## LONG ISLAND POWER AUTHORITY MINUTES OF THE 297th MEETING HELD ON MARCH 29, 2021

The Long Island Power Authority ("LIPA") was convened for the two-hundred-andninety-seventh time at 11:20 a.m. at LIPA's Headquarters, Uniondale, NY, pursuant to legal notice given on March 25, 2021, and electronic notice posted on the LIPA's website.

In compliance with Governor Andrew M. Cuomo's Executive Order No. 202.1 on COVID-19 safety, the following guidelines were publicly posted and followed:

The Long Island Power Authority is taking steps to minimize the risk of exposure for the public and our employees. As such, LIPA will not be permitting in-person access to its March 29, 2021 Board meeting. Members of the public are encouraged to observe the live stream of the Board meeting posted at the LIPA website. The meeting will also be recorded and posted to LIPA's website for later viewing

The following LIPA Trustees were present:

Ralph Suozzi, Chairman (via video conferencing) Mark Fischl, Acting Chair (in person) Elkan Abramowitz (via video conferencing) Drew Biondo (via video conferencing) Sheldon Cohen (via video conferencing) Peter Gollon (via video conferencing) Laureen Harris (via video conferencing) Ali Mohammed (via video conferencing)

Representing LIPA, in person, were Thomas Falcone, Chief Executive Officer; Bobbi O'Connor, Chief Administrative Officer & Board Secretary; Rick Shansky, Senior Vice President of Power Supply and Whole Markets; and Jen Hayen, Director of Communications. Participating via video conferencing were Anna Chacko, General Counsel; Mujib Lodhi, Chief Information Officer; Tamela Monroe, Chief Financial Officer; Donna Mongiardo, Vice President, Controller; Jason Horowitz, Assistant General Counsel and Assistant Secretary to the Board; Jessica Avenia, Communications Specialist; and Osman Ahmad, IT-Consultant.

Representing PSEG Long Island, via video conferencing, were Daniel Eichhorn, President and COO; Paul Napoli, Vice President of Power Markets; John O'Connell, Vice President of Transmission and Distribution, Peggy Keane, Vice President of Construction and Operations and Andrea Elder-Howell, Managing Director and Vice President of Legal.

Acting Chair Fischl welcomed everyone to the 297th meeting of the Long Island Power Authority Board of Trustees.

Acting Chair Fischl stated that the first item on the agenda was the Consideration of the

Consent Agenda Items.

After questions and a discussion by the Trustees, and the opportunity for the public to be heard, upon a motion duly made and seconded, the following resolutions were unanimously adopted by the Trustees based on the memoranda summarized below:

## 1608. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN AT THE FEBRUARY 24, 2021 MEETING OF THE BOARD OF TRUSTEES OF THE LONG ISLAND POWER AUTHORITY

**RESOLVED**, that the Minutes of the meeting of the Authority held on January 27, 2021 are hereby approved and all actions taken by the Trustees present at such meeting, as set forth in such Minutes, are hereby in all respects ratified and approved as actions of the Authority.

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## **Requested Action**

The Board of Trustees (the "Board") of the Long Island Power Authority ("LIPA") is requested to adopt a resolution approving: (i) LIPA's Annual Investment Report for 2020 in

the form attached hereto as Exhibit "B"; and (ii) the 2021 Board Policy on Investments in the form attached hereto as Exhibit "D."

## Annual Investment Report for 2020

Section 2925 of the Public Authorities Law ("PAL") requires that LIPA annually review and approve an investment report. LIPA's investments are either: (i) managed by an investment manager in primarily short-term, highly liquid investments; or (ii) invested in broad-based, low-cost equity and fixed-income mutual funds. All investments of LIPA funds are governed by the Board Policy on Investments.

LIPA's investments were compliant with the terms and conditions of the Policy for 2020 and performed consistently with Staff's expectations given the nature of the investments.

## **2021 Board Policy on Investments**

The Board is also required by Section 2925(6) of the PAL to annually review and approve the Board Policy on Investments, which detail the Board's operative instructions to LIPA Staff regarding the investing, monitoring, and reporting of LIPA funds. The Board Policy on Investments was last reviewed and approved on March 27, 2020.

The proposed revisions to the Board Policy on Investments seek to clarify, update, and ensure continued compliance with various contractual and regulatory requirements. Based on LIPA Staff's review, which was performed in consultation with LIPA's investment advisor, bond counsel, and disclosure counsel, Staff proposes the following changes:

- updating the oversight authority for registered brokers and broker-dealers from the National Association of Security Dealers (NASD) to Financial Industry Regulatory Authority (FINRA);
- clarifying the definition of Insured Bank Deposits; and
- clarifying that Negotiable Bank Obligations will not be a permitted investment in the future.

All changes to the Policy are more particularly shown in Exhibit "C."

## **Recommendation**

Based upon the foregoing, I recommend approval of the above requested action by adoption of a resolution in the form attached hereto.

## 1609. RESOLUTION APPROVING THE ANNUAL INVESTMENT REPORT FOR 2020 AND THE 2021 BOARD POLICY ON INVESTMENTS

**RESOLVED**, that the Board of Trustees hereby approves the Annual Investment Report for the period ended December 31, 2020, in the form presented at this meeting; and

BE IT FURTHER RESOLVED, that the Board of Trustees hereby approves and adopts the revised Board Policy on Investments in the form presented at this meeting to be effective immediately.

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## **Requested Action**

The Board of Trustees (the "Board") of the Long Island Power Authority (the "LIPA") is being requested to adopt a resolution approving the annual review of the Board Policies on Procurement and Property Disposition and an amendment to the Board Policy on Procurement.

## Discussion

In accordance with the New York State Public Authorities Law ("PAL") and governance best practices, the Board has adopted the Board Policy on Procurement, the Board Policy on Property Disposition and the By-laws. Section 2879(1) of the PAL requires that the procurement guidelines be annually reviewed and approved by LIPA. Additionally, Section 2896(1) of the PAL requires that the property disposition guidelines be annually reviewed and approved LIPA.

## **Annual Review and Amendments**

LIPA Staff recommends no changes to the Board Policy Property Disposition. With respect to the Board Policy on Procurement, LIPA Staff recommends amending Sections II(B)(2)(h)(ii) and II(C)(4) by increasing the threshold from \$200,000 to \$500,000. That proposed amendment is consistent with New York State Finance Law. LIPA Staff also proposes some other minor modifications as more particularly shown on Exhibit "B".

## Recommendation

Based upon the foregoing, I recommend approval of the above requested action by adoption of a resolution in the form attached hereto.

## 1610. RESOLUTION APPROVING THE ANNUAL REVIEW OF THE BOARD POLICIES ON PROCUREMENT AND PROPERTY DISPOSITION

WHEREAS, in accordance with the New York State Public Authorities Law ("PAL") and governance best practices, the Board has adopted the Board Policy on Procurement, the Board Policy on Property Disposition and the By-laws; and

WHEREAS, Section 2879(1) of the Public Authorities Law requires that the procurement guidelines be annually reviewed and approved by LIPA; and

WHEREAS, Section 2896(1) of the Public Authorities Law requires that the property disposition guidelines be annually reviewed and approved LIPA; and

WHEREAS, LIPA Staff recommends no changes to the Board Policy on Property Disposition and recommends one change to the Board Policy on Procurement consistent with New York State Finance Law.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the Public Authorities Law, the Board of Trustees hereby approves the annual review of the Board Policy on Procurement and Board Policy on Property Disposition; and

**BE IT FURTHER RESOLVED, the Board of Trustees hereby approves the amendments to the Board Policy on Procurement as shown on Exhibit "B".** 

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## **Requested Action**

The Board of Trustees (the "Board") of the Long Island Power Authority ("LIPA") is being requested to approve a resolution, attached hereto as Exhibit "A," authorizing the Chief Executive Officer, or his designee, to engage Stellar Services, Inc. ("Stellar") to provide an Enterprise Document and Records Management System and Services ("EDRMSS") for a term not to exceed ten (10) years.

## **Background**

The development of a Records Management system is a major driver for this initiative. The Board's Policy on Staffing and Employment directs the Chief Executive Officer to maintain a record retention policy that complies with applicable New York State laws and regulations. LIPA's record retention policy is based on the Records Retention and Disposition Schedule issued by the New York State Archives for miscellaneous local government entities. The policy dictates that all LIPA records be identified, retained and disposed of pursuant to that schedule.

With increased reliance on electronic document file-sharing systems, greater protection of personal privacy through the timely disposition of data no longer required to be maintained, together with State and federal development of so-called e-discovery requirements governing metadata, LIPA's records management needs, like those of all modern organizations, has evolved from paper and physical storage and manual disposition to an almost all-digital environment. To capture commensurate savings and efficiencies of digital records, LIPA implemented the use of SharePoint in 2017 as a document collaboration software, along with other digital modes of communication for the instant recommended procurement of software and implementation services; however, procuring a comprehensive EDRMSS will further modernize LIPA's document and records management capabilities, processes, and better ensure compliance with various record-keeping requirements. Such technologies exist that will enable efficiencies and opportunities for full lifecycle digitization of content with secure

and location-independent accessibility that has become of particular interest in a post-COVID-19 business environment.

## Discussion

On July 28, 2020, LIPA issued a Request for Proposals ("RFP") for experienced firms to provide an EDRMSS. A pre-bid meeting was held on August 6, 2020. Answers to the vendors' questions were published on August 14, 2020.

On or before September 4, 2020, LIPA received timely proposals from 17 firms. Responses from two of the firms were deemed non-responsive and one of the firms withdrew its proposal.

Responses from the remaining firms were evaluated according to the criteria set forth in the RFP by LIPA's team composed of LIPA's Deputy General Counsel, LIPA's Senior Vice President of Operations Oversight, and LIPA's Chief Information Officer. Technical guidance was provided by LIPA's IT consultants, while LIPA's Procurement Department, as required by State law, ensured compliance with Minority and Women's Business Enterprise ("MWBE"), Service- Disabled Veteran-Owned Business ("SDVOB") solicitation opportunities, as well as cost aspects of the proposals.

The technical evaluation which resulted in the recommendation set forth in the accompanying resolution, included demonstrated experience with utilities and/or governmental organizations, suitability of the software to LIPA's needs, project management experience, including depth of proposals in terms of training LIPA personnel in the use of new systems, and live video demonstrations by each of the responsive proposers regarding the features and capabilities of their systems, including ease of use, use in mobile applications and the ability to interface with existing systems such as Outlook, SharePoint, Microsoft Dynamics 365, among others.

Stellar is a Minority-Owned Business (MBE) certified in New York State. The firm has extensive expertise in providing records management implementation and integration services. Their client list includes other New York State Authorities, including the New York State Thruway Authority, the MTA, and the Port Authority. LIPA Staff has determined that Stellar costs are reasonable for the services to be provided.

## 1611. ENTERPRISE DOCUMENT AND RECORDS MANAGEMENT SYSTEM AND SERVICES

NOW, THEREFORE, BE IT RESOLVED, that consistent with the attached Memorandum, the Chief Executive Officer or his designee be, and hereby is, authorized to engage Stellar Services, Inc. to provide an Enterprise Document and Records Management System and Services for the Long Island Power Authority for a term not to exceed ten (10) years.

