Pragmatic Environmentalist of New York Summary Update April 27 – May 10, 2026

This is a summary update of posts at Pragmatic Environmentalist of New York for the last two weeks. The intent of this report is to simply summarize my reports and include links if you want to get into the details. I have been writing about the pragmatic balance of the risks and benefits of environmental initiatives in New York since 2017 with a recent emphasis on New York's Climate Leadership & Community Protection Act (Climate Act). If you do not want to be on this mailing list, then let me know. A pdf copy of the following information and previous summaries are also available. The opinions expressed in these articles do not reflect the position of any of my previous employers or any other organization I have been associated with, these comments are mine alone. I acknowledge the use of

Sometimes I do not publish much because I am developing comments and researching topics instead. When that work is complete then I have plenty of posts to publish. That is the case with the past two weeks. Because of the volume I used Perplexity AI to generate draft summaries of the descriptions in this document. I asked Perplexity to provide a 250-word summary of the following posts, edited the output for consistency and accuracy, but shamelessly plagiarized the text provided.

RGGI Unacknowledged New York Cost Impact

This is an important post. It began as an analysis of Virginia rejoining the Regional Greenhouse Gas Initiative (RGGI) on July 1, 2026, but expanded into a broader examination of a more consequential and largely invisible problem: the impact of RGGI allowance costs on New York electricity consumers through the NYISO wholesale market clearing price mechanism.

RGGI requires fossil-fuel generating units to hold CO2 allowances equal to their emissions. In a deregulated market like NYISO's, generators incorporate the cost of those allowances into their hourly bid prices. Because NYISO's day-ahead market sets a single clearing price for each zone — the price of the most expensive unit needed to meet load — the RGGI cost adder raises the clearing price paid to all accepted generators, not just emitters. Non-emitting generators, including wind, solar, and nuclear, receive this clearing-price premium as pure profit with no corresponding CO2 compliance obligation.

I used EPA monitoring data to develop bounding estimates of the total consumer cost. The direct cost of allowances at the 2025 average auction price of $22.09 per ton is approximately $708 million. But when the market clearing-price effect is included, the total statewide consumer impact is estimated at $1.39 to $2.26 billion per year — nearly double to more than triple the direct compliance cost.

A recent 30-plus percent spike in RGGI allowance futures following Virginia's rejoining announcement amplified this impact to an estimated **$12.3 million per day**. The post concludes that NYISO should examine the windfall profits accruing to non-emitting generators. RGGI and the proposed New York Cap-and-Invest program are renamed carbon taxes. Ultimately the best tax is a hidden tax for everyone except those of us paying the tax.

PSL 66-P Safety Valve Status Update

This post was the first of six posts describing responses to the Coalition for Safe and Reliable Energy's petition asking the New York Public Service Commission (PSC) to hold a hearing under Public Service Law

(PSL) § 66-p(4) to evaluate whether to temporarily suspend or modify obligations under the Renewable Energy Program. It provides a comprehensive status update.

PSL 66-p includes a safety valve allowing the PSC to temporarily suspend or modify the Renewable Energy Program if it finds that the program impedes safe and adequate electric service, impairs existing obligations and agreements, or coincides with a significant increase in customer arrears or service disconnections. The post traces the procedural history: the Coalition filed its petition on January 6, 2026; the PSC issued a notice soliciting public comments on January 28, 2026; the comment deadline was originally March 30 but was extended to May 1, 2026.

I am participating in related cases as an Independent Intervenor alongside Richard Ellenbogen, Constantine Kontogiannis, and Francis Menton. We filed comments on April 16, 2026 recommending a restructured stakeholder process for any subsequent hearing, one that would produce a genuine technical record rather than a repeat of the superficial processes used in the Scoping Plan and 2025 State Energy Plan.

I also criticized the large volume of identical form-letter comments being submitted by green energy advocacy organizations. I believe that this is an attempt to overwhelm the record with policy preferences unsupported by technical or economic analysis.

Independent Intervenor Filing in Support of PSL 66-P Safety Valve

This post describes the formal comments filed by the Independent Intervenors in support of the Coalition for Safe and Reliable Energy's petition requesting a PSL § 66-p(4) safety valve hearing. The filing was submitted on May 1, 2026 with three linked exhibits.

The filing presents three broad categories of evidence that the statutory criteria for a hearing have been met. First, on safe and adequate service: NYISO's reliability assessments document a projected loss of 2,041 MW of dispatchable capacity, New York City deficiencies reaching over 1,000 MW in high-risk scenarios through 2034, the commercial unavailability of Dispatchable Emissions-Free Resources (DEFR) technology, termination of the Clean Path NY transmission project, winter limitations on the Champlain Hudson Power Express, and ongoing cancellations of offshore wind contracts.

