STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

In the Matter of Consolidated Billing for Distributed Energy Resources — **Case 19-M-0463**

REPLY COMMENTS OF THE COALITION FOR COMMUNITY SOLAR ACCESS (CCSA) AND NEW YORK SOLAR ENERGY INDUSTRIES ASSOCIATION (NYSEIA)

Dated May 10, 2024

The Coalition for Community Solar Access (CCSA) and New York Solar Energy Industries Association (NYSEIA) submit these comments in response to the Commission's Notice inviting Reply Comments to the DPS Staff Proposal (Staff Proposal) to establish Performance Metrics and Negative Revenue Adjustments (NRAs) for Community Distributed Generation (CDG) Billing & Crediting. CCSA and NYSEIA's comments strongly support the Staff Proposal, along with every other intervenor in the proceeding with the exception of the Joint Utilities (JU) who are the subject of the proposed performance metrics and NRAs. Therefore, these reply comments focus specifically on the JU comments. CCSA and NYSEIA's reply comments address multiple substantive errors, logical flaws, and misunderstandings of the September 2022 Commission Order requiring performance metrics and NRAs[1] in the JU comments:

- The JU comments do not represent an attempt to implement the Commission's Order in good faith.
- The JU claim that the Staff Proposal's metrics are "unduly burdensome" and "unreasonable" misunderstand the Commission Order.
- The JU Alternative Proposal does not adequately address numerous CDG billing and crediting issues that *are* adequately addressed in the Staff Proposal.
- CCSA and NYSEIA reject the JU assertion that "the proposed metrics and targets are wholly inconsistent with the basic principles for the design and implementation of performance mechanisms."

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[1] CASE 19-M-0463. ORDER ESTABLISHING PROCESS REGARDING COMMUNITY DISTRIBUTED GENERATION BILLING ("CDG Billing Order"). September 15, 2022.

- The Commission need not be hamstrung by historical precedent for baselining and establishing performance targets for Customer Service Performance Indicators (CSPI).
    - CDG Performance Metrics are fundamentally different from CSPIs because of the immense financial impact to customers, developers, and subscriber organizations and the reputational impact on New York's community solar programs.
    - CCSA and NYSEIA reiterate support for the metrics and penalty values in Staff's Proposal.
- The JU make several specific claims, some of which are valid, and others of which are invalid.
    - CCSA and NYSEIA reject the notion that there is a disproportionate impact between utilities. Upstate and downstate NRAs are perfectly aligned based on utility revenues and should not be modified.
    - Any Commission Order in this proceeding should supersede the CDG metrics in existing rate plans.
    - Some of the JU proposed remedy and exclusion periods are reasonable; others are not.

1. **The JU comments do not represent an attempt to implement the Commission's Order in good faith**

As the Staff Proposal notes, there were several opportunities for the JU and other stakeholders to provide input to DPS to inform the Staff Proposal, including opportunities to raise concerns with the proposals made by other parties. Staff conducted stakeholder conferences on November 9, 2022 and again on February 27, 2023. "At these technical conferences, "presentations were given from industry stakeholders, including CDG developers, distribution utilities, and Community Choice Aggregation Administrators. Specifically, the New York Solar Energy Industries Association (NYSEIA)/Coalition for Community Solar Access (CCSA), and the Joint Utilities put forth NRA proposals for discussion at those conferences."[2] CCSA and NYSEIA clearly articulated a set of metrics that we deemed necessary to ensure just and adequate service for CDG customers, many of which were incorporated into the Staff Proposal. Rather than providing timely and accurate feedback to DPS Staff at or immediately following the technical conferences so that feedback could be considered and incorporated, the JU chose to withhold feedback until April 15, 2024. CCSA and NYSEIA are not certain if this was an intentional choice by the JU as part of a regulatory strategy. However, raising significant new

[2] CASE 19-M-0463. DEPARTMENT OF PUBLIC SERVICE STAFF PROPOSAL ON COMMUNITY DISTRIBUTED GENERATION BILLING AND CREDITING PERFORMANCE METRICS AND NEGATIVE REVENUE ADJUSTMENTS ("Staff Proposal"). January 16, 2024.

concerns and putting forth a watered down alternative proposal in the 11th hour is not an indication of good faith.

