Good morning everyone. I’m Dan Henfield, the Director of the Weatherization Assistance Program for New York State Homes and Community Renewal. We’re here today at our New York City office to conduct a public hearing on the draft 2020 Weatherization Assistance Program State Plan. This public hearing is being simultaneously video cast to our HCR offices in Albany, Buffalo, and Syracuse. Individuals in these offices will have the opportunity to testify and submit comments on the draft 2020 State Plan. Additionally, we will accept and review comments on the draft State Plan until the close of business tomorrow, Friday, January 10, 2020. Copies of the draft State Plan are available on the state’s WAP website, Weatherization Assistance Plan website, at hcr.ny.gov/weatherization or by calling (518) 474-5700 and requesting a copy.

The Weatherization Assistance Program is funded by the US Department of Energy. New York State supplements the DOE funding with low income energy assistance program funds from the US Department of Health and Human Services. The purpose of the weatherization program is to increase the energy efficiency of dwellings owned or occupied by low income persons, reduce their total residential energy expenditures, and improve the health and safety of the residents especially low income persons who are particularly vulnerable such as elderly, persons with disabilities, and children.

This public hearing is being held pursuant to Title 10 of the
Code of Federal Regulations, Section 440.14A. If anyone would like to make a presentation today at the hearing, we ask that you please provide a written copy of your testimony at the time of presentation. Oral presentations should not exceed three minutes.

Before we open the hearing for comments, I want to request that each of the regional offices put their speakers on mute when no one is speaking from that office. Now I’m going to ask if there’s anyone in this office, in the New York City office, who is interested in providing testimony.

[Valerie] I’m Valerie Strouse, I’m with the Association for Energy Affordability. It’s based in the Bronx and is a subgrantee. I’m Director of Policy and Regulatory Affairs, however I am speaking today in capacity as the New York State Coordinator Lead for the Energy Efficiency For All New York Coalition, which is a coalition of AEA, working families, enterprise community partners, Green and Healthy Homes Initiative, Natural Resources Defense Council, Pace Energy and Climate Center, and We Act for Environmental Justice. The Energy Efficiency for All New York Coalition very much appreciates the work of the Weatherization Assistance Program. Both of EEFA, as we’re known, and WAP are completely aligned and our comments are offered in the spirit of improving upon a program that we believe is vital to serving low income households in our state. These comments are offered in the
hopes of improving upon a program that not only increases
energy affordability, comfort, health, and safety in homes but
also provides benefits to local communities and contributes to
our mission’s reductions goals. While we recognize the primary
purpose of the State Plan is to comply with DOE requirements
\as service application\ for DOE funds, it also is the
foundation for program implementation. As such, we respectfully
suggest that it could benefit from additional language that
acknowledges and aligns WAP more closely with New York’s
cclimate, energy, and energy affordability goals. New York has
an energy affordability policy that strives for no more than a
6% energy burden, has climate goals that are now codified in
the Climate Leadership and Community Protection Act as well as
pre-CLCPA energy efficiency goals and New Efficiency New York
preceding, the Department of Public Service, and within the
state energy plan. Explanations and guidance on how the
Weatherization Assistance Program can help meet those goals
would be appropriate and welcome within the State Plan.
In addition, we have some examples of where we believe the
language in the current draft State Plan appears to be out of
date with state wide policy endeavors. There is in particular
references to electric heat as the expansion of natural gas
infrastructure. The draft State Plan on Pages 16 and 18—I do
have quotes in my written testimony but I won’t read them—
discuss the predominant heating fuels that are in different
parts of the state, notably between delivered fuels and oil, electrical\style\ electric resistance heating, etcetera, and it notes that \old style\ electric heating is much more common in the winter households in less energy efficient buildings. It also states that- that’s all it says about electric heat. It also suggests that HCR will be encouraging subgrantees to coordinate weatherization with replacement of heating systems that can be converted from oil or other delivered fuels to natural gas, and here I am quoting “HCR is participating in an initiative sponsored by the New York State Public Service Commission to explore cost saving opportunities associated with the expansion of natural gas service.”

