



# **Economic Development Power Allocation Board**

**KATHY HOCHUL**  
Governor

**JUDGE CECILY MORRIS**  
Chair

## ***ECONOMIC DEVELOPMENT POWER ALLOCATION BOARD***

### ***PROPOSED AGENDA***

**Tuesday, September 23, 2025  
Videoconference – 8:45a.m.**

- 1. Adoption of the September 23, 2025 Proposed Meeting Agenda**
- 2. Transfer of Recharge New York (RNY) Power Allocation**
- 3. Extension of the Industrial Incentive Award to Pratt Paper (NY), Inc. and Economic Development Plan**
- 4. Amendment to the Economic Development Power Allocation Board (EDPAB) By-Laws**
- 5. Adoption of the Minutes of the Meeting of July 29, 2025**
- 6. Next Meeting**



## Economic Development Power Allocation Board

KATHY HOCHUL  
Governor

JUDGE CECILY MORRIS  
Chair

Date: September 23, 2025

To: Economic Development Power Allocation Board

From: Senior Vice President – Customer Solutions

Subject: Transfer of RNY Power Allocation

### SUMMARY

The Economic Development Power Allocation Board (“Board”) is requested to approve the transfer of the Recharge New York (“RNY”) Power allocation listed below, subject to the conditions discussed in this memorandum:

1. Transfer of a 180 kilowatt (“kW”) RNY Power allocation awarded to Hebeler LLC (“Hebeler”), for use at its facility located at 2000 Military Road, Tonawanda, NY 14150, to CPEG Buffalo LLC (“CPEG”), to address organizational changes.

If the Board approves the requested transfer, the Trustees of the New York Power Authority (“Authority”) will also be requested to approve the transfer.

### DISCUSSION

The following discussion describes the facts relating to the recommended transfer.

#### 1) Hebeler LLC

Hebeler was awarded a 180 kW allocation of RNY Power for use at its facility located in Tonawanda, NY. This facility manufactures custom engineered industrial equipment for power generation, food, beverage, chemical and pharmaceutical industries, in addition to selling parts and providing service for certain equipment.

On November 19, 2024, Hebeler’s assets were purchased by CPEG. CPEG plans to make no changes to the business operations previously conducted at the Tonawanda facility.

Hebeler and CPEG request that the 180 kW RNY Power allocation be transferred from Hebeler to CPEG. CPEG has indicated it will honor all terms and commitments previously made by Hebeler under the Agreement for the Sale of Recharge New York and Energy with the Authority covering the allocation.

The Board has previously approved transfers of RNY Power allocations in similar circumstances.

## RECOMMENDATION

Staff recommends that the Board approve the transfer discussed above, subject to the following conditions: (1) approval of the RNY Power allocation transfer by the Authority; (2) no material reductions in the base employment level or capital investment commitments associated with the allocation to be transferred; and (3) the transfer shall be addressed in contract documents containing such terms and conditions as the Authority deems necessary to effectuate the transfer.

For the reasons stated, I recommend approval of the above-requested actions through adoption of the resolution set forth below.

## RESOLUTION

RESOLVED, That the transfer of a 180 kilowatt ("kW") allocation of Recharge New York ("RNY") Power awarded to Hebeler LLC, for use at its facility located at 2000 Military Road, Tonawanda, New York 14150, to CPEG Buffalo LLC, as described in the foregoing memorandum, be and hereby is, approved, subject to the following conditions: (1) approval of the transfer by the New York Power Authority ("Authority") Board of Trustees; (2) no material reduction in the base employment level or capital investment commitments resulting from the transfer; and (3) the transfer shall be addressed in contract documents containing such terms and conditions determined by the Authority to be appropriate to effectuate the transfer.



# Economic Development Power Allocation Board

KATHY HOCHUL  
Governor

JUDGE CECILY MORRIS  
Chair

Date: September 23, 2025

To: Economic Development Power Allocation Board

From: Vice President – Customer Power Supply & Economic Development

Subject: **Extension of the Industrial Incentive Award to Pratt Paper (NY), Inc. and Economic Development Plan**

## SUMMARY

The Economic Development Power Allocation Board (“EDPAB” or “Board”) is requested to approve an extension of the Economic Development Plan (“Plan”) covering the use of net revenues produced by the sale of Expansion Power (“EP”) to provide electric bill discounts in the form of an Industrial Incentive Award (“IIA”) to manufacturing companies located in New York State that are at identifiable risks of closure or relocation to another state. With EDPAB’s approval, the term of the Plan would be extended from June 1, 2025 to May 31, 2026. If EDPAB approves the extension, the Trustees of the New York Power Authority (“Authority”) will be asked to extend the term of an IIA to Pratt Paper (NY), Inc. (“Pratt”) from June 1, 2025 through May 31, 2026, for the reasons discussed below.