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## **Requested Action**

The Board of Trustees (the "Board") of the Long Island Power Authority ("LIPA") is being requested to authorize the Chief Executive Officer or his designee to execute an agreement with the New York State Energy Research and Development Authority ("NYSERDA") for the purchase of renewable energy certificates ("RECs") required for LIPA's compliance with goals established by the Climate Leadership and Community Protection Act ("CLCPA").

## **Background**

On August 1, 2016, the New York State Public Service Commission ("PSC") adopted an order establishing a Clean Energy Standard (the "CES Order") as part of the State's strategy to achieve a 40% reduction of statewide greenhouse gas emissions by 2030. The Order required that 50% of New York's electricity be generated from renewable resources by 2030. The CES Order expected every Load Serving Entity ("LSE") in New York State, including LIPA, which is not subject to the PSC's jurisdiction, to "participate by satisfying their requisite share of responsibility."

Effective January 1, 2020, the CLCPA has increased the 2030 renewable energy goal from 50% to 70%.

The CES Order established a multi-tier system for classifying renewable energy generation facilities ("REGFs") and supporting their development. Renewable energy and corresponding RECs from REGFs that began operating in 2015 or later were classified as Tier 1. Tier 2 was established for maintaining existing REGFs whose contracts had expired. In its October 15, 2020 Order modifying the CES Order, PSC approved the establishment of a Competitive Tier 2 Program under which NYSERDA would purchase Tier 2 RECs through a competitive process designed to be "the most cost-effective strategy to provide qualified legacy renewable energy resources in New York State with appropriate support to continue to competitively operate and contribute to the State's clean energy goals. "The Competitive Tier 2 Program will last through 2026 and be capped at a cost of \$200 million. The costs of the program will be allocated to the State's LSEs in proportion to the load each serves and will be collected monthly through the sale of Tier 2 RECs to LSEs by NYSERDA.

The Board's policy on Resource Planning and Renewable Energy provides for meeting the State's clean energy goals in part by LIPA procuring cost-effective renewable resources and RECs and acting in coordination with other State energy authorities. Accordingly, LIPA seeks to contract with NYSERDA to meet LIPA's share of responsibility for Tier 2 RECs, as determined by the PSC. Based on LIPA's 12.5% share of the State's load, LIPA's maximum cost obligation is estimated to be \$25 million.

#### Discussion

Recognizing that cooperation and coordination of REC procurements with NYSERDA will further LIPA's and NYSERDA's mutual goal of providing and maintaining the benefits of clean energy and efficient procurement to the State's and LIPA's electric ratepayers in a cost-effective manner, LIPA Staff proposes that LIPA enter into an agreement with NYSERDA to purchase Tier 2 RECs up to LIPA's share of responsibility for Tier 2 RECs. The price of the Tier 2 RECs sold by NYSERDA will be determined in accordance with the auction process approved in the October 15, 2020 Order. The specific amount purchased will be selected by LIPA, considering LIPA's alternatives for self-supply, if any.

#### Recommendation

Based on the foregoing, I recommend that the Board authorize the Chief Executive Officer or his designee to take all actions, including, without limitation, executing of an agreement with NYSERDA to enable LIPA's purchase of Tier 2 RECs, as described above.

1612. AUTHORIZATION TO EXECUTE AN AGREEMENT WITH NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY ("NYSERDA") FOR THE PURCHASE OF TIER 2 RENEWABLEENERGY CERTIFICATES ("RECs") TO BE ACQUIRED BY NYSERDA UNDER THE COMPETITIVE TIER 2 PROGRAM

WHEREAS, the New York State Public Service Commission ("Commission") established a Clean Energy Standard ("CES") which required that 50 percent of the State's electricity be generated from renewable energy resources by 2030; and

WHEREAS, the Climate Leadership and Community Protection Act of 2019 increased the 2030 renewable energy goal to 70 percent; and

WHEREAS, the CES, as revised by the Commission on October 15, 2020, established the Competitive Tier 2 Program to meet the State's goal; and

WHEREAS, LIPA recognizes that cooperation and coordination of REC procurements by LIPA and NYSERDA will further LIPA's and NYSERDA's mutual goal of providing and maintaining the benefits of clean energy and efficient procurement to the State's and LIPA's electric ratepayers in a cost-effective manner; and

WHEREAS, LIPA and NYSERDA are in the process of negotiating an agreement that would allow LIPA to purchase Tier 2 RECs acquired by NYSERDA pursuant to the Competitive Tier 2 Program, accounting for eligible self-supply, if any.

NOW, THEREFORE, BE IT RESOLVED, that the Chief Executive Officer or his designee be and hereby is authorized to execute and effect an agreement with NYSERDA consistent with the terms of the accompanying memorandum, and to perform such other acts and deeds as may be necessary, convenient or appropriate, in the judgment of the Chief Executive Officer or his designee, to implement LIPA's purchase of Tier 2 RECs from NYSERDA.

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## **Requested Action**

The Board of Trustees (the "Board") of the Long Island Power Authority ("LIPA") is being requested to authorize the Chief Executive Officer or his designee to execute a memorandum of understanding with the New York State Energy Research and Development Authority ("NYSERDA") for funding the Phase 1 of the statewide Integrated Energy Data Resource program.

## **Background**

On February 11, 2021, the New York State Public Service Commission ("PSC") adopted an order ("IEDR Order") establishing the Integrated Energy Data Resource ("IEDR"). IEDR is intended to enable the compilation of integrated energy customer data and energy system data from across New York State to enable effective and efficient deployment of clean energy solutions to help transform the State's electricity system into one that is cleaner, more resilient, and more affordable.

According to the Order, access to useful energy data "will attract investment, enable analytics, help identify operational efficiencies, promote innovation, and encourage new business models, which will in-turn create value for customers and the State's energy system."

IEDR will be implemented in two phases and in compliance with the PSC's new policies for a uniform and comprehensive statewide Data Access Framework to govern the means and methods for accessing and protecting all types of energy-related information. IEDR will prioritize uses that materially improve or accelerate investment, operational, or regulatory decisions related to

Distributed Energy Resources ("DER"), energy efficiency, environmental justice, or electrification strategies for transportation and buildings, thereby facilitating faster fulfillment of one or more of New York State's Renewed Energy Visions ("REV") and Climate Leadership and Community Protection Act ("CLCPA") objectives. Phase 1 of the program will enable at least five of the highest priority use cases with the expectation that there could be ten or more achieved. Phase 2 will "expand and enhance the initial IEDR to enable approximately an additional forty use cases incrementally, by building upon the success of Phase 1. The total duration for enabling approximately 50 IEDR use cases shall be about 60 months. Phase 1 shall be completed in 24 - 30 months. Phase 2 shall be completed in 30 - 36 months."

Participation in the IEDR program would allow LIPA to align the various energy-related data activities under its control with the statewide IEDR to maximize benefits of the resource to Long Island ratepayers and New York State in general. To that end, the IEDR Order requests that LIPA contribute an amount based on its portion of total electric load for 2019. NYSERDA, as the Program Manager of IEDR implementation, has a Phase 1 budget cap of \$13.5 million.

The Board's policy on Resource Planning and Renewable Energy provides for meeting the State's clean energy goals in part by LIPA procuring cost-effective renewable resources and Renewable Energy Credits ("RECs"), and acting in coordination with other State energy authorities.

Accordingly, LIPA seeks to participate and contribute to the cost of IEDR by entering into a Memorandum of Understanding ("MOU") with NYSERDA for funding the Phase 1 of the program.

## Discussion

Recognizing that cooperation and coordination of development of useful energy data collection and analysis tools with NYSERDA will further LIPA's and NYSERDA's mutual goal of efficiently and effectively achieving the State's clean and affordable energy goals, LIPA Staff proposes that LIPA enter into an MOU with NYSERDA to fund LIPA's share of NYSERDA's budget for Phase 1 of the IEDR implementation. The total cost to LIPA, as calculated by NYSERDA, will be no more than \$1,578,632 based on LIPA's load share of the actual Phase 1 expenses.

## Recommendation

Based on the foregoing, I recommend that the Trustees authorize the Chief Executive Officer or his designee to take all actions, including, without limitation, executing an MOU with NYSERDA to enable LIPA to contribute to funding Phase 1 of the IEDR program implementation and development.

1613. AUTHORIZATION TO EXECUTE A MEMORANDUM OF UNDERSTANDING ("MOU") WITH NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY ("NYSERDA") FOR FUNDING PHASE 1 OF IMPLEMENTATION OF THE INTEGRATED ENERGY DATA RESOURCE ("IEDR") PROGRAM

WHEREAS, the New York State Public Service Commission ("Commission") has established Integrated Energy Data Resource by Order dated February 11, 2021; and

WHEREAS, cooperation and coordination of development of useful energy data collection and analysis tools with NYSERDA will further LIPA's and NYSERDA's mutual goal of achieving the State's clean and affordable energy goals; and

WHEREAS, LIPA and NYSERDA are in the process of negotiating an MOU regarding funding LIPA's share of NYSERDA's budget for Phase 1 of the IEDR implementation.

WHEREAS, the total cost of Phase 1 contribution by LIPA is calculated to be no more than \$1,578,632.

NOW, THEREFORE, BE IT RESOLVED, that the Chief Executive Officer or his designee be and hereby is authorized to execute and effect an MOU with NYSERDA consistent with the terms of the accompanying memorandum, and to perform such other acts and deeds as may be necessary, convenient or appropriate, in the judgment of the Chief Executive Officer or his designee, to implement LIPA's participation in the development of IEDR and to contribute to LIPA's share of NYSERDA's budget for the development of Phase 1 of IEDR.

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## **Requested Action**

The Board of Trustees (the "Board") of the Long Island Power Authority ("LIPA") is being asked to authorize the Chief Executive Officer or his designee to investigate and, as appropriate, exercise LIPA's rights under Schedule F of the 1997 Merger Agreement.

## Background

In 1998, LIPA purchased the Long Island Lighting Company ("LILCO") pursuant to the Merger Agreement, dated June 26, 1997 ("Merger Agreement"). National Grid Generation LLC ("National Grid") is one of the successors in interest with obligations under the Merger Agreement.

LILCO's generation plants were transferred to KeySpan Generation LLC, now National Grid. Pursuant to Schedule F of the Merger Agreement, LIPA has several rights, including the right to purchase or lease certain land located at certain of National Grid's generation plants for its own generation facilities and a right of first refusal before National Grid Generation can sell its generating facility sites. In anticipation of LIPA issuing a Request For Proposals for the development of storage facilities ("Storage RFP"), LIPA may include certain generating facility sites which are the subject of Schedule F as potential storage development sites in the Storage RFP ("Schedule F Sites").

## Discussion

Recognizing that conducting a competitive Storage RFP is in the interest of Long Island electric customers and will facilitate efficiently and effectively achieving the State's clean energy goals, LIPA Staff proposes that LIPA take appropriate steps to determine whether certain generating facility sites which are the subject of Schedule F are suitable as potential storage development sites and should be included within the scope of the Storage RFP.

## **Recommendation**

Based on the foregoing, I recommend that the Trustees authorize the Chief Executive Officer or his designee to take all actions necessary or advisable to investigate and as appropriate, exercise LIPA's rights under Schedule F of the 1998 Merger Agreement, including the right to purchase or lease property from National Grid.

