

Sustainable Westchester, Inc.



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September 17, 2015

Hon. Kathleen H. Burgess
Secretary to the Commission
New York State Public Service Commission
Agency Building 3
Albany, NY 12223-1350

Dear Secretary Burgess:

Sustainable Westchester, Inc. (SW) is formally requesting the aggregate electricity consumption data (total kilowatt hours consumed, by service class, in each of the past 12 months, and capacity necessary to serve aggregated load at peak demand) for 16 municipalities in Westchester County that have passed a local law authorizing their participation in the Community Choice Aggregation (CCA) demonstration program. The New York State Public Service Commission has granted SW approval to implement the CCA demonstration program for its municipal members in an Order issued February 26, 2015 (Case 14-M-0564).

In that Order, Consolidated Edison Company of New York, Inc. and New York State Electric & Gas Corporation have been directed to provide aggregated and customer-specific data to SW and its members. The Order allows the aforementioned utilities to be compensated for this provision. SW and the utilities have subsequently agreed upon preliminary terms for compensation. However, if any future Orders or rulemaking decisions regarding Community Choice Aggregation reduce data costs, Sustainable Westchester requests that the Westchester demonstration program be covered under the new rules.

At this time, all that is requested is the aggregate data described above in order to inform potential suppliers of the combined load size and shape to be served; customer-specific data will be requested if the bidding process yields an accepted bid and tri-party agreements have been signed.

Sustainable Westchester has engaged officials from each of its 40 members in a comprehensive public outreach and education campaign. SW has presented, answered questions from officials and residents, and received comment at a minimum of 115 meetings throughout Westchester County. At least 42 of these have been public hearings noticed according to appropriate requirements. These meetings also include regular Board/Council meetings, work sessions, and meetings requested by local civic or homeowner associations. SW has distributed orienting materials (including a presentation slide deck and an extensive FAQ) to its members, and has posted these materials and much more on its website in a 'CCA Toolkit'.

SW volunteers have had regular correspondence by email and phone with elected officials and administrators from nearly all of the municipalities. SW has held two CCA webinars, with a combined 302 registrants and 246 attendees. SW has followed up with each of these registrants and attendees. SW has also sent e-mail blasts to sustainability committees in 15 municipalities with template materials for committee members to distribute to their own local contact lists.

SW has presented at a three-hour conference with a 257 local leaders as well as 90-minute local conferences of 420 local leaders in 11 municipalities. SW has also presented at two recent daylong conferences in Manhattan and Ulster County on energy issues for low-income attended by a combined 350 New York energy professionals.

Representatives of SW have complied with any and all interview requests from journalists, and the CCA program has been the subject of feature articles in two countywide newspapers, and a minimum of 15 local newspapers, subscribed newsletters, or online publications (copies available upon request). 9 municipal websites have posted CCA information, 8-11 more plan to follow. Information about the Westchester CCA program is currently posted on 6 countywide organizations' websites. SW has also launched an informational social media campaign to databases of more than 5,000 county residents.

SW has sent e-mail blasts to all WWF members in the county, communications to NYLCV members, and has mailings scheduled to go out to all Garden Club and Audubon Society members in the county.

In addition, many of the municipalities have sent out e-blasts to their resident lists describing the program, and notifying them of upcoming meetings and/or hearings. Some municipalities have also engaged in phone campaigns. Finally, at least two municipalities plan to go above and beyond the required mailing to bundled customers to ensure that residents currently in contract with ESCO are alerted to their opportunity to opt-in to the program when their current contract terminates.

Sustainable Westchester has procured a written Opinion from the Assistant Solicitor General confirming that home rule is the proper realm for municipalities to authorize participation in a CCA program on behalf of its residents. SW has drafted and distributed a template local law that municipalities have customized to suit their codebooks and set public hearings to discuss the possibility of adopted such a law. As of September 15, 2015, 15 municipalities have adopted the local law. Each of these local laws has been publicly posted and archived on municipal websites, and distributed at public meetings in advance of their adoption.

This account of this activity in Westchester is in response to the February 26 Order, which requires a letter "certifying that a public outreach campaign has been conducted by the municipality or its designee." The Order also states that after receipt of this letter, DPS Staff will order the utility to release the requested data.

The 15 municipalities that have passed the local law are: New Rochelle, Lewisboro, Somers, Bedford, Croton-on-Hudson, the Village of Ossining, the Town of Ossining, Pleasantville, Rye Brook, Tuckahoe, the Town of Mamaroneck, North Salem, Irvington, Pound Ridge, Cortlandt, and Tarrytown.

In addition, 7 more municipalities have upcoming public hearings scheduled. SW anticipates requesting aggregate data for most, if not all of these municipalities in the coming weeks. The schedule for these hearings is as follows:

- Mount Kisco- 9/21
- Port Chester- 9/21
- New Castle- 9/21
- Pelham Manor- 9/22
- Larchmont- 9/28
- Town of Greenburgh- 9/29
- White Plains- 10/5

After the above municipalities have held public hearings and had a chance to adopt the local law, SW anticipates issuing a request for proposals on October 12, 2015 to the ESCOs registered in New York State. The response window will be relatively narrow, and bids will be reviewed quickly. If a bid is accepted, Energy Service Agreements will be reviewed and signed by municipalities. In this event, the anticipated launch date will be January 1, 2016. To expedite the process, Sustainable Westchester is requesting the total number of bundled customer accounts (both residential and small commercial) in advance of the remaining aggregate data. This will allow time for Sustainable Westchester to earmark the appropriate funds to compensate the utilities for the records.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Gordon', with a large, loopy flourish extending to the right.

Mike Gordon
Co-Chair, Sustainable Westchester