Nuclear New York
Independent Advocates
for Reliable Carbon-Free Energy
3961 47th St, Sunnyside, NY 11104
NuclearNY.org

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New York State Public Service Commission
Three Empire State Plaza
Albany, New York 12223

Re: Support for Adoption of a New Zero Emission Credit Program and Relicensing of Nuclear Plants

Dear Chairman Christian and Commissioners:

Please accept the following comments regarding consideration of a new Zero Emission Credit (ZEC) program and relicensing of the state's existing nuclear power plants.

Nuclear New York is an independent, non-partisan, non-profit organization working for a prosperous decarbonized future and nature conservation. Our mission is to advocate for the peaceful use of nuclear technology to meet society's need for reliable, emission-free energy and provide well-paid meaningful jobs that underwrite vibrant, healthy communities. We conduct research and educational activities in New York and beyond. We are also a member of the Carbon Free New York coalition.

Our organization respectfully urges the Public Service Commission to adopt a renewed ZEC program and to fully support relicensing of the state's existing nuclear fleet. Along with the development of additional nuclear power, these actions are essential to the state's clean energy future. New York's four operating nuclear reactors—Nine Mile Point Units 1 and 2, FitzPatrick, and Ginna—collectively supply approximately 22 percent of the state's electricity and are its largest single source of carbon-free power.[1] When Indian Point was forced to close, fossil fuel generation filled the gap and power sector emissions rose by roughly 26 percent, underscoring the importance of nuclear to successful decarbonization.[2]

The 2025 *Zero Emissions Credit Program Extension Proposal*, prepared by Department of Public Service (DPS) staff, makes clear that maintaining the state's existing nuclear fleet is indispensable for achieving emissions reduction targets, maintaining reliability, and avoiding unnecessary cost

[1] NYS Dept of Public Service, *Zero Emissions Credit Program Extension Proposal*, July 31, 2025, pp. 1–3. https://assets.nationbuilder.com/themes/6089b54645de945b25dd2b3e/attachments/original/1756179854/NYSDPS_Staff_ZEC_Recommendation.pdf
[2] Ibid., p.8.

burdens for New Yorkers.[3] According to DPS analysis, New York's existing reactors avoid more than 13 million metric tons of carbon dioxide emissions every year—equivalent to the output of roughly thirty-five typical natural gas power plants.[4] A complementary analysis by the Brattle Group found that extending the ZEC program would save ratepayers an estimated $50 billion through 2050, generate $38 billion in new economic activity, support more than 14,000 family-sustaining jobs, and preserve $10 billion in state and local tax revenues.[5]

The original ZEC program, established in 2016, successfully prevented premature nuclear closures and stabilized New York's mix of clean energy resources. Building on that success, DPS staff now recommend a second phase, "ZEC 2.0", to extend through 2049 and align with upcoming federal relicensing milestones.[6] This would rely on the proven formula of multi-year tranches and procurement limits designed to protect ratepayers.[7] Together, these provisions would provide the security operators need to pursue subsequent license renewals, extending plant lifespans from sixty to eighty years while ensuring continued safety investments and workforce retention.

Absent a dependable ZEC program, the industry operator faces significant uncertainty in weighing multimillion-dollar investments required for relicensing. DPS staff specifically note that Ginna and Nine Mile Point Unit 1 are approaching key license renewal windows, and that the lack of revenue certainty beyond 2029 threatens those processes.[8] Relicensing involves significant investments in management systems, safety monitoring, and materials integrity programs that depend on predictable, long-term revenue streams. A renewed ZEC program provides that foundation.

The economic and community benefits of New York's nuclear fleet are equally compelling. Nuclear plants in the state directly employ over 2,300 skilled workers, provide hundreds of millions of dollars in payroll, and contribute roughly $144 million in annual state and local taxes.[9] They anchor regional economies, support union labor, and sustain essential public services in the surrounding counties. Their continued operation has also become a cornerstone for industrial growth. Micron Technology cited access to reliable, zero-carbon baseload power as a deciding factor in its proposal to locate a semiconductor manufacturing complex in the area.[10]

Furthermore, nuclear plays a crucial role in maintaining the stability of an increasingly renewable grid. Unlike intermittent wind and solar, nuclear reactors can operate continuously, providing