## BACKGROUND

Public Authorities Law (“PAL”) § 1005 (eighth undesignated paragraph) directs the Authority to identify “net revenues” produced by the sale of EP and, further, to designate an amount of such net revenues that will be used solely for IIAs. PAL § 1005 requires the Authority to identify such net revenues no less often than annually. Under PAL § 1005, net revenues are defined as any excess of revenues properly allocated to the sales of EP over costs and expenses properly allocated to such sales.

IIAs must be made in conformance with an economic development plan covering all such “net revenues.” The Authority submits a Plan to EDPAB, pursuant to Economic Development Law (“EDL”) § 188, which also provides for EDPAB’s approval of the Plan upon its determination that the Plan is consistent with, among other things, the criteria and requirements provided for in EDL §§ 184 and 185 that govern evaluation of applications for certain power. A copy of EDL §§ 184 and 185 is attached as Exhibit “A.”

At its October 26, 2009 meeting, EDPAB approved a Plan that allows the use of net revenues from the sale of EP for the calendar years 2008 through and including 2016 to provide electric bill discounts to manufacturing companies in New York State that are at identifiable risks of closure or relocation to another state.

At its May 21, 2013 meeting, the Authority’s Board of Trustees (“Trustees”) authorized an IIA to Pratt after determining that Pratt had demonstrated it met the qualifying criteria for an IIA and after careful consideration of Pratt’s business case. The Trustees approved an annual amount of up to \$1 million per year for up to five (5) years.

At its September 27, 2016 meeting, the Trustees approved an extension of the Plan to May 31, 2018 and authorized the submission of the Plan to EDPAB to request approval of the modified Plan to cover the remainder of the five-year term of the IIA to Pratt. At its December 12, 2016 meeting, EDPAB approved the extension of the Plan that allows the use of net revenues from the sale of EP to May 31, 2018. At its December 10, 2018 meeting, EDPAB approved the extension of the Plan that allowed the use of net revenues from the sale of EP to May 31, 2019.

Since this time, EDPAB has extended the Plan annually, in one-year increments (June 1-May 31) from 2019 through 2025. Following these extensions, the Trustees approved one-year extensions (June 1-May 31) of the term of the IIA awarded to Pratt in the amount of up to \$1 million in connection with Pratt's Staten Island operations, after finding that Pratt continued to satisfy the requirements for an IIA.

Pratt operates a paper mill, a corrugated box factory and a sorting facility in Staten Island within Consolidated Edison's service territory. Manufacturing processes represent a substantial portion of Pratt's total electricity consumption, and energy costs are a primary consideration for the economic viability of the plant. Pratt's IIA, in the form of a cents-per-kWh price discount applied to a level of annual electric consumption, was approved subject to the following terms and conditions:

- Reevaluation and reduction should Pratt's electric rates decline during the term of the IIA.
- The availability of EP net revenue funding for IIAs, which is in the Authority's sole discretion.
- Appropriate determination(s) by the Trustees that the funding of IIAs in any fiscal year will not have a significant impact on the Authority's finances.
- Approval of an extension of the Plan by EDPAB beyond 2024 to the extent that an IIA to Pratt would extend beyond such year.
- A reduction in the amount of the IIA if Pratt does not meet agreed-upon job commitments (270 full-time employees) at the Staten Island facility.
- An agreement providing for the IIA and that addresses these and other appropriate terms and conditions in a form satisfactory to the Authority.

At the completion of the extended term, a compliance review and due diligence were performed on the terms and conditions of the Agreement. Pratt has been compliant for each annual term, most recently employing an average of 296 persons at its facility during the twelfth annual term ending May 31, 2025.

## DISCUSSION

By letter application dated May 19, 2025, Pratt requested an extension of the IIA. Upon review of Pratt's current business case, staff determined that Pratt continues to meet the IIA requirements of being a manufacturing company at risk of closing or curtailing operations and continues to be negatively impacted by high electricity costs within Consolidated Edison's service territory, which, according to Pratt, threaten the economic viability of operations at its Staten Island facility.

Pratt also indicates it is anticipating electricity delivery price increases in the near term based upon a review of the existing utility tariff. The company also cited both higher utility taxes and a rate case filing for significant increases in delivery costs of natural gas as making the Staten Island plant less competitive than its facilities in other states, further jeopardizing its successful operations in New York. Pratt indicates that additional expenses, including those related to compliance with a new requirement imposed by New York City relating to wastewater pre-treatment, are expected to further increase operating costs at the Staten Island facilities.

An extension of the IIA would support Pratt's ability to maintain its committed employment level of 270 jobs at its facility. The Authority and Pratt reached agreement on an offer to extend the IIA contingent upon necessary Trustee and EDPAB approvals.

Accordingly, staff recommends that EDPAB approve the extension of the Plan to May 31, 2026.