While old electric heating systems and oil and delivered fuel systems certainly merit replacement, New York is increasingly looking toward building electrification \inaudible\ \source\ heat pumps as an important component of meeting our climate goals and as an alternative to natural gas expansion.

References to electric heat, we believe, should therefore distinguish between the older systems and the newer heat pump systems and references to replacing oil and delivered fuels should also reference heat pumps and the state’s goals for electrification.

Furthermore, consideration of what we refer to as equitable electrification which encompasses ensuring access to heat pumps by low income households so they’re not left behind during this
push for electrification, but also addressing the affordability concerns that arise when electrification occurs should be a discussion in the State Plan and within the Weatherization Assistance Program.

In addition to exploring the use of heat pumps, EEFA New York fully supports consideration of renewable energy systems within the weatherization work scopes, and we support developing a standardized process including solar \PB, \inaudible\ \pilot\ for case by case approaches which are more cumbersome. As a coalition focused on energy efficiency and affordable multi-family housing we are dedicated to ensuring the sufficient and appropriate allocation of funds for low income housing. We respectfully suggest that the weatherization program strive to allocate funds based on the percentage of population in need of the assistance, and consideration of finding other sources of funds for weatherization would also be appropriate.

Lastly, we encourage explicit recognition of the importance of interagency coordination to deliver the benefits of energy assistance to low income households \and providers of\ affordable housing. \The\ agency work group for low income energy issues that the state has formed would be an appropriate place to have this conversation, as well as coordination with utilities and exploration of best practices from other states. I very much appreciate the opportunity to provide these comments. We would be happy to provide other information or
continue the discussion further. Thank you.

[Dan] Would anyone else in New York City like to speak? ... We’re gonna now go to the Albany office. \Casey\, if you can ask anyone in Albany if they’d like to speak.

[Casey] We don’t have anyone at this time.

[Dan] Thank you. Now we’ll go to the Syracuse office. Beth, if you could ask anyone there if they’d like to speak.

[Beth] yes, Andy Stone would like to speak now.

[Dan] Thank you.

[Andy] My name is Andy Stone. I’m the Executive Director of the New York State Weatherization Directors Association. I represent as the leader of a member organization the 52 subgrantees funded by the Weatherization Assistance Program in New York State. NYSWDA provides training, supportive services, and technical guidance to your network of weatherization assistance programs in a constant effort to improve local programming and New York State’s standing with federal DOE. I’m proud to say that NYSWDA maintains nearly a 100% member participation rate with our state network and has for years. Thank you for the opportunity to comment today on the New York State Weatherization Assistance Program draft State Plan for program year 2020. We are generally pleased with the plan and the direction it has taken this year, however one significant change over the past few years has taken place that we are not in agreement with and this will be discussed further below.
First and foremost, we appreciate the fact that HCR has set two rounds of discussion on the State Plan, a plan development request and the hearing itself. Both requests were released early in the process and this is appreciated, however the timeline for response on each of them was way too short and more time should be given to the network and the pack to review past years’ plans and the current draft. Additionally, it would be really helpful to provide a synopsis of changes made to the plan or a red line version which would make the review process easier on everyone.

Specific to the 2020 draft State Plan I’d like to offer the following comments. Regarding the program budget and the proposed distribution of DOE and HEAP funding, it is not made clear whether HEAP funding is proposed at 100%. If 10% is being withheld due to federal regulation as it was in prior years it should at least be noted in the plan with a footnote so that if an amendment is necessary later in the year agencies will have some prior notice and can plan for the increase rather than finding out in October that they will be getting more funding. I understand it’s impossible to predict what will ultimately happen with federal allocations, but prior knowledge to potential changes would be helpful and valuable information to the network.

Set asides: There was a fair amount of discussion at regional task force meetings whether some funding should be withheld for
set aside awards. Set aside used to be a common in the program and with funding starting to increase it should be considered again. Smaller agencies don’t have the resources to accommodate multi-family units or other initiatives such as renewables, and set aside could offer them room to be more creative. Set aside would also benefit agencies planning to partner in the HCRP+ initiative allowing them to bring more to the table when units are identified.

