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Community Solar for Disadvantaged Communities Act introduced

Legislation supports CLCPA by providing solar to disadvantaged communities

Senator Kevin Parker (D - Brooklyn) and Assembly Member Michael Cusick (D - Staten Island), the respective Chairs of the Energy committees in the two houses of the Legislature, introduced legislation (S.3521-A and A.3805-A) to make community solar savings more accessible to all New Yorkers, including disadvantaged communities. This legislation would allow families in one utility territory to benefit from community distributed solar projects elsewhere in the state.

“As the Chair of the Senate Energy and Telecommunications Committee I am proud to sponsor this legislation to continue our advocacy on environmental justice issues with the Community Solar for Disadvantaged Communities Act. There are two pressing CLCPA goals – the first, 6 gigawatts of distributed solar generation by 2025 and a second, provision of 35 percent of the benefits to disadvantaged communities. This initiative accomplishes both.”

- Senator Kevin Parker, Chair, Senate Energy and Telecommunications Committee

“This legislation addresses a crucial flaw in a currently existing state program which funds renewable energy projects. New York City ratepayers pay the same System Benefit Charge as ratepayers across the state, yet see far less return. This legislation will alleviate the geographic constraints currently preventing downstate ratepayers from enjoying the benefits of this program the way the rest of the state can.”

- Assembly Member Michael Cusick, Chair, Assembly Energy Committee

This legislation was endorsed by New York Solar Energy Industries Association (NYSEIA), Solar Energy Industries Association (SEIA), Coalition for Community Solar Access (CCSA), the New York League of Conservation Voters (NYLCV), The Nature Conservancy (TNC), Arcadia, and ClearWay.

Popular solution

This legislation will remove the geographic barrier, and allow subscribers in any utility territory, including Con Edison, to subscribe to Community Distributed Generation (CDG) community solar projects located anywhere in New York State and enjoy the same bill savings as everyone else.

It would also require projects participating in cross-utility crediting to provide a minimum of 35 percent of their benefits to disadvantaged communities, naturally increasing the flow of those benefits to the 55 percent of LMI families in New York City. We look forward to working with the State Assembly, the Governor’s Office and the Public Service Commission to pass and implement this smart policy that will help us achieve our disadvantaged communities and distributed generation goals as lined out in the CLCPA.

Ambitious goals

The Climate Leadership and Community Protection Act (CLCPA) sets the target of installing 6 gigawatts of distributed generation by 2025 and commits to providing 35 percent of the generated benefits to disadvantaged communities that cannot access traditional residential solar.

Institutional roadblocks

There are 3.4 million electricity customers Downstate, served by Con Edison, and 3.5 million Upstate served by five different utilities. Customers in both regions pay fees to support the Community Distributed Generation (CDG) program. However, Con Edison customers cannot equally access the program's benefits. This is especially true in NYC, where there is a severe lack of sites for solar development. In 2020, the queue for CDG project development Upstate was 4.8 Gigawatts. By comparison, the Downstate queue was 198 MW, or a paltry four percent of the total queue. 198 MW would serve fewer than 30,000 families in a city of 9 million, or less than 0.3 percent of the population.

This is a problem for NYC families because, as written, program rules prevent a person in one utility territory, like Con Edison, from subscribing to a CDG project in another, like NationalGrid. NYC residents, who pay to support the CDG program, have extremely limited access to the benefits and savings. What's more, 55 percent of all low- and moderate- income (LMI) families are in New York City. The existing paradigm makes it exceedingly difficult to achieve the ambitious milestones laid out in CLCPA under existing rules.

In the [order](#) approving the compensation structure for community solar, the PSC highlighted cross-utility crediting (CUC) as key to reaching millions of downstate LMI customers. "This (a)dvances the state's efforts to bring CDG opportunities to low-income customers and neighborhoods, including consideration of a program that would permit the development of a CDG project outside of the utility service territory where the low income participants reside, enabling developers to take advantage of lower project costs." The 2017 order specifically "directs Staff to consider options to encourage low-income customer participation in CDG including an interzonal CDG credit program and tailored approaches for CDG projects that comprise a majority of low-income off-takers." ([Order](#), p. 12)

Community solar stakeholders react to the Community Solar for Disadvantaged Communities Act:

Julie Tighe, President of the New York League of Conservation Voters, said, "The Community Solar for Disadvantaged Communities Act will help combat climate change and accelerate the growth of renewable energy. This legislation will help New York meet its solar power goals and give families the opportunity to support the clean energy industry while prioritizing environmental justice communities. We thank Senator Parker and Assemblyman Cusick for their leadership."

