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October 19, 2009

Thomas C. Congdon
Chair, State Energy Planning Board
Deputy Secretary for Energy
Office of the Governor
Executive Chamber, 2nd Fl.
State Capitol
Albany, NY 12224

Dear Mr. Congdon,

Submission of Comments on New York State Draft Energy Plan, August 2009

Roraima Consulting Inc. (RCI) is grateful to have the opportunity to submit comments on the 2009 Draft New York State Energy Plan which was issued in August 2009.

RCI is pleased to note the positive changes which have taken place since we commented on the Interim Plan, including the passage of the Green Jobs/Green New York Bill which incorporates some of the recommendations we made.

RCI hopes that in the development of the Final Energy Plan, the State Energy Planning Board will consider the issues which we highlighted in the attached document as they relate to social equity in energy-related decisions, particularly in the allocation of resources.

Sincerely,

ANDREA WATSON-JAMES
CHIEF EXECUTIVE OFFICER

Cc: Ms. Sarah Osgood
Executive Director, State Energy Planning Board
Assistant Secretary for Renewable Energy
Executive Chamber, 2nd Fl.
State Capitol
Albany, NY 12224

Comments and Recommendations on New York State Energy Plan Draft, August 2009

Submitted by Roraima Consulting Inc. (RCI)

Focus of RCI's Submission

It will be recalled that in our previous comments on the New York State Energy Plan Interim Report, we stated that:

“Comment 1:

Minority communities are vulnerable communities and their needs should be directly addressed in the NYS Energy Plan. The Interim report does not adequately and directly address the plight of Minorities, including people of color, persons with disabilities and teens and the poor.”

After providing arguments to demonstrate our point, our comment was that:

“The New York State Energy Plan should include focused initiatives designed to ensure that the economic development opportunities and benefits of the new Energy Plan are shared equitably by the most vulnerable communities.”

Against this background, RCI welcomes the following statements in the Draft Energy Plan:

“Environmental justice is the assurance of fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Through Governor Paterson’s Environmental Justice Interagency Task Force, and other policies, the State has environmental justice efforts underway that focus on improving both the human and physical environment, with an emphasis on low income communities and communities of color.³ These efforts also work on addressing disproportionate health and environmental burdens that may exist in those communities. Continued study of the areas with disproportionately high rates of poverty, unemployment, traffic, and power generation and industrial facilities is important in helping to unburden communities with high rates of health problems, such as asthma exacerbation and lead poisoning.” Page 5 refers.

The above correctly in RCI's view, addresses environmental justice in the current and potential impacts of laws, regulations and policies.

Our point is that **social equity** in the **access to resources and benefits** needs to be more explicitly positioned as a pillar of the New York State Energy Plan.

Social equity is characterized by four dimensions *viz. procedural fairness, access, quality and outcomes.*

Procedural fairness requires that existing and new practices in the implementation, service delivery and management decisions associated with the Energy Plan should be examined to insure that groups of persons and communities are not disproportionately denied on the basis of their personal characteristics or socio-economic status. Based on that examination, any deviations found should be corrected and contributing factors should be eliminated.

Access represents equity in the availability of services and benefits and includes the position that the distribution should be such that those who are less advantaged receive greater benefits to ensure that access and distribution match the intended purpose of the Plan. For example, the Plan recommends that:

- Dedicate funding for “pathways out of poverty” programs to train unskilled workers for clean energy jobs” in the disadvantaged communities (Page 74 refers);
- “Targeted outreach should be used to deliver energy efficiency programs and services to commercial and industrial customers, residential and low income communities” and “Education, outreach and marketing for energy programs should be tailored” for the disadvantaged communities (Page 91 refers).

For social equity through access to be achieved, these recommendations must be consistently applied and implemented fully.

Quality relates to equity in the process of providing services and benefits and speaks to the need to ensure that there is consistency in the nature of services and benefits delivered to all groups, regardless of physical characteristics and socio-economic status.

A focus on the social equity outcomes seeks to achieving an equal level of accomplishment in the social and economic conditions and to eliminating differences in outcomes for groups of persons and/or communities, especially the disadvantaged. This requires that administrators of the Energy Plan should, on an ongoing basis, examine why different outcomes occur for different groups and communities and identify possible initiatives to reduce disparities among them.

In a nutshell, RCI’s recommendation is that social equity considerations should be reinforced in the final version of the New York Energy Plan especially for the disadvantaged communities in New York City given their contributions to the System Benefits Charge (SBC) and Renewable Portfolio Standard (RPS) funding and the provisions of the Green Jobs/Green New York Bill. In addition, as part of the periodic review of the Plan’s operations, the social equity of its implementation should be evaluated.