Second, on affordability: 1.3 million households are currently in arrears totaling $1.8 billion; statistical analysis shows arrears increased significantly after CLCPA passage; full electrification costs are estimated at $120 billion per year statewide, or approximately $1,200 per household per month; PSC-approved rate increases are already materializing, with far larger costs ahead.

Third, the filing cites independent confirmation from NYISO, the State Comptroller, DPS Staff, the 2025 State Energy Plan, and the Attorney General, all of which acknowledge reliability shortfalls, inadequate planning, or feasibility concerns with the current trajectory.

The recommended hearing agenda would define affordability metrics, evaluate transmission and technology gaps, and mandate comprehensive CLCPA cost projections — creating the evidentiary record needed for a defensible PSC decision.

PSL 66-P Safety Valve Advocacy Comments

This post addresses how the PSC should handle the large volume of nearly identical advocacy comments opposing the Coalition for Safe and Reliable Energy's petition for a PSL § 66-p(4) safety valve hearing. It uses the most common form letter as an illustrative example of comments that deserve a substantive response rather than dismissal or simple tallying.

The example comment, submitted hundreds of times across two PSC dockets, argues that granting the petition would "deepen New York's reliance on expensive and volatile fossil fuels" and that holding a hearing is "entirely unnecessary to maintain a reliable electric grid." I identified several flaws in this argument. First, the petition does not seek to roll back the CLCPA; it requests a statutory hearing to determine whether the Renewable Energy Program meets the safety valve criteria already written into law. Second, the comment provides no technical or economic support for its claims. Third, the argument that renewable energy is cheaper ignores the full system costs of maintaining reliability with intermittent resources.

The Independent Intervenors' recommended response is not to reject these comments but to subject them to a structured technical hearing where the competing claims can be evaluated on their merits. The proposed process would require all parties — including advocacy groups — to support their assertions with evidence and engage with contrary technical findings. The post concludes that the concerted campaign to flood the docket with comments opposing even the holding of a hearing signals that proponents of the current Renewable Energy Program are not confident their position can withstand rigorous technical scrutiny. A hearing is precisely the mechanism the Legislature created to test that confidence.

PSL 66-P Safety Valve Stakeholder Process

This post describes the previously mentioned Independent Intervenors' April 17, 2026 filing. We argued that the stakeholder process for the PSL § 66-p(4) safety valve hearing must be fundamentally different from the processes used in New York's Climate Act Scoping Plan and 2025 State Energy Plan proceedings.

Previous stakeholder processes conducted by the New York State Energy Research & Development Authority (NYSERDA) were carefully choreographed exercises that went through the motions of public engagement without meaningfully addressing technical concerns. NYSERDA accepted comments but never provided substantive responses; final documents claimed general consensus while ignoring unresolved feasibility, reliability, and cost issues. Green energy advocacy groups were effectively rewarded by this approach, since their form-letter campaigns could be characterized as majority support without requiring technical justification.

The Independent Intervenors —Richard Ellenbogen (electrical engineer), Constantine Kontogiannis (energy consultant), Francis Menton (retired attorney), and myself (a retired utility meteorologist), proposed an eight-step process designed to produce a genuine evidentiary record. Key elements include: an open comment period focused on the statutory findings required by § 66-p(4); a Commission Staff-prepared issue list categorizing technical subjects such as reliability, resource adequacy,

transmission readiness, and arrears; identification of opposing positions on each material issue; adequate time for written comments and reply comments; structured technical conferences; a dedicated session defining "safe," "adequate," and "affordable" service; and a Staff post-conference report summarizing the record.

The rationale is that the statute requires evidence-based findings, not a policy preference vote. Without a structured process that resolves disputed facts, a § 66-p(4) hearing would produce the same inconclusive result as past Climate Act proceedings, rendering the safety valve meaningless in practice.

Filings Opposed to the PSL 66-P Safety Valve

This post surveys the formal comments filed in opposition to the Coalition for Safe and Reliable Energy's petition for a PSL § 66-p(4) safety valve hearing. I do not find their arguments persuasive.

Ten opposing submittals were identified, representing three categories of filers: green energy developers such as Advanced Energy United and the Solar Energy Industries Association (who have financial interest in avoiding regulatory scrutiny); environmental advocacy organizations including Earthjustice and the Sierra Club; and utilities including Consolidated Edison.

The author used Perplexity AI to summarize the opposing arguments across all filings. The AI's analysis found that opponents generally argue the hearing is legally unwarranted and contrary to Climate Act purposes. They tend to conflate "opposition to the program" with "request for oversight" and rely on policy aspirations rather than record evidence on reliability and costs. Finally they investor certainty or climate urgency over the specific statutory criteria in § 66-p(4).

