.	North Syracuse	Onondaga	Central New York	NGRID	Manufacturer of sausages	140	140	100	\$500,000	7
54	Gary Plastic Packaging Corp.	Bronx	Bronx	New York City	CONED	Manufacturer of plastic boxes	926	926	525	\$100,000	7
55	GCT New York LP	Staten Island	Richmond	New York City	CONED	Marine cargo handling services	220	220	300	\$15,000,000	7
56	GE Aviation Systems LLC	Bohemia	Suffolk	Long Island	LIPA	Manufacturer of power supplies & battery chargers	470	470	250	\$5,000,000	7
57	General Mills Operations, LLC	Buffalo	Erie	Western New York	NGRID	Manufacturer of flour & mill feed products	500	500	94	\$7,500,000	7
58	Ginsberg's Institutional Foods, Inc.	Hudson	Columbia	Capital District	NGRID	Wholesale food distribution	276	276	257	\$1,250,000	7
59	Gorbel, Inc.	Victor	Ontario	Finger Lakes	RGE	Manufacturer of overhead handling solutions	280	280	250	\$350,000	7
60	Graphic Controls Acquisition Corp.	Buffalo	Erie	Western New York	NGRID	Manufacturer of medical devices & consumable products	310	310	275	\$1,400,000	7

61	Great Lakes Cheese of New York, Inc.	Adams	Jefferson	North Country	NGRID	Cheese production plant	950	950	118	\$3,000,000	7
62	Guardian Industries, LLC	Geneva	Ontario	Finger Lakes	NYSEG	Manufacturer of glass products	4,150	4,150	260	\$10,000,000	7
63	GUSC Energy Inc.	Rome	Oneida	Mohawk Valley	NGRID	Business & technology park	6,730	6,730	5,120	\$10,000,000	7
64	Harden Furniture, LLC	McConnellsville	Oneida	Mohawk Valley	NGRID	Manufacturer of residential & commercial furniture	1,250	1,250	175	\$400,000	7
65	Hardinge Inc.	Elmira	Chemung	Southern Tier	NYSEG	Manufacturer of precision machine tools	996	996	385	\$440,000	7
66	HealthAlliance Hospital Broadway Campus	Kingston	Ulster	Mid-Hudson	CHUD	Hospital & healthcare center	260	260	618	\$42,019,285	7
67	Hebeler LLC	Tonawanda	Erie	Western New York	NGRID	Manufacturer of industrial equipment	186	186	100	\$1,000,000	7
68	Henry Schein, Inc.	Melville	Suffolk	Long Island	LIPA	Distributor of dental supplies & equipment	1,040	1,040	1,370	\$4,000,000	7
69	HFW Industries, Incorporated	Buffalo	Erie	Western New York	NGRID	Manufacturer of industrial equipment	150	150	51	\$1,500,000	7
70	Hollowick, inc.	Manlius	Onondaga	Central New York	NGRID	Manufacturer of liquid candle & table lamps	126	126	48	\$2,500,000	7
71	Homogeneous Metals, Inc.	Clayville	Oneida	Mohawk Valley	NGRID	Manufacturer of superalloy metals & powders	340	340	248	\$20,000,000	7
72	HP Hood LLC	Oneida	Madison	Central New York	NGRID	Distributor & producer of dairy products	800	800	210	\$5,000,000	7
73	HP Hood LLC	Arkport	Steuben	Southern Tier	NYSEG	Distributor & producer of dairy products	1,100	1,100	112	\$250,000	7
74	HP Hood LLC	Vernon	Oneida	Mohawk Valley	NGRID	Distributor & producer of dairy products	846	846	95	\$5,000,000	7
75	Huhtamaki, Inc.	Fulton	Oswego	Central New York	NGRID	Conversion of paper to food packaging products	2,060	2,060	440	\$5,000,000	7
76	Imerys Wollastonite USA, LLC	Willsboro	Essex	North Country	NYSEG	Mining, milling, & treatment of Wollastonite mineral	1,400	1,400	70	\$6,000,000	7
77	Inficon, Inc.	East Syracuse	Onondaga	Central New York	NGRID	Manufacturer of technological instruments	250	250	255	\$7,000,000	7
78	International Wire Group, Inc.	Camden	Oneida	Mohawk Valley	NGRID	Manufacturer of various wire products	1,760	1,760	191	\$6,820,000	7
79	International Wire Group, Inc.	Cazenovia	Madison	Central New York	NGRID	Manufacturer of various wire products	90	90	57	\$460,000	7
80	International Wire Group, Inc.	Camden	Oneida	Mohawk Valley	NGRID	Manufacturer of various wire products	1,080	1,080	88	\$4,094,000	7
81	International Wire Group, Inc.	Jordan	Onondaga	Central New York	NYSEG	Manufacturer of various wire products	760	760	60	\$2,500,000	7
82	International Wire Group, Inc.	Camden	Oneida	Mohawk Valley	NGRID	Manufacturer of various wire products	496	496	18	\$520,000	7
83	International Wire Group, Inc.	Rome	Oneida	Mohawk Valley	NGRID	Manufacturer of various wire products	790	790	62	\$1,300,000	7
84	International Wire Group, Inc.	Williamstown	Oswego	Central New York	NGRID	Manufacturer of various wire products	1,100	1,100	159	\$4,182,000	7
85	Intrepid Museum Foundation	New York	New York	New York City	CONED	Military & maritime history museum	290	290	268	\$4,500,000	7

86	Irving Consumer Products, Inc.	Fort Edward	Washington	Capital District	NGRID	Manufacturer of household paper & diaper products	8,000	8,000	336	\$15,000,000	7
87	J H Rhodes Company, Inc.	Vernon	Oneida	Mohawk Valley	NGRID	Manufacturer of surface preparation materials	70	70	40	\$500,000	7
88	J.G.B. Enterprises, Inc.	Liverpool	Onondaga	Central New York	NGRID	Manufacturer of industrial hoses & accessories	120	120	200	\$250,000	7
89	Jamestown Advanced Products Corp.	Jamestown	Chautauqua	Western New York	NGRID	Manufacturer of campground equipment	270	270	70	\$250,000	7
90	John Hassall, LLC	Westbury	Nassau	Long Island	LIPA	Manufacturer of specialty metal fasteners	320	320	78	\$2,200,000	7
91	John T. Mather Memorial Hospital of Port Jefferson, New York, Inc.	Port Jefferson	Suffolk	Long Island	LIPA	Hospital & healthcare center	830	830	1,537	\$20,000,000	7
92	Johnson & Hoffman, LLC	Carle Place	Nassau	Long Island	LIPA	Manufacturer of metal stamping parts	196	196	63	\$1,500,000	7
93	Keymark Corporation	Fonda	Montgomery	Mohawk Valley	NGRID	Fabrication of aluminum extrusions	1,950	1,950	360	\$200,999	7
94	Kilian Manufacturing Corporation	Syracuse	Onondaga	Central New York	NGRID	Manufacturer of bearings & assemblies	266	266	170	\$1,500,000	7
95	Klein Steel Service Inc.	Rochester	Monroe	Finger Lakes	RGE	Metals supplier & processing center	250	250	165	\$3,900,000	7
96	Kraft Heinz Foods Company	Avon	Livingston	Finger Lakes	NGRID	Production of whipped toppings & packaged lunches	2,520	2,520	299	\$10,000,000	7
97	Kraft Heinz Foods Company	Lowville	Lewis	North Country	NGRID	Production of cream cheese products	2,476	2,476	391	\$2,600,000	7
98	Kraft Heinz Foods Company	Walton	Delaware	Southern Tier	NYSEG	Production of sour cream & cottage cheese products	1,210	1,210	100	\$4,000,000	7
99	Kreher's Farm Fresh Eggs, LLC	Clarence	Erie	Western New York	NGRID	Egg farm	276	276	87	\$1,000,000	7
100	Kreher's Sunrise Farm, LLC	Basom (Town of Alabama)	Genesee	Finger Lakes	NGRID	Egg farm	176	176	27	\$3,000,000	7
101	Lafarge North America, Inc.	Ravena	Albany	Capital District	NGRID	Cement manufacturing plant	10,000	10,000	136	\$299,999	7
102	Land O'Lakes, Inc.	Hicksville	Nassau	Long Island	LIPA	Manufacturer of pudding & snack products	810	810	190	\$6,000,000	7
103	Linde LLC	Feura Bush	Albany	Capital District	NGRID	Industrial gas supplier	6,750	6,750	25	\$63,000,000	7
104	Lydall Performance Materials, Inc.	Green Island	Albany	Capital District	NGRID	Manufacturer of insulation & filtration materials	1,340	1,340	80	\$3,000,000	7
105	MACOM Technology Solutions Inc.	Ithaca	Tompkins	Southern Tier	NYSEG	Supplier of indium phosphide lasers	186	186	101	\$5,000,000	7
106	Mahle Industries Incorporated	Amherst	Erie	Western New York	NGRID	Manufacturer of automotive air conditioning compressors	250	250	86	\$5,999,490	7
107	Maines Paper & Food Service, Inc.	Conklin	Broome	Southern Tier	NYSEG	Distribution of food & paper products	610	610	1,050	\$10,000,000	7
108	Margaretville Memorial Hospital	Margaretville	Delaware	Southern Tier	NYSEG	Hospital & healthcare center	40	40	75	\$750,000	7
109	Markin Tubing, LP	Wyoming	Wyoming	Finger Lakes	NGRID	Manufacturer of welded steel tubing	1,100	1,100	110	\$3,000,000	7
110	Matt Industries Inc.	Syracuse	Onondaga	Central New York	NGRID	Commercial printing services	146	146	165	\$2,000,000	7
111	McLane/Eastern, Inc.	Baldwinsville	Onondaga	Central New York	NGRID	Wholesale grocery distribution	416	416	643	\$7,500,000	7
112	Metal Container Corporation	New Windsor	Orange	Mid-Hudson	CHUD	Manufacturer of aluminum cans for beverages	3,500	3,500	180	\$2,500,000	7
113	Midstate Spring, Inc.	Syracuse	Onondaga	Central New York	NGRID	Manufacturer of precision springs & wire	140	140	61	\$500,000	7