The JU claim that the Staff proposal is structurally incoherent and "suffers from a series of fundamental flaws". These supposed flaws range from the proposed metrics lacking definition to the penalties and performance targets being too high and the data required to report on the metric being too burdensome; essentially stating that the Staff proposal is completely unworkable. Indeed, the JU make a blanket claim that the Staff Proposal is "unreasonable". Given the procedural history of this docket and the ongoing nature of these billing and crediting issues, CCSA and NYSEIA question the sincerity of the JU claim that they are indeed "working in earnest to develop appropriate performance metrics and targets" for two reasons:

First, the record shows that the JU have had two stakeholder conferences and over 12 months to raise the myriad of supposed structural issues with the industry's proposed metrics, yet they did not do so. At no point over the last 12 months did the JU provide comments on the feasibility or general structure of CCSA and NYSEIA's proposed metrics. Second, had the JU truly been "working in earnest to develop appropriate performance metrics and targets" they would make good faith efforts in their comments to address these supposed structural deficiencies with Staff's proposed metrics. As the JU note in their specific comments on Staff's Proposed Metric 3: Subscriber Banked Credit Accuracy Metric ("The Joint Utilities *believe the intent of this metric* is to answer the relatively straightforward question of…"[3]), they understand the intent of the metric, but make no attempt to offer recommendations on ways to make the metric workable. Instead, the JU use this space to note that the Staff Proposal has "no clarifying example of the required calculations" while recommending exclusions to the metric for when CDG credits are interrupted for "run-of-the-mill billing issues," i.e., *other* routine billing issues that the utility is *also* responsible for. The purpose of the performance metrics and NRAs is to ensure that the utilities provide CDG customers with adequate service, and no billing issues within the utilities' control should be excluded from the metrics.

The JU comments do not reflect the intention of a party attempting to address deficiencies in earnest. Instead of offering constructive solutions on how to adapt Staff's metrics to address legitimate concerns and real issues with CDG billing and crediting, the JU instead elected to offer an alternative proposal with just three metrics (one of which does not contain an associated NRA) that commit two sins. First, the JU alternative proposal appears to misunderstand the Commission's Order to adequately address billing and

[3] CASE 19-M-0463. JOINT UTILITIES' COMMENTS ON THE DEPARTMENT OF PUBLIC SERVICE STAFF PROPOSAL ON COMMUNITY DISTRIBUTED GENERATION BILLING AND CREDITING PERFORMANCE METRICS AND NEGATIVE REVENUE ADJUSTMENTS ("JU Comments"). April 16, 2024.

crediting via performance metrics and instead appears to be organized around the principle of creating minimal performance metrics based on data the JU are already tracking. Second, the proposed metrics do not measure or directly address the vast majority of the billing and crediting issues that industry has identified and that the Staff Proposal appropriately addresses.

2. **The JU claim that the metrics in the Staff Proposal are "unduly burdensome" and "unreasonable" to implement misunderstand the intent of the Commission Order**

The JU make the claim throughout their comments that the proposed metrics are "unreasonable" and "difficult to implement" with specific arguments pertaining to the general structure of the metrics and utilities' inability to track the data necessary to report on the metrics. The JU therefore claim that Staff's proposal is essentially unworkable and recommend that the Commission instead establish utility performance metrics based upon the reporting capabilities of the utility with the most antiquated software systems. They argue that they cannot report on metrics that they cannot measure. "Currently the Joint Utilities do not have the processes in place to measure these new metrics. The Joint Utilities are particularly concerned with accuracy Metrics 1 and 3 because, to measure performance, each utility would have to establish a system parallel to the current billing system to check the accuracy of the billing system."

The JU logic seems to misunderstand the Commission Order, where the intent was to "ensure customers participating in a CDG program receive timely and accurate bills from their utility… focused on developing CDG billing performance metrics."[4] To be sure, the Order does not charge DPS with developing CDG billing performance metrics that are *the easiest and most convenient* to implement for the utility. The Order clearly states that the intent is to implement metrics that address the ongoing billing and crediting issues.

The JU comments also claim that "implementing the NRA Proposal will impose opportunity costs that will divert focus from other CDG stakeholder priorities." There are three fundamental issues with this claim. The first issue is that the statement fails to acknowledge that the timely and accurate issuance of CDG credits is industry's number one priority; it is foundational to New York's community solar programs. The second flaw in this claim is that, upon adoption, the Staff Proposal will likely result in additional utility resource allocation toward CDG billing and crediting due to the presence of an incentive structure. In other words, this is not a zero-sum game. The third issue with this statement is that it does not recognize providing adequate service to customers and reporting on that service for what it is; basic expectations for a monopoly electric utility. In essence,

[4] Case 19-M-0463. CDG Billing Order.

the JU are arguing that they are too busy to provide adequate service to their customers and transparency to their regulator, and "diverting" resources to do so will cause other deficiencies in utility performance.