Minimum allocations: The plan states that the minimum allocation for agencies will be $400,000. With funding up slightly it would be nice to see the minimum raised to a more manageable level. Formula driven and dual-county agencies have a little more latitude with their contract management than the minimums do. Low funding and stagnant wages result in high turnover which has been a malignant problem in the program.

Contract production calculation: This year the production percentage calculation has been increased to 18% giving agencies a more realistic and mathematically appropriate way to manage their contracts. This is also a reasonable concession on the part of the state to reduce the production burden and increase overall administrative latitude for programs at the local level.

Regarding administrative rates: The plan indicates that each subgrantee will be allowed to use 6% of the first 1.5 million in their allocation and 5% of the balance of allocation for
administrative costs. Although 6% does not cover the full administrative rates for most agencies, the higher rate again this year shows some effort on the part of HCR to recognize this is an issue. It does however put undue pressure on programs to deliver alternative, unrestricted net assets to fill in the shortfall.

Regarding leveraging: Since NYSCERTA acquired 14.4 million dollars in HEAP funding through Social Services 97-5 for use in the Empower New York program, I would encourage HCR to make every effort possible to ensure that the majority of those funds flow through the weatherization subgrantee network regardless of whether they are leveraged, Fee For Service, or earned program income. Now that Empower is fuel-neutral, agencies across the state that have not previously been able to participate have a huge opportunity to enhance services in their territory. It’s been noted in \*pack\* meetings that attempting to achieve a 6% energy burden on low income HEAP households is a goal of the governor’s office as well as OTDA. By combining funds and focusing on households with the highest energy burden we can achieve significant savings well beyond the reach of each program separately, and the Empower program, weatherization, and most importantly the families we serve will benefit from this strategy.

Network participation continues to be low and every effort should be made by HCR staff to understand why this is happening
and get agencies onboard. Encouraging network participation will enlarge programs, enhance services, and allow agencies to raise labor rates to a level more in keeping with the market, hopefully reducing turnover. I believe HCR’s effort to assist should take several forms. First, streamlining through a reduction in required forms of other non-mandated regulatory obligation needs to take effect. This has been started, but re-evaluated forms and the updated Pilot Program have yet to be released. Second, work toward a better cooperative arrangement with NYSERDA. Through better cooperation with NYSERDA on client approval, work scope generation, heating appliance replacements, and the upcoming potential for \( \text{PV} \) solar and heat pump technology, your local network can become more nimble and better use available funds resulting in better services. This should be a priority for the interagency task force. Third, eliminate shared cost road blocks. By incorporating generally accepted accounting principle for cost allocation and fund accounting, paperwork and reporting will be simplified benefiting any agency will has desire to expand their services. This is nothing new and fairly simple to implement. The revise program income rules are a stepping stone to this goal, and every agency should be encouraged or even mandated to participate.

Multi-family owner investment: Regarding owner investments, there were several issues discussed at the New York City
regional task force meeting regarding owner contribution.
Recommendations were made to revise the Pilot Program language regarding owner contribution. Emphasis was to simplify and redefine requirements of the 25% minimum investment. Similarly, it was proposed for the 15% owner investment that the phrase 581A would be eliminated and the requirement change to at least 50% documented income regulated. This would be a more inclusive phrase which would encompass more affordable housing properties.
Regarding the \ASKI\ satisfaction survey: Additional language was added to the plan with regard to the DOE satisfaction survey. It’s important that the survey stay on the table, and I’m encouraged that HCR staff is making their response to the results open and transparent. Believe me when I say that the network wants nothing more than to fix some of the issues that exist in the program. This is a great first step in maintaining communication and a huge step in the right direction.
Regarding training and technical assistance: The state’s T&TA platform has been moved to a service contract even though New York State Controller’s office indicated that this was not necessary. The RