READ AND LANIADO, LLP ATTORNEYS AT LAW 25 EAGLE STREET ALBANY, NEW YORK 12207-1901

(518) 465-9313 MAIN (518) 465-9315 FAX www.readlaniado.com

KEVIN R. BROCKS DAVID B. JOHNSON SAM M. LANIADO KONSTANTIN PODOLNY TYLER W. WOLCOTT

HOWARD J. READ PATRICK A. SILER Of Counsel

Via Electronic Delivery

December 6, 2016

Hon. Kathleen H. Burgess Secretary to the Commission New York State Public Service Commission Empire State Plaza Agency Building 3 Albany, New York 12223

RE: Case 16-E-____, New York Municipal Power Agency Tariff Schedule PSC No. 1 – Electricity, Amendment to Implement the Clean Energy Standard.

Dear Secretary Burgess:

In accordance with Article 4 of the Public Service Law ("PSL"), the New York Municipal Power Agency ("NYMPA") hereby files and requests approval of an amendment to its Tariff Schedule PSC No. 1 – Electricity. The amendment is intended to authorize collections from customers to implement the Clean Energy Standard ("CES") as approved by the Commission in Case 15-E-0302, *Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard*, Order Adopting a Clean Energy Standard issued on August 1, 2016 ("CES Order").

NYMPA is an organization comprised of 36 municipal electric utilities. NYMPA supplies its members with electricity requirements that are not met through the New York Power Authority ("NYPA"). The original NYMPA members became partial-requirements NYPA customers in 1998. When NYMPA members shifted to partial-requirements NYPA customers their rates and charges became subject to Commission jurisdiction. "To ease the transition from NYPA to [Commission] jurisdiction, NYMPA developed, with the collaborative assistance of [New York State Department of Public Service Staff ("Staff")], a generic tariff that can be used by each of the member municipal electric systems in concurrence with a system-specific tariff schedule." (Cases 98-E-0490 *et al., New York Municipal Power Agency*, Staff Recommendation and Order Approving New Tariff Schedule (Apr. 29, 1998), at 2. Since that time, additional members have joined. (*See, e.g.*, Cases 07-E-1446 et al., *Village of Westfield*, One-

Hon. Kathleen H. Burgess

December 6, 2016

Commissioner Order Approving New Electric Tariff Schedules (Dec. 27, 2007), at 2, *order confirmed*, Confirming Order (Jan. 16, 2008).)

Because the amendment submitted herewith does not affect the rates and charges charged to NYMPA customers, but merely implements the collection of a Commission-mandated program, NYMPA respectfully requests a waiver from the newspaper publication requirements of PSL § 66(12)(b) and Section 720-8.1 of the New York State Public Service Commission's Rules and Regulations.

Pursuant to the foregoing, NYMPA respectfully requests that the Commission approve the attached Tariff Amendment and grant the waivers requested above by March 1, 2017.

Respectfully submitted,

READ AND LANIADO, LLP Attorneys for the New York Municipal Power Agency

By:

/s/ Konstantin Podolny