CCSA and NYSEIA reiterate our support for the DPS Staff proposal, which makes a good faith effort to propose a comprehensive set of metrics that adequately addresses the existing billing and crediting issues. The claim that the metrics in the Staff Proposal are "difficult to implement" may in fact be true for some utility companies; however, the claim is irrelevant to the question of the utility's responsibility under the CDG Billing Order and thus not germane to the proceeding. In fact, CCSA and NYSEIA believe that the Staff Proposal sets important and necessary expectations for New York's utilities: New York expects strong performance from its monopoly utilities and as the utilities upgrade their billing systems, basic reporting functionality must not be an afterthought.

3. **The Joint Utilities' Alternative Proposal does not adequately address the myriad of billing and crediting issues that industry has identified and the Staff Proposal has adequately addressed**

Accuracy. The JU propose replacing Metrics 1 and 2 from the Staff Proposal with a Host Allocation Transfer (HAT) metric for Upstate utilities, which simply confirms if the CDG subscriber receives the correct percentage of credits during the billing period based on the CDG Host Allocation. While this would be easy to implement, the HAT metric is insufficient to ensure that CDG customers receive accurate bills. Metric 1 from the Staff Proposal quantified the number of "accounts that experienced inaccurate credit transfers and credit banking transfers across the utility territory."[5] Critically, the Staff Proposal ensures that both host allocations are accurate, and also that the appropriate amount of credits are applied to the customer bill in the current period vs banked for future billing periods. This is a critical distinction, as erroneously banked credits result in higher customer bills and reduced revenue for the CDG host. The HAT metric proposed by the JU in their alternative proposal fails to address CDG subscriber banked credit errors. Further, the 75 day cure period the JU propose would allow for inaccurate transfers to customers on their initial bill without those errors counting against the performance benchmark. Even if those errors are addressed on the next billing cycle, such inaccurate transfers can cause meaningful customer harm and confusion. The JU fail to explain why a 75 day cure period would be necessary and in what instances a customer's transfer would not match the host allocation report for a reason other than utility error.

The JU propose different accuracy metrics for Con Edison, ostensibly based on the utilities' existing reporting capabilities. Con Edison's proposed metrics to measure its own

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[5] CASE 19-M-0463. Staff Proposal.

performance include a Host Allocation Correction (HAC) Metric, which measures instances when the utility needs to recalculate the host allocation to subscribers, for example, in cases where the utility accidentally processes the wrong host allocation list or incorrectly calculates the value of the host credits. Con Edison proposes that "the NRA associated with the HAC Metric be calculated as $100 per host-level recalculation of an allocation or adjustment occurring later than 10 days after the initial allocation"[6] and continues to identify multiple exclusions. As with the "HAT" metric, the "HAC" metric fails to detect and incorporate utility errors with regard to subscriber banked credits. Further, Con Edison's metric would result in an incredibly modest NRA for substantial errors; a $100 NRA resulting from a billing error for a CDG project serving 500 customers would amount to a penalty of $0.20 per customer. Con Edison continues to propose an additional Host Data Sharing metric, which is intended to measure the number of instances where the utility takes more than 75 days to issue adequate host statements and reports, with a $20 NRA associated. This $20 NRA is similarly weak and does not represent a financial consequence that is sufficient to incentivize meaningful improvements to data sharing. Once again the JU fail to make a compelling case for why Con Edison should need 75 days to issue adequate host statements and reports, which are critical for providing hosts with the needed data to ensure they and their customers are receiving proper credit for the project's generation. CDG Hosts cannot provide sufficient customer service without this data, which further aggravates a negative customer experience.