## 1614. AUTHORIZATION TO INVESTIGATE LIPA'S RIGHTS UNDER SCHEDULE <u>F OF THE 1997 MERGER AGREEMENT TO PURCHASE OR LEASE PROPERTY</u>

WHEREAS, LIPA and National Grid Generation LLC ("National Grid"), as successor in interest to BL Holdings Corp., are parties to the Merger Agreement, dated June 26, 1997, among BL Holding Corp., Long Island Lighting Company, Long Island Power Authority and LIPA Acquisition Corp. ("Merger Agreement"); and

WHEREAS, the Merger Agreement gives LIPA rights, defined in Schedule F to the Merger Agreement, with respect to acquiring certain National Grid's generating facilities; and

WHEREAS, the Authority is considering including certain National Grid generating facility sites subject to Schedule F of the Merger Agreement, in the scope of its upcoming request for proposals for development of battery storage on Long Island ("Storage RFP").

NOW, THEREFORE, BE IT RESOLVED, that the Chief Executive Officer or his designee be and hereby is authorized to take all actions necessary or advisable to investigate for the purposes of the Storage RFP, and, as appropriate, exercise all LIPA's rights under Schedule F of the 1998 Merger Agreement, including the right to purchase or lease generating facility sites from National Grid.

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Acting Chair Fischl stated that the next item on the agenda was the CEO's Report to be

presented by Thomas Falcone.

Mr. Falcone presented the CEO Report and took questions from the Trustees.

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Acting Chair Fischl stated that the next item on the agenda was the PSEG Long Island

Presentation to be presented by Daniel Eichhorn.

Mr. Eichhorn presented the PSEG Long Island Presentation and took questions from

the Trustees.

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Acting Chair Fischl stated that the next item on the agenda was the Discussion of Board

Recommendations and Implementation Plans to be presented by Mujib Lodhi and Osman Ahmad.

Mr. Lodhi and Mr. Ahmad presented the Discussion of Implementation Plans for Board Recommendations and Implementation Plans and took questions from the Trustees.

Comments were made by the public via Zoom. Board Secretary Bobbi O'Connor also noted public comments which were submitted to the LIPA website. These comments are retained as public record.

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Acting Chair Fischl stated that the next item on the agenda was the adoption of various

recommendations and implementation plans just briefed by LIPA Staff. Upon a motion duly

made and seconded, the following action items and resolutions were approved by the Trustees:

## **Requested Action**

The Board of Trustees (the "Board") of the Long Island Power Authority ("LIPA") is requested to approve a resolution adopting certain PSEG Long Island Implementation Plans for the Isaias Task Force (the "Task Force") Recommendations and extending the due date for the Phase II Options Analysis, which resolution is attached hereto as Exhibit "A".

## **Background**

On Tuesday, August 4, 2020, Tropical Storm Isaias landed on Long Island with rain and wind gusts of up to 70 miles per hour. The resulting damage to the electrical system caused approximately 646,000 customer outages.

On August 5, LIPA's Chief Executive Officer initiated an independent investigation of the circumstances and root causes that led to well-documented lapses in PSEG Long Island's storm response. The Task Force was charged with providing actionable recommendations and overseeing PSEG Long Island's remediation activities. LIPA committed to reporting the Task Force's findings and recommendations to the LIPA Board of Trustees and the public in a 30-Day Preliminary Report and 90-Day Interim Report. There will also be a Final Report in May 2021.

The Task Force presented the 30-Day Report to LIPA's Board of Trustees at the September 23, 2020 Board Meeting and released it to the public. Because of the urgency of the immediate threat of another major storm, the 30-Day Report focused on the failures of PSEG Long Island's information technology and communication systems and their proximate causes.

On November 13, the Department of Public Service ("DPS") provided a recommendation (the "DPS Recommendation") to the LIPA Board as a result of its ongoing investigation of PSEG Long Island's storm response. DPS Staff identified more than 70 potential violations of PSEG Long Island's ERP. The DPS recommended, among other things, that LIPA:

- evaluate options to terminate PSEG Long Island as LIPA's Service Provider;
- declare PSEG Long Island's poor performance during Isaias as a first failure of the Major Storm Performance Metric as defined in the Amended and Restated Operations Services Agreement ("OSA"); and
- seek to either terminate or renegotiate the OSA to enable greater oversight by LIPA and DPS.

The Task Force presented the 90-Day Report to the Board at the November 18, 2020 Board Meeting. The 90-Day Report expanded on the findings of the 30-Day Report and addressed broader questions on the effectiveness of PSEG Long Island's management of utility operations.

As set forth in Appendix 2 and Appendix 3 of the 90-Day Report, the Task Force provided nearly 100 recommendations for the Board's consideration (the "Task Force Recommendations"). The Task Force Recommendations were designed to, among other things, (i) change management incentives and accountabilities; (ii) reform information technology and emergency management; and (iii) strengthen LIPA's oversight. The Task Force Recommendations are tiered based upon priority. The tiered system allows LIPA and PSEG Long Island to either implement or present implementation plans for the most critical recommendations on an accelerated basis.

By Resolution No. 1568, dated November 18, 2020, the Board directed the Task Force, together with PSEG Long Island, to implement the Task Force Recommendations, including the creation of Implementation Plans to be completed within the tiered structure as set forth in Appendix 2 and Appendix 3 of the 90-Day Report; and to report to the Board at least quarterly until such Task Force Recommendations are fully implemented.

Thereafter, by Resolution No. 1570, dated December 16, 2020, the Board adopted certain Implementation Plans for the Task Force Tier 1 Recommendations, and directed PSEG Long Island to amend the remaining Tier 1 Implementation Plans and resubmit such plans to the Task Force for review at the Board's January 2021 meeting.

By Resolution No. 1590, dated January 27, 2021, the Board adopted certain other Tier 1 Recommendation Implementation Plans and directed PSEG Long Island to amend the remaining Tier 1 and 2 Implementation Plans and resubmit such plans to the Task Force for review on or before Board's February 2021 meeting.

Thereafter, by Resolution No. 1601, dated February 24, 2021, the Board adopted certain other Tier 1, Tier 2, and Tier 3 Recommendation Implementation Plans and directed PSEG Long Island to amend the remaining Implementation Plans and resubmit such plans to the Task Force for review on or before Board's March 2021 meeting.

## **Discussion of Implementation Plans**

On February 22 and March 10, 2021, PSEG Long Island submitted 12 Tier 1 plans, two Tier 2 and 12 Tier 3 new and revised plans, and two deliverables to the Task Force for review.

A summary of the Implementation Plans is provided as Exhibit "B." The Task Force recommends the Board adopt 11 of the 26 Implementation Plans as attached hereto as Exhibit "C" and that the Board recommend PSEG Long Island resubmit the 15 revised Implementation Plans at the Board's April meeting with the comments in Exhibit "B" addressed.

In addition, as of March 29, 2021, PSEG Long Island did not submit one Tier 2 and two revised Tier 1 Implementation Plans that were previously considered by the Board in the December and February meetings and not adopted. Revised plans were requested for the Board's consideration for the January and March meetings. These remaining plans should also be submitted with the comments previously conveyed in December and February addressed.

The remaining 18 Plans shall be submitted by PSEG Long Island for Task Force review no later than April 10, 2021 for consideration at the Board's May meeting. Thereafter, the Task Force shall submit a Status Report to the Board no less than quarterly that summarizes the Implementation Plans' status for each Task Force Recommendation.

## **Extension of the Phase II Options Analysis**

Pursuant to the Board's direction, LIPA's CEO and Staff developed the Phase I Options Analysis, which was presented to the Board on December 16, 2021. The Phase I Analysis was the first in a series of two reports detailing options to improve the management of LIPA's assets. LIPA has conducted similar analyses on at least four prior occasions -- in 1998, 2005, 2011, and 2013. The Phase I Options Analysis studied three potential alternatives – Privatization, the Single-Partner Municipal Model (i.e. the current model), and Municipal Management. At its meeting in December 2020, the Board adopted the Phase I Options Analysis; found that privatization was too costly for LIPA's customers; and directed LIPA's CEO to further develop the Single-Provider Municipal model (either with PSEG Long Island or another provider) and the Municipal Management model, as more specifically described in the Phase I Analysis, and report back to the Board in a Phase II Analysis Report no later than March 31, 2021.

LIPA's CEO and Staff have been working diligently on the Phase II Options Analysis, including negotiations with PSEG Long Island on contract reforms that would increase PSEG Long Island management alignment, accountability, and transparency, as well as facilitate greater oversight.

LIPA Staff believes that providing negotiations with additional time could facilitate offering the Board and public greater choice. As such, LIPA Staff is requesting that the Board adopt

the Resolution, attached hereto as Exhibit "A", that, in part requests that the Phase II Options Analysis be extended until the Board's April 2021 meeting. Following the release of the Phase II Options Analysis, the Board has directed staff to schedule public comment meetings to hear from LIPA's customers and stakeholders on the alternatives presented.

## Recommendation

The issues identified by the Task Force's investigation, as well as the DPS' separate investigation, remain urgent. Based upon the foregoing, I recommend approval of the above requested action by adoption of a resolution in the form attached hereto.

1615. **ADOPTING** RESOLUTION CERTAIN PSEG LONG **ISLAND** FOR THE **ISAIAS** IMPLEMENTATION PLANS TASK FORCE REPORT RECOMMENDATIONS AND EXTENDING THE TIME FOR THE PHASE II **OPTIONS ANALYSIS** 

WHEREAS, on Tuesday, August 4, 2020, Tropical Storm Isaias landed on Long Island with rain and wind gusts of up to 70 miles per hour, resulting in damage to the electrical system and causing approximately 646,000 customer outages; and

WHEREAS, pursuant to Section 1020-f(y) of the Public Authorities Law, General Powers of the Authority, LIPA, in part, may "make any inquiry, investigation, survey or study which the

authority may deem necessary to enable it effectively to carry out the provisions of this title. . ."; and

WHEREAS, pursuant to Section 4.4(16), Rights and Responsibilities of LIPA, of the Amended and Restated Operations Services Agreement ("OSA"), LIPA, in part, has the right to "make recommendations to the Service Provider, in each case as may be reasonably necessary or appropriate to perform LIPA's oversight responsibilities and obligations with respect to the provision of Operations Services under this Agreement and as may otherwise be necessary or appropriate to comply with LIPA's legal, contractual and fiduciary obligations..."; and

WHEREAS, on August 5, 2020, LIPA's Chief Executive Officer initiated an independent review of the circumstances and root causes that led to the lapses in PSEG Long Island's Tropical Storm Isaias storm restoration; and

WHEREAS, LIPA's Chief Executive Officer appointed an Isaias Task Force that was charged with both providing actionable recommendations and overseeing PSEG Long Island's remediation activities; and

WHEREAS, LIPA committed to reporting the Isaias Task Force's findings, observations, and recommendations to the LIPA Board of Trustees and public in a 30-Day Report, 90-Day Report, and 180-Day Final Report; and

WHEREAS, the Task Force presented the 30-Day Report to LIPA's Board of Trustees at the September 23, 2020 Board Meeting and released it to the public; and

WHEREAS, on November 18, 2020, the Task Force presented the 90-Day Report, which provided recommendations to, among other things, (i) Change Management Incentives and Accountabilities; (ii) Reform Information Technology and Emergency Management; and (iii) Strengthen LIPA's Oversight (together with the 30-Day Report recommendations, the "Task Force Recommendations"); and