114	Modell's II, Inc.	Bronx	Bronx	New York City	CONED	Warehouse & distribution center	216	216	145	\$500,000	7
115	Mod-Pac Corp.	Buffalo	Erie	Western New York	NGRID	Manufacturer of folding cartons	860	860	330	\$10,000,000	7
116	Mohawk Ltd.	Chadwicks	Oneida	Mohawk Valley	NGRID	Electronic repairs & calibration services	46	46	40	\$25,000	7
117	Moog Inc.	Elma	Erie	Western New York	NYSEG	Manufacturer of motion & fluid controls	1,116	1,116	2,549	\$120,000,000	7
118	Mountainside Residential Care Center	Margaretville	Delaware	Southern Tier	NYSEG	Long-term residential care facility	40	40	75	\$750,000	7
119	MPM Silicones, LLC	Waterford	Saratoga	Capital District	NGRID	Manufacturer of silicone & silicone derivatives	10,000	10,000	1,000	\$55,000,000	7
120	Munson Machinery Company, Inc.	Utica	Oneida	Mohawk Valley	NGRID	Manufacturer of size reduction equipment	110	110	30	\$250,000	7
121	Nathan Littauer Hospital Association	Gloversville	Fulton	Mohawk Valley	NGRID	Hospital & healthcare center	330	330	802	\$7,500,000	7
122	National Pipe & Plastics, Inc.	Endicott	Broome	Southern Tier	NYSEG	Manufacturer of pipes & fittings	1,250	1,250	150	\$4,000,000	7
123	Niagara Falls Memorial Medical Center	Niagara Falls	Niagara	Western New York	NGRID	Hospital & medical center	566	566	965	\$6,265,637	7
124	Norlite, LLC	Cohoes	Albany	Capital District	NGRID	Manufacturer of stone aggregate	996	996	65	\$20,000,000	7
125	North Hudson Woodcraft Corporation	Dolgeville	Herkimer	Mohawk Valley	NGRID	Manufacturer of various wood products	280	280	49	\$250,000	7
126	Norwich Pharmaceuticals, Inc.	Norwich	Chenango	Southern Tier	NYSEG	Manufacturer of pharmaceutical products	450	450	300	\$25,000,000	7
127	NYSE Holdings LLC	New York City	New York	New York City	CONED	Operation of various stock exchanges	1,686	1,686	400	\$10,000,000	7
128	Oldcastle BuildingEnvelope, Inc.	Hauppauge	Suffolk	Long Island	LIPA	Glass fabrication facility	1,300	1,300	109	\$4,000,000	7
129	Owens-Brockway Glass Container Inc.	Auburn	Cayuga	Central New York	NYSEG	Manufacturer of glass containers	3,500	3,500	257	\$20,000,000	7
130	Pactiv LLC	Canandaigua	Ontario	Finger Lakes	RGE	Manufacturer of food packaging products	7,000	7,000	700	\$3,000,000	7
131	Pall Corporation	Cortland	Cortland	Central New York	NGRID	Manufacturer of filtration products	1,770	1,770	500	\$10,000,000	7
132	Perrone Leather, LLC	Fultonville	Fulton	Mohawk Valley	NGRID	Manufacturer of performance leathers & textiles	80	80	100	\$900,000	7
133	Pivot Punch Corporation	Lockport	Niagara	Western New York	NGRID	Manufacturer of precision tools & components	176	176	64	\$1,000,000	7
134	Pratt Paper (NY), Inc.	Staten Island	Richmond	New York City	CONED	Recycled paper & packaging solutions	10,000	10,000	270	\$15,000,000	7
135	Precious Plate, Inc.	Niagara Falls	Niagara	Western New York	NGRID	Electroplating services	100	100	15	\$8,500,000	7
136	Quad/Graphics, Inc.	Saratoga Springs	Saratoga	Capital District	NGRID	Commercial printing services	4,246	4,246	620	\$1,000,000	7
137	Qubica AMF Worldwide, LLC	Lowville	Lewis	North Country	NGRID	Manufacturer of bowling pins	470	470	80	\$750,000	7
138	Queensboro Farm Products, Inc.	Canastota	Madison	Central New York	NGRID	Production of dairy products	390	390	30	\$665,000	7
139	Retlif Incorporated	Ronkonkoma	Suffolk	Long Island	LIPA	Independent laboratory testing	140	140	45	\$600,000	7
140	Richardson Brands Company	Canajoharie	Montgomery	Mohawk Valley	NGRID	Manufacturer of confectionery products	316	316	142	\$2,800,000	7

141	Sabin Metal Corporation	Scottsville	Monroe	Finger Lakes	NGRID	Precious metal refining & recovery	500	500	139	\$1,500,000	7
142	Saint Gobain Abrasives, Inc.	Watervliet	Albany	Capital District	NGRID	Manufacturer of coated abrasive products	1,140	1,140	138	\$1,000,000	7
143	Saint-Gobain Adfors America, Inc.	Albion	Orleans	Finger Lakes	NGRID	Manufacturer of fiberglass & polyester reinforcements	500	500	190	\$8,000,000	7
144	Samaritan Medical Center	Watertown	Jefferson	North Country	NGRID	Hospital & healthcare center	646	646	1,557	\$37,000,000	7
145	Samaritan-Keep Nursing Home, Inc.	Watertown	Jefferson	North Country	NGRID	Long-term residential care facility	210	210	326	\$1,000,000	7
146	Schilling Forge, Inc.	Syracuse	Onondaga	Central New York	NGRID	Supplier of precision forgings	160	160	25	\$75,000	7
147	Schneider Packaging Equipment Company, Inc.	Brewerton	Onondaga	Central New York	NGRID	Manufacturer of packaging equipment	120	120	115	\$250,000	7
148	Silicon Carbide Products, Inc.	Horseheads	Chemung	Southern Tier	NYSEG	Manufacturer of ceramic components	196	196	22	\$265,000	7
149	Solvaira Specialties Inc.	North Tonawanda	Niagara	Western New York	NGRID	Producer of insoluble fiber products	640	640	70	\$1,000,000	7
150	Sonoco Plastics, Inc.	Chatham	Columbia	Capital District	NYSEG	Manufacturer of injection molded parts	740	740	85	\$700,000	7
151	Sorrento Lactalis, Inc.	Buffalo	Erie	Western New York	NGRID	Cheese production plant	660	660	550	\$12,000,000	7
152	Southern Glazer's Wine and Spirits of New York, LLC	Syosset	Nassau	Long Island	LIPA	Wine & spirits distributor	786	786	1,000	\$3,000,000	7
153	Southern Glazer's Wine and Spirits of Upstate New York, LLC	Syracuse	Onondaga	Central New York	NGRID	Wine & spirits distributor	50	50	600	\$3,000,000	7
154	Special Metals Corporation	New Hartford	Oneida	Mohawk Valley	NGRID	Superalloy processing facility	4,900	4,900	360	\$42,357,000	7
155	Special Metals Corporation	Dunkirk	Chautauqua	Western New York	NGRID	Superalloy processing facility	526	526	78	\$20,000,000	7
156	Specialized Packaging Radisson LLC	Baldwinsville	Onondaga	Central New York	NGRID	Manufacturer of folding cartons	600	600	235	\$4,500,000	7
157	St. Lawrence University	Canton	St. Lawrence	North Country	NGRID	Institution of higher education	876	876	720	\$18,000,000	7
158	Staroba Plastics, Inc.	Holland	Erie	Western New York	NYSEG	Injection molding & tool building	600	600	84	\$250,000	7
159	Stature Electric, Inc.	Watertown	Jefferson	North Country	NGRID	Manufacturer of customized & gear motors	236	236	55	\$500,000	7
160	Syracuse Label Co. Inc.	North Syracuse	Onondaga	Central New York	NGRID	Manufacturer of printing labels	166	166	88	\$2,000,000	7
161	Tebbens Steel LLC	Calverton	Suffolk	Long Island	LIPA	Steel & metal fabrication	50	50	53	\$2,100,000	7
162	Tessy Plastics Corp.	Elbridge	Onondaga	Central New York	NYSEG	Manufacturer of plastic parts for medical industry	2,530	2,530	1,047	\$200,000	7
163	The Fountainhead Group, Inc.	New York Mills	Oneida	Mohawk Valley	NGRID	Manufacturer of compressed air sprayers	300	300	170	\$1,000,000	7
164	The Gunlocke Company L.L.C.	Wayland	Steuben	Southern Tier	NYSEG	Manufacturer of office furniture	1,606	1,606	601	\$6,000,000	7
165	The New York Times Company	Flushing	Queens	New York City	CONED	Newspaper printing & distribution	4,150	4,150	467	\$20,000,000	7
166	The Product Corporation	Jamestown	Chautauqua	Western New York	NGRID	Manufacturer of precision tooling components	176	176	90	\$5,000,000	7
167	The Sag Harbor Industries, Inc.	Sag Harbor	Suffolk	Long Island	LIPA	Manufacturer of custom-made coils & conductors	50	50	76	\$2,000,000	7
168	Therm, Incorporated	Ithaca	Tompkins	Southern Tier	NYSEG	Manufacturer of aerospace machining parts	336	336	150	\$1,000,000	7
169	TMP Technologies, Inc.	Wyoming	Erie	Western New York	NYSEG	Manufacturer of liquid applicator tips	180	180	24	\$200,000	7

170	TMP Technologies, Inc.	Buffalo	Erie	Western New York	NGRID	Manufacturer of liquid applicator tips	60	60	22	\$100,000	7
171	Transcontinental Ultra Flex Inc.	Brooklyn	Kings	New York City	CONED	Manufacturer of plastic packaging products	656	656	250	\$5,000,000	7
172	Turbine Engine Components Technologies - Utica Corporation	Whitesboro	Oneida	Mohawk Valley	NGRID	Manufacturer of fan & turbine blades	1,266	1,266	165	\$11,000,000	7
173	U.S. Nonwovens Corp.	Brentwood	Suffolk	Long Island	LIPA	Manufacturer of household & personal care products	56	56	700	\$3,500,000	7
174	United Health Services Hospitals, Inc.	Vestal	Broome	Southern Tier	NYSEG	Healthcare services & medical offices	170	170	167	\$28,000,000	7
175	Universal Photonics Inc.	Central Islip	Suffolk	Long Island	LIPA	Manufacturer of surface preparation materials	40	40	80	\$750,000	7
176	USTA National Tennis Center Incorporated	Flushing	Queens	New York City	CONED	Year-round tennis center	216	216	129	\$100,000,000	7
177	Wayne County Eggs, LLC	Wolcott	Wayne	Finger Lakes	RGE	Egg farm	460	460	95	\$3,000,000	7
178	Worthington Steel Rome, LLC	Rome	Oneida	Mohawk Valley	NGRID	Manufacturer strip steel products	1,576	1,576	120	\$15,000,000	7
179	Yeshiva University	New York	New York	New York City	CONED	Institution of higher education	90	90	151	\$750,000	7
180	YWCA of the Niagara Frontier, Inc.	Niagara Falls	Niagara	Western New York	NGRID	Community services & programs	10	10	12	\$200,000	7

EXHIBIT B
(Statutory Criteria – RNY Power Program)

- the significance of the cost of electricity to the applicant's overall cost of doing business, and the impact that a Recharge New York power allocation will have on the applicant's operating costs;
- the extent to which a Recharge New York power allocation will result in new capital investment in the state by the applicant;
- the extent to which a Recharge New York power allocation is consistent with any regional economic development council strategies and priorities;
- the type and cost of buildings, equipment and facilities to be constructed, enlarged or installed if the applicant were to receive an allocation;
- the applicant's payroll, salaries, benefits and number of jobs at the facility for which a Recharge New York power allocation is requested;
- the number of jobs that will be created or retained within the state in relation to the requested Recharge New York power allocation, and the extent to which the applicant will agree to commit to creating or retaining such jobs as a condition to receiving a Recharge New York power allocation;
- whether the applicant, due to the cost of electricity, is at risk of closing or curtailing facilities or operations in the state, relocating facilities or operations out of the state, or losing a significant number of jobs in the state, in the absence of a Recharge New York power allocation;
- the significance of the applicant's facility that would receive the Recharge New York power allocation to the economy of the area in which such facility is located;
- the extent to which the applicant has invested in energy efficiency measures, will agree to participate in or perform energy audits of its facilities, will agree to participate in energy efficiency programs of the authority, or will commit to implement or otherwise make tangible investments in energy efficiency measures as a condition to receiving a Recharge New York power allocation;
- whether the applicant receives a hydroelectric power allocation or benefits supported by the sale of hydroelectric power under another program administered in whole or in part by the New York Power Authority;
- the extent to which a Recharge New York power allocation will result in an advantage for an applicant in relation to the applicant's competitors within the state; and
- in addition to the foregoing criteria, in the case of a not-for-profit corporation, whether the applicant provides critical services or substantial benefits to the local community in which the facility for which the Recharge New York power allocation is requested is located.

Other Business

No other business to report.

6. **Next Meeting**

Chair Nicandri said that the next meeting of the Board would be held on Monday, December 10, 2018 at 10:00 a.m.

Closing

Upon motion made by Member Dennis Trainor and seconded by Member Andrew Silver, the meeting was adjourned by Chair Nicandri at approximately 10:09a.m.



NY State Economic Development Power Allocation Board

ANDREW M. CUOMO
Governor

Date: December 10, 2018
To: Economic Development Power Allocation Board
From: Vice President & Corporate Secretary
Subject: Proposed Schedule of EDPAB Meetings in 2019

The following schedule of meetings for the year 2019 is recommended:

<u>Date</u>	<u>Time</u>
January 23, 2019	10:00 a.m.
March 4, 2019	10:00 a.m.
May 20, 2019	10:00 a.m.
July 15, 2019	10:00 a.m.
September 24, 2019	10:00 a.m.
December 9, 2019	10:00 a.m.