### RECOMMENDATION

For the reasons stated above, staff recommends that EDPAB: (1) determine that the extended Plan and its implementation are consistent with the criteria and requirements provided for in EDL §§ 184 and 185; and (2) approve an extension to May 31, 2026 of the Plan covering the use of net revenues produced by the sale of Expansion Power to provide electric bill discounts in the form of IIAs to manufacturing companies located in New York State that are at identifiable risks of closure or relocation to another state.

Eric S. Bowers  
Vice President  
Economic Development &  
Key Account Management

## **RESOLUTION**

RESOLVED, That the Economic Development Power Allocation Board determines that, based on the attached memorandum and other information referred to therein, and the criteria and requirements provided for in Economic Development Law §§ 184 and 185 (collectively, the “Criteria”), the extended Economic Development Plan (“Plan”) and its implementation are consistent with the Criteria, and therefore approves the extended Plan, which provides for the use of net revenues from the sale of Expansion Power through May 31, 2026, to provide electric bill discounts in the form of Industrial Incentive Awards to manufacturing companies in New York State that are at identifiable risk of closure or relocation to another state, and for the reasons indicated in the attached memorandum.



**Economic Development Law §§ 184 AND 185**

§ 184. Criteria for eligibility for economic development power. Each application for an allocation of economic development power shall be evaluated under criteria adopted by the board. Such criteria shall address, but need not be limited to:

- (a) the number of new jobs created as a result of an economic development power allocation;
- (b) the applicant's long-term commitment to New York state, as evidenced by the applicant's current and/or planned capital investment in business facilities in New York state;
- (c) the ratio of the number of jobs to be created to the amount of economic development power requested by the applicant;
- (d) the types of jobs created, as measured by wage and benefit levels, security and stability of employment;
- (e) the type and cost of buildings, equipment and facilities to be constructed, enlarged or installed;
- (f) the extent to which economic development power will affect the overall productivity or competitiveness of the applicant's business and its existing employment within the state;
- (g) the extent to which an allocation of economic development power may result in a competitive disadvantage for other businesses in the state;
- (h) the general economic conditions and economic distress in the area in which the applicant's business facility would be located and the extent to which economic development power could contribute to the alleviation of such distress;
- (i) the growth potential of the business facility and the contribution of economic strength to the area in which the business facility is or would be located;
- (j) the extent of the applicant's willingness to make jobs available to persons defined as eligible for services under the federal job training partnership act of nineteen hundred eighty-two and the extent of the applicant's willingness to satisfy affirmative action goals;
- (k) the extent to which an allocation of economic development power is consistent with state, regional and local economic development strategies and priorities and supported by local units of government in the area in which the business is located; and
- (l) the impact of the allocation on the operation of any other facilities of the applicant, on other businesses within the state, and upon other electric ratepayers.

§ 185. Revitalization programs. In addition to the criteria described in section one hundred eighty-four of this article and such other criteria as the board may by rule or regulation define, an economic development power allocation may be made to a business in serious, long-term distress that is not primarily caused by normal, short-term changes in the business cycle, when the applicant demonstrates to the satisfaction of the board:

(a) that the applicant has formulated and will implement a comprehensive business revitalization plan which is described in its application, and which:

(1) contains a detailed strategy for actions to be taken by the applicant to continue as a successful business, including, but not limited to, productivity and efficiency improvements, changes in operations, financing or management, measures to enhance labor and management cooperation and to improve the skills and performance of the work force at all levels, capital investment in new equipment and plant modernization, development of new markets and products, and such other actions as will enable the business to stabilize and sustain its operations;

(2) has been endorsed by the board of directors; and

(3) establishes a verifiable schedule for completion of proposed actions;

(b) that an allocation of economic development power will significantly contribute to the revitalization plan;

(c) that the business is likely to close, partially close or relocate out of state resulting in the loss of substantial numbers of jobs;

(d) that the business is an important employer in the community and efforts to revitalize the business are in the long-term interests of both employees and the community;

(e) that a reasonable prospect exists that the proposed revitalization plan will enable the business to remain competitive and become profitable and preserve jobs for a substantial period of time;

(f) that the applicant demonstrates cooperation with the local electricity distributor and other available sources of assistance to reduce energy costs to the maximum extent practicable, through conservation and load management; and

(g) that the allocation will not unduly affect the cost of electric service to customers of the local electricity distributor.



