



Hon. Mayor Eric L. Adams
City Hall, New York, New York 10007

Re: Getting Stuff Done – Unlocking Energy Storage Deployment in New York City

Dear Mayor Adams:

The New York Solar Energy Industries Association (NYSEIA) applauds your commitment to climate sustainability, environmental justice, and resiliency, and your mantra of “getting stuff done.” We look forward to working with you and your consolidated and streamlined Mayor’s Office of Climate and Environmental Justice to ensure New York City remains a transformative leader in promoting cleaner air, advancing climate resiliency, and protecting New Yorkers.

Along these lines, we would like to call your attention to an issue that requires your immediate attention and action – unlocking energy storage deployment in New York City. *Energy Storage can save lives by providing continuous backup power in the event of an emergency, allowing residents to refrigerate food and medicines and to charge mobile devices to stay in contact with loved ones.* Across the country, solar systems are increasingly paired with an energy storage component providing customers with the option to increase energy resiliency as they transition to cleaner energy sources. Despite this positive trend and high attachment rates in surrounding markets, installing battery storage systems in New York City remains an elusive feat.

It can and should be a relatively straightforward process to deploy resilient battery storage systems for solar customers, especially in residential neighborhoods. However, the current NYC permitting rules for energy storage are so cumbersome that they have prevented almost any energy storage deployment in the City. And while the new fire code updated in early 2022 is a step in the right direction, the FDNY and Department of Buildings (DOB) approval processes are still not adequately designed to accommodate and advance this safe, reliable technology at scale. Without a reasonable process in place that provides worthwhile opportunities for manufacturers and developers to get their energy storage systems approved and installed, New York City will continue to lag in providing citizens with this crucial resiliency service.

Our ultimate goal is to help New York City meet its climate goals through a regulatory environment where energy storage can be routinely offered at a predictable cost as an add-on to a solar system. Instead, we are consistently turning away New Yorkers who want to add storage resiliency to their energy systems due to the inability to get these projects efficiently permitted. As the climate crises encroaches and clean technology advances, we should be removing obstacles to solar and storage development in NYC rather than constantly confronting manufacturers and developers with additional barriers. Simply put, this is an untenable situation that will surely cause the City to fall short of its climate equity and resiliency goals.



The lack of energy storage deployment in New York City can largely be attributed to the complexities of the review process. While we appreciate the methodical treatment of this relatively new technology to ensure safe implementation, we also believe it is time for New York to take the training wheels off and *in keeping with your promise of reducing waste and creating efficiencies in government, establish a transparent and effective process for storage manufacturers to get their systems approved, and for developers to install these crucial systems.*

Due to the accelerating climate emergency, and the growing need for equitable resiliency measures to be undertaken before the next big storm impacts the New York City metropolitan region, we humbly submit the following recommendations (see Appendix A), which serve as both immediate and decisive actions that can be taken through mayoral authorization:

- **Establish reasonable and clear processes to obtain storage permitting approval;**
- **Create efficiencies among pertinent government agencies; and**
- **Provide staffing support as needed to streamline solar + storage permitting.**

We respectfully request consideration of these recommendations and would welcome the opportunity to meet with you and/or the appropriate members of your team at City Hall to discuss these issues. We also look forward to working with the FDNY and other relevant city agencies to make these recommendations a reality and to unlock resilient energy storage for New Yorkers. *We hope to soon join you in saying that New York City is getting storage done!*

Thank you for your prompt attention to these matters. Please reach out to Zack Dufresne at zack@nyseia.org with any questions or to discuss this memorandum.

Respectfully,

Zack Dufresne, NYSEIA Executive Director

Founded in 1994, NYSEIA is a not-for-profit industry trade association with a mission to advance and accelerate the deployment of distributed solar energy and energy storage in New York State. We proudly represent hundreds of distributed solar and storage businesses on key legislative, regulatory, and statutory policy matters affecting these industries. Our membership is primarily comprised of local, regional and national firms that develop and install distributed solar energy and battery storage systems across New York State. Our members are working every day to help achieve the ambitious clean energy and equity goals outlined in the Climate Leadership and Communities Protection Act.



Appendix A: Industry recommendations to improve solar + storage permitting in NYC

- **Establish reasonable and clear processes for manufacturers and developers to obtain permitting approval through FDNY and Department of Buildings (DOB)**
 - Integrate DOB Office of Technical Certification and Research (OTCR) review into FDNY processes to eliminate duplicative site-specific reviews and approvals
 - Develop standard requirements through the Certificate of Approval (COA) process for energy storage systems at or below 80 kWh (similar to current processes for projects 20 kWh and below), allowing plan examiners to review a solar design and energy storage component at the same time
 - Publish a list of storage systems with COAs that can be sold and installed
 - Work with Department of Finance (DOF) to clarify that solar + storage systems are eligible for the NYC Property Tax Abatement and allow developers to submit a single application for hybrid solar + storage systems
- **Create efficiencies among pertinent government agencies**
 - Increase coordination between DOB plan examiners and OTCR
 - Establish a consolidated pool of planning and special examiners within DOB trained in solar + storage permitting
 - Establish similar training for DOB examiners and inspectors
 - Upgrade the DOB NOW portal to improve tracking of required items for sign off and so that solar + storage applications can be filed as a single application
 - Improve the FDNY online application portal to clarify information needed and avoid unnecessary Letters of Deficiency
 - Establish a Service Level Agreement (SLA) for turnaround times on FDNY applications, including fire alarm review, or create a separate queue to advance energy storage systems
 - Approve without delay all TM-2 applications with complete 9540a data
- **Provide additional funding for FDNY and DOB/OTCR staffing to streamline solar + storage permitting**
 - Provide staffing support for DOB/OTCR and the tech management team within FDNY to help improve processes and identify and implement efficiencies
 - Fully staff relevant agencies in preparation of processing an increased volume of applications once the permitting process is reasonable, clear, and efficient
 - As applications start being efficiently processed, maintain application fees to defer the cost of additional staffing needs
 - Consider appointing an Energy Storage Ombudsperson to facilitate efficient and decisive inter-agency coordination



Cc:

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