I recommend the approval of the proposed schedule by adoption of a resolution in the form of the attached draft resolution.

Karen Delince
Vice President & Corporate Secretary

RESOLUTION

RESOLVED, That the schedule of EDPAB Meetings for the year 2019, as set forth in the foregoing memorandum of the Vice President & Corporate Secretary, be, and hereby is, approved.



NY State Economic Development Power Allocation Board

ANDREW M. CUOMO
Governor

Date: December 10, 2018
To: Economic Development Power Allocation Board
From: Vice President, Economic Development
Subject: Recharge New York Power Program – New Allocations

SUMMARY

The Economic Development Power Allocation Board (“EDPAB” or “Board”) is requested to:

1. recommend that the New York Power Authority (“Authority” or “NYPA”) Trustees (“Trustees”) award allocations of Recharge New York (“RNY”) Power available for “retention” purposes to the businesses listed in Exhibit “A”;
2. recommend that the Trustees award allocations of RNY Power available for “expansion” purposes to the businesses listed in Exhibit “B”;
3. recommend that the Trustees award allocations of RNY Power available for eligible small businesses and/or not-for-profit corporations to the entities listed in Exhibit “C”;
4. determine that the applicants or projects listed in Exhibit “D” are ineligible for an allocation of RNY Power;
5. determine that the applicants listed in Exhibit “E” will not be recommended for an allocation of RNY Power; and
6. terminate the application review process for the applicants listed in Exhibit “F”.

The Board is further requested to recommend that, in addition to any other terms and conditions that the Authority determines in its discretion to be appropriate for the sale of any allocations recommended herein (“Allocations”), such terms and conditions include:

- (1) provisions for effective periodic audits of the customer for the purpose of determining contract and program compliance, and for the partial or complete withdrawal of an Allocation if the holder fails to maintain mutually agreed upon commitments, relating to, among other things, employment levels, power utilization, capital investments, and/or energy efficiency measures;
- (2) a requirement that the customer (a) undertake at its own expense an energy audit of its facilities at which the allocation is consumed at least once during the term of the allocation absent good cause, and (b) provide the Authority with a copy of any such

audit or, at the authority's option, a report describing the results of such audit, and provide documentation requested by the Authority relating to the implementation of any efficiency measures at the facilities; and

- (3) an agreement by the customer to make its facilities available for energy audits and related assessments that the Authority desires to perform, if any, and provide information requested by the Authority or its designee in surveys, questionnaires and other information requests relating to energy efficiency and energy-related projects, programs and services.

BACKGROUND

On April 14, 2011, Governor Andrew M. Cuomo signed into law the RNY Power Program as part of Chapter 60 (Part CC) of the Laws of 2011 ("Chapter 60"). The program makes available 910 megawatts ("MW") of "RNY Power," 50% of which will be provided by the Authority's hydropower resources and 50% of which will be procured by the Authority from other sources. RNY Power contracts can be for a term of up to 7 years in exchange for job and capital investment commitments.

RNY Power is available to businesses and not-for-profit corporations for job retention and business expansion and attraction purposes. Specifically, Chapter 60 provides that at least 350 MW of RNY Power shall be dedicated to facilities in the service territories served by the New York State Electric and Gas, National Grid and Rochester Gas and Electric utility companies; at least 200 MW of RNY Power shall be dedicated to the purpose of attracting new businesses and encouraging expansion of existing businesses statewide; and up to 100 MW shall be dedicated for eligible not-for-profit corporations and eligible small businesses statewide.

Under the statute, "eligible applicant" is defined to mean an eligible business, eligible small business, or eligible not-for-profit corporation, however, an eligible applicant shall not include retail businesses as defined by EDPAB, including, without limitation, sports venues, gaming or entertainment-related establishments or places of overnight accommodations. At its meeting on April 24, 2012, EDPAB defined a retail business as a business that is primarily used in making retail sales of goods or services to customers who personally visit such facilities to obtain goods or services, consistent with the rules previously promulgated by EDPAB for implementation of the Authority's Economic Development Power program.

Prior to entering into a contract with an eligible applicant for the sale of RNY Power, and prior to the provision of electric service relating to a RNY Power allocation, the Authority must offer each eligible applicant that has received an award of RNY Power the option to decline to purchase the RNY Market Power component of such award. If the applicant declines to purchase the RNY Market Power component from the Authority, the Authority has no responsibility for supplying RNY Market Power component of the award.

As part of Governor Andrew M. Cuomo's initiative to foster business activity and streamline economic development, applications for all statewide economic development programs, including the RNY Power Program, have been incorporated into a single on-line Consolidated Funding Application ("CFA") marking a fundamental shift in how State economic development resources are marketed and allocated. Beginning in September 2011, the CFA was available to applicants. The CFA continues to serve as an efficient and effective tool to streamline and expedite the State's efforts to generate sustainable economic growth and employment opportunities. All applications that are considered for an RNY Power allocation are submitted through the CFA process.

Applications for RNY Power are subject to a competitive evaluation process and are evaluated based on criteria set forth in the governing statutes (“RNY Statutes”): The statutory criteria are listed in Exhibit “G” to this memorandum.

RNY Power allocations have been awarded by the Trustees on twenty prior occasions spanning from April 2012 through August 2018. Of the 200 MW block of RNY Power made available pursuant to Chapter 60 for business “expansion” purposes, 87.1 MW remain unallocated. Of the 100 MW of RNY Power that is set aside for not-for-profit corporations and small businesses pursuant to Chapter 60, 6.6 MW remain unallocated. Of the remaining RNY Power made available pursuant to Chapter 60, 69.6 MW remain unallocated.

These figures reflect Trustee actions on RNY Power applications taken prior to any recommendations that EDPAB makes today.

An allocation recommended by EDPAB qualifies the subject applicant to enter into a contract with the Authority for the purchase of the RNY Power assuming that the Authority concurs with EDPAB and makes an allocation award.

DISCUSSION

For the current round of recommendations, Authority staff has reviewed applications seeking RNY Power allocations. Exhibits “A”, “B” and “C” list, among other things, a description of the applicant and its business, the amount of the allocation requested, the amount of the allocation recommended, the jobs that would be created and/or retained, the proposed capital investment, and the proposed allocation term. Based on the evaluation of the criteria listed in Exhibit “G”, the applications were scored and ranked.

In arriving at recommendations for EDPAB’s consideration, staff, among other things, attempted to maximize the economic benefits of low cost NYPA hydropower, the critical state asset at the core of the RNY Power Program, while attempting to ensure that each recipient receives a meaningful RNY Power allocation.

Business applicants with relatively high scores were recommended for allocations of retention RNY Power of 50% of the requested amount or average historic demand, whichever was lower. These allocations were capped at 10 MW for any recommended allocation. Not-for-profit corporation applicants that scored relatively high were recommended for allocations of 33% of the requested amount or average historic demand, whichever was lower. These allocations were capped at 5 MW. Applicants currently receiving hydropower allocations under other Authority power programs were recommended for allocations of RNY Power of 25% of the requested amount, subject to the caps as stated above.

1. Retention-Based RNY Power Allocations

Staff recommends that EDPAB recommend to the NYPA Trustees that the applications listed on Exhibit “A” be awarded *retention*-based RNY Power allocations in the amounts indicated. Each business has stated a willingness to create or retain jobs in New York State. Additionally, these applicants will be committing to capital investments in exchange for the recommended RNY Power allocations. Unless otherwise indicated in Exhibit “A”, these applications seek a RNY Power allocation for job retention purposes only.

The RNY Power “retention” allocations identified in Exhibit “A” are each recommended for a term of 7 years unless otherwise indicated. The Authority’s RNY Power sale contract form contains provisions addressing such matters as:

- supplemental commitments by the customer relating to job creation, capital investments and power usage;
- effective periodic audits of the recipient of an allocation for the purpose of determining contract and program compliance, and for the partial or complete withdrawal of an allocation if the recipient fails to maintain mutually agreed upon commitments, relating to among other things, employment levels, power utilization, and capital investments;
- a requirement that a recipient of an allocation perform an energy efficiency audit at its facility not less than once during the first five years of the term of the allocation; and
- an agreement by the customer to make its facilities available for energy audits and related assessments that the Authority desires to perform, and provide information requested by the Authority relating to energy efficiency and energy-related projects, programs and services

2. Expansion-Based RNY Power Allocations

Staff recommends that EDPAB recommend to the NYPA Trustees that the applications listed on Exhibit “B” be awarded *expansion*-based RNY Power allocations in the amounts indicated which would be sourced from the 200 MW block of RNY Power dedicated pursuant to statute for the businesses that propose to expand existing businesses or create new business in the State. Unless otherwise noted in Exhibit “B”, these applications seek a RNY Power allocation for expansion of an existing business or a new business/ facility. Each such allocation would be for a term of 7 years unless otherwise indicated.

As with the evaluation process used for the retention recommendations described above, applications for the expansion-based RNY Power were scored based on the statutory criteria, albeit with a focus on information regarding each applicants’ specific project to expand or create their new facility or business (e.g., the expansion project’s cost, associated job creation, and new electric load due to the expansion).

The respective amounts of the expansion-related allocations listed in Exhibit “B” are largely intended to provide approximately 70% of the individual expansion projects’ estimated new electric load. Because these projects have estimated new electric load amounts, and to ensure that an applicant’s overestimation of the amount needed would not cause that applicant to receive a higher proportion of RNY Power to new load, the allocations in Exhibit “B” are recommended on an “up to” amount basis. Each of these applicants would be required to, among other commitments, add the new electric load as stated in its application, and would be allowed to use up to the amount of their RNY Power allocation in the same proportion of the RNY Power allocation to requested load as stated in Exhibit “B.” The contracts for these allocations would also contain the provisions previously summarized in section 1 above.

3. Small Business and/or Not-for-Profit RNY Power Allocations

Staff also recommends that EDPAB recommend to the NYPA Trustees that the small business and/or not-for-profit applicants listed on Exhibit “C” be awarded RNY Power allocations in the amounts indicated therein. The applicants have committed to retain and/or create jobs in New York State and make capital investments in exchange for the recommended RNY Power allocations as described in Exhibit “C”. The contracts for these allocations would also contain the provisions previously summarized in section 1 above.

4. Ineligibility Determinations

Based on its review of the applications of the companies listed in Exhibit “D”, staff recommends that the Board determine that the applicants listed on Exhibit “D” are not eligible to receive RNY Power. The reasons for this recommendation are described in Exhibit “D” as to each applicant.

5. Applications Not Recommended for RNY Power

Based on its review of the applications of the companies listed in Exhibit “E”, staff recommends that the Board not recommend the applications listed on Exhibit “E” for RNY Power for the reasons described in Exhibit “E”.¹

6. Termination of Application Review Process

Staff recommends that the Board terminate the application review process for the applicants for RNY Power listed in Exhibit “F” on the grounds that the applicants listed have submitted incomplete applications, or have not been responsive to requests by staff for additional information, preventing a complete analysis of the application and rendering the subject RNY Power application(s) incomplete.

7. Recommendations on Terms and Conditions

Staff recommends that the Board recommend to the NYPA Trustees that, in addition to any other terms and conditions that the Authority determines in its discretion to be appropriate for the sale of the allocations recommended by the Board, such terms and conditions include:

- (a) provisions for effective periodic audits of the customer for the purpose of determining contract and program compliance, and for the partial or complete withdrawal of an Allocation if the business fails to maintain mutually agreed upon commitments, including those relating to employment levels, capital investments, power usage and energy efficiency measures;
- (b) a requirement that the customer undertake at its own expense an energy audit of its facilities at which the allocation is consumed at least once during the term of the allocation absence good cause, and provide the Authority with a copy of any such audit or, at the Authority's option, a report describing the results of such audit, and provide documentation requested by the authority relating to the implementation of any efficiency measures at the facilities; and
- (c) an agreement by the customer to make its facilities available for energy audits and related assessments that the authority desires to perform, if any, and provide information requested by the Authority or its designee in surveys, questionnaires and other information requests relating to energy efficiency and energy-related projects, programs and services.