# Economic Development Power Allocation Board

KATHY HOCHUL  
Governor

JUDGE CECILY MORRIS  
Chair

**Date:** September 23, 2025

**To:** Economic Development Power Allocation Board

**From:** Vice President and Corporate Secretary

**Subject:** Amendment to Economic Development Power Allocation Board By-Laws

## SUMMARY

The Economic Development Power Allocation Board ("EDPAB") is requested to adopt amended By-laws. (Exhibit A – Redlined and Final)

## BACKGROUND

Article VI of the EDPAB By-laws permits the Members to amend, alter or repeal any provision or provisions of the By-Laws at any annual, regular or special meeting. The Authority's By-Laws were initially adopted on October 23, 1987, and have never been amended. The changes to the By-Laws are proposed in order to, among other changes, update them to conform to Article 7 of the Public Officers Law ("Open Meetings Law").

## RECOMMENDATION

For the reasons stated, I recommend the approval of the above-requested action by adoption of the resolution below.

Karen Delince  
Vice President and Corporate Secretary

## **RESOLUTION**

RESOLVED, That the Board adopt the amended By-laws, and that the Corporate Secretary hereby is authorized on behalf of the Board to do any and all things, take any and all actions and execute and deliver any and all agreements, certificates and other documents to effectuate the foregoing resolution, subject to the approval of the form thereof by the Executive Vice President and General Counsel.

BY-LAWS OF THE  
ECONOMIC DEVELOPMENT POWER ALLOCATION BOARD

Originally Adopted..... October 23, 1987  
and amended.....September 23, 2025.

ARTICLE I

Office

Section 1. Principal Office. The principal office of the Economic Development Power Allocation Board (hereinafter referred to as the “Board”) shall be located at 123 Main Street, White Plains, New York, 10601.

Section 2. Books and Records. All books and records of the Board shall be kept at its principal office.

ARTICLE II

Member

Section 1. Number, Term and Appointment. The number, term and appointment of Members shall be governed by Section 182 of Article 6 of the Economic Development Law, Chapter 32, Laws of New York of 1987.

Section 2. Appointment of Chairman. The Chair of the Board shall be designated by the Governor from among the Members in accordance with Section 182 of Article 6 of the Economic Development Law.

Section 3. Powers and Duties. The powers and duties of the Board shall be as set forth in Article 6 of the Economic Development Law.

ARTICLE III

Meetings of the Board

Section 1. Place of Meetings. Meetings of the Board shall be held at the principal office of the Board or at such other place as the Board may from time to time designate.

Section 2. Regular Meetings. Regular meetings shall be held in accordance with a schedule adopted annually by the Board for that purpose and may be changed from time to time within that year by the Chair, in consultation with the Board.

Section 3. Special Meetings. Special meetings of the Board may be called by the Chair, or upon request of any two Members. The Secretary shall give notice of the time, place and purpose, or purposes, of each special meeting by mailing the same at least three days before the meeting or by telephone or electronic mail the same at least two days before the meeting to each Member. The notice required to be given under this section may be waived by the Member to whom such notice is required to be given.

Section 4. Videoconferencing. The meetings of the Board shall be governed by Article 7 of the Public Officers Law (hereinafter referred to as the "Open Meetings Law"). As authorized by the Open Meetings Law, meetings of the Board may be conducted by videoconferencing if the public is provided an opportunity to attend, listen, and observe at any of the sites at which a Member participates in such meeting.

Section 5. Quorum. At all Board meetings, the presence of three Members shall be necessary to constitute a quorum and shall be sufficient for the transaction of business. An act shall be the act of the Board if at a meeting of the Board at which a quorum is present, three Members vote in the affirmative for taking the action in question, provided, however, that in those instances in which unanimous approval of the Board is required by Article 6 of the Economic Development Law, such approval shall not be deemed given unless at a meeting of the Board, all Members of the Board are present and all members vote in the affirmative to take such action. Participation by a Member by videoconference shall constitute presence in person at a meeting. A Member may participate by telephone, but such participation shall not count for quorum or voting purposes.

## ARTICLE IV

### Duties

Section 1. Chair. The Chair shall preside at all meetings of the Board. In carrying out the policies as determined by the Board, the Chair shall have the general supervision and control of the affairs of the Board. The Chair shall designate a Secretary of the Board and shall obtain such legal, technical and administrative services as deemed necessary or desirable in order to administer the affairs of the Board. The Chair may delegate to one or more of the other Members the Chair's powers and functions in the general supervision, administration and control of the business of the Board.

Section 2. Secretary. The Secretary shall attend all meetings of the Board; record all votes; keep a record of the proceedings of the Board; give notice of all meetings of the Board; attest to the signatures of the Members; and have the authority to cause copies to be made of all

minutes, resolutions, records and documents of the Board and to deliver certificates to the effect that such copies are true and accurate and that all persons dealing with the Board may rely on same. The Secretary shall exercise such powers and perform such other duties as prescribed by the Board from time to time.

## ARTICLE V

### Execution of Instruments

The Board may authorize any Member or person to execute and deliver any instrument in the name of and on behalf of the Board, and such power to execute and deliver may be general or specific; and unless so authorized, no person or Member shall have any power or authority to bind the Board by any contract or engagement.