Timeliness. The JU Alternative Proposal accepts the Staff Proposal recommendation of a $10 monthly credit to customers in cases where the utility is more than 75 days late issuing credits. The JU propose an alternative to the Staff Proposal's Metric 4, which notably does not include any NRA unless the utility has issued more than 10% of CDG credits more than 75 days late. Across a population of 400,000 CDG customers, this would allow the utility to issue late credits to up to 40,000 customers with no NRA assessed. This is inappropriate and undermines the Commission's intent in creating performance metrics and NRAs. While CCSA and NYSEIA's comments advocate for even tighter tolerance than the Staff Proposal, the Staff Proposal of a 2% tolerance for Metric 4 is far more appropriate than the 10% error tolerance proposed by the JU. The intention of allowing a tolerance before an NRA is applied is to ensure that the utilities are not unfairly penalized for small one-time errors or "flukes". The JU propose and CCSA and NYSEIA support excluding credit transfer delays that are legitimately outside the utilities' control from the calculation of the metric. However, 10% of customers receiving late credits represents a systemic problem, the very type of issue the NRAs are meant to deter. Further, the JU propose modest NRAs for poor performance, and recommend basing the NRA on the value of the VDER credits rather than the utilities' gross revenue.

[6] CASE 19-M-0463. JU Comments.

CCSA and NYSEIA support the Staff Proposal recommendation that the NRA be tied to the overall utility revenues as a more effective incentive to properly invest in CDG billing and crediting.

Responsiveness. The JU Alternative Proposal seeks to replace Metrics 5 and 6 from the Staff Proposal (Utility Response Time to Allocation Lists and Utility Response Time to Host Communications) with a single metric that measures utility response to host allocations, and with no NRAs attached.

The JU Alternative Proposal omits Metrics 3, 4 and 6 from the Staff Proposal, which measure: Accurate Application of Billing Credits; Customer Complaints Regarding Transfer, Billing, and Crediting Timelines; and Utility Response Time to Host Communications. The JU Alternative Proposal also seeks to expand the allowable error tolerance before penalties are assessed and to substantially degrade the value of the NRAs. CCSA and NYSEIA fear that the proposed combination of the incomplete metrics paired with modest NRAs will not achieve the Commission's desired result of utility behavioral change to ensure timely and accurate credits for CDG customers. If the JU Alternative Proposal is adopted, it will not drive improved utility performance, and CDG billing and crediting issues may persist unchecked.

4. **CCSA and NYSEIA disagree with the JU assertion that "the proposed metrics and targets are wholly inconsistent with the basic principles for the design and implementation of performance mechanisms"**

The JU make several thematic claims in their comments addressing the so-called "fundamental flaws" with the foundational structure and design of the metrics in the Staff Proposal. CCSA and NYSEIA reject these claims.

a) <u>The JU assert that the performance metrics must be baselined</u>

The JU suggests that the performance targets levels set in the Staff proposal are invalid because they are "arbitrary" and not appropriately baselined against existing performance. The JU proceed to recommend that "the Commission should not set targets at arbitrary levels, without assessing whether utilities can reasonably achieve that level of performance… In establishing targets, the Commission should consider utilities' current and past levels of performance."[7]

CCSA and NYSEIA disagree with the framing of the performance targets being set at an "arbitrary" level so much as they are being set at *needed* levels of utility performance. The

[7] CASE 19-M-0463. JU Comments.

performance targets proposed in the Staff Proposal are no more “arbitrary” then New York’s goal of 70% renewable energy by 2030 or for 35% of the benefits of clean energy to accrue to Disadvantaged Communities as is required under the Climate Leadership and Community Protection Act. Indeed, these are policy goals; expecting a higher level of performance from our monopoly utilities is likewise a policy goal that all stakeholders, including the utilities, should support.

Second, as the JU note in their comments, “the Commission has rarely had occasion to opine on general principles for the design and constructions of earnings adjustment mechanisms, including NRAs associated with performance metrics.” New York does not have a long track record of implementing NRAs. With little regulatory precedent binding the state to a specific design approach, the Commission can use this opportunity as a blank slate to begin setting aspirational performance targets for the utilities. Indeed, there is nothing preventing the Commission from setting appropriate targets to achieve the level of service stakeholders and customers deserve from a monopoly utility.

Third, CCSA and NYSEIA categorically reject, on principle, the notion that performance targets should be tied to “utilities current and past levels of performance”[8] as the JU comments suggest. We find it perplexing that the JU would suggest that the Commission should set a performance target based on levels the utility deems achievable, as the Commission has already, by virtue of initiating this proceeding, determined that the existing performance levels are unacceptable. Furthermore, a baselined “reasoned basis” approach to the performance levels will only result in marginal improvements to billing and crediting and is the regulatory equivalent of grading on a curve. While that may be acceptable in a high school biology class, it should not be considered acceptable for holding utilities accountable to their stakeholders and customers.

b) <u>The JU claim that the associated penalties are too punitive</u>

The JU claim that their overall financial exposure for achieving the maximum NRA is unduly high. This argument has three major components: 1) new performance targets should be set at levels consistent with existing targets addressing similar issues; 2) the penalties outlined in the Staff Proposal are disproportionately high relative to the alleged harms incurred; and 3) the Downstate Utilities’ (Con Edison and Orange & Rockland) NRAs are disproportionately high. These claims are both factually incorrect and misplaced.