WHEREAS, by Resolution No. 1568, dated November 18, 2020, the Board directed the Isaias Task Force, in coordination with PSEG Long Island, to submit an Implementation Plan to the Board of Trustees for each Task Force Recommendation; and

WHEREAS, by Resolution No. 1570, dated December 16, 2020, the Board adopted certain Implementation Plans for the Task Force Tier 1 Recommendations, and directed that PSEG Long Island to amend the remaining Tier 1 Implementation Plans and resubmit such plans to the Task Force for review at the Board's January 2021 meeting; and

WHEREAS, pursuant to the Board's direction, LIPA's CEO and Staff developed the Phase I Options Analysis, which was the first in a series of reports detailing options to improve the management of LIPA's assets; and

WHEREAS, at its meeting in December 2020, the Board adopted the Phase I Options Analysis; found that privatization was too costly for LIPA's customers; and directed LIPA's CEO to further develop the Single-Provider Municipal model and Municipal Management model, as more specifically described in the Phase I Analysis, and report back to the Board in a Phase II Analysis Report no later than March 31, 2021; and

WHEREAS, by Resolution No. 1590, dated January 27, 2021, the Board adopted certain other Tier 1 Recommendation Implementation Plans; directed PSEG Long Island to amend the remaining Tier 1 and 2 Implementation Plans and resubmit such plans to the Task Force for review on or before Board's February 2021 meeting; and extended the time to submit the Task Force 180-Day Final Report to a 270-Day Final Report due to the Board on or before its May 2021 meeting; and

WHEREAS, by Resolution No. 1601, dated February 24, 2021, the Board adopted certain other Tier 1, Tier 2, and Tier 3 Recommendation Implementation Plans; directed PSEG Long Island to amend the remaining Implementation Plans and resubmit such plans to the Task Force for review on or before Board's March 2021 meeting; and

WHEREAS, the Isaias Task Force has submitted to Board 11 Implementation Plans recommended for the Board's approval; and

WHEREAS, LIPA Staff is requesting that the Board consider extending the submission of the Phase II Options Analysis until the Board's April 2021 meeting; and

WHEREAS, the Isaias Task Force Recommendations include that if LIPA and PSEG Long Island renegotiate and cannot reach an agreement on acceptable reforms, or should there be a lack of progress to implement the Isaias Task Force Recommendations, the Board of Trustees consider the exercise of its rights to terminate the OSA with PSEG Long Island before 2025 due to the urgent issues identified by the Task Force's investigation.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby adopts Implementation Plans for the Task Force Tier 1, 2, and 3 Recommendations attached hereto as Exhibit "C"; and

BE IT FURTHER RESOLVED, the Board hereby directs PSEG Long Island to amend the remaining Tier 1, 2, and 3 Implementation Plans to address the comments provided by the Isaias Task Force and resubmit such plans to the Isaias Task Force for review on or before Board's April 2021 meeting; and

BE IT FURTHER RESOLVED, that the Board hereby extends the time to submit the Phase II Options Analysis due to the Board on or before its April 2021 meeting.

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## **Requested Action**

The Board of Trustees (the "Board") of the Long Island Power Authority ("LIPA") is being requested to adopt a resolution supplementing previously approved recommendations developed by LIPA to improve the asset management policies and practices of PSEG Long Island (the "Amended Asset Management Recommendations"), which resolution is attached hereto as Exhibit "A."

## **Background**

PSEG Long Island operates and maintains approximately 14,000 miles of transmission and distribution ("T&D") assets owned by LIPA. Asset management is a core utility responsibility and, pursuant to Section 4.4(16), Rights and Responsibilities of LIPA, of the Amended and Restated Operations Services Agreement ("OSA"), LIPA, in part, has the right to "make recommendations to the Service Provider, in each case as may be reasonably necessary or appropriate to perform LIPA's oversight responsibilities and obligations with respect to the provision of Operations Services under this Agreement and as may otherwise be necessary or appropriate to comply with LIPA's legal, contractual and fiduciary obligations..." Additionally, the OSA provides that PSEG Long Island is responsible for "...the accuracy of the plant records, maps and maintenance databases concerning capital assets."

In 2020, LIPA hired the Woodhouse Partnership ("TPWL"), a firm with international expertise in asset management across many sectors, including the utility sector, to evaluate PSEG Long Island's asset management programs and policies. This review followed findings of significant weaknesses in National Grid's and then PSEG Long Island's management of LIPA's assets in 2013 and 2018 by the New York State Department of Public Service ("DPS")

as part of Management and Operations Audits, which PSEG Long Island was responsible for remedying.

TPWL evaluated PSEG Long Island's asset management practices and processes relative to an asset management maturity model using International Standards Organization (ISO) 55001 requirements.

On a scale of zero (innocent) to four (beyond ISO), with three being "competent," TPWL rated PSEG Long Island's Asset Management program between zero (innocent) and two (developing) along the 27 program components prescribed by ISO.

The systems currently supporting PSEG Long Island's management and maintenance functions are fragmented and siloed and do not lend themselves to a comprehensive enterprise-wide understanding of system assets. Asset data is spread out between various departmental data systems with limited data quality assurance. These fragmented systems impede the effective implementation of current generation data-driven asset management programs. The Computerized Maintenance Management System (CMMS) upgrade that PSEG Long Island is planning to implement is only a partial step and we believe it is necessary to implement an integrated Enterprise Asset Management System (EAMS) to fully realize the potential benefits of modern asset management techniques.

Additionally, over the past several years, PSEG Long Island has implemented policies and procedures to strengthen Property, Plant and Equipment ("PP&E") records, beginning with a project to improve record-keeping related to sub-station assets and a separate project for "outside plant" (i.e. the poles, wires and associated equipment). While PSEG Long Island has made improvements, a recent physical survey of select circuits including over 5,000 poles within five individual towns across the service territory indicates that additional work remains. For example, there is a discrepancy of 35% between records and the physical inventory of Third-Party Attachments. With regards to Asset Collection (i.e. capacitors, protective devices, fuses, riser switches, and transformers), the physical inventory in one town found 24 more transformers than the 27 shown in the mapping system. Additionally, with regards to the identification of double wood poles, the physical inventory identified 170 locations while the statewide notification system (i.e. National Joint Utilities Notification System) had 73.

These discrepancies indicated the need for a comprehensive inventory of PP&E records.

## Asset Management Recommendations Adopted February 24, 2021

In response to the TPWL review, the Board adopted the following recommendations related to asset management at the February 24, 2021 meeting:

1. Adopt the ISO Asset Management Framework – adopt the principles and standards prescribed by ISO 55000 and 55001 as an asset management framework and develop a three-year roadmap with milestones and steps toward a maturity goal of three by

the end of 2023. The roadmap should be presented for LIPA approval by April 30, 2021.

- 2. Annual Reliability Assessment of Plant Asset Performance within 90 days of each year-end, PSEG Long Island should perform and report results of an annual reliability assessment of plant asset performance. The report must include a plan and timeline to address identified deficiencies.
- 3. Develop Asset Management Plans complete the development of asset management plans for transmission, distribution, and substation infrastructure (preventative maintenance, upgrade/replacement of transformer, breaker, switchgear, poles, underground cable, switches (ASU), capacitor etc.) with annual reviews and three-year comprehensive updates. The Asset Management Plans should be presented to LIPA for approval by June 2021.
- 4. Capture Additional Data into the Computerized Maintenance Management System Complete the development of the CMMS in accordance with the 2013 and 2018 Management and Operations Audit Recommendations and then expand data capture to include all T&D assets.
  - Complete CMMS upgrade by the end of 2021, including at least one-third of T&D assets.
  - Develop a plan to bring all T&D assets within CMMS within three years, including field verification. Deliver this plan to LIPA by August 2021.
  - Begin yearly audits of digital plant records to verify completeness and accuracy of newly installed and retired assets by the end of 2021.
- 5. Strategic Asset Management Plan (SAMP) Develop a SAMP that binds the work activities, investment commitments, and decision making through an overarching framework that would be explained and communicated throughout the organization.
  - Develop and present to LIPA for approval the topical outline for the first draft of the SAMP and diagnose what information is available and what information needs to be gathered or developed to prepare a SAMP by June 30, 2021.

## Additional Asset Management Recommendations

LIPA staff recommends the Board adopt the following additional recommendations related to asset management and property records at the March 29, 2021 meeting:

6. Implement an Enterprise Asset Management System. Expand the scope and objectives of the planned CMMS upgrade to include a full-fledged EAMS with capabilities in maintenance management, a full-featured asset database that can accommodate all utility operational assets, comprehensive asset health monitoring, and predictive maintenance capabilities. This system should be the system of record for maintaining all operational asset data, including data for all plant assets and all

field/network assets. This integrated enterprise system should provide the baseline for improving our capabilities in a data-driven, risk-based program for asset management decisions and move the utility towards a preventive and predictive approach for managing assets. The system development plan should align with PSEG Long Island's SAMP. The new system should replace the limited, home-grown, custom CMMS and integrate asset life-cycle management, predictive maintenance, asset risk analysis, and other key asset management functions. Phase 1 of this system to go live no later than December 30, 2022.

7. Conduct a System-Wide Physical Inventory of Outside Plant Assets. PSEG Long Island should engage an outside firm to perform a system-wide physical inventory of outside plant assets for completion within three years. The physical inventory should collect detailed data on all significant physical assets belonging to the network, including poles, pole attachments, transformers, switches, line characteristics, and line-attached devices. The data developed in this physical assessment should align with asset data models in the Enterprise Asset Management System (see Recommendation No. 6). PSEG Long Island should also consider collecting relevant condition data during the physical inspection to the extent feasible.

These efforts are critical to ensuring accurate and comprehensive property records of LIPAowned assets and will ensure that LIPA and PSEG Long Island are focusing efforts on the long-term management of LIPA's assets to derive the greatest performance from investments for customers.

PSEG Long Island should prepare Implementation Plans for each Asset Management Recommendation no later than April 30, 2021. The Implementation Plans will be presented to the Board for consideration at its May 2021 meeting.

## **Recommendation**

Based upon the foregoing, I recommend approval of the above requested action by adoption of a resolution in the form attached hereto.

## 1616. RESOLUTION SUPPLEMENTING ASSET MANAGEMENT RECOMMENDATIONS PREVIOUSLY APPROVED

WHEREAS, pursuant to Section 4.4(16), Rights and Responsibilities of LIPA, of the Amended and Restated Operations Services Agreement ("OSA"), LIPA, in part, has the right to "make recommendations to the Service Provider, in each case as may be reasonably necessary or appropriate to perform LIPA's oversight responsibilities and obligations with respect to the provision of Operations Services under this Agreement and as may otherwise be necessary or appropriate to comply with LIPA's legal, contractual and fiduciary obligations..."; and

WHEREAS, additionally, the OSA provides that PSEG Long Island is responsible for "...the accuracy of the plant records, maps and maintenance databases concerning capital assets."; and

WHEREAS, the supplements to the asset management recommendations previously adopted by the Board are critical to ensuring accurate and comprehensive property records of LIPA owned assets and will ensure that LIPA and PSEG Long Island are focusing their efforts on the long-term management of LIPA's assets to derive the greatest performance from investments for customers.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby supplements the asset management recommendations approved by the Board on February 24, 2021, as outlined in the accompanying memo, and requests Implementation Plans for the Board's consideration at its May 2021 meeting.