## ARTICLE VI

### Defense and Indemnification of Board Members and Employees

The provisions of section 18 of the New York Public Officers Law ("POL") shall apply to the Members and employees of the Board. The benefits thereof shall be made available to each Member or employee with respect to any act or omission that has occurred or may in the future occur during the period the benefits of POL § 18 are in effect and no amendment to such that modifies the provisions thereof shall take effect with respect to any act or omission of a Member or employee that occurred prior to the effective date of such amendment unless the effect of such amendment is to increase the defense and indemnification protection afforded to such Member or employee prior to such effective date.

## ARTICLE VII

### Amendment

The Board shall have the power to amend, alter or repeal any provision or provisions of these By-laws at any regular or special meeting.

BY-LAWS OF THE  
ECONOMIC DEVELOPMENT POWER ALLOCATION BOARD

~~October 23, 1987~~

Originally Adopted.....October 23, 1987  
and amended.....September 23, 2025.

ARTICLE I

Office

Section 1. Principal Office. The principal office of the Economic Development Power Allocation Board (hereinafter referred to as the “Board”) shall be located at 123 Main Street, White Plains, New York, 10601 ~~30 South Pearl Street, 10<sup>th</sup> Floor, Albany, New York 12207.~~

Section 2. Books and Records. All books and records of the Board shall be kept at its principal office.

ARTICLE II

Member

Section 1. Number, Term and Appointment. The number, term and appointment of Members shall be governed by Section 182 of Article 6 of the Economic Development Law, Chapter 32, Laws of New York of 1987.

Section 2. Appointment of Chairman. The Chair~~man~~ of the Board shall be designated by the Governor from among the Members in accordance with Section 182 of Article 6 of the Economic Development Law.

Section 3. Powers and Duties. The powers and duties of the Board shall be as set forth in Article ~~67~~ of the Economic Development Law.

ARTICLE III

Meetings of the Board

Section 1. Place of Meetings. Meetings of the Board shall be held at the principal office of the Board or at such other place as the Board may from time to time designate.



Section 2. Regular Meetings. ~~Regular meetings of the Board shall be held monthly, bimonthly or quarterly as the Board shall determine, and shall be held on the first Wednesday of the month in which a regular meeting is scheduled, or such other day as the Board may from time to time designate. Regular meetings shall be held in accordance with a schedule adopted annually by the Board for that purpose and may be changed from time to time within that year by the Chair, in consultation with the Board.~~

Section 3. Special Meetings. Special meetings of the Board may be called by the Chair~~man~~, or upon ~~the~~ request of any two Members. The Secretary shall give notice of the time, place and purpose, or purposes, of each special meeting by mailing the same at least three days before the meeting or ~~in person~~ by telephoning or electronic mail or telegraphing the same at least two days before the meeting to each Member. The notice required to be given under this section may be waived by the Member to whom such notice is required to be given.

Section 4. Videoconferencing. ~~The meetings of the Board shall be governed by Article 7 of the Public Officers Law (hereinafter referred to as the "Open Meetings Law"). As authorized by the Open Meetings Law, meetings of the Board may be conducted by videoconferencing if the public is provided an opportunity to attend, listen, and observe at any of the sites at which a Member participates in such meeting.~~

Section ~~5~~4. Quorum. At all Board meetings, the presence of three Members shall be necessary to constitute a quorum and shall be sufficient for the transaction of business. An act shall be the act of the Board if at a meeting of the Board at which a quorum is present, three Members vote in the affirmative for taking the action in question, provided, however, that in those instances in which unanimous approval of the Board is required by Article 6 of the Economic Development Law, such approval shall not be deemed given unless at a meeting of the Board, all Members of the Board are present and all members vote in the affirmative to take such action. Participation by a Member by videoconference shall constitute presence in person at a meeting. A Member may participate by telephone, but such participation shall not count for quorum or voting purposes.

~~Any one or more members of the board may participate in a meeting of the board by means of a conference telephone or similar communications equipment allowing all persons participating in the meeting to hear each other at the same time and allowing any members of the public present at such meeting to hear such conversation. Participation by a board member by such means shall constitute presence in person at a meeting.~~

## ARTICLE IV

### Duties

Section 1. ~~Chairman~~. The Chair~~man~~ shall preside at all meetings of the Board. In carrying out the policies as determined by the Board, the Chair~~man~~ shall have the general supervision and control of the affairs of the Board. The Chair~~man~~ shall designate a Secretary of the Board and shall obtain such legal, technical and administrative services as ~~he may deemed~~ necessary or desirable in order to administer the affairs of the Board. The Chair~~man~~ may delegate to one or more of the other Members the Chair~~man~~'s powers and functions in the general supervision, administration and control of the business of the Board.