The Commission is not bound to set new performance targets at levels for existing targets addressing similar issues

[8] Id.

Here, the JU claim that the tolerance bands in the Staff Proposal are inconsistent with existing targets addressing similar issues. The JU argue that Staff's proposed performance targets are too ambitious relative to the allowed tolerance bands established in the Consumer Service Performance Indicators (CSPI) estimated billing metrics for NYSEG/RG&E, and the long-term estimated and delayed billing metrics for Con Edison.

As the utilities show in their comments, it is demonstrably true that the target performance levels outlined in the Staff Proposal are much higher than the CSPIs. It is also true that the CSPIs were the first, and remain *the only,* NRAs in the State of New York that address consumer-specific issues. It makes sense that the Commission would have established performance metrics with more flexibility as it introduced an entirely new process of rulemaking via Performance Based Ratemaking (PBR). However, the utilities should have used the CSPI experience to adapt their processes and systems to a regulatory environment where PBR is more commonplace. While it is reasonable that the Commission ruled to create more flexibility at an earlier point in history, the Commission need not be tethered to the decisions of the past; nor, for reasons expounded on below, should it.

The penalties outlined in the Staff Proposal are appropriate to deter more of the billing and crediting harms already incurred

Here, the JU entirely miss the mark. While the CSPIs track issues that can result in unpleasant experiences and time lost for customers due to estimated billing errors and longer wait times when calling utility customer service representatives, CDG billing and crediting issues are fundamentally different. These billing and crediting issues result in real financial harm to all parties involved – customers, CDG hosts, and subscriber acquisition and management firms. Over the last three years, CDG hosts and their customers have been subject to material financial harm due to utility mismanagement of CDG billing & crediting. It has been commonplace for customers, building owners, and CDG developers to seek assistance from DPS Staff to resolve CDG crediting issues where customers were owed in excess of twelve months of past due credits, in some cases amounting to millions of dollars owed to the CDG hosts. The utilities' failure to issue timely and accurate credits to solar customers has also caused immense reputational damage to solar companies, community solar in general, and to New York's clean energy programs. Reputational damage can be challenging to fully quantify, but the damage has been material, resulting in CDG subscriber cancellations and property owners choosing to delay or forgo future solar projects due to their negative experience. Utility mismanagement of CDG billing & crediting undermines the Commission's laudable efforts to increase the efficiency and cost-effectiveness of New York's opt-in community solar

programs such as the Inclusive Community Solar Adder, resulting in less solar capacity supported with approved funding and higher costs for all ratepayers.

Whereas New York's regulated utilities enjoy guaranteed profit, New York households and solar companies enjoy no such guarantee. The JU position fails to acknowledge the harm the utilities have caused and will continue to cause to New York households and businesses if they do not issue timely and accurate CDG credits, and fails to acknowledge the utilities' important role implementing New York's CDG programs. New York's community solar programs are increasingly serving low- to moderate-income (LMI) households, for whom inaccurate and inconsistent bills are a very real concern that could have meaningful negative impacts on their financial well-being. The Staff Proposal is a good faith effort to correct this misalignment of incentives, and CCSA and NYSEIA reiterate our strong support for the NRA values in the Staff Proposal, which will ensure that New York's utilities prioritize CDG billing and crediting and provide adequate service to this growing segment of their customer base.

The Downstate Utilities' (Con Edison and Orange & Rockland) NRAs are appropriate

The JU assertion that the Downstate Utilities' NRA exposure is disproportionately high is false. As directed by the Commission, DPS Staff developed an NRA proposal using basis points, which are perfectly proportionate to each company's rate base. CCSA and NYSEIA understand this to be an intentional choice to ensure that senior leadership at each utility company prioritize providing adequate service to CDG customers when there is no intrinsic financial incentive for them to do so, and, in fact, they have failed to do so hereto.