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## **Requested Action**

The Board of Trustees (the "Board") of the Long Island Power Authority ("LIPA") is requested to adopt a resolution approving recommendations for the use of affiliate services to provide Shared Services, as defined in the Operations Services Agreement ("OSA") by and between LIPA and PSEG Long Island (the "Recommendation for Affiliates"), which resolution attached hereto as Exhibit "A".

## **Background**

LIPA has a Pass-Through Expenditure obligation pursuant to Section 5.2(A)(7) of the OSA for certain costs incurred by the Service Provider in connection with the use of other PSE&G subsidiaries, commonly referred to as "affiliate" costs. Section 5.2(A)(7) of the OSA provides:

(i) in the case of transactions with an Affiliate under which the Affiliate agrees to provide an Operations Service set forth in Section 4.2 hereof as a Shared Service, the Service Provider's Total Costs incurred in connection with such transaction (including reasonable and demonstrated costs incurred which are necessary to integrate ServCo with such Affiliate, subject, however, to cost substantiation as provided in Section 1.1(E) hereof), which will not include a profit or mark-up component for the Affiliate

Pursuant to Section 4.4(16), Rights and Responsibilities of LIPA, of the OSA, LIPA, in part, has the right to "make recommendations to the Service Provider, in each case as may be reasonably necessary or appropriate to perform LIPA's oversight responsibilities and obligations with respect to the provision of Operations Services under this Agreement and as may otherwise be necessary or appropriate to comply with LIPA's legal, contractual and fiduciary obligations..."

The use of PSE&G subsidiaries as "affiliates" is permitted under the terms of the OSA. The services that PSEG Long Island typically uses affiliates to perform include: IT system support, IT project support, Human Resources, Procurement, Treasury, and Legal Services. Affiliate costs are charged to PSEG Long Island, and therefore funded by LIPA.

However, the current procedures relating to the use of affiliates do not provide LIPA with sufficient detail to accurately determine whether the use of such affiliates is the most economic approach and in the best interest of LIPA's customers. LIPA reimbursed PSEG Long Island a total of \$23 million for all affiliate related services in 2020, including IT system and project support, support for the processing of Tropical Storm Isaias food and medicine spoilage claims, and for handling overflow customer calls and other support during Tropical Storm Isaias. Furthermore, \$17 million, or 75 percent of the total affiliate costs are allocated based on a formula that assigns Long Island a percentage of aggregated "pooled" costs. As a result, LIPA has little accounting detail on the majority of the affiliate costs. Lastly, affiliate costs typically come with a premium due to facility, support, and administrative overhead costs being added to direct labor costs. A "fully-loaded" affiliate cost is typically higher than the cost of PSEG Long Island in-house personnel.

## **Recommendation**

To address these issues, LIPA Staff has developed the following recommendations for the Board's consideration. LIPA recommends that PSEG Long Island prepare enhanced reporting and policies to govern the use of affiliates to increase accountability and transparency. The specific recommendations were provided to PSEG Long Island in a letter and are listed below:

- **1.** Enhanced Affiliate Budget Transparency
  - a. Cost Benefit Justification
    - PSEG Long Island should prepare cost and benefit justifications for affiliate use as part of the 2022 annual budget development process. Include in the cost justification an alternative analysis comparing the cost and benefit of providing the service through an affiliate as compared to the same service using PSEG Long Island in-house employees or by a third-party vendor. The analysis should reference the assumed ServCo employee costs, contracted rates, or proposals from vendors to perform similar work.
    - For affiliate services identified that would be less costly if provided by ServCo employees or a vendor, PSEG Long Island should identify the steps it will take to secure these savings for Long Island electric customers.
  - **b.** Transactional Cost Allocation
    - PSEG Long Island should minimize the use of transactional cost allocation. For service areas that use a transactional cost allocation methodology, LIPA expects these areas to shift to a direct, or "Professional" cost allocation methodology as a way to provide for increased accountability and transparency. Where a direct cost allocation is not feasible, PSEG Long Island

must provide a justification as to why it is necessary to continue to utilize a transactional method. Further, this should include a review of the basis of the allocation percentage to ensure that Long Island customers are not subsidizing New Jersey services. The detailed transactional cost information should delineate labor costs and hours by title and the use of contractors and their associated roles.

- c. IT Services
  - Over 25 percent of total affiliate charges are associated with IT Customer Support and IT Client Project Support. Therefore, the budget plan needs to document the specific projects the affiliate will be working on in the upcoming year, the estimated affiliate cost by project, as well as the affiliate role in supporting the project.
- d. Activity/Billing Hourly Rates
  - The budget submission must include supporting documentation reflecting the calculation of the Activity/Billing Hourly Rates. This should include itemizing titles and their average salaries that comprise the Activity/Billing Rate as well as include any data and formulas that reflects any adjustments to or weighting of average salaries in the calculation of the Activity/Billing Rate. The calculation should ensure rates are an accurate representation of labor costs incurred and are not disproportionately impacted by inclusion of high salary positions in a particular Activity/Billing Rate. Positions with salaries outside a reasonable range from the average should be moved to a separate activity type.
- e. Submission Due Date
  - The affiliate cost and justification must be furnished to LIPA for review no later than August 15, 2021.
- 2. Enhanced Affiliate Actual Cost Transparency
  - a. Budget Variance Report
    - PSEG Long Island must provide LIPA with a quarterly affiliate report, detailing actual use of affiliates as compared to budget including variance explanations that are grounded in the budget details provided to LIPA pursuant to Recommendation 1 (above).
  - **b.** Full-time Affiliate Positions
    - As part of the quarterly Budget Variance Report, detailed support must be provided for positions utilized to support PSEG Long Island at a level equivalent to one full-time equivalent. The ServCo model anticipates a workforce dedicated to supporting PSEG Long Island at a full-time level to be a PSEG Long Island employee. An explanation should accompany this analysis that confirms the employee's transition to PSEG Long Island or a justification as to why this is not possible and why the particular PSEG employee is used to support PSEG Long Island on a full-time basis.

- **3.** Former ServCo Employees
  - a) LIPA requires PSEG Long Island immediately request approval for hiring former ServCo positions as affiliates, pursuant to its contractual obligations. The request for approval must include the work the position will perform, why it is necessary or beneficial for the affiliate to hire the person, and how PSEG Long Island will ensure that any affiliate charges to PSEG Long Island for the position will not exceed what LIPA would have paid had the positions remained with ServCo. The request will also include an estimate of time dedicated to PSEG Long Island as an affiliate.

Based upon the foregoing, I recommend approval of the above requested action by adoption of a resolution in the form attached hereto.

## **1617. RESOLUTION ADOPTING RECOMMENDATIONS FOR AFFILIATE SERVICES**

WHEREAS, pursuant to Section 4.4(16), Rights and Responsibilities of LIPA, of the Amended and Restated Operations Services Agreement ("OSA"), LIPA, in part, has the right to "make recommendations to the Service Provider, in each case as may be reasonably necessary or appropriate to perform LIPA's oversight responsibilities and obligations with respect to the provision of Operations Services under this Agreement and as may otherwise be necessary or appropriate to comply with LIPA's legal, contractual and fiduciary obligations..."; and

WHEREAS, the use of PSE&G subsidiaries as "Affiliates" is permitted under the terms of the OSA; and

WHEREAS, the services that PSEG Long Island typically uses Affiliates to perform include IT system support, IT project support, Human Resources, Procurement, Treasury, and Legal Services. Affiliate costs are charged to PSEG Long Island, and therefore funded by LIPA; and

WHEREAS, LIPA reimbursed PSEG Long Island a total of \$23 million for all Affiliate related services in 2020, including IT system and project support, support for the processing of Tropical Storm Isaias food and medicine spoilage claim processing as well as for handling overflow customer calls and other support during Tropical Storm Isaias; and

WHEREAS, since a majority of these costs include little accounting detail, LIPA has limited information on and oversight of the functional use of Affiliates; and

WHEREAS, LIPA has developed a recommendation to incorporate into the budget development process a thorough cost justification review of Affiliate work plans and costs; and

NOW, THEREFORE, BE IT RESOLVED, the Board hereby adopts Recommendations for Affiliate Services; and

**BE IT FURTHER RESOLVED**, that the Board hereby directs LIPA Staff, together with PSEG Long Island, to implement the Recommendations for Affiliate Services, including the creation of Implementation Plans in advance of the Board's May 2021 meeting.

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Acting Chair Fischl stated that the next item on the agenda was the Consideration of

Approval of the Annual Report on the Board Policy on Debt and Access to the Credit Markets

to be presented by Tamela Monroe.

After requesting a motion on the matter, which was seconded, Ms. Monroe presented the

following action item and took questions from the Trustees.

#### **Requested Action**

The Board of Trustees (the "Board") of the Long Island Power Authority is requested to adopt a resolution: (i) finding that LIPA has complied with the Board Policy on Debt and Access to Credit Markets (the "Policy"); and (ii) approving the annual report for the Policy.

#### Background

By Resolution No. 1319, dated September 21, 2016, the Board adopted the Policy with the purpose of serving the long-term interests of LIPA's customers by adopting sound financial plans in each year. Sound financial plans ensure ready access to borrowing on reasonable terms necessary to fund the infrastructure investments that maintain the reliability and resiliency of the Long Island electric system. Such financial plans contemplate prudent levels of borrowing that will accommodate efficient access to the capital markets and thereby minimize the long-term cost of providing electric service to our customer-owners. The last annual report to the Board was presented on May 20, 2020, and the Policy was last amended by Resolution No. 1579, dated December 16, 2020.

#### **Compliance with the Policy**

Staff recommends that, for the reasons set forth below, the Board find that LIPA has complied with the Policy for the period since the last annual review. The Policy requires that LIPA achieve the lowest long-term cost to our customer-owners by adopting budgets and financial plans that meet the following objective:

"Support credit ratings of at least A2/A"

• In 2020, LIPA's three ratings were reaffirmed at A2, A, A, from Moody's, S&P Global, and Fitch Ratings, respectively.

"For 2020 and 2021, achieve fixed-obligation coverage ratios of no less than (i) 1.35x on the combination of LIPA-issued debt and lease payments; and (ii) 1.15x on the combination of LIPA issued debt, Utility Debt Securitization Authority ("UDSA")-issued debt, and lease payments."

- For the period ended December 31, 2020, LIPA achieved coverage ratios of 1.40x for LIPA-issued debt and lease payments and 1.24x for LIPA and UDSA-issued debt and lease payments.
- The 2021 Budget is set to meet the 1.35x fixed-obligation coverage ratio.

"Generate sufficient cash flow from revenues to maintain the issuance of new debt as a percentage of capital spending at 64 percent or less as measured on a three-year rolling average; however, allow this percentage to exceed 64 percent target on a forward-looking three-year rolling average in 2021 and 2022 as LIPA responds to the effects of the COVID-19 pandemic and Tropical Storm Isaias."

• New debt as a percentage of capital spending for the three-year rolling average for the period ended December 31, 2020 was approximately 63%.