Section 2. Secretary. The Secretary shall attend all meetings of the Board; ~~and act as secretary thereof and~~ record all votes; ~~and shall~~ keep a record of the proceedings of the Board; ~~in a Minute Book to be kept for that purpose. The Secretary shall give cause notice to be given of~~ all meetings of the Board; ~~The Secretary shall~~ attest to the signatures of the Members; and have the authority to cause copies to be made of all minutes, resolutions, records and documents of the Board and to deliver certificates to the effect that such copies are true and accurate and that all persons dealing with the Board may rely on same. The Secretary shall exercise ~~possess~~ such powers and perform such other duties as ~~customarily pertain to the office or may be from time to time assigned by the Chairman or~~ prescribed by the Board from time to time; ~~subject, however, at all times to the supervision and control of the Chairman and the Board and subject further to any limitations which the Chairman or the Board may from time to time prescribe.~~

## ARTICLE V

### Execution of Instruments

The Board may authorize any Member or person to execute and deliver any instrument in the name of and on behalf of the Board, and such power to execute and deliver may be general or specific; and unless so authorized, no person or ~~M~~member shall have any power or authority to bind the Board by any contract or engagement.

## ARTICLE VI

### Defense and Indemnification of Board Members and Employees

The provisions of section 18 of the New York Public Officers Law ("POL") shall apply to the Members and employees of the Board. The benefits thereof shall be made available to each Member or employee with respect to any act or omission that has occurred or may in the future occur during the period the benefits of POL § 18 are in effect and no amendment to such that modifies the provisions thereof shall take effect with respect to any act or omission of a Member or employee that occurred prior to the effective date of such amendment unless the effect of such amendment is to increase the defense and indemnification protection afforded to such Member or employee prior to such effective date.

## ARTICLE VII

### Amendment

The Board shall have the power to amend, alter or repeal any provision or provisions of these By-laws at any regular or special meeting.



**MINUTES OF THE  
ECONOMIC DEVELOPMENT POWER ALLOCATION BOARD MEETING**

**July 29, 2025**

**Table of Contents**

<b><u>Subject</u></b>	<b><u>Page No.</u></b>
<b>Introduction .....</b>	<b>2</b>
<b>1. Adoption of the July 29, 2025, Proposed Meeting Agenda .....</b>	<b>2</b>
<b>2. Adoption of the Minutes of the Meeting of May 20, 2025 .....</b>	<b>2</b>
<b>3. Transfer of RNY Power Allocations .....</b>	<b>2</b>
<b>4. ReCharge New York Power – New, Extended and Modified Allocation .....</b>	<b>3</b>
<b>Other Business .....</b>	<b>5</b>
<b>5. Next Meeting .....</b>	<b>5</b>
<b>Adjournment .....</b>	<b>5</b>



# Economic Development Power Allocation Board

KATHY HOCHUL  
Governor

JUDGE CECILY MORRIS  
Chair

Minutes of the Economic Development Power Allocation Board (“EDPAB”) meeting held on Tuesday, July 29, 2025, via videoconference at approximately 8:00 a.m.

## Members of present were:

Cecily Morris – Chair  
Dennis Trainor  
Andrew Silver - videoconference

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## Also in attendance were:

Lori Alesio	Executive Vice President and General Counsel, NYPA
Karen Delince	Vice President and Corporate Secretary
Eric Bowers	Vice President - Economic Development and Key Account Management, NYPA
Maribel Cruz-Brown	Senior Vice President – Customer Solutions, NYPA
Steve Vancol	Manager - Power Contracts & Tariffs
Yale Brown	Expert Business Power Allocations and Compliance Analyst, NYPA
Elki Posillipo	Manager, Business Power Allocation Compliance
Chad Gholizadeh	General Counsel, NYPA
Felisa Hochheiser	Deputy Corporate Secretary
Sheila Quatrocci	Manager, Corporate Secretary
Michele Stockwell	Associate, Corporate Secretary
Fiona Khan	Senior Assistant Corporate Secretary

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Chair Cecily Morris presided over the meeting. Vice President and Corporate Secretary Delince kept the Minutes.

## **Introduction**

Chair Cecily Morris welcomed members of the Board, Dennis Trainor and Andrew Silver, and Authority senior staff to the meeting. She said that the meeting had been duly noticed as required by the Open Meetings Law and called the meeting to order pursuant to the EDPAB Bylaws, Article III, Section 2.

### **1. Adoption of the July 29, 2025, Proposed Meeting Agenda**

On motion made by member Trainor and seconded by member Silver, the agenda for the meeting was adopted.

### **2. Adoption of the Minutes of the Meeting of May 20, 2025**

On motion made and seconded, the Minutes of the meeting held on September 17, 2024, were unanimously approved.

### **3. Transfer of RNY Power Allocations**

Steve Vancol, Manager-Power Contracts and Tariffs, provided an overview of the transfers as required by the Public Authorities Law.