RECOMMENDATION

For the reasons stated above, staff recommends that the Board:

¹ In view of the recommended disposition of the applications listed on Exhibit “E”, staff has not considered the eligibility of the applicants listed on Exhibit “E”, and is not making any recommendations concerning eligibility at this time.

1. Recommend that the Authority Trustees award allocations of RNY Power (a) for retention purposes to the businesses listed in Exhibit "A" in the amounts indicated therein, (b) for expansion purposes to the businesses listed in Exhibit "B" in the amounts indicated therein; and (c) to the small business and/or not-for-profit applicants listed in Exhibit "C" in the amounts indicated therein.
2. Recommend that terms and conditions for the sale of any such allocations include:
 - (a) provisions for effective periodic audits of the customer for the purpose of determining contract and program compliance, and for the partial or complete withdrawal of an Allocation if the business fails to maintain mutually agreed upon commitments, including those relating to employment levels, capital investments, power usage and energy efficiency measures;
 - (b) a requirement that the customer undertake at its own expense an energy audit of its facilities at which the allocation is consumed at least once during the term of the allocation absence good cause, and provide the Authority with a copy of any such audit or, at the Authority's option, a report describing the results of such audit, and provide documentation requested by the authority relating to the implementation of any efficiency measures at the facilities; and
 - (c) an agreement by the customer to make its facilities available for energy audits and related assessments that the authority desires to perform, if any, and provide information requested by the Authority or its designee in surveys, questionnaires and other information requests relating to energy efficiency and energy-related projects, programs and services.
3. Determine that the applicants listed in Exhibit "D" are ineligible to receive RNY Power allocations for the reasons discussed in Exhibit "D".
4. Determine that the applicant(s) listed in Exhibit "E" will not be recommended for allocations of RNY Power for the reasons discussed in Exhibit "E".
5. Determine that the application review process for the applicants listed in Exhibit "F" will be terminated for the reasons discussed in Exhibit "F".

Keith T. Hayes
Vice President, Economic Development

RESOLUTION

RESOLVED, That the Economic Development Power Allocation Board (“Board”) recommends that the Board of Trustees (“Trustees”) of the Power Authority of the State of New York (“Authority”) award allocations of Recharge New York (“RNY”) Power for retention purposes to the businesses listed in Exhibit “A” to the attached memorandum of the Vice President, Economic Development (the “Attached Memorandum”) in the amounts indicated therein for the reasons indicated in Exhibit “A” and the Attached Memorandum; and be it further

RESOLVED, That the Board recommends that the Authority Trustees award allocations of RNY Power for expansion purposes to the businesses listed in Exhibit “B” to the Attached Memorandum in the amounts indicated therein for the reasons indicated in Exhibit “B” and the Attached Memorandum; and be it further

RESOLVED, That the Board recommends that the Authority Trustees award allocations of RNY Power to the small businesses and/or not-for-profit corporations listed in Exhibit “C” to the Attached Memorandum in the amounts indicated therein for the reasons indicated in Exhibit “C” and the Attached Memorandum; and be it further

RESOLVED, That the Board further recommends that in addition to any other terms and conditions that the Authority determines in its discretion to be appropriate for the sale of the allocations recommended herein such terms and conditions include:

- (1) provisions for effective periodic audits of the customer for the purpose of determining contract and program compliance, and for the partial or complete withdrawal of an Allocation if the business fails to maintain mutually agreed upon commitments, including those relating to employment levels, capital investments, power usage and energy efficiency measures;

- (2) a requirement that the customer undertake at its own expense an energy audit of its facilities at which the allocation is consumed at least once during the term of the allocation absence good cause, and provide the Authority with a copy of any such audit or, at the Authority's option, a report describing the results of such audit, and provide documentation requested by the authority relating to the implementation of any efficiency measures at the facilities; and
- (3) an agreement by the customer to make its facilities available for energy audits and related assessments that the authority desires to perform, if any, and provide information requested by the Authority or its designee in surveys, questionnaires and other information requests relating to energy efficiency and energy-related projects, programs and services.

RESOLVED, That the applicants and/or projects listed in Exhibit "D" are ineligible for RNY Power for the reasons discussed in the Attached Memorandum and Exhibit "D"; and be it further

RESOLVED, That the applicants listed in Exhibit "E" are not recommended for RNY Power for the reasons discussed in the Attached Memorandum and Exhibit "E"; and be it further

RESOLVED, That the application review process for the applicants listed in Exhibit "F" is terminated for the reasons discussed in the Attached Memorandum and Exhibit "F".

Economic Development Power Allocation Board
 Recommendations - RNY Power Allocations for Retention Purposes

Exhibit "A"
 December 10, 2018

Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation	Jobs Retained	Jobs Created	Total Job Commitment	Capital Investment (\$)	Contract Term (years)
1	Akoustis, Inc.	Canandaigua	Ontario	Finger Lakes	RGE	Manufacturer of bulk acoustic filters	1,446	720	40	0	40	\$3,000,000	(1) 7
	Finger Lakes Region Sub-totals:							720	40	0	40	\$3,000,000	
2	Ascent Pharmaceuticals Inc.	Central Islip	Suffolk	Long Island	LIPA	Manufacturer of generic drugs	1,790	896	215	0	215	\$500,000	(1) 7
3	Posillico Materials, LLC	Farmingdale	Suffolk	Long Island	LIPA	Manufacturer of construction materials	508	250	24	0	24	\$2,000,000	(1) 7
4	Positive Promotions, Inc.	Hauppauge	Suffolk	Long Island	LIPA	Manufacturer of specialty print products	560	280	400	0	400	\$2,000,000	(1) 7
5	The Nature's Bounty Co.	Bohemia	Suffolk	Long Island	LIPA	Manufacturer of vitamins & supplements	6,000	2,996	1,924	0	1,924	\$33,000,000	(2) 7
6	WestRock - Southern Container, LLC	Deer Park	Suffolk	Long Island	LIPA	Manufacturer of corrugated sheets & boxes	692	346	143	0	143	\$1,000,000	7
	Long Island Region Sub-totals:							4,768	782	0	782	\$38,500,000	
7	Losurdo Foods, Inc.	Heuvelton	St. Lawrence	North Country	NGRID	Manufacturer of mozzarella & ricotta products	538	266	60	0	60	\$750,000	7
	North Country Region Sub-totals:							266	60	0	60	\$750,000	

Totals

5,754	882	0	882	\$42,250,000
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(1) These companies are also recommended for expansion-related allocations of RNY for separate and distinct job creation and capital investment commitments associated with proposed business expansions.

(2) The applicant currently receives RNY Power allocations at multiple facilities. Rather than apply for contract extensions for each site, the company has opted to apply for a new RNY allocation as a combined campus setting. The appropriate "Jobs Retained" are removed from the total as these jobs are already counted in prior RNY allocation recommendations.

Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation (1)	Base Employment (3)	Job Creation Commitment	Project Capital Investment (\$)		Contract Term (years)
1	Akoustis, Inc.	Canandaigua	Ontario	Finger Lakes	RGE	Manufacturer of bulk acoustic filters	527	366	40	40	\$50,000,000	(2)	7
2	Creative Food Ingredients, Inc.	Perry	Wyoming	Finger Lakes	NYSEG	Commercial bakery & cookie production	175	120	180	22	\$4,000,000	(4)	7
	Finger Lakes Region Sub-totals:							486	50	58	\$54,000,000		
3	Ascent Pharmaceuticals Inc.	Central Islip	Suffolk	Long Island	LIPA	Manufacturer of generic drugs	300	210	215	90	\$4,500,000	(2)	7
4	Posillico Materials, LLC	Farmingdale	Suffolk	Long Island	LIPA	Manufacturer of construction materials	1,140	796	24	12	\$20,000,000	(2)	
5	Positive Promotions, Inc.	Hauppauge	Suffolk	Long Island	LIPA	Manufacturer of specialty print products	100	70	400	1	\$175,000	(2)	
6	United Baking Co., Inc.	Islip	Suffolk	Long Island	LIPA	Manufacturer & distributor of cookie products	360	250	110	4	\$3,000,000	(4)	
	Long Island Sub-totals:							1,326	25	107	\$27,675,000		
7	Hocho Recycle Co., Limited	Horseheads	Chemung	Southern Tier		Tire recycling & reclaimed rubber production	5,500	3,000	0	30	\$9,000,000	(2)	7
	Southern Tier Region Sub-totals:							3,000	0	30	\$9,000,000		

Totals

4,812	75	195	\$90,675,000
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- (1) All expansion-based RNY Power allocations are recommended to be "up to" the amount indicated pending the applicant's compliance with contractual commitments, including commitments relating to job creation, capital investment spending and power utilization.
- (2) These companies are also being recommended for retention-based RNY Power allocations associated with separate and distinct contractual commitments relating to such matters as job retention, capital investment spending, and power utilization associated with an existing business.
- (3) The number of new jobs committed will be above a base employment level specified in the power sale contract with the applicant.
- (4) This applicant was previously approved for a retention-based RNY Power allocation. The base employment level refers to the applicant's retained jobs, most of which are already associated with an existing power allocation.

Retention-Based Allocations

Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation	Jobs Retained	Jobs Created	Capital Investment (\$)		Contract Term (years)
1	Blading Services Unlimited, LLC	Canastota	Madison	Central New York	NGRID	Manufacturer of turbine blades	58	26	10	0	\$150,000	(1)	7
2	Cortland Company, Inc.	Cortland	Cortland	Central New York	NGRID	Manufacturer of synthetic ropes & cables	188	90	88	0	\$200,000		7
	Central New York Sub-totals:							116	98	0	350,000		
3	Central Suffolk Hospital	Riverhead	Suffolk	Long Island	LIPA	Hospital & healthcare services	392	130	1,072	0	\$2,000,000	(1)	7
4	Enzo Biochem, Inc.	Farmingdale	Nassau	Long Island	LIPA	Life sciences & biotechnology company	108	50	380	0	\$7,500,000	(1)	7
5	Nassau Candy Distributors, Inc.	Hicksville	Nassau	Long Island	LIPA	Manufacturer of confectionary products	191	96	393	0	\$2,450,000		7
6	Parrish Art Museum	Water Mill	Suffolk	Long Island	LIPA	Art museum & cultural center	228	76	44	6	\$125,000		7
7	Little Bird Chocolates Inc.	Plainview	Nassau	Long Island	LIPA	Manufacturer of specialty confections	53	26	6	0	\$400,000		7
8	Roman Stone Construction Company	Bay Shore	Suffolk	Long Island	LIPA	Manufacturer of precast concrete products	174	86	40	0	\$1,500,000		7
	Long Island Region Sub-totals:							464	1,935	6	13,975,000		
9	Northern Westchester Hospital Association	Mount Kisco	Westchester	Mid-Hudson	CONED	Hospital & healthcare services	2,411	800	1,405	0	\$85,000,000	(1)	7
10	Phelps Memorial Hospital Association	Sleepy Hollow	Westchester	Mid-Hudson	CONED	Hospital & healthcare services	1,391	460	1,520	0	\$50,000,000		7
11	Unlimited Tomorrow, Inc.	Rhinebeck	Dutchess	Mid-Hudson	CHUD	Manufacturer of prosthetic appliances	43	20	4	0	\$100,000	(1)	7
	Mid-Hudson Region Sub-totals:							1,280	2,929	0	135,100,000		
12	A. D. Bowman & Son Lumber Co., Inc.	Castle Creek	Broome	Southern Tier	NYSEG	Manufacturer of lumber products	26	10	37	0	\$750,000	(1)	7
13	Hanehan Family Dairy, L.L.C.	Mount Upton	Chenango	Southern Tier	NYSEG	Milk production	245	120	23	0	\$1,250,000	(1)	7
	Southern Tier Region Sub-totals:							130	60	0	2,000,000		
14	Western New York Public Broadcasting Association	Buffalo	Erie	Western New York	NGRID	Public television & radio broadcasting	357	116	80	0	\$1,500,000		7
	Western New York Region Sub-totals:							116	80	0	1,500,000		