"Maintain (i) cash on hand at each month end of at least \$100 million in the Operating Fund and \$150 million in the Rate Stabilization Fund, and (ii) cash on hand and available credit of at least 120 days of operating expenses."

- Cash on hand at the end of each month exceeded the target of \$100 million.
- As of December 31, 2020, the Operating and the Rate Stabilization funds totaled \$179 million and \$162 million, respectively.
- During 2020, cash on hand and available credit exceeded the target of at least 120 days available for operating expenses.
- As of December 31, 2020, 268 days of operating expenses were available in cash and credit.

"Annually, pre-fund obligations to LIPA's Service Provider for pension costs from operating expenses in a fiscally sound manner, as measured by an actuarial services firm no less than every other year."

- As measured by an actuarial services firm, LIPA funded \$30 million to the PSEG Long Island pension plan trust account.
- As of December 31, 2020, the PSEG Long Island pension plan trust account had assets valued at \$343 million compared to a benefit obligation of \$570 million.

"Annually pre-fund obligations to LIPA's Service Provider for Other Post-Employment Benefits ("OPEBs") to a dedicated OPEB Account in a fiscally sound manner, as measured by an actuarial services firm no less than every other year."

- As measured by an actuarial services firm, LIPA funded \$37 million to the LIPA OPEB account in 2020.
- LIPA's OPEB account to prefund the OPEB benefits of PSEG Long Island employees had assets valued at \$475 million compared to a benefit obligation of \$699 million.

"Pre-fund LIPA's OPEB Trust in a fiscally sound manner, as measured by an actuarial service firm no less than every other year."

- The funding levels have been reviewed by an actuarial services firm within the last two years.
- The LIPA OPEB Trust for LIPA employees had assets valued at \$26 million compared to and benefit obligations of \$23 million.
- •

"Pre-fund LIPA's Nuclear Decommissioning Trust Fund in a fiscally sound manner, as measured by an actuarial service firm, no less than every other year."

- As measured by an actuarial services firm, LIPA funded \$0.03 million to the NDTF in 2020.
- The NMP2 Nuclear Decommissioning Trust Funds had assets valued at \$164 million compared to a liability of \$67 million.
- The funding levels have been reviewed by an actuarial services firm within the last two years.

## Enterprise Risk Management Discussion

The Board has adopted a Policy on Enterprise Risk Management ("ERM"). Enterprise risks are brought to the Board's attention throughout the year. One such enterprise risk is related to liquidity.

Specifically, the risk identified is, "Insufficient liquidity to cover obligations greater than 60 days (i.e., loss of revenue stream) results in the inability to make debt service payments, pay UDSA Bondholders, and cover operating expenses."

This risk is rated as a medium-level risk and is mitigated by LIPA's ability to access capital markets, borrow from rate stabilization funds, and borrow from a revolving line of credit or in the commercial paper market. In early 2021, all three rating agencies reaffirmed LIPA's credit ratings, helping to reduce this risk by providing confidence in LIPA's ability to access capital markets.

Based on our credit ratings and our ability to access capital markets, we believe this risk is being adequately managed. In addition, many of the COVID-19 related challenges and disruptions in the commercial paper market have diminished and LIPA's liquidity remains strong, well above the 120-day minimum required by the Policy as noted above.

## Annual Review of the Policy

LIPA Staff has reviewed the Policy and suggests no amendments at this time.

## **Recommendation**

Based upon the foregoing, I recommend approval of the above requested action by adoption of a resolution in the form attached hereto.

After questions and a discussion by the Trustees, and the opportunity for the public to

be heard, upon a motion duly made and seconded, the following resolutions were approved by

the Trustees.

## 1618. RESOLUTION APPROVING THE REPORT TO THE BOARD OF TRUSTEES ON THE BOARD POLICY ON DEBT AND ACCESS TO THE CREDIT MARKETS

WHEREAS, the Board Policy on Debt and Access to the Credit Markets (the "Policy") was originally approved by the Board of Trustees by Resolution No. 1319, dated September 21, 2016; and

WHEREAS, the last annual report to the Board was presented on May 20, 2020, and the Policy was last amended by Resolution No. 1579, dated December 16, 2020; and

WHEREAS, the Board has conducted an annual review of the Policy and affirms that the Policy has been complied with.

NOW, THEREFORE, BE IT RESOLVED, that consistent with the accompanying memorandum, the Board hereby finds that LIPA has complied with Policy for the period since the last annual review and approves the annual report to the Board.

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Acting Chair Fischl stated that the next item on the agenda was the Consideration of

Approval of the 2020 Financial Report to be presented by Donna Mongiardo.

After requesting a motion on the matter, which was seconded, Ms. Mongiardo presented

the following action item and took questions from the Trustees.

**Requested Action** 

The Board of Trustees (the "Board") of the Long Island Power Authority ("LIPA") is being requested to approve the 2020 Financial Report of the Authority (the "Financial Report") prepared in accordance with Section 2800(1) of the Public Authorities Law ("PAL"), in the form attached as Exhibit "B."

## **2020 Financial Report**

Section 2800(1) of the PAL requires LIPA to submit an annual report to the Governor, the Chairman and ranking minority member of the Senate Finance Committee, the Chairman and ranking minority member of the Assembly Committee on Ways and Means, the State Comptroller, and the Authorities Budget Office, within ninety days after the end of LIPA's fiscal year. Under Section 2800(1)(a)(2) of the PAL, the Financial Report shall include the following: audited financials; grant and subsidy programs; operating and financial risks; current bond ratings; and long-term liabilities. Section 2800(3) of the PAL requires the Financial Report to be approved by the Board.

#### Recommendation

Based upon the foregoing, I recommend approval of the above requested action by adoption of a resolution in the form attached hereto.

After questions and a discussion by the Trustees, and the opportunity for the public to

be heard, upon a motion duly made and seconded, the following resolutions were approved by

the Trustees.

# 1619. RESOLUTION APPROVING THE 2020 FINANCIAL REPORT OF THE LONG ISLAND POWER AUTHORITY

WHEREAS, Section 2800(1) of the Public Authorities Law ("PAL") requires public authorities such as the Long Island Power Authority ("LIPA") to prepare an annual report; and

WHEREAS, LIPA's annual report includes, among other things, a financial report, as defined under Section 2800(1)(a)(2) of the PAL (the "Financial Report"); and

WHEREAS, LIPA has prepared its Financial Report, which, pursuant to Section 2800(3) of the PAL, is subject to the approval of the Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby approves the 2020 Financial Report of the Long Island Power Authority, in the form presented at this meeting.

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Acting Chair Fischl then stated that the final agenda item, Secretary's Report on Board Policies and Communications, would be in written submission only, and available at the Long Island Power Authority website for viewing.

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Acting Chair Fischl then announced that the next Board meeting is scheduled for Monday, April 19, 2021 in Uniondale.

Acting Chair Fischl then asked for a motion to adjourn to Executive Session to discuss litigation matters and announced that no votes would be taken and that the Board would not be returning to Open Session. The motion was duly made and seconded, and the following resolution was adopted:

# 1620. EXECUTIVE SESSION – PURSUANT TO SECTION 105 OF THE PUBLIC OFFICERS LAW

**RESOLVED**, that pursuant to Section 105 of the Public Officers Law, the Trustees of the Long Island Power Authority shall convene in Executive Session for the purpose of discussing litigation matters.

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At approximately 12:51 p.m. the Open Session of the Board of Trustees was adjourned

on a motion to enter into Executive Session.

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March 29, 2021

**Board Meeting** 

**Public Comments** 

 From:
 From:

 To:
 FW: Reducing electrical rates

 Cc:
 Monday, March 15, 20 21 10:29:49 AM

 Subject:
 Date:

-----Original Message-----From: linda balarezo <> Sent: Sunday, March 14, 2021 3:20 PM To: Board of Trustees <boardoftrustees@lipower.org> Subject: Reducing electrical rates

I, like many seniors on a fixed income hope you will do the right thing by taking any steps that will reduce our electrical rates. The pandemic has put even more strain on everyone's budget. We all need to see light at the end of the tunnel.

Thanking you all in advance for looking out after all your Long Islanders.

Sincerely,

Linda Balarezo

Sent from my iPad

LIPA IT WARNING: This email came from an external source. THINK before you open attachments or click on links and NEVER provide IDs or passwords.

LI power.org

\*\*\* Standard LIPA Email Signature \*\*\*

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From:	
To:	FW: Public Power for LIPA
Cc:	Friday, March 12, 2021 8:00:03 AM
Subject:	
Date:	

From: Nancy D'Angelo <> Sent: Thursday, March 11, 2021 10:02 PM To: Board of Trustees <boardoftrustees@lipower.org> Subject: Public Power for LIPA

of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

The time has come to make a change. When The Governor and LIPA first brought in PSEG Long Island in the wake of Superstorm Sandy, it was an idea whose time had come to embrace the promise of a public/private partnership that could grow and provide Long island with the best of both worlds. For a time it was on track to be. But in the last several years, PSEG LI has fallen flat again and again, and not lived up to the promises made to make LIPA better, more transparent, more communicative and more resilient.

Other places have municipalized and expanded things like solar generation and vastly improved grid reliability, while keeping rates below their state's average.

Municipalization would save \$70 Million a year- that could be spent on resiliency, needed grid upgrades, clean energy investments, or pay down the debt.

Under state review and regulation, it could focus on reliability, accountability, transparency, communication and resiliency, and make those mandatory. State oversight would open us up to funding that is currently not available for many different programs as well.

Municipalization would give Long Islanders a say in their utility for a more democratic grid.

Different models for this are available for the board to choose, from a more traditional board structure to a university-based one, but all with input from all stakeholder groups, from local organizations to environmental advocacy groups

In light of this, and the reluctance of PSEG LI to improve their accountability and operations, it is time to move on from PSEG LI and the public-private partnership that did not live up to its promise.

The time has come for a strong, publicly run LIPA.

## Nancy D'Angelo

The second second second

LIPA IT WARNING: This email came from an external source. THINK before you open attachments or click on links and NEVER provide IDs or passwords.



From: To: FW: Public power for LIPA Cc: Thursday, March 11, 202111:54:01 AM Subject: Date:

From: George Povall <> Sent: Thursday, March 11, 2021 6:51 AM To: Board of Trustees <boardoftrustees@lipower.org> Subject: Public power for LIPA

of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

The time has come to make a change. When The Governor and LIPA first brought in PSEG Long Island in the wake of Superstorm Sandy, it was an idea whose time had come to embrace the promise of a public/private partnership that could grow and provide Long island with the best of both worlds. For a time it was on track to be. But in the last several years, PSEG LI has fallen flat again and again, and not lived up to the promises made to make LIPA better, more transparent, more communicative, and more resilient.

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The time has come for a strong, publicly run LIPA.
Sincerely, George Povall Executive Director All Our Energy





FW: It is time to move LIPA to public power. Wednesday, March 10, 2021 9:49:28 AM

From: Katherine Congdon Caldwell <> Sent: Tuesday, March 9, 2021 7:31 AM To: Board of Trustees <boardoftrustees@lipower.org>

Subject: It is time to move LIPA to public power.