Vancol noted that there are several reasons customers might request the transfer of their awards:

- Business Reorganization:
  - Can include change in corporate entity type change (e.g. Inc. to LLC) resulting in a change in Federal Tax ID.
  - A corporate split or merger resulting in a change in Federal Tax ID.
- The sale of the business to another business resulting in a change of Federal Tax ID.
- Relocation from one site in New York State to another within New York State.

#### **➤ (3) Requests for Transfer Approval:**

##### **1. Sonoco Plastics, Inc. to Sonoco Industrial Plastics, LLC**

- **Current Facility Location:** 87 Center Street, Chatham, NY 12037
- **Allocation** – 660 kilowatts (“kW”)
- **Reason** – Business reorganization in which high-performance plastic materials manufacturing business and related assets were transferred to its wholly owned subsidiary that will continue the same business operations at the facility in Chatham and a change in corporate entity type.

##### **2. Friends of New York Prep., Inc. to New World Preparatory Charter School**

- **Current Facility Location** – 26 Sharpe Avenue, Staten Island, NY 10302
- **Allocation** – 130 kilowatts
- **Reason** – For an allocation awardee that facilitated the business of a sister entity by purchasing the land, facilities, and leasing them to the Charter School in Staten Island to address organizational changes.

**3. Empire Cheese, Inc. to Great Lakes Cheese Co. Inc.**

- **Current Facility Location** – 4520 Haskell Road, Cuba, NY 14727
- **Facility Relocation:** Great Lakes Cheese Cove at 1958 Integrity Way, Franklinville, NY 14737
- **Allocation:** 1,250 kilowatts
- **Reason** – For an allocation awardee that moved its cheese manufacturing business in Cuba, New York, to its parent company's cheese manufacturing facility in Franklinville, New York, to address organizational changes.

➤ **Item Request is Subject to:**

- Approval of the transfer of the RNY Power allocations by the Authority.
- There being no material reductions in the base employment level or capital investment commitment associated with the allocations that would be transferred.
- The transfer is addressed in contract documents containing such terms and conditions determined by the Authority to be appropriate to effectuate the transfer.

*On motion made by Member Trainor and seconded by Member Silver, the Transfer of RNY Power Allocations Resolution was unanimously approved by the Board. (3-0)*

**RESOLUTION**

RESOLVED, That the transfer of a 660 kilowatt ("kW") allocation of Recharge New York ("RNY") Power awarded to Sonoco Plastics, Inc., for use at its facility located at 87 Center Street, Chatham, NY 12037, to Sonoco Industrial Plastics, LLC, as described in the foregoing memorandum be, and hereby is, approved, subject to the following conditions: (1) approval of the transfer by the New York Power Authority ("NYPA") Board of Trustees; (2) no material reduction in the base employment level or capital investment commitment due to the transfer; and (3) the transfer is addressed in contract documents containing such terms and conditions determined by NYPA to be appropriate to effectuate the transfer.

RESOLVED, That the transfer of a 130 kW RNY Power allocation awarded to Friends of New World Prep, Inc., for use at its facility located at 26 Sharpe Avenue, Staten Island, NY 10302, to New World Preparatory Charter School, as described in the foregoing memorandum and hereby is, approved, subject to the following conditions: (1) approval of the transfer by the NYPA Board of Trustees; (2) no material reduction in the base employment level or capital investment commitment due to the transfer; and (3) the transfer is addressed in contract documents containing such terms and conditions as determined by NYPA to be appropriate to effectuate the transfer.

RESOLVED, That the transfer of a 1,250 kW RNY Power allocation awarded to Empire Cheese, Inc., for use at its facility located at 4520 Haskell Road, Cuba, NY 14727, to Great Lakes Cheese Co., Inc., for use at its facility located at 1958 Integrity Way, Franklinville, NY 14737, as described in the foregoing memorandum be, and hereby is, approved, subject to the following conditions: (1) approval of the transfer by the NYPA Board of Trustees; (2) no material reduction in the base employment level or capital investment commitment due to the transfer; and (3) the transfer is addressed in contract documents containing such terms and conditions as determined by NYPA to be appropriate to effectuate the transfer.

**4. ReCharge New York Power – New, Extended and Modified Allocation**

Yale Brown, Expert Business Power Allocations and Compliance Analyst, presented (36) recommendations and inclusions.

- (13) Contract extension allocations of ReCharge New York power to existing customers, totaling 6.9 megawatts and supporting nearly 3,900 jobs.
- (12) Modifications related to existing ReCharge New York allocations, extensions, and/or related supplemental commitments,
- (11) New allocations of ReCharge New York large business retention, large business expansion, and small business and not-for-profit based power totaling 2.3 megawatts and supporting nearly 580 jobs.