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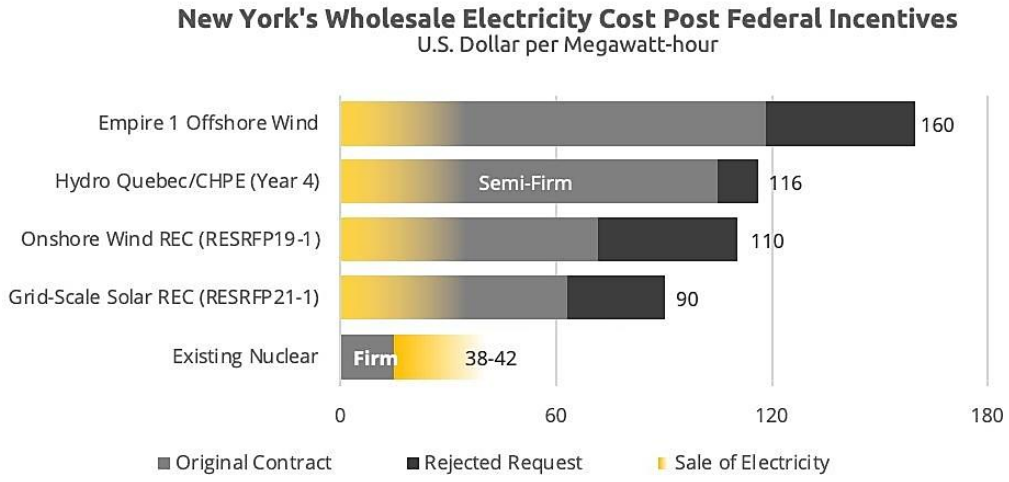
[3] Ibid., p. 2.
[4] Ibid., pp. 14-16.
[5] Brattle Group, *Economic and Power System Impacts of New York's Nuclear Units*, Sept 2025. https://www.carbonfreeny.com/s/20250918-Constellation-NY-Written-Report.pdf
[6] NYS Dept of Public Service, *Zero Emissions Credit Program Extension Proposal*, July 31, 2025, p. 3.
[7] Ibid., pp. 19-21.
[8] Ibid., pp. 12-13.
[9] Ibid., pp. 10-12.
[10] Ibid., p. 25.

essential voltage control, inertia, and capacity support. Replacing these assets with fossil fuels would not only undermine CLCPA goals but also increase dependence on volatile fuel markets, heighten exposure to price spikes, and weaken reliability.[11]

As seen below, New York's ZEC program is by far the most cost-effective means of securing carbon-free electricity on a per watt-hour basis today. Notably, this comparison does not include the system-level costs of additional facilities and infrastructure otherwise needed to convert intermittent generation into useful electricity. When storage, extra generation to overcome storage losses, extra transmission associated with solar and wind, additional dispatchable capacity to back up intermittent generation, and equipment to maintain power quality are considered, the advantages of firm baseload nuclear are even more pronounced.



Sources: Hydro Quebec contract prices; DPS Case 15-E-0302 comments by DPS, MI & MUEA, CHPE & HQ; 60% of 2020-2022 ZEC costs after expected PTC.[12]

[11] Ibid., pp. 17-19.

[12] DPS Case 22-M-0149, *First Annual Information Report on Overall Implementation of the CLCPA*, July 20, 2023. https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId=%7B20E17489-0000-C114-AD41-8089369DB6F3%7D ;
DPS Case 18-E-0071, *Verified Joint Petition and Comments of CHPE LLC And H.Q. Energy Services (U.S.) Inc. Seeking Program-Wide Modification of REC Purchase and Sale Agreements,* August 28, 2023. https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={E0BD3D8A-0000-C031-B943-6A874508FF2B} ;
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DPS CLCPA Annual Informational Presentation, DPS Staff First Annual Report. https://dps.ny.gov/system/files/documents/2023/07/clcpa-annual-report-session-presentation-v3.pdf ;
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In addition to its climate, economic, and reliability benefits, nuclear energy has the smallest physical footprint and least requirement for mined materials of any energy source, including renewables.[13] As such, it is the optimal choice for conservation of farmland, wildlife, and habitat.

We urge the Commission to adopt a robust, long-term ZEC program extending through 2049 and aligned with federal relicensing schedules. The Commission should ensure stable price signals for generation, protect ratepayers through procurement caps, and coordinate program design with NYSERDA, the New York Independent System Operator, and DPS. These measures will guarantee that the state's carbon-free nuclear fleet remains a cornerstone of a resilient, affordable, and sustainable energy system.

New York's existing nuclear plants are not remnants of the past—they are the foundation of a decarbonized future that protects consumers, strengthens communities, and advances equity in the energy transition. By renewing the ZEC program, supporting subsequent license renewals, and supporting the development of additional nuclear capacity, the Commission can make New York a national leader in clean energy innovation.

Respectfully submitted,

Dietmar Detering, Chair
Nuclear New York
dietmar@nuclearny.org
917-251-2235

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[13] United Nations ECE, Life Cycle Assessment of Electricity Generation Options https://unece.org/sed/documents/2021/10/reports/life-cycle-assessment-electricity-generation-options