Retention-Based Totals

2,106	5,102	6	\$152,925,000
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Expansion-Based Allocations

Line	Company	City	County	Economic Development Region	IOU	Description	kW Request	kW Recommendation (3)	Base Employment	Job Creation Commitment	Project Capital Investment (\$)		Contract Term (years)
15	Blading Services Unlimited, LLC	Canastota	Madison	Central New York	NGRID	Manufacturer of turbine blades	120	60	10	5	\$1,570,000	(1), (2)	7
16	Cortland Company, Inc.	Cortland	Cortland	Central New York	NGRID	Manufacturer of synthetic ropes & cables	200	100	0	51	\$5,327,000		7
	Central New York Region Sub-totals:												
								160	0	56	6,897,000		
17	Central Suffolk Hospital	Riverhead	Suffolk	Long Island	LIPA	Hospital & healthcare services	958	316	1,072	27	\$68,000,000	(1), (2)	7
18	Enzo Biochem, Inc.	Farmingdale	Nassau	Long Island	LIPA	Life sciences & biotechnology company	100	50	380	60	\$6,000,000	(1), (2)	7
	Long Island Region Sub-totals:												
								366	0	87	74,000,000		
19	GoPal Farm LLC	New Paltz	Ulster	Mid-Hudson	CHUD	Producer of organic dairy products	150	76	0	73	\$5,765,000		7
20	Northern Westchester Hospital Association	Mount Kisco	Westchester	Mid-Hudson	CONED	Hospital & healthcare services	480	160	1,405	17	\$15,000,000	(1), (2)	7
21	Regent Hospitality Linen Services, LLC	Mount Vernon	Westchester	Mid-Hudson	CONED	Provider of linen cleaning services for hotels	300	150	0	25	\$7,000,000		7
22	Unlimited Tomorrow, Inc.	Rhinebeck	Dutchess	Mid-Hudson	CHUD	Manufacturer of prosthetic appliances	35	16	4	15	\$255,000	(1), (2)	7
	Mid-Hudson Region Sub-totals:												
								402	0	130	28,020,000		
23	Smart Phases Inc.	Plattsburgh	Clinton	North Country	NYSEG	Manufacturer of energy storage technologies	150	76	0	32	\$1,500,000		7
	North Country Region Sub-totals:												
								76	0	32	1,500,000		
24	A. D. Bowman & Son Lumber Co., Inc.	Castle Creek	Broome	Southern Tier	NYSEG	Manufacturer of lumber products	520	260	37	5	\$1,700,000	(1), (2)	7
25	Hanehan Family Dairy, L.L.C.	Mount Upton	Chenango	Southern Tier	NYSEG	Milk production	210	106	23	11	\$4,997,445	(1), (2)	7
	Southern Tier Region Sub-totals:												
								366	0	16	6,697,445		

Expansion-Based Totals

1,370	0	321	\$117,114,445
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Retention & Expansion-Based Totals

3,476	5,102	327	\$270,039,445
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- (1) These applicants are being recommended for both RNY retention and expansion-based allocations.
- (2) The number of new jobs committed will be above a base employment level specified in the applicant's retention-based allocation recommendation.
- (3) All expansion-based RNY Power allocations are recommended to be "up to" the amount indicated pending the applicant's compliance with contractual commitments, including commitments relating to job creation, capital investment spending and power utilization.

**Economic Development Power Allocation Board
 ReCharge New York Power Program
 Informational Item - Applicants Not Eligible**

**Exhibit "D"
 December 10, 2018**

Line	Company	City	County	Economic Development Region	IOU	Description	Reason
1	Great Performances/Artists as Waitresses, Inc.	Bronx	Bronx	New York City	CONED	Community kitchen training school	The applicant's business falls within EDPAB's definition of a retail business. Specifically, the applicant operates a business that is primarily used in making retail sales of goods or services to customers who personally visit such facilities to obtain goods or services.
2	SUNY Maritime College	Bronx	Bronx	New York City	CONED	Institution of higher education	The applicant is a public entity and is therefore ineligible for an RNY Power allocation.
3	SUNY Maritime College	Bronx	Bronx	New York City	CONED	Institution of higher education	The applicant is a public entity and is therefore ineligible for an RNY Power allocation.

Economic Development Power Allocation Board
 ReCharge New York Power Program
 Informational Item - Applicants/Applications Not Recommended for RNY Power Allocation

Exhibit "E"
 December 10, 2018

Line	Company	City	County	Economic Development Region	IOU	Description	Reason ⁽¹⁾
1	669 River Street LLC	Troy	Rensselaer	Capital District	NGRID	Incubator office space for new businesses	Specific entities within the facility that would use and receive the benefit of an RNY allocation would not have a utility account or utility grade demand meter, and therefore it would not be possible for the utility to collect demand and usage data from specific users of RNY Power.
2	Manna Fish Farms, Inc.	Hampton Bays	Suffolk	Long Island	LIPA	Open ocean aquaculture farm	The facility lacks demand metering preventing RNY Power delivery and billing.

(1) Given the proposed disposition of these applications, the eligibility of these applicants for an RNY Power allocation has not been considered at this time.

Line	Company	City	County	Economic Development Region	IOU	Description	Reason
1	Courier Packaging Enterprises Inc.	Brooklyn	Kings	New York City	CONED	Manufacturer of plastic bags	Applicant has been unresponsive to requests by staff for additional information, preventing a complete analysis of the application.
2	Materion Advanced Materials Technologies and Services Inc.	Buffalo	Erie	Western New York	NGRID	Manufacturer of high-tech targets & chemicals	Applicant has been unresponsive to requests by staff for additional information, preventing a complete analysis of the application.
3	Tessy Plastics Corp.	Baldwinsville	Onondaga	Central New York	NGRID	Manufacturer of injection molded plastics	Applicant has been unresponsive to requests by staff for additional information, preventing a complete analysis of the application.

EXHIBIT G
(Statutory Criteria – RNY Power Program)

- the significance of the cost of electricity to the applicant's overall cost of doing business, and the impact that a Recharge New York power allocation will have on the applicant's operating costs;
- the extent to which a Recharge New York power allocation will result in new capital investment in the state by the applicant;
- the extent to which a Recharge New York power allocation is consistent with any regional economic development council strategies and priorities;
- the type and cost of buildings, equipment and facilities to be constructed, enlarged or installed if the applicant were to receive an allocation;
- the applicant's payroll, salaries, benefits and number of jobs at the facility for which a Recharge New York power allocation is requested;
- the number of jobs that will be created or retained within the state in relation to the requested Recharge New York power allocation, and the extent to which the applicant will agree to commit to creating or retaining such jobs as a condition to receiving a Recharge New York power allocation;
- whether the applicant, due to the cost of electricity, is at risk of closing or curtailing facilities or operations in the state, relocating facilities or operations out of the state, or losing a significant number of jobs in the state, in the absence of a Recharge New York power allocation;
- the significance of the applicant's facility that would receive the Recharge New York power allocation to the economy of the area in which such facility is located;
- the extent to which the applicant has invested in energy efficiency measures, will agree to participate in or perform energy audits of its facilities, will agree to participate in energy efficiency programs of the authority, or will commit to implement or otherwise make tangible investments in energy efficiency measures as a condition to receiving a Recharge New York power allocation;
- whether the applicant receives a hydroelectric power allocation or benefits supported by the sale of hydroelectric power under another program administered in whole or in part by the New York Power Authority;
- the extent to which a Recharge New York power allocation will result in an advantage for an applicant in relation to the applicant's competitors within the state; and
- in addition to the foregoing criteria, in the case of a not-for-profit corporation, whether the applicant provides critical services or substantial benefits to the local community in

which the facility for which the Recharge New York power allocation is requested is located.



NY State Economic Development Power Allocation Board

ANDREW M. CUOMO
Governor

Date: December 10, 2018
To: Economic Development Power Allocation Board
From: Vice President, Economic Development
Subject: Recharge New York Power Allocation Extensions

SUMMARY

The Economic Development Power Allocation Board (“EDPAB” or “Board”) is requested to recommend that the New York Power Authority (“Authority” or “NYPA”) Trustees (“Trustees”) extend each of the existing 62 allocations of Recharge New York (“RNY”) Power (“Allocation” or collectively “Allocations”) awarded to the businesses listed in Exhibit “A” for a term of 7 years. The term would commence on the expiration of each such existing Allocation, or in the Authority’s discretion, on a date to be agreed upon by the parties for a term not to exceed 7 years (collectively, the “Extended Term”).

The Board is further requested to recommend that, in addition to any other terms and conditions that the Authority determines in its discretion to be appropriate for the sale of the Allocations as extended (“Extended Allocation”), such terms and conditions include:

- (1) provisions for effective periodic audits of the customer whose Allocation is extended for the purpose of determining contract and program compliance, and for the partial or complete withdrawal of an Allocation if the holder fails to maintain mutually agreed upon commitments, relating to, among other things, employment levels, power utilization, capital investments, and/or energy efficiency measures;
- (2) a requirement that the customer whose Allocation is extended (a) undertake at its own expense an energy audit of its facilities at which the allocation is consumed at least once during the term of the allocation absent good cause, and (b) provide the Authority with a copy of any such audit or, at the authority's option, a report describing the results of such audit, and provide documentation requested by the Authority relating to the implementation of any efficiency measures at the facilities; and
- (3) an agreement by the customer whose Allocation is extended to make its facilities available for energy audits and related assessments that the Authority desires to perform, if any, and provide information requested by the Authority or its designee in surveys, questionnaires and other information requests relating to energy efficiency and energy-related projects, programs and services.

BACKGROUND

On April 14, 2011, Governor Andrew M. Cuomo signed into law the RNY Power Program as part of Chapter 60 (Part CC) of the Laws of 2011. The RNY Power Program is codified

primarily in Economic Development Law (“EDL”) § 188-a and Public Authorities Law (“PAL”) § 1005(13-a). The program makes available 910 megawatts (“MW”) of “RNY Power,” 50% of which will be provided by the Authority’s resources and 50% of which will be procured by the Authority from other sources. RNY Power contracts can be for a term of up to 7 years in exchange for job and capital investment commitments. RNY Power is available to businesses and not-for-profit corporations for job retention and business expansion and attraction.

“Eligible applicant” is defined by statute to mean an eligible business, eligible small business, or eligible not-for-profit corporation, however, an eligible applicant shall not include retail businesses as defined by EDPAB, including, without limitation, sports venues, gaming or entertainment-related establishments or places of overnight accommodations.

RNY Power allocation awards are comprised of 50% hydropower and 50% Authority-procured market power. Prior to entering into a contract with an eligible applicant for the sale of RNY power, and prior to the provision of electric service relating to the RNY power allocation, the Authority shall offer each eligible applicant the option to decline to purchase the RNY market power component of such allocation. If an eligible applicant declines to purchase the RNY market power component, the Authority has no responsibility for supplying such market power to the eligible applicant.

Under applicable law, applications for RNY Power are first considered by EDPAB. EDPAB is authorized to recommend applicants to the Authority Trustees that it believes should receive an award of RNY Power based on applicable statutory criteria and other pertinent considerations. The statutory criteria are listed in Exhibit “B” to this memorandum.

An allocation recommended by EDPAB qualifies the subject applicant to enter into a contract with the Authority for the purchase of the RNY Power if the Authority makes an allocation award.

Currently, there are 742 customers who have been awarded a collective total of 828 Allocations of RNY Power.

At its meeting held on September 26, 2018, EDPAB recommended that the Trustees extend 180 RNY Power allocations. These customers were among the original RNY Power applicants to receive RNY Power applications at the inception of the RNY Power program in 2012. The NYPA Trustees, at their meeting on October 2, 2018, accepted EDPAB’s recommendations and authorized extensions of the 180 RNY Power Allocations.

EDPAB is now being requested to recommend that the Trustees extend an additional 62 RNY Power Allocations as listed in Exhibit “A” for customers who are also among the original RNY Power applicants to receive RNY Power allocation at the inception of the RNY Power program in 2012.