➤ **Application Review**

- All applications were submitted through the State's Consolidated Funding Application system.
- New applications were evaluated on a competitive basis in consideration of the (12) criteria in the ReCharge New York legislation.
- Applications for new RNY Power allocations have been considered, where applicable, under NYPA's Green Jobs Evaluation Incentive Plan, and Diversity, Equity, and Inclusion ("DEI").

Yale noted that the recommendations presented for new RNY Power allocations include one applicant with qualifying green jobs and three applicants with facilities located in Disadvantaged Communities. If approved, it is anticipated that approximately 35 Megawatts of RNY Power would remain available to allocate.

➤ **Contract Terms**

- Awarded applicants will be offered ReCharge NY contracts for a term of up to seven (7) years.
- The contract includes provisions for the partial or complete withdrawal of an allocation if the recipients fail to maintain mutually agreed upon commitments related to employment, power utilization, or capital investment.

*On motion made by Member Trainor and seconded by Member Silver, the ReCharge New York Power – New, Extended and Modified Allocations Resolution was unanimously approved by the Board. (3-0)*

**RESOLUTION**

RESOLVED, That the Economic Development Power Allocation Board ("Board") recommends that the New York Power Authority ("NYPA") Board of Trustees ("Trustees") extend each of the existing 13 allocations of Recharge New York ("RNY") Power ("Allocation" or collectively "Allocations") in the manner described in the accompanying memorandum of the Senior Vice President, Customer Solutions (the "Memorandum") for a term of seven years, to commence either (1) on the expiration of each such Allocation, or (2) at the Authority's discretion, on a date to be agreed upon by the Authority and the customer, for a term not to exceed seven years; and be it further

RESOLVED, That the Board also recommends that, in addition to any other terms and conditions that the Authority determines, in its discretion, to be appropriate for the sale of the Allocations recommended herein, such terms and conditions include:



(1) provisions for effective periodic audits of the customer whose Allocation is extended, for the purpose of determining contract and RNY Power program compliance, and for the partial or complete withdrawal of an Extended Allocation if the customer fails to maintain mutually agreed upon commitments, including commitments relating to, among other things, employment levels, power utilization, capital investments, and/or energy efficiency measures;

(2) a requirement that the customer whose Allocation is extended (a) undertake, at its own expense, an energy audit of its facilities at which the Extended Allocation is consumed, at least once during the term of the Extended Allocation, unless good cause is determined by the Authority, and (b) provide the Authority with a copy of any such audit or, at the Authority's option, a report describing the results of such audit, and provide documentation requested by the Authority relating to the implementation of any energy efficiency measures at the facilities; and

(3) an agreement by the customer whose Allocation is extended to make its facilities available for audits and related assessments that the Authority may wish to perform, and to provide information requested by the Authority or its designee in surveys, questionnaires and other information requests relating to energy efficiency and energy-related projects, programs and services; and

(4) an agreement by the customer whose Allocation is extended that, if the actual metered load at the facility where the Allocation is utilized is less than the Allocation, such Allocation will be reduced accordingly; and be it further

RESOLVED, That the Board recommends that the NYPA Trustees approve the 12 modifications and adjustments to the RNY Power allocations, extensions, and/or related supplemental commitments, for the reasons indicated in the Memorandum; and be it further

RESOLVED, That the Board recommends that the NYPA Trustees approve the two new RNY Power allocations for retention purposes, in the amounts indicated in the Memorandum; and be it further

RESOLVED, That the Board recommends that the NYPA Trustees approve the two new RNY Power allocations for expansion purposes, in the amounts indicated in the Memorandum; and be it further

RESOLVED, That the Board recommends that the NYPA Trustees approve the seven new RNY Power allocations for retention and expansion purposes to the small businesses and/or not-for-profit applicants, in the amounts indicated in the Memorandum; and be it further

RESOLVED, That the Board determines that one identified applicant is not recommended to receive an RNY Power allocation, for the reasons discussed in the Memorandum; and be it further

RESOLVED, That the Board authorizes termination of the application review process for one identified applicant, for the reasons discussed in the Memorandum.

## **Other Business**

### **5. Next Meeting**

Chair Cecily Morris stated that the next regular meeting of the Economic Development Proceeds Allocation Board will be held on Tuesday, September 23, 2025.

## **Adjournment**

On a motion made by Member Trainor and seconded by Member Silver, the meeting was adjourned at approximately 8:11 a.m.

A handwritten signature in black ink, appearing to read "Karen Delince".

Karen Delince  
Vice President and Corporate Secretary





## Economic Development Power Allocation Board

KATHY HOCHUL  
Governor

JUDGE CECILY MORRIS  
Chair

September 23, 2025

### **Next Meeting**

The next meeting of the Economic Development Power Allocation Board (EDPAB) is scheduled to be held on Tuesday, December 9, 2025.