The JU comments spend a great deal of time comparing apples to oranges. Attempting to contextualize the revenue at risk in comparison to a utility's CDG customers or revenue is a distraction, and completely ignores the whole point of Earning Adjustment Mechanisms (EAMs) and NRAs, namely that they are designed to change utility behavior by affecting their total revenue on a basis points penalty basis. There is a substantial body of literature around PBR, EAMs (and NRAs in particular), and it uniformly recognizes that it is only through changes in the incentives for utilities that we are likely to see changes in their behavior and performance. This concept was succinctly conveyed in the Smart Electric Power Alliance (SEPA) Renovate Initiative report in its "toolkit" series from March 2020: Performance-Based Regulation-Part 1, in which SEPA introduced PBR thusly: "PBR is a regulatory framework that links utility revenues or cost recovery to specific performance metrics or outcomes that are important to customers rather than to the costs

a utility incurs to serve them."[9] This is just one example. All PBR literature and discussion recognizes that the appropriate benchmark is the utility's total revenue, almost universally expressed in basis points adjustments to their rate of return.

CCSA and NYSEIA commend DPS Staff for proposing NRA levels that acknowledge the severe financial and reputational harm the JU have caused to CDG customers, solar companies and New York's solar programs. If adopted, the Staff Proposal will correct the misalignment of incentives. Con Edison is New York's utility company with the greatest financial resources and the poorest recent CDG billing & crediting performance. It would be inappropriate for the Commission to grant Con Edison preferential treatment by lowering the utility's NRA relative to the other utilities in the state.

5. The JU comments make several specific claims, some of which have validity

In the spirit of compromise and to support rapid implementation of performance metrics that adequately address billing and crediting issues, CCSA and NYSEIA would like to address some of the specific claims that the utilities have made regarding the Staff Proposal. In doing so, we hope to create an easier process for both the Commission and DPS Staff in reaching a decision that's tenable for all parties involved.

- CCSA and NYSEIA agree that any Commission Order in this proceeding should supersede the CDG metrics approved by the Commission in recent rate cases.
- Some of the JU proposed remedy and exclusion periods are reasonable; others are not.
    - CCSA and NYSEIA agree that it is acceptable to allow exclusions for situations entirely outside of the utilities' control, such as developer error and issues arising due to the impact of storms or other emergencies that may affect utility performance.
    - However, the utilities misunderstand the impact to developers that happens when a credit is delayed – that impact is *immediate***.** Accordingly, when the credit is delayed for utility error, there is no option for a remedy period to "correct" the mistake - once the bill has been rendered, the damage has been done. For this reason, we categorically reject the notion that the utilities should have a 75 day "remedy period".

[9] Smart Electric Power Alliance. Performance-Based Regulation-Part 1. https://sepapower.org/resource/renovate-best-regulatory-practice-toolkit-series-performance-based-regulation-part-i/. March 2020.

    - CCSA and NYSEIA support utility cost recovery for reasonable costs incurred to implement software improvements to enable the JU to measure and report upon the final CDG performance metrics.

CCSA/NYSEIA Recommendations

- The Commission should proceed with implementing the Staff Proposal expeditiously and with minimal modification.
- If the Commission believes that the utilities' existing capabilities are insufficient to support rapid implementation of the Staff Proposal, the Commission should consider a phased approach, with immediate implementation of certain metrics - namely Staff's Proposal for Timeliness and Accuracy - and adoption of the remaining metrics by the end of 2024. The implementation process should begin immediately even for the second phase of metrics.

Conclusion

Community solar is a powerful tool to expand access to the benefits of clean energy, to provide customers with choice, and to support progress toward New York's nation-leading clean energy and equity goals. Billing is a core utility function, and timely and accurate billing & crediting is foundational to New York's community solar market. As the administrator of CDG billing & crediting, New York's utilities have an important role in ensuring the market functions as intended. The Staff Proposal represents a good faith effort to implement the Commission Order regarding CDG billing & crediting. The JU Alternative Proposal does not. The Staff Proposal would result in behavioral change among New York's utilities, ensuring adequate service for CDG customers and repairing the reputation of New York's community solar programs. The JU Alternative Proposal would not.

CCSA and NYSEIA appreciate and strongly support the DPS Staff Proposal, and encourage the Commission to issue an order adopting the proposal without delay. CCSA and NYSEIA thank the Commission and DPS Staff for this thoughtful proposal and for the opportunity to provide input throughout the multi-year stakeholder process, and for the opportunity to provide this final feedback before a Commission Decision.