DISCUSSION

For the current round of recommendations, Authority staff has reviewed applications from 62 RNY Power customers who have filed applications requesting that their existing RNY Power allocations be extended. Exhibit “A” lists, among other things, the name of each such customer, the amount of its current RNY Power Allocation, and each customer’s supplemental commitments for jobs and capital investments under its existing RNY Power contract with the Authority (the “Existing Contract”). A copy of each application has also been made available to

the Board. Staff's review has included on a customer-specific basis consideration of such issues as the amount of each Allocation that would be extended, the supplemental commitments that these customers have made under their Existing Contract and are prepared to make as consideration for an extension, and the customer's compliance status under its Existing Contract, including its compliance with supplemental commitments for jobs and capital investments.

Staff has concluded that the businesses listed on Exhibit "A" which are located throughout the State bring valuable benefits to the State. In total, the Allocations listed in Exhibit "A" are supporting the retention of some 97,496 jobs and over \$4 billion in capital investments throughout New York State, and the Authority will require customers to commit to the same or substantially similar supplemental commitments for jobs and capital investments that are contained in Exhibit "A" for the Extended Term. Staff believes that an extension of each Allocation of the customers listed on Exhibit "A" is warranted and is consistent with the statutory criteria that are used to evaluate applications for an award of RNY Power which are summarized in Exhibit "B". Each Allocation that would be extended is identified in Exhibit "A". As described above, each Allocation would be extended for a term not to exceed 7 years.

In summary, EDL § 188-a (c)(2) provides that a recommendation by the EDPAB that the Authority provide a RNY Power allocation to an eligible applicant shall include: (1) the amount of the RNY Power allocation the Board is recommending should be awarded to such eligible applicant and an effective term of the allocation which shall not exceed 7 years; (2) provisions for effective periodic audits of the recipient of an allocation for the purpose of determining contract and program compliance, and for the partial or complete withdrawal of an allocation if the recipient fails to maintain commitments, relating to such things as employment levels, power utilization, capital investments, and/or energy efficiency measures; (3) requirements for an agreement by the recipient of an allocation undertake at its own expense an energy audit of its facilities at which the allocation is consumed modified by the authority on a showing of good cause by the recipient, and that the recipient provide the Authority with a copy of any such audit or a report describing the results of such audit; and (4) a requirement for an agreement by the recipient of an allocation to make its facilities available at reasonable times and intervals for energy audits and related assessments that the authority desires to perform. In addition, the Board's recommendation shall require that if the actual metered load at the facility where the allocation is utilized is less than the allocation, such allocation will be reduced accordingly.

If EDPAB recommends the extension of the Allocations and the NYPA Trustees accept such recommendations, the sale of the Extended Allocations would be governed by an Authority contract form that is approved by the Authority's Trustees. Consistent with EDL § 188-a (c)(2) discussed above, the contract form will contain provisions addressing such matters as effective periodic audits of the customer for the purpose of determining contract and program compliance, including supplemental commitments for jobs, capital investment and power utilization, and the partial or complete withdrawal of an RNY Power if the recipient fails to maintain mutually agreed upon commitments relating to among other things the aforementioned supplemental commitments. In addition, the contract will require that the customer perform an energy efficiency audit at its facility and provide access to the facility at the Authority's request.

RECOMMENDATION

For the reasons stated above, staff recommends that EDPAB:

- (1) Recommend to the NYPA Trustees that each of the existing 62 Allocations of RNY Power awarded to the businesses listed in Exhibit "A" be extended for a term of 7 years, to commence on the expiration of such Allocation, or at the Authority's discretion on a date to be agreed upon by the parties for a term not to exceed 7 years.
- (2) Recommend to the NYPA Trustees that, in addition to any other terms and conditions that the Authority determines in its discretion to be appropriate for the sale of the Extended Allocations, such terms and conditions include:
 - (a) provisions for effective periodic audits of the customer whose Allocation is extended for the purpose of determining contract and program compliance, and for the partial or complete withdrawal of an Allocation if the business fails to maintain mutually agreed upon commitments, including those relating to employment levels, capital investments, power usage and energy efficiency measures;
 - (b) a requirement that the customer whose Allocation is extended undertake at its own expense an energy audit of its facilities at which the allocation is consumed at least once during the term of the allocation absence good cause, and provide the Authority with a copy of any such audit or, at the Authority's option, a report describing the results of such audit, and provide documentation requested by the authority relating to the implementation of any efficiency measures at the facilities; and
 - (c) an agreement by the customer whose Allocation is extended to make its facilities available for energy audits and related assessments that the authority desires to perform, if any, and provide information requested by the Authority or its designee in surveys, questionnaires and other information requests relating to energy efficiency and energy-related projects, programs and services.

Keith T. Hayes
Vice President, Economic Development

RESOLUTION

RESOLVED, That the Economic Development Power Allocation Board (“Board”) recommends that the Board of Trustees (“Trustees”) of the Power Authority of the State of New York (“Authority”) extend each of the existing 62 allocations of Recharge New York (“RNY”) Power (“Allocation” or collectively “Allocations”) awarded to the businesses listed in Exhibit “A” to the attached memorandum of the Vice President-Economic Development for a term of 7 years, to commence (1) on the expiration of each such Allocation, or (2) at the Authority’s discretion on a date to be agreed upon by the Authority and the customer for a term not to exceed 7 years; and be it further

RESOLVED, That the Board further recommends that in addition to any other terms and conditions that the Authority determines in its discretion to be appropriate for the sale of the Allocations as extended (“Extended Allocations”), such terms and conditions include:

- (1) provisions for effective periodic audits of the customer whose Allocation is extended for the purpose of determining contract and RNY Power program compliance, and for the partial or complete withdrawal of an Extended Allocation if the customer fails to maintain mutually agreed upon commitments, including specifically commitments relating to, among other things, employment levels, power utilization, capital investments, and/or energy efficiency measures;
- (2) a requirement that the customer whose Allocation is extended (a) undertake at its own expense an energy audit of its facilities at which the Extended Allocation would be consumed at least once during the term of the Extended Allocation absence good cause as determined by the Authority, and (b) provide the Authority with a copy of any such audit or, at the Authority’s option, a report describing the results of such

- audit, and provide documentation requested by the authority relating to the implementation of any efficiency measures at the facilities; and
- (3) an agreement by the customer whose Allocation is extended to make its facilities available for audits and related assessments that the authority desires to perform, if any, and provide information requested by the authority or its designee in surveys, questionnaires and other information requests relating to energy efficiency and energy-related projects, programs and services.

Retention-Based Allocations

Line	Company	City	County	Economic Development Region	IOU	Description	Current kW Amount	kW Recommendation	Job Commitments	Capital Investment Commitment (\$)	Contract Term (years)
1	499 Syracuse City Centre, LLC	Syracuse	Onondaga	Central New York	NGRID	Restoring and renovating buildings	30	30	2	\$250,000	7
2	Ametek Thermal Systems, Inc.	Garden City	Nassau	Long Island	LIPA	Manufactures heat exchangers for aircrafts	420	420	165	\$2,500,000	7
3	Angiodynamics, Inc.	Glens Falls	Warren	Capital District	NGRID	Manufactures medical devices	690	690	536	\$250,000	7
4	Anoplate Corporation	Syracuse	Onondaga	Central New York	NGRID	Provides metal plating services	416	416	229	\$5,000,000	7
5	B. H. Aircraft Company, Inc.	Ronkonkoma	Suffolk	Long Island	LIPA	Manufactures aviation noise suppressors	640	640	69	\$2,000,000	7
6	Bartell Machinery Systems, L.L.C.	Rome	Oneida	Mohawk Valley	NGRID	Manufacturer of industrial equipment	186	186	149	\$4,260,000	7
7	Burton Industries Incorporated	North Babylon	Suffolk	Long Island	LIPA	Provides metal heat-treating services	260	260	30	\$250,000	7
8	Cascades USA Inc.	Waterford	Saratoga	Capital District	NGRID	Manufactures large industrial towels	510	510	137	\$400,000	7
9	CBS Broadcasting Inc.	New York	New York	New York City	CONED	Broadcasts radio and television	7,350	7,350	3,479	\$200,000,000	7
10	Claxton-Hepburn Medical Center	Ogdensburg	St. Lawrence	North Country	NGRID	Hospital	166	166	500	\$2,500,000	7
11	Clinton's Ditch Co-operative Company, Inc.	Cicero	Onondaga	Central New York	NGRID	Soft drink producer	840	840	190	\$4,000,000	7
12	Cold Spring Harbor Laboratory Association, Inc.	Cold Spring Harbor	Nassau	Long Island	LIPA	Research facility	1,200	1,200	985	\$45,000,000	7
13	Crescent Duck Farm, Inc.	Aquebogue	Suffolk	Long Island	LIPA	Farm	396	396	75	\$2,500,000	7
14	Crystal Window & Door Systems, Ltd.	Flushing	Queens	New York City	CONED	Manufactures windows and doors	356	356	300	\$2,500,000	7
15	Dab-O-Matic Corp.	Mount Vernon	Westchester	Mid-Hudson	CONED	Manufactures applicators	130	130	75	\$50,000	7
16	Garlock Sealing Technologies LLC	Palmyra	Wayne	Finger Lakes	NYSEG	Manufactures fluid sealing products	1,950	1,950	519	\$10,000,000	7
17	General Electric Company	Schenectady	Schenectady	Capital District	NGRID	Manufactures turbine components	10,000	10,000	3,531	\$18,000,000	7
18	Give And Go Prepared Foods (U.S.A.) Corp.	Shirley	Suffolk	Long Island	LIPA	Manufacturer of baked goods	900	900	160	\$5,000,000	7
19	GKN Aerospace Monitor, Inc.	Amityville	Suffolk	Long Island	LIPA	Commercial components for aerospace industry	1,250	1,250	312	\$9,000,000	7
20	GlobalFoundries U.S. 2 LLC	Hopewell Junction	Dutchess	Mid-Hudson	CHUD	Manufactures semiconductors	10,000	10,000	1,483	\$250,000	7
21	H.H. Dobbins, Inc.	Lyndonville	Orleans	Finger Lakes	NGRID	Produces and packages fruits and vegetables	140	140	49	\$400,000	7
22	Hall Street Storage, LLC	Brooklyn	Kings	New York City	CONED	Cold storage facility	86	86	20	\$50,000	7

Economic Development Power Allocation Board
 Extension Recommendations - RNY Power Allocations for Retention Purposes (Large Businesses, Small Business, and/or NFP Corporations)

