

My name is Lynn Arthur, and I am a LIPA ratepayer living in Southampton. I founded Peak Power LI, a not for profit, to assist municipalities with public engagement concerning renewable energy policy, programs, and projects. Today, I am representing myself in the role of local organizer for Choice Community Power, a Long Island based Community Choice Aggregation Program, a program designed to provide long islanders the choice of electricity from 100% renewable sources at the same or lower price than from PSEGLI.

I chose to speak today to express my support for public ownership and give you a specific example as to why this change would be to the betterment of long islanders and frankly for the planet.

Community Choice Aggregation was Ordered by the Public Service Commission in April 2016, after the successful completion of a 2-year pilot in Westchester County, where 20 municipalities jointly exercised Home Rule, competitively bid electric power supply from 100% renewable sources and subsequently saved ~\$17 million over 2 years for 110,000 ConEd and NYSEG customers.

When the Commission authorized the establishment of generic municipal CCA programs statewide and set forth the framework for CCA, they ordered electric & gas utilities in NYS to file a CCA Tariff in their respective jurisdictions. In August 2016, all Investor-Owned Utilities did exactly that, the Long Island Power Authority did not. As a self-regulating utility, LIPA is not under the jurisdiction of the Department of Public Service and therefore not required to comply with PSC Orders.

In 2018 Peak Power, Southampton Town and Joule Community Power initiated a campaign to encourage the LIPA Board to adopt a CCA Tariff so we could bring competition for electricity to Long Island. We mobilized public support including east end elected officials and in June 2020, LIPA adopted a CCA Tariff. However, to paraphrase Assemblyman Thiele, the Tariff contained a “poison pill”.

Unlike the CCA Tariffs filed outside the LIPA service area, if an Electric Service Company other than PSEGLI were awarded a power supply contract under a CCA program, the ESCO would be required to operate under the jurisdiction of LIPA’s LI Choice program. The net effect of this unique requirement would increase the ESCO’s cost by almost 50%, in effect creating a monopolistic energy market rather than a competitive one.

Over the last four years the public service commission has initiated several cases that examined aspects of the CCA program and focused on issues inhibiting CCA on Long Island. We participated in all of them and as part of your current analysis I highly recommend you research the testimony provided by Southampton Town Staff, Town officials, Joule community Power and myself on the PSC website. I’ve provided the links to those PSC Cases in the footnotes to this testimony.

Meanwhile, Southampton Town observed that municipalities upstate, were launching Opt-out Community Solar projects. In addition to lease revenue, solar projects on municipal land such as a landfill, under CCA, enabled the elected officials from Brockport and Lima for example, to assign free electric bill credits to their constituents and reduce their own cost of electricity. The low-income eligible households receiving these benefits are not required to sign a contract, or submit to a credit check and can opt-out at any time at no cost.

The Southampton Town Board is attempting to do the same. As we speak, a 5MW Community Solar array is being built on the Town’s landfill, free bill credits will flow to low-income eligible residents and the municipality will receive bill credits and lease payments for 20+ years at no cost to taxpayers and no tax subsidies to the developer.

So, what's the latest obstacle LIPA has put in our path? At LIPA's Nov 17th public hearing concerning Tariff changes, I provided testimony indicating that the changes proposed would require households in a CCA program, to pay twice for capacity. And as a result, I suggested this modification will not enable supply competition on Long Island and therefore be non-compliant with the CCA legislation specific to Long Island authored by Assemblyman Thiele and signed by the Governor in 2021.

In closing, I ask you to consider the bigger picture. The IPCC has Indicated that if we haven't hit the target greenhouse gas reduction by 2029, we've reached the point of no return. The CLCPA, contains specific targets and dates for solar, battery storage, greenhouse gas reduction and offshore wind. So as you deliberate, please consider this critical question:

To what extent does LIPA's current structure and lack of outside independent oversight obstruct progress towards those goals in the timeframe needed?

With your leadership, a reimagined LIPA will hopefully clear the path so we can scale up our efforts concerning CCA and Community Solar and replicate the benefits New Yorkers are enjoying all over the State but not here in the LIPA Service Area.

Thank you for the opportunity to provide testimony

Lynn Arthur
 Founder, Peak Power LI, Inc.
 Local organizer, Choice Community Power

Case #	Title	link
14-01211	Motion of the Commission to Enable Community Choice Aggregation Programs	https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=14-m-0224&CaseSearch=Search
20-00587	Tariff Filing of Long Island Power Authority to Modify its Tariff for Electric Service 2020	https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=20-00587&submit=Search
19-01480	Consolidated Billing for Distributed Energy Resources	https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=19-M-0463&CaseSearch=Search
15-02754	Examining the Potential Benefits of Retail Competition for Long Island Electric Customers	https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=15-02754&CaseSearch=Search
15-00348	Motion of the Commission as to the Policies, Requirements and Conditions For Implementing a Community Net Metering Program	https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=15-E-0082&CaseSearch=Search