



April 8, 2005

Jaclyn A. Brillling, Secretary
New York State Public Service Commission
3 Empire State Plaza
Albany, New York 12223-1350

CASE 05-M-0090 Proceeding on a Motion of the Commission's System Benefits Charge
Notice **Seeking** Additional Comments, Issued
Issued April 1, 2005

Dear Ms. Brillling:

On April 1, 2005 The Public Service Commission (Commission) issued a Notice **Seeking** Additional Comments for Case 05-M-0090 Proceeding on a Motion of the Commission Regarding the System Benefits Charge (SBC). This notice **seeking** comments was issued subsequent to the passage of a budget amendment by the New York State Legislature on March 30, 2005. That budget amendment specifically addresses money to be received by the New York State Energy Research and Development Authority, under oversight of the Commission, related to assessments collected for the purpose of public-policy energy programs.

PPM Energy, Inc is writing to offer its urgent and strongly held view that the statutory language could undermine the substantial and effective work that NYSERDA does in supporting renewable energy and energy efficiency.

PPM Energy has not previously commented in this proceeding, but has been part of an alliance of wind energy companies submitting comments through the American Wind Energy Association (**WindPower NY**). Today, given the threat to the SBC posed by recent legislative action, PPM Energy is submitting its own comments, while continuing to support the submissions of **WindPower NY** in this matter. PPM Energy is a developer of wind-power generating facilities around the country, and has more than 800 MW of wind capacity in its portfolio. In New York State specifically, PPM Energy is a partner in the 198 megawatt Maple Ridge (Flat Rock) wind farm in Lewis County.

Under a program in which funds for the SBC compliance are appropriated annually for NYSERDA to administer, NYSERDA and others will no longer be able to plan effectively for multi-year programs. The implementation of programs for the support of renewable energy and energy efficiency would be less efficient, and clean energy and conservation will not realize its full potential in New York. As a result, New York will fail to see the environmental and economic benefits that clean and efficient energy programs can provide. This would be an unfortunate outcome, especially considering that such an outcome is avoidable.

PPM Energy greatly appreciates the opportunities to submit comments on this matter, a matter that we view, obviously, with the gravest concern.

Sincerely,

Donald J. Winslow
Vice President of Policy and Regulatory Affairs
PPM Energy