Exhibit "A"
 December 10, 2018

Retention-Based Allocations

Line	Company	City	County	Economic Development Region	IOU	Description	Current kW Amount	kW Recommendation	Job Commitments	Capital Investment Commitment (\$)	Contract Term (years)
23	Harmac Medical Products, Inc.	Buffalo	Erie	Western New York	NGRID	Manufactures and designs medical products	350	350	235	\$1,100,000	7
24	Huntington Hospital Association	Huntington	Suffolk	Long Island	LIPA	Hospital	330	330	1,845	\$30,532,000	7
25	International Business Machines Corporation	Yorktown Heights	Westchester	Mid-Hudson	CONED	Manufactures supercomputers	6,036	6,036	1,555	\$140,000,000	7
26	International Business Machines Corporation	Poughkeepsie	Dutchess	Mid-Hudson	CHUD	Manufactures supercomputers	10,000	10,000	1,042	\$50,000,000	7
27	Jaquith Industries Inc.	Syracuse	Onondaga	Central New York	NGRID	Steel Fabrication	176	176	50	\$750,000	7
28	Lenox Hill Hospital	New York	New York	New York City	CONED	Hospital	666	666	3,976	\$117,170,000	7
29	Linde Merchant Production LLC	Fulton	Oswego	Central New York	NGRID	Produces atmospheric gases	1,876	1,876	6	\$125,000	7
30	Long Island Jewish Medical Center	New Hyde Park	Queens	New York City	CONED	Medical center	1,786	1,786	7,682	\$122,258,000	7
31	Magellan Aerospace, New York, Inc.	West Babylon	Suffolk	Long Island	LIPA	Manufactures aircraft components	330	330	136	\$3,000,000	7
32	Magellan Aerospace, New York, Inc.	Bohemia	Suffolk	Long Island	LIPA	Manufactures aircraft components	1,200	1,200	114	\$6,100,000	7
33	Magellan Aerospace, New York, Inc.	Corona	Queens	New York City	CONED	Manufactures aircraft components	330	330	167	\$3,100,000	7
34	Matt Brewing Co., Inc.	Utica	Oneida	Mohawk Valley	NGRID	Family-owned brewery for beer and soft drinks	560	560	120	\$10,000,000	7
35	Memorial Sloan-Kettering Cancer Center	New York	New York	New York City	CONED	Medical center	5,000	5,000	16,481	\$602,552,700	7
36	Morton Salt, Inc.	Silver Springs	Wyoming	Finger Lakes	NYSEG	Salt production	1,186	1,186	155	\$150,000,000	7
37	Mount St. Mary's Hospital of Niagara Falls	Lewiston	Niagara	Western New York	NGRID	Hospital	330	330	688	\$3,500,000	7
38	NBCUniversal Media, LLC	New York	New York	New York City	CONED	Multinational media company	4,676	4,676	4,000	\$350,000,000	7
39	NewYork-Presbyterian/Queens	Flushing	Queens	New York City	CONED	Hospital	666	666	3,887	\$242,416,540	7
40	North Shore University Hospital	Manhasset	Nassau	Long Island	LIPA	Hospital	3,060	3,060	7,805	\$394,878,000	7
41	Ohel Children's Home and Family Services, Inc.	Brooklyn	Kings	New York City	CONED	Social and community services	266	266	625	\$10,000	7
42	Omniafiltra, LLC	Beaver Falls	Lewis	North Country	NGRID	Manufactures paper	710	710	30	\$500,000	7
43	Oneida Health Systems, Inc.	Oneida	Madison	Central New York	NGRID	Health services	260	260	758	\$6,000,000	7
44	Oneida Molded Plastics, LLC	Oneida	Madison	Central New York	NGRID	Custom injection molding	380	380	150	\$750,000	7

Economic Development Power Allocation Board
 Extension Recommendations - RNY Power Allocations for Retention Purposes (Large Businesses, Small Business, and/or NFP Corporations)

Exhibit "A"
 December 10, 2018

Retention-Based Allocations

Line	Company	City	County	Economic Development Region	IOU	Description	Current kW Amount	kW Recommendation	Job Commitments	Capital Investment Commitment (\$)	Contract Term (years)
45	PCB Piezotronics, Inc.	Depew	Erie	Western New York	NYSEG	Manufactures sensors	260	260	447	\$1,000,000	7
46	Power Pallet, Inc.	Amsterdam	Montgomery	Mohawk Valley	NGRID	Manufactures wood pallets	116	116	134	\$1,000,000	7
47	Rebekah Rehab Assisted Living Program, Inc.	Bronx	Bronx	New York City	CONED	Health services	140	140	170	\$500,000	7
48	Reisdorf Bros., Inc.	North Java	Wyoming	Finger Lakes	NYSEG	Manufactures and supplies farm feed	390	390	42	\$1,500,000	7
49	Renzi Bros., Inc.	Watertown	Jefferson	North Country	NGRID	Wholesale foodservice distributor	226	226	195	\$2,500,000	7
50	Revere Copper Products, Inc.	Rome	Oneida	Mohawk Valley	NGRID	Manufactures copper and brass products	6,600	6,600	320	\$24,200,000	7
51	Sealing Devices Inc.	Lancaster	Erie	Western New York	NYSEG	Manufactures gaskets and seals	110	110	165	\$3,000,000	7
52	Southside Hospital	Bay Shore	Suffolk	Long Island	LIPA	Hospital	330	330	2,734	\$334,394,000	7
53	Staten Island University Hospital	Staten Island	Richmond	New York City	CONED	Hospital	330	330	5,534	\$98,500,000	7
54	The Fountainhead Group, Inc.	New York Mills	Oneida	Mohawk Valley	NGRID	Manufactures air and gas compressors	300	300	175	\$5,000,000	7
55	The Mount Sinai Hospital	New York	New York	New York City	CONED	Hospital	2,050	2,050	21,336	\$950,000,000	7
56	UltrePET, LLC	Albany	Albany	Capital District	NGRID	Recycling business	880	880	61	\$2,000,000	7
57	Upstate Niagara Cooperative, Inc.	West Seneca	Erie	Western New York	NYSEG	Produces dairy products	190	190	176	\$15,000,000	7
58	Upstate Niagara Cooperative, Inc.	Buffalo	Erie	Western New York	NYSEG	Produces dairy products	800	800	183	\$5,000,000	7
59	Upstate Niagara Cooperative, Inc.	Rochester	Genesee	Finger Lakes	RGE	Produces dairy products	670	670	175	\$4,000,000	7
60	Veeco Instruments Inc.	Plainview	Suffolk	Long Island	LIPA	Manufactures technological equipment	476	476	172	\$800,000	7
61	Vicks Lithograph & Printing Corp.	Yorkville	Oneida	Mohawk Valley	NGRID	Book printing	490	490	75	\$1,000,000	7
62	Welch Allyn, Inc.	Skaneateles Falls	Onondaga	Central New York	NGRID	Manufactures medical and diagnostic devices	1,416	1,416	900	\$5,000,000	7

Totals							93,864	93,864	97,496	\$4,003,296,240	
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EXHIBIT B
(Statutory Criteria – RNY Power Program)

- the significance of the cost of electricity to the applicant's overall cost of doing business, and the impact that a Recharge New York power allocation will have on the applicant's operating costs;
- the extent to which a Recharge New York power allocation will result in new capital investment in the state by the applicant;
- the extent to which a Recharge New York power allocation is consistent with any regional economic development council strategies and priorities;
- the type and cost of buildings, equipment and facilities to be constructed, enlarged or installed if the applicant were to receive an allocation;
- the applicant's payroll, salaries, benefits and number of jobs at the facility for which a Recharge New York power allocation is requested;
- the number of jobs that will be created or retained within the state in relation to the requested Recharge New York power allocation, and the extent to which the applicant will agree to commit to creating or retaining such jobs as a condition to receiving a Recharge New York power allocation;
- whether the applicant, due to the cost of electricity, is at risk of closing or curtailing facilities or operations in the state, relocating facilities or operations out of the state, or losing a significant number of jobs in the state, in the absence of a Recharge New York power allocation;
- the significance of the applicant's facility that would receive the Recharge New York power allocation to the economy of the area in which such facility is located;
- the extent to which the applicant has invested in energy efficiency measures, will agree to participate in or perform energy audits of its facilities, will agree to participate in energy efficiency programs of the authority, or will commit to implement or otherwise make tangible investments in energy efficiency measures as a condition to receiving a Recharge New York power allocation;
- whether the applicant receives a hydroelectric power allocation or benefits supported by the sale of hydroelectric power under another program administered in whole or in part by the New York Power Authority;
- the extent to which a Recharge New York power allocation will result in an advantage for an applicant in relation to the applicant's competitors within the state; and
- in addition to the foregoing criteria, in the case of a not-for-profit corporation, whether the applicant provides critical services or substantial benefits to the local community in

which the facility for which the Recharge New York power allocation is requested is located.



NY State Economic Development Power Allocation Board

ANDREW M. CUOMO
Governor

Date: December 10, 2018

To: Economic Development Power Allocation Board

From: Vice President, Marketing

Subject: Extension of the Economic Development Plan

SUMMARY

The Economic Development Power Allocation Board (“EDPAB” or “Board”) is requested to approve an extension of the Economic Development Plan (“Plan”) covering the use of net revenues produced by the sale of Expansion Power (“EP”) to provide electric bill discounts in the form of an Industrial Incentive Award (“IIA”) to manufacturing companies located in New York State that are at identifiable risks of closure or relocation to another state. With EDPAB’s approval, the term of the Plan would be extended from June 1, 2018 to May 31, 2019.

BACKGROUND

Public Authorities Law (“PAL”) §1005 (eighth unnumbered paragraph) directs the Authority to identify “net revenues” produced by the sale of EP and, further, to identify an amount of such net revenues that will be used solely for IIAs. The New York Power Authority (“Authority”) is directed in §1005 to identify net revenues available for IIAs no less often than annually. Net revenues are defined by §1005 as any excess of revenues properly allocated to the sales of EP over costs and expenses properly allocated to such sales.

IIAs are to be made in conformance with an economic development plan covering all such “net revenues.” The Authority submits a Plan to EDPAB, pursuant to Economic Development Law (“EDL”) §188, which also provides for EDPAB’s approval of the Plan upon its determination that such Plan is consistent with, among other things, the criteria and requirements provided for in EDL §§184 and 185 that are used to evaluate applications for certain power. A copy of EDL §§ 184 and 185 is attached as Exhibit “A.”

At its October 26, 2009 meeting, EDPAB approved an Economic Development Plan that allows the use of net revenues from the sale of EP for the calendar years 2008 through and including 2016 to provide electric bill discounts to manufacturing companies located in New York State that are at identifiable risks of closing or relocating to another state.

At its May 21, 2013 meeting, the Authority’s Board of Trustees (“Trustees”) authorized an IIA to Pratt Paper (NY), Inc. (“Pratt”) upon determining that Pratt had demonstrated it met the qualifying criteria for an IIA and after careful consideration of Pratt’s business case. The Trustees approved an annual amount of up to \$1 million per year for up to five (5) years.

At its September 27, 2016 meeting, the Trustees approved an extension of the Plan to May 31, 2018 and also authorized submission of such Plan to EDPAB to request its approval of

the modified Plan to cover the remainder of the five year term of the IIA to Pratt. At its December 12, 2016 meeting, EDPAB approved the extension of the Plan that allows the use of net revenues from the sale of EP to May 31, 2018.

Pratt operates a paper mill, a corrugated box factory and a sorting facility in Staten Island within Consolidated Edison's service territory. Manufacturing processes represent a substantial portion of Pratt's total electricity consumption; energy costs are a primary consideration for the economic viability of the plant. Pratt's IIA, in the form of a cents per kWh price discount applied to a level of annual electric consumption, was approved subject to, among other appropriate terms and conditions:

- Reevaluation and reduction should Pratt's electric rates decline during the term of the IIA.
- The availability of EP net revenue funding for IIAs, which is in NYPA's sole discretion;
- Appropriate determination(s) by the Trustees that the funding of IIAs in any fiscal year will not have a significant impact on the Authority's finances.
- Approval of an extension of the Plan by EDPAB beyond 2016 to the extent that an IIA to Pratt would extend beyond such year.
- A reduction in the amount of the IIA if Pratt does not meet agreed-upon job commitments (256 full-time employees) at the Staten Island facility.
- An agreement providing for the IIA and which address these and other appropriate terms and conditions in a form satisfactory to the Authority.

The Authority executed an agreement with Pratt ("Agreement") providing for the terms and conditions applicable to the Pratt IIA. The Agreement provided for an initial 1-year term for the IIA and an extension of the IIA for 4 subsequent 1-year terms at the Authority's discretion subject to conditions specified in the Agreement. As approved by the Trustees and in accordance with the Agreement, Pratt was eligible to receive up to \$1 million for each year and has received \$1 million for each year of the IIA for a total of \$5 million.

At the completion of each annual term, a compliance review and due diligence was performed on the terms and conditions of the Agreement prior to offering each subsequent annual term. Pratt has been compliant for each annual term, most recently employing an average of 256 persons at its facility during the fifth and final annual term ending May 31, 2018.

DISCUSSION

As the fifth and final year of the IIA drew to a close this May, Pratt requested an extension of the IIA. Upon review of Pratt's current business case, staff determined that Pratt continues to meet the IIA requirements of being a manufacturing company at risk of closing or curtailing operations, and continues to be negatively impacted by high electricity costs within Consolidated Edison service territory which threatens the economic viability of operations at its Staten Island facility. An extension of the IIA would support Pratt's ability to maintain the committed employment level of 256 jobs at its facility. NYPA and Pratt reached agreement on an offer to extend the IIA contingent upon necessary Trustee and EDPAB approvals.

