



State of the State Address Fact Sheet: **Fast-Track Power Plant Siting (Article X)**

“Keeping costs down also means keeping energy costs down...I will again send you a bill to fast-track the building of power plants. And again, I will apply a simple principle: We must get more supply into the grid, but if we are going to fast-track any kind of energy production, it must also help us confront the challenge of global warming.”

-Governor Eliot Spitzer (January 9, 2008)

The Challenge

- To meet the State’s energy, environmental, and economic development goals, new, cleaner power generation is needed. This would have the effect of lowering energy prices and replacing or re-powering aging power plants in the State.
- Energy prices aside, even to ensure reliability, especially Downstate, the New York Independent System Operator projects that the State will need new capacity as early as 2012. This means that power plants must begin working through the permitting process as soon as possible in order to be available to serve load by that time.
- The State’s power plant siting law – Article X – expired on January 1, 2003. Article X provided a streamlined review process whereby power plant applications were reviewed by a single siting board that included relevant permitting agencies as well as representatives from affected communities. Article X also provided developers with an efficient, time-certain process for gaining approval or denial of applications and provided a forum and funding to facilitate citizen participation.
- Without Article X, the review process for power plant proposals is burdensome – developers must seek permits from multiple agencies and jurisdictions – and the timeframes for review are uncertain, providing a disincentive to developers wishing to build new generation capacity.
- Without Article X, host communities affected by power plant proposals do not get funding to pay for consultant and legal services, which are essential to assist regular citizens in reviewing highly technical power plant applications and effectively participating in the review and comment process.

Our Approach

- The Administration will work with the Legislature to enact a new siting law that provides certainty and speed for power companies looking to build new, cleaner generation, while protecting our citizens and communities from the adverse environmental effects of power plant construction and operation.
- The approach should stress robust public participation and an expedited review process, and include environmental justice protections.