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of the LIPA Board,

I firmly believe that municipalization is the way to go for LIPA. As a life long resident of Long Island, I have seen many failures, and PSEGLI, who was supposed to be our savior, has done no better! There is no reason that Long Island, with its population of approximately 3 million in Nassau and Suffolk counties, cannot find capable people to run an efficient and forward thinking utility (profiting the people, not the utility!). I did not support bringing in PSEGLI, and in my opinion we need to go to a new model of operation. I understand that municipalization could save as much as \$70 million per year. That could be well spent on upgrades, maintenance and investment in a clean energy future. As an island, and a low lying one at that, we need to focus on what works best for us and our future. Let's move to a publicly run utility, for the benefit of all Long Islanders. Thank you. Sincerely, Katherine Congdon Caldwell

Katherine Congdon Caldwell



E FW: Make LIPA Fully Public Wednesday, March 10, 20219:49:19 AM

From: Nicolas Shearman <i> Sent: Tuesday, March 9, 2021 8:54 AM To: Board of Trustees <boardoftrustees@lipower.org> Subject: Make LIPA Fully Public

of the LIPA Board,

Dear Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees,

My name is Nicolas Shearman, lifelong New Yorker who lived on Long Island for over 20 years. During my time on Long Island, I witnessed the decrease in quality utility service under PSEG in response to storms and slow progress in modernizing the Island's utility infrastructure. I write today to urge you to embrace full public management and operation of LIPA as a public utility to meet the energy, utility justice, and climate challenges Long Island is facing.

The time has come to make a change. When The Governor and LIPA first brought in PSEG Long Island in the wake of Superstorm Sandy, it was an idea whose time had come to embrace the promise of a public/private partnership that could grow and provide Long island with the best of both worlds. For a time it was on track to be. But in the last several years, PSEG LI has fallen flat again and again, and not lived up to the promises made to make LIPA better, more transparent, more communicative and more resilient.

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Different models for this are available for the board to choose, from a more traditional board

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In light of this, and the reluctance of PSEG LI to improve their accountability and operations, it is time to move on from PSEG LI and the public-private partnership that did not live up to its promise.

The time has come for a strong, publicly run LIPA. I look forward to seeing you make it happen.

Sincerely, Nicolas Shearman

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FW: Going in the wrong direction PSEG Wednesday, March 10, 2021 9:49:07 AM

From: Lore Kent <i>Sent: Tuesday, March 9, 2021 10:36 AM
To: Board of Trustees <boardoftrustees@lipower.org>
Subject: Going in the wrong direction PSEG

of the LIPA Board,

To whom it may concern:

I do not profess to know the inner workings of a power authority and I have no doubts that the responsibility of generating power to Long Island, especially during emergency situations is daunting. Yet, what I do know is that since PSEG took over, our service has been noticably worse! Hurricane Sandy was a devastation for Long Island and due to what we went through as a homeowner, we felt "forced" to incur the expense of purchasing a generator as we didn't feel comfortable depending on our power company any longer in emergency situations! As well, the few times we attempted to contact customer service for questions we had, we felt that customer service was basically non-existent since PSEG got involved. My vote would be to bring back LIPA. I felt a greater sense of safety and connection when LIPA was in charge of Long Island!

Lore Kent



 From:
 FW: Make LIPA a public utility

 Cc:
 Wednesday, March 10, 2021 9:48:55 AM

 Subject:
 Date:

From: Billii Roberti <> Sent: Tuesday, March 9,
202111:31 AM
To: Board of Trustees <boardoftrustees@lipower.org>
Subject: Make LIPA a public utility

of the LIPA Board,

After 36 years, it is clear the LIPA public-private partnership model is a failure.

How can it work when the parent private company treats Long Island like a stepchild? Or when the private company owes its allegiance to its stockholders? A public utility would answer to...the public!

We need a public electric utility that is accountable, communicative, reliable, resilient and transparent. We need a say in how our utility is run. And we need it now.

Billii Roberti



FW: PSEG LI vs Public Interest Wednesday, March 10, 2021 9:48:44 AM

From: Neil Nitzberg <i> Sent: Tuesday, March 9, 2021 9:04 PM To: Board of Trustees <boardoftrustees@lipower.org>

Subject: PSEG LI vs Public Interest

of the LIPA Board,

To: Hon. Gov. Cuomo,

The electric power utility on Long Island is a continuing nightmare. First, LILCO withheld service because they were beholden to nuclear interests and instead they were obsessed with building a nucular reactor in Shoreham. Now, PSEG has adopted the corporate philosophy, "Maximize profits today regardless of tomorrow or customer concerns."

The customers have had enough of Corporate Profits being first priority. Let the corporations eat cake. The time has come for a strong, publicly run LIPA.

-neil / Valley Stream, LI-

#Decorporatize #DemocraticSocialismEqualsPowerToThePeople (no pun intended) #ForThePeopleForAChange

Neil Nitzberg

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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The time has come for a strong, publicly run LIPA.

Jay Blackman

FW: Make our Energy Public \_\_\_\_\_ Wednesday, March 10, 2021 9:48:28 AM

From: Jay Blackman <> Sent: Tuesday, March 9, 2021 9:07 PM To: Board of Trustees <boardoftrustees@lipower.org> Subject: Make our Energy Public

of the LIPA Board,

It's time to put people, and our environment above private company profits. PSEG LI has shown time and again they are not up to handling the energy needed by Long Islanders. Their lack of major investments in power line infrastructure has caused many occasions of power outages. The record shows that that cities, towns and villages (Freeport and Rockville Centre) with public utilities do much better and have greater customer satisfaction than privately run utilities. It's time to step up and allow LIPA and the people of LI decide how our energy will be produced and delivered.

Jay Blackman



To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

The time has come to make a change. When The Governor and LIPA first brought in PSEG Long Island in the wake of Superstorm Sandy, it was an idea whose time had come to embrace the promise of a public/private partnership that could grow and provide Long island with the best of both worlds. For a time it was on track to be. But in the last several years, PSEG LI has fallen flat again and again, and not lived up to the promises made to make LIPA better, more transparent, more communicative and more resilient.

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## Patricia Milizio

FW: PSEG LI improve their accountability & operations Wednesday, March 10, 2021 9:48:16 AM

From: Patricia Milizio <i>Sent: Tuesday, March 9, 2021 9:17 PM
To: Board of Trustees <boardoftrustees@lipower.org>
Subject: PSEG LI improve their accountability & operations

of the LIPA Board,

The people need to have a say regarding the sources of electric power & learn ways obtain electric power in a more environmentally friendly manner.

Patricia Milizio



 From:
 FW: LIPA

 Cc:
 Wednesday, March 10, 2021 9:48:04 AM

 Subject:
 Date:

From: Roy BERBERICH <i> Sent: Wednesday, March 10, 20 21 12:19 AM To: Board of Trustees <boardoftrustees@lipower.org> Subject: LIPA

of the LIPA Board,

LIPA is at a crossroads: keep our contractor, who are increasingly unresposnive and are not living up to their promise, or move Long Island to Public power with reliability, accountability, transparency, and resiliency.

The choice is clear, and the time is NOW! Public power for LI!

Sincerely, Roy Berberich

Roy BERBERICH



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FW: LIPA Wednesday, March 10, 2021 9:47:30 AM

From: GloriaJean Berberich <i> Sent: Wednesday, March 10, 2021 12:16 AM
To: Board of Trustees <boardoftrustees@lipower.org>
Subject: LIPA

of the LIPA Board,

The time has come to make a change. When The Governor and LIPA first brought in PSEG Long Island in the wake of Superstorm Sandy, it was an idea whose time had come to embrace the promise of a public/private partnership that could grow and provide Long island with the best of both worlds. For a time it was on track to be. But in the last several years, PSEG LI has fallen flat again and again, and not lived up to the promises made to make LIPA better, more transparent, more communicative and more resilient.

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The time has come for a strong, publicly run LIPA.

Thank you for your consideration, Gloria-Jean Berberich

## GloriaJean Berberich

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To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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The time has come for a strong, publicly run LIPA.

Julia Anne Merker

 From:
 FW: LIPA

 Cc:
 Wednesday, March 10, 2021 9:47:11 AM

 Subject:
 Date:

From: Julia-Anne Merker Sent: Wednesday, March
10, 2021 9:32 AM
To: Board of Trustees <boardoftrustees@lipower.org>
Subject: LIPA

of the LIPA Board,

It is time to move on from PSEG LI and enable a strong publicly run LIPA. Our environment depends on it; our children's future is at stake.

Julia-Anne Merker

LIPA IT WARNING: This email came from an external source. THINK before you open attachments or click on links and NEVER provide IDs or passwords.



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FW: We Can Do Better Than PSEG Wednesday, March 10, 2021 9:38:00 AM

From: Heather Clark <i> Sent: Tuesday, March 9, 2021 7:30 AM To: Board of Trustees <boardoftrustees@lipower.org> Subject: We Can Do Better Than PSEG

of the LIPA Board,

PSEG has done little good and A LOT of bad in our LI communities. They destroyed quaint main streets — making them look like electric transfer stations — with 80 foot power poles with no input from the community (most of whom would have gladly paid to bury the lines) and hired incompetent tree trimmers who cut down and multilateral THOUSANDS upon thousands of trees — one of our most precious and beautiful resources on LI. And for what?! The electricity still goes out. The pricing is labile and has jumped for some double or even triple previous pricing in the midst of an economy-crushing pandemic. PSEG has GOT TO GO.

Heather Clark



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From: To: FW: LIPA Cc: Wednesday, March 10, 2021 9:37:36 AM Subject: Date:

From: K Murphy <> Sent: Tuesday, March 9, 2021 7:27 AM To: Board of Trustees <boardoftrustees@lipower.org> Subject: LIPA

of the LIPA Board ,

Please consider restructuring LIPA to be a public utility and terminate PSEG. Move toward renewable energy and future for LI

K Murphy

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To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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Municipalization would give Long Islanders a say in their utility for a more democratic grid.

Different models for this are available for the board to choose, from a more traditional board structure to a university-based one, but all with input from all stakeholder groups, from local organizations to environmental advocacy groups

In light of this, and the reluctance of PSEG LI to improve their accountability and operations, it is time to move on from PSEG LI and the public-private partnership that did not live up to its promise.

The time has come for a strong, publicly run LIPA.

Denise Brown

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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Barbara Karyo

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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The time has come for a strong, publicly run LIPA.

Karen Papasergiou

 From:
 Jerome McNerney

 To:
 Board of Trustees

 Subject:
 Public Power for LIPA

 Date:
 Wednesday, March 17, 2021 11:33:38 AM

of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

The time has come to make a change. When The Governor and LIPA first brought in PSEG Long Island in the wake of Superstorm Sandy, it was an idea whose time had come to embrace the promise of a public/private partnership that could grow and provide Long island with the best of both worlds. For a time it was on track to be. But in the last several years, PSEG LI has fallen flat again and again, and not lived up to the promises made to make LIPA better, more transparent, more communicative and more resilient.

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The time has come for a strong, publicly run LIPA.

Jerome McNerney

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

The time is now to make a change. The Governor and LIPA first brought in PSEG Long Island in the wake of Superstorm Sandy. It was an idea whose time had come to embrace the promise of a public/private partnership that could grow and provide Long island with the best of both worlds. For a time it was on track to be. But in the last several years, PSEG LI has fallen flat again and again, and not lived up to the promises made to make LIPA better, more transparent, more communicative and more resilient.

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Abby Pariser

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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The time has come for a strong, publicly run LIPA.