At its October 2, 2018 meeting the Trustees:

- 1) approved an extension, from June 1, 2018 to May 31, 2019, of the Plan covering the use of net revenues produced by the sale of EP to provide electric bill discounts in the form of an IIAs to manufacturing companies located in New York State that are at risk of closure or relocation to another state;

- 2) authorized submission to EDPAB of a request to approve an extension of the Plan from June 1, 2018 to May 31, 2019; and
- 3) approved a one year extension, from June 1, 2018 to May 31, 2019, of the term of the IIA previously awarded to Pratt in the amount of up to \$1 million in connection with its Staten Island operations, contingent upon EDPAB's extension of the Plan as described above.

Accordingly, EDPAB is asked to approve the extension of the Plan to May 31, 2019 as requested by the Trustees.

FISCAL INFORMATION

IAs may be paid only if sufficient net revenues are produced by the sale of EP. Given that such net revenues and associated awards are anticipated in each year's budget, extension of the Plan through May 31, 2019 to accommodate the one year extension of Pratt's IIA benefits will not have a significant impact on the Authority's finances.

RECOMMENDATION

For the reasons stated above, staff recommends that EDPAB: (1) determine that the extended Plan and its implementation are consistent with the criteria and requirements provided for in EDL §§ 184 and 185; and (2) approve an extension to May 31, 2019 of the Plan covering the use of net revenues produced by the sale of Expansion Power to provide electric bill discounts in the form of IAs to manufacturing companies located in New York State that are at identifiable risks of closure or relocation to another state.

Keith T. Hayes
Vice President, Economic Development

RESOLUTION

RESOLVED, That the Economic Development Power Allocation Board determines that, based the attached memorandum and other information referred to therein, and the criteria and requirements provided for in Economic Development Law §§ 184 and 185 (collectively, the “Criteria”), the extended Economic Development Plan (“Plan”) and its implementation are consistent with the Criteria, and therefore approves the extended Plan that provides for the use of net revenues from the sale of Expansion Power through May 31, 2019, in order to provide electric bill discounts in the form of Industrial Incentive Awards to manufacturing companies in New York State that are at identifiable risk of closure or relocation to another state, and for the reasons indicated in the Attached Memorandum.

Economic Development Law §§ 184 AND 185

§ 184. Criteria for eligibility for economic development power. Each application for an allocation of economic development power shall be evaluated under criteria adopted by the board. Such criteria shall address, but need not be limited to:

- (a) the number of new jobs created as a result of an economic development power allocation;
- (b) the applicant's long-term commitment to New York state, as evidenced by the applicant's current and/or planned capital investment in business facilities in New York state;
- (c) the ratio of the number of jobs to be created to the amount of economic development power requested by the applicant;
- (d) the types of jobs created, as measured by wage and benefit levels, security and stability of employment;
- (e) the type and cost of buildings, equipment and facilities to be constructed, enlarged or installed;
- (f) the extent to which economic development power will affect the overall productivity or competitiveness of the applicant's business and its existing employment within the state;
- (g) the extent to which an allocation of economic development power may result in a competitive disadvantage for other businesses in the state;
- (h) the general economic conditions and economic distress in the area in which the applicant's business facility would be located and the extent to which economic development power could contribute to the alleviation of such distress;
- (i) the growth potential of the business facility and the contribution of economic strength to the area in which the business facility is or would be located;
- (j) the extent of the applicant's willingness to make jobs available to persons defined as eligible for services under the federal job training partnership act of nineteen hundred eighty-two and the extent of the applicant's willingness to satisfy affirmative action goals;
- (k) the extent to which an allocation of economic development power is consistent with state, regional and local economic development strategies and priorities and supported by local units of government in the area in which the business is located; and
- (l) the impact of the allocation on the operation of any other facilities of the applicant, on other businesses within the state, and upon other electric ratepayers.

§ 185. Revitalization programs. In addition to the criteria described in section one hundred eighty-four of this article and such other criteria as the board may by rule or regulation define, an economic development power allocation may be made to a business in serious, long-term distress that is not primarily caused by normal, short-term changes in the business cycle, when the applicant demonstrates to the satisfaction of the board:

(a) that the applicant has formulated and will implement a comprehensive business revitalization plan which is described in its application, and which:

(1) contains a detailed strategy for actions to be taken by the applicant to continue as a successful business, including, but not limited to, productivity and efficiency improvements, changes in operations, financing or management, measures to enhance labor and management cooperation and to improve the skills and performance of the work force at all levels, capital investment in new equipment and plant modernization, development of new markets and products, and such other actions as will enable the business to stabilize and sustain its operations;

(2) has been endorsed by the board of directors; and

(3) establishes a verifiable schedule for completion of proposed actions;

(b) that an allocation of economic development power will significantly contribute to the revitalization plan;

(c) that the business is likely to close, partially close or relocate out of state resulting in the loss of substantial numbers of jobs;

(d) that the business is an important employer in the community and efforts to revitalize the business are in the long-term interests of both employees and the community;

(e) that a reasonable prospect exists that the proposed revitalization plan will enable the business to remain competitive and become profitable and preserve jobs for a substantial period of time;

(f) that the applicant demonstrates cooperation with the local electricity distributor and other available sources of assistance to reduce energy costs to the maximum extent practicable, through conservation and load management; and

(g) that the allocation will not unduly affect the cost of electric service to customers of the local electricity distributor.



NY State Economic Development Power Allocation Board

ANDREW M. CUOMO
Governor

Date: December 10, 2018

To: Economic Development Power Allocation Board

From: Vice President, Economic Development

Subject: Transfer of RNY Power and RNY Hydropower Allocations

SUMMARY

The Economic Development Power Allocation Board (“Board”) is requested to approve the transfer of the Recharge New York (“RNY”) Power and RNY Hydropower allocations listed below, subject to the conditions discussed in this memorandum:

1. Transfer of a pending 1,800 kilowatt (“kW”) Recharge New York (“RNY”) Power allocation from Fresh Direct, LLC to a related company, Fresh Property Bronx, LLC, for use at facilities located at 2 St. Ann’s Avenue, Bronx, New York, in order to address internal corporate organizational changes.
2. Transfer of a 1,000 kW RNY Hydropower allocation awarded to RED-Rochester, LLC for use at a facility located at 210 West Ridge Road, Rochester, New York to a facility located at 1200 Ridgeway Avenue, Rochester, New York.
3. Transfer of a 416 kW RNY Power allocation from Ward Lumber Company, Inc. to Ward Pine Mill, Inc. to address corporate organizational changes.

The Board has previously approved transfers of RNY Power and RNY Hydropower allocations in similar circumstances.

If the Board approves the requested transfers, the Trustees of the New York Power Authority (“Authority”) will also be requested to approve the transfers.

DISCUSSION

The following discussion describes the facts relating to the recommended transfers.

1) Fresh Direct, LLC

Fresh Direct, LLC (“Fresh Direct”) is a direct-to-consumer New York City-based internet grocer that delivers a full line of grocery products to consumers throughout the New York City metropolitan area. Fresh Direct, which operates out of a facility located at 2 St. Ann’s Avenue, Bronx, New York has a pending 1,800 kW RNY Power allocation for use at this facility.

Shortly after Fresh Direct applied for the RNY Power allocation, the parent-owner of the business, Fresh Direct Holdings, Inc., created a limited liability company named Fresh Property Bronx, LLC (“Fresh Bronx”) in order to own and run the Bronx-based operations.

The Fresh Direct entities request a formal transfer of the 1,800 kW RNY Power allocation to Fresh Bronx. Fresh Bronx would be subject to the same terms and conditions that have been approved by the Board of Trustees for Fresh Direct.

2) RED-Rochester, LLC

RED-Rochester, LLC (“RED-Rochester”) provides the utilities for the entire Eastman Business Park, the largest technology and industrial park east of the Mississippi river. In this role, it has converted an old coal-fired power plant to natural gas and upgraded to a high efficiency boiler, and upgraded all the utility delivery systems in the technology and industrial park. The company has a 1,000 kW RNY Hydropower allocation with an associated employment commitment of 70 jobs.

The company was operating out of temporary facilities located at 210 West Ridge Road in Rochester, which is the site originally approved to receive the RNY Hydropower allocation. However, the company has since moved to long-term facilities located at 1200 Ridgeway Avenue in Rochester. RED-Rochester requests that the allocation be transferred to the 1200 Ridgeway Avenue facility. The company would continue to honor all commitments related to the 1,000 kW RNY Hydropower allocation, including supplemental commitments for employment, power utilization and capital investment.

3) Ward Lumber Company, Inc.

Ward Lumber Company, Inc. (“Ward”) has operated one of the largest white pine sawmills and planer mills (collectively, “Mill Operation”) in New York State at facilities located at 702 Glen Road, Jay, New York. Ward was awarded a 416 kW RNY Power allocation for use at the 702 Glen Road location. The allocation has an associated employment commitment of 35 jobs.

Ward has reorganized has split off the Mill Operation. The Mill Operation is now operated by an affiliated company named Ward Pine Mill, Inc. (“WPM”).

Ward requests that the 416 kW RNY Power allocation be transferred to WPM for use at the 702 Glen Road location to continue to support the Mill Operation. WPM would agree to honor all commitments, including the employment, power utilization and capital investment commitments associated with this allocation.

RECOMMENDATION

Staff recommends that the Board approve the transfers discussed above, subject to the following conditions: (1) approval of the transfer by the Authority; (2) there be no material reductions in the base employment levels or capital investment commitments associated with the allocations that would be transferred; and (3) the transfers are addressed in contract documents containing such terms and conditions determined by the Authority to be appropriate to effectuate each transfer.

For the reasons stated, I recommend the approval of the above-requested action by adoption of the resolution below.

RESOLUTION

RESOLVED, That the transfer of the 1,800 kilowatt (“kW”) Recharge New York (“RNY”) Power allocation awarded to Fresh Direct, LLC for its use at its facility at 2 St. Ann’s Avenue, Bronx, New York, to Fresh Property Bronx, LLC, as described in the foregoing memorandum (“Memorandum”) be, and hereby is, approved subject to the following conditions: (1) approval of the transfer by the New York Power Authority (“Authority”); (2) there be no material reduction in the base employment level or capital investment commitment due to the transfer as provided for above; and (3) the transfer is addressed in contract documents containing such terms and conditions determined by the Authority to be appropriate to effectuate the transfer; and be it further

RESOLVED, That the transfer of the 1,000 kW RNY Hydropower allocation awarded to RED-Rochester LLC for its use at its facility at 210 West Ridge Road in Rochester, New York, to its facility at 1200 Ridgeway Avenue in Rochester, New York, as described in the foregoing Memorandum be, and hereby is, approved subject to the following conditions: (1) approval of the transfer by the Authority; (2) there be no material reduction in the base employment level or capital investment commitment due to the transfer as provided for above; and (3) the transfer is addressed in contract documents containing such terms and conditions determined by the Authority to be appropriate to effectuate the transfer; and be it further

RESOLVED, That the transfer of the 416 kW RNY Power allocation awarded to Ward Lumber Company, Inc. for use at its facility located at 702 Glen Road, Jay, New York, to Ward Pine Mill, Inc. for use at the same facility, as described in the foregoing Memorandum be, and hereby is, approved subject to the following conditions: (1) approval of the transfer by the Authority; (2) there be no material reduction in the base employment level or capital investment commitment due to the transfer as provided for above; and (3) the transfer is addressed in

contract documents containing such terms and conditions determined by the Authority to be appropriate to effectuate the transfer.



NY State Economic Development Power Allocation Board

ANDREW M. CUOMO
Governor

December 10, 2018

Next Meeting

The next meeting of the Board will be held via videoconference on Monday, January 23, 2019 at 10:00 a.m.