I also noted the scale of the advocacy public comment campaign: over 3,789 comments in Case 15-E-0302 and 2,516 in Case 22-M-0149, with thousands sharing essentially identical text — clear evidence of coordinated advocacy automation rather than independent public input.

I conclude that if opponents were confident that the Renewable Energy Program can deliver safe and adequate electricity at affordable rates, they would welcome a hearing as an opportunity to prove it on the record. Their determined effort to prevent the hearing from occurring suggests otherwise.

PSL 66-P Filing – Analysis of Future Utility Rates

The final related post describes an analysis submitted by Independent Intervenor Richard Ellenbogen as part of the PSL § 66-p safety valve filing. Ellenbogen's analysis uses AI tools to evaluate the long-term rate impacts of the Climate Act's Renewable Energy Program and to compare the costs of the mandated renewables-plus-storage path against alternatives such as repowered natural gas plants and new nuclear generation.

The central finding is that Climate Act implementation will raise utility rates by 50 to 150 percent over the next 40 years, with no prospect of bill relief for consumers for 100 to 150 years. This trajectory is substantially worse than comparable international experiences. Ellenbogen examined Australia — a jurisdiction with far better solar resources, lower land costs, and a more favorable climate for

renewables than New York — and found that even there, the transition to high renewable penetration has required more than 20 years to produce only modest retail bill reductions.

For New York, the analysis identifies several compounding disadvantages: significant winter heating electrification loads, high land and labor costs, transformer shortages, workforce gaps, and grid stress events such as the Albany-area blackouts. Levelized cost comparisons show that offshore wind plus battery storage is more expensive than repowered combined-cycle gas plants even when a carbon tax is applied.

Notably, when Ellenbogen queried AI without constraining it to Climate Act-compliant options, the system consistently favored nuclear energy as the optimal backbone for a low-carbon New York grid. Ellenbogen's real-world manufacturing decarbonization work is evidence that pragmatic, technology-honest approaches to emissions reduction are both possible and more cost-effective than the current mandated path.

Climate Act Budget Status and Cap-and-Invest Program

This post responds to an opinion piece published in the Albany Times Union by attorneys for the Sierra Club and WE ACT, related to the 2026 New York State budget negotiations related to Climate Act. Their comments are misleading at best.

I explained that the New York Cap-and-Invest (NYCI) program that has become a flashpoint in the budget debate. Governor Hochul has proposed revising the electric sector compliance timeline, citing affordability concerns — concerns ironically made more concrete by NYSERDA's own cost projections, which showed prohibitively high carbon allowance prices in the absence of a Cost Containment Reserve (CCR). Environmental groups responded by filing suit to force DEC to finalize NYCI regulations and have published analyses claiming a properly designed NYCI program could reduce household energy bills by $1,000 per year.

I dissected the two studies cited by the opinion piece — a Switchbox analysis and an EDF/Greenline report — and argued both are fatally flawed. The Switchbox scenario that most closely approximates current policy fails to meet the 2030 renewable energy target. The EDF report uses methodology that is advocacy-driven, ignores opportunity costs and rebrands NYCI as a "Clean Air Initiative" to obscure its cap-and-trade nature. Crucially, the CCR mechanism that would control costs simultaneously undermines the emissions cap, creating an inherent conflict between affordability and compliance.

I mentioned "Brandolini's Law" (BS Asymmetry Principle) — refuting misleading claims requires far more effort than making them — as a description of the challenge facing pragmatic analysts in this policy debate.

One Thousand Posts

This post marks a milestone: one thousand posts published on this blog since it launched on January 11, 2017. I explained the blog's purpose, which is to describe environmental issues from a pragmatic viewpoint, always balancing the risks and benefits of both sides of an issue, rather than championing a predetermined conclusion.

The two dominant topics across the thousand posts are the Climate Leadership and Community Protection Act (CLCPA), covered in approximately 651 articles, and the Regional Greenhouse Gas Initiative (RGGI) with over 60 posts. On the Climate Act, the consistent thesis has been that the proposed solution may be worse than the problem it seeks to solve, given the enormous and largely unacknowledged costs and serious reliability concerns. On RGGI, the posts have repeatedly challenged the narrative that the program has been an unqualified success.

A Perplexity AI analysis of the blog's content identified several recurring themes: pragmatic principles applied to risks and benefits, air quality issues, New York energy and environmental policy, the State Energy Plan, cap-and-invest programs, the affordability "iron law" of energy transitions, and the reliability challenges of integrating large amounts of intermittent wind and solar generation.