

# Molinaro Files Affidavit to Stop FERC's New Energy Capacity Zone

Poughkeepsie... Dutchess County Executive Marcus Molinaro filed an amicus-curiae brief today with the United State Court of Appeals for the Second Circuit, in support of Central Hudson Gas & Electric Corporation and the Public Service Commission of the State of New York's motion seeking to stay the implementation of a new capacity zone ordered by the Federal Energy Regulatory Commission (FERC).

In his affidavit, County Executive Molinaro outlined many of the financial realities Dutchess County residents have been facing in recent years and urged the court to review and reverse FERC's orders to avoid further financial burden on Dutchess County residents.

County Executive Molinaro said, "Dutchess County residents cannot afford to bear the financial burden the new capacity zone will bring. We will continue to make every effort to ensure FERC hears our concerns and addresses them."

A new capacity zone was implemented by FERC on May 1, 2014. Central Hudson filed motions with the United States Court of Appeals on May 12, 2014, requesting a stay on further capacity auctions under the new capacity new zone, and calling for the Court to order FERC to act on previously filed petitions requesting moderation or elimination of the new capacity zone. A similar suit was filed by the New York State Public Service Commission.

Central Hudson estimates the new capacity zone will increase residential bills by nearly 6 percent and industrial customer bills by up to 10 percent, without providing customer benefits. The legal motion requests FERC cancel, postpone or phase in the new capacity zone to allow time for the proper consideration of alternative solutions to the identified electric capacity and transmission issues that will provide benefits to customers at a reasonable cost.

The 2<sup>nd</sup> Circuit Court panel will hear oral arguments on the motions and petitions filed on June 3<sup>rd</sup> in New York City.

County Executive Molinaro's full Affidavit in Support of Amicus-Curiae Brief of Dutchess County can be viewed online here:

<http://www.co.dutchess.ny.us/CountyGov/Departments/CountyExecutive/20140519153517796.pdf>

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