"The Nature Conservancy applauds Senator Parker and Assemblyman Cusick for the Community Solar for Disadvantaged Communities Act. As our state works to implement a nation leading climate law, we need policies that will increase the use of renewable energy and make clean energy available to disadvantaged communities," said Echo Cartwright, climate mitigation director for The Nature Conservancy in New York.

"I'm thrilled to see New York continue to lead the way in community solar. With cross-utility crediting, New York is ensuring that community solar delivers on the promise of the Climate Leadership and Community Protection Act by making the benefits of solar energy accessible to everyone in the state. Thank you to Chair Parker and Chair Cusick for leading this legislation that tears down arbitrary geographic barriers and ensures all families in New York State have equal access to community solar," said James Feinstein, Senior Policy Manager for Arcadia.

"This legislation will help New York State address two critically important issues. First is scaling up community solar access in New York City, where Con Edison customers currently pay into the community solar program but cannot realize its benefits because of regulatory barriers. Second – and perhaps more importantly – this bill is absolutely key to serving low-income families and meeting equity goals in the CLCPA. We thank Chair Parker and Chair Cusick for their leadership and we look forward to expanding

community solar access to all this legislative session,” said Kaitlin Kelly O’Neill, Northeast Director of the Coalition for Community Solar Access.

“The Community Solar for Disadvantaged Communities Act is transformative legislation that will enable millions of New Yorkers who are currently unable to access clean, affordable electricity to do so while supporting the buildout of local community solar projects to the fullest extent,” said NYSEIA Executive Director Shyam Mehta. “Allowing for the transfer of bill credits for Community Solar projects across utility service territories strongly benefits New York’s ratepayers as well as its burgeoning solar industry, and would accelerate New York’s progress towards electric sector and economy-wide decarbonization as mandated by the CLCPA.”

“This important bill would allow improved access to the benefits that solar provides to many more residents in the State of New York,” said David Gahl, senior director of state policy, for the Solar Energy Industries Association. “We look forward to working with Senator Parker and Assemblyman Cusick to pass the bill into law.”

Those in support of cross-utility crediting include pioneers in the clean energy and environmental justice space: Arcadia, NYSEIA, SEIA, CCSA, NYLCV, TNC, Clearway Energy Group, Tamara To’L, and Marilyn Waite.

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Arcadia gives customers a simple, easy, and affordable way to choose renewable energy, connecting their home and community to the highest standards of clean energy. Founded in 2014, Arcadia integrates with 125 utilities in all 50 states, manages 4.5 terawatt-hours of residential energy demand, and is the largest manager of residential community solar subscribers in the US. Join us in achieving our vision of a 100% renewable energy future at <http://www.arcadia.com>.

ABOUT NYSEIA

Founded in 1994, [NYSEIA](#) is a not-for-profit industry association with a mission to advance and accelerate the deployment of solar energy in New York State, acting as the voice of the solar energy industry for more than 125 member organizations on key legislative, regulatory, and statutory policy matters affecting the industry.

ABOUT SEIA

The Solar Energy Industries Association® (SEIA) is leading the transformation to a clean energy economy, creating the framework for solar to achieve 20% of U.S. electricity generation by 2030. SEIA works with its 1,000 member companies and other strategic partners to fight for policies that create jobs in every community and shape fair market rules that promote competition and the growth of reliable, low-cost solar power. Founded in 1974, SEIA is a national trade association building a comprehensive vision for the Solar+ Decade through research, education and advocacy.

ABOUT CCSA

The **Coalition for Community Solar Access** is a national Coalition of businesses and non-profits working to expand customer choice and access to solar for all American households and businesses through community solar. Our mission is to empower every American energy consumer with the option to

choose local, clean, and affordable community solar. We work with customers, utilities, local stakeholders, and policymakers to develop and implement policies and best practices that ensure community solar programs provide a win, win, win for all, starting with the customer.

ABOUT NYLCV

NYLCV is the only statewide environmental organization in New York that fights for *clean water, clean air, renewable energy* and *open space* through political action. We're non-partisan, pragmatic and effective.

ABOUT TNC

The Nature Conservancy is a global environmental nonprofit working to create a world where people and nature can thrive. Founded in the U.S. through grassroots action in 1951, The Nature Conservancy has grown to become one of the most effective and wide-reaching environmental organizations in the world. Thanks to more than a million members and the dedicated efforts of our diverse staff and over 400 scientists, we impact conservation in 72 countries and territories: 38 by direct conservation impact and 34 through partners.

ABOUT CLEARWAY ENERGY GROUP

Clearway Energy Group's extensive experience with all aspects of project development, project finance, operations, and customer service has made us a leader in the renewable energy industry. Our portfolio ranges from clusters of community solar projects to some of the largest wind and solar projects in the United States. Clearway proudly supports the communities where we live, work, and operate our projects.