Karin Bailey

Date:	Wednesday, March 17, 2021 10:37:25 AM
Subject:	Public Power for LIPA
To:	Board of Trustees
From:	Randi Itzkowitz

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

The time has come to make a change. When The Governor and LIPA first brought in PSEG Long Island in the wake of Superstorm Sandy, it was an idea whose time had come to embrace the promise of a public/private partnership that could grow and provide Long island with the best of both worlds. For a time it was on track to be. But in the last several years, PSEG LI has fallen flat again and again, and not lived up to the promises made to make LIPA better, more transparent, more communicative and more resilient.

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## Randi Itzkowitz

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DENNIS VECCHIARELLO

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Barbara J Toney

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Kelly DeVine

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Shelley Goldman

From:phyllis corsairTo:Board of TrusteesSubject:management of electrical transmissionDate:Wednesday, March 17, 2021 9:16:29 AM

Please see to it that this function is handled in house saving our ratepayers money we cannot to waste Phyllis Corsair

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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Janet Moser

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Rita Cavanagh

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Jenny Strandberg

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nancy schulman

From:Lisa CashmanTo:Board of TrusteesSubject:Make Utilities Public -- LIPADate:Wednesday, March 17, 2021 8:43:34 AM

of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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Suzanne DeGraff
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**Diane Stark** 

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**Bernard Weitz** 

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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Judith Weitz

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Sammi Metzger

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elizabeth moseman

 From:
 FW: Bring rates down

 To:
 FW: Bring rates down

 Cc:
 Monday, March 15, 2021 10:30: 17 AM

 Subject:
 Date:

-----Original Message-----From: > Sent: Friday, March 12, 2021 5:14 PM To: Board of Trustees <boardoftrustees@lipower.org> Subject: Bring rates down

We can't afford PSEG's fees and profits. Terminate their contract now. Thank You. Fred Harrison

LIpower.org \*\*\* Standard LIPA Email Signature \*\*\*

the second s

From: To: Cc: Subject: Date:

FW: Please bring PSEG"s function in house Monday, March 15, 2021 10:30:01 AM

From: Daniel Urick <>
Sent: Sunday, March 14, 2021 11:23 AM
To: Board of Trustees <boardoftrustees@lipower.org>
Subject: Please bring PSEG's function in house

I've been reading about all the failures of PSEG, many of which I've experienced. Please take the necessary actions to bring PSEG's functions directly under LIPA's control and save the ratepayers a lot of money. Thank you.

Daniel Urick

LIPA IT WARNING: This email came from an external source. THINK before you open attachments or click on links and NEVER provide IDs or passwords.



?

From: To: Cc: Subject: Date:

FW: Public Power for LIPA Tuesday, March 16, 202110:09:39 AM

From: Jerry Rivers <
Sent: Monday, March 15, 2021 5:05 PM
To: Board of Trustees <boardoftrustees@lipower.org>
Subject: Public Power for LIPA

of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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Municipalization would save \$70 Million a year- that could be spent on resiliency, needed grid upgrades, clean energy investments, or pay down the debt.

Under state review and regulation, it could focus on reliability, accountability, transparency, communication and resiliency, and make those mandatory. State oversight would open us up to funding that is currently not available for many different programs as well.

Municipalization would give Long Islanders a say in their utility for a more democratic grid.

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The time has come for a strong, publicly run LIPA.

# Jerry Rivers

2

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Colleen Moseman

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Leah Helmer

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Barbara Hafner

From: To: FW: Public Po Cc: Wednesday, I Subject: Date:

FW: Public Power for LIPA Wednesday, March 17, 2021 5:01:21 PM

From: Kanwaldeep Sekhon Sent: Wednesday, March 17, 2021 4:03 PMTo: Board of Trustees <a href="mailto:soardoftrustees@lipower.org">soardoftrustees@lipower.org</a>Subject: Public Power for LIPA

of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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Kanwaldeep Sekhon

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Eloise Linger

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

From: Gail Payne, The Energy Chair of Long Island Sierra Club

Move Long Island to public power with reliability, accountability, transparency, and resiliency!

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Gail & Don Payne

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Barbara Hackett

From: To: Cc: Subject: Date:

FW: My Ballot for Rate Savings Tuesday, March 23, 2021 9:55:05 AM

From: Mary Ann Gagliardi <</li>
Sent: Friday, March 19, 2021 4:20 PM
To: Board of Trustees <boardoftrustees@lipower.org>
Subject: My Ballot for Rate Savings

Good afternoon,

I am a homeowner in Nassau County and I would like you to vote for Rate Savings for LIPA.

Thank you.

Best,

Mary Ann Gagliardi

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Karen Zilber < Monday, March 22, 20213:04 PM Board of Trustees Public Power for LIPA

of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

The time has come to make a change. When The Governor and LIPA first brought in PSEG Long Island in the wake of Superstorm Sandy, it was hoped that a public/private partnership could grow and provide Long island with the best of both worlds. While in the beginning this appeared to be true, in the last several years, PSEG LI has failed to meet their promises to make LIPA better, more transparent, better able to communicate with its customers and more resilient.

Other places have municipalized and expanded things like solar generation and vastly improved grid reliability, while keeping rates below their state's average.

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The time has come for a strong, publicly run LIPA.

Karen Zilber

Maureen Garvey < > Monday, March 22, 202112:22 PM Board of Trustees Public Power for LIPA

of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

I don't need to repeat what has already been said in the other letters on this topic that I know you have received. Suffice to say that I add my name to the list of Long Islanders who want to see a publicly run LIPA

Thank you for your attention.

Sincerely,

Maureen Garvey

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Katharine B. Wolpe < > Monday, March 22, 202110:20 AM Board of Trustees Public Power for LIPA

of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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Katharine B. Wolpe

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Joe Tonini <i > Monday, March 22, 20218:29 AM Board of Trustees Public Power for LIPA

of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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Joe Tonini

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Cheryl Frank <i > Monday, March 22, 2021 7:23 AM Board of Trustees Public Power for LIPA

# of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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Cheryl Frank

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Lisa Kaplan-Miller < i > Monday, March 22, 20217:08 AM Board of Trustees Public Power for LIPA

of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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Lisa Kaplan-Miller

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LYNDA GOLDMAN < > Sunday, March 21, 2021 11:32 AM Board of Trustees Public Power for LIPA

of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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LYNDA GOLDMAN

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Ezeder Tzorginda < > Saturday, March 20, 2021 9:02 PM Board of Trustees Public Power for LIPA

of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

Gauron,

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Eskerrik asko,

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Ezeder Tzorginda

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Dhruv Gupta <i Saturday, March 20, 2021 10:49 AM Board of Trustees Public Power for LIPA

of the LIPA Board,

To: Governor Andrew Cuomo and the Long Island Power Authority (LIPA) Board of Trustees

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Web Forms Friday, March 26, 2021 11:31 AM Comments on LIPA Board Agenda Items Website Inquiry: Board Agenda Comments

Name Donna Charielle

# Address

Affiliation

LIPC

**Agenda Topic** Public Power for Long Island

# Comment

LIPA Board meetings should be multiple and accessible at different times so working people can participate as well. New Yorkers deserve utilities that are accountable, meet high standards for resilience and equity, and will prevent climate catastrophe by moving off fossil fuels to renewable energy.

New Yorkers deserve Public Power -- starting now with Long Island.

Long Island can blaze a new path for New York by creating a fully Public Power utility that ends our reliance on fossil fuels and provides clean, reliable, affordable power for all. Thank you!

Sent from Lipower

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Web Forms (o) (m) Llpower.org

Web Forms Monday, March 22, 2021 9:47 PM Comments on LIPA Board Agenda Items Website Inquiry: Board Agenda Comments

# Name

Noah Plofker

### Address

# Agenda Topic

Public Power for Long Island

#### Comment

My name is Noah Plofker, a resident of Holtsville, and a Long Island utility ratepayer. Years of public-private partnerships under LIPA have removed us from an energy system in service of people, not profits. On good days, I pay outrageous rates for inadequate service. On bad days, I wait in the dark unable to get clear answers on when service will return. On all days, we all maintain reliance on climate-wrecking fossil fuels that put our region at risk of further catastrophe. Our utility consistently fails us, no more apparent than during last summer's Tropical Storm Isaias which proved PSEG LI incapable of responding to the challenge of providing and maintaining the resilient electric grid that Long Islanders need. We must fully commit to a new paradigm of energy management on Long Island and oppose any efforts to further privatize our energy services. Across the country, publicly owned utilities have proven more affordable and reliable for residential customers. They are more responsive to customer needs, yielding better customer satisfaction. Their shorter outage times safeguard households' food and medicine and improve the productivity of small businesses. With a proper process in place, we can reimagine, reinvent, and restructure LIPA so that it is led by those most impacted by decisions concerning our energy system. We can ensure that those who use, pay for, and work for the system have a say in how it runs.

I'm calling on LIPA to terminate their contract with PSEG LI as soon as possible and fully municipalize. I demand a genuine, inclusive, and robust process as LIPA's path forward is determined. We can no longer separate LIPA from everyday Long Islanders. We need a public process that convenes appropriate stakeholders to serve as a watchdog in this crucial moment through public hearings, town halls, and other forms of participatory community engagement.

Sent from Lipower

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Web Forms (o) (m) Llpower.org

Web Forms Friday, March 5, 2021 3:36 PM Comments on LIPA Board Agenda Items Website Inquiry: Board Agenda Comments

Name Richard Viesta

#### Agenda Topic

Public Power for Long Island

# Comment

My name is Richard Viesta, a resident of Port Washington, and a Long Island utility ratepayer.

Years of public-private partnerships under LIPA have removed us further from the root of our needs: an energy system in service of people, not profits. On good days, we pay outrageous rates for inadequate service. On bad days, we wait in the dark unable to get clear answers on when service will return. On all days, we maintain reliance on climate-wrecking fossil fuels that put our region at risk of further catastrophe. Our utility consistently fails us, no more apparent than during last summer's Tropical Storm Isaias which proved PSEG LI incapable of responding to the challenge of providing and maintaining the resilient electric grid that Long Islanders need.

We must fully commit to a new paradigm of energy management on Long Island and oppose any efforts to further privatize our energy services. Across the country, publicly owned utilities have proven more affordable and reliable for residential customers. They are more responsive to customer needs, yielding better customer satisfaction. Their shorter outage times safeguard households' food and medicine and improve the productivity of small businesses. With a proper process in place, we can reimagine, reinvent, and restructure LIPA so that it is led by those most impacted by decisions concerning our energy system. We can ensure that those who use, pay for, and work for the system have a say in how it runs.

We call on LIPA to terminate their contract with PSEG LI as soon as possible and fully municipalize. We demand a genuine, inclusive, and robust process as LIPA's path forward is determined. We can no longer separate LIPA from everyday Long Islanders. We call for a public process that convenes appropriate stakeholders to serve as a watchdog in this crucial moment through public hearings, town halls, and other forms of participatory community engagement.

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Web Forms Friday, March 5, 2021 3:36 PM Comments on LIPA Board Agenda Items Website Inquiry: Board Agenda Comments

#### Name

Leona Viesta

#### Agenda Topic

Public Power for Long Island

# Comment

My name is Leona Viesta, a resident of Port Washington, and a Long Island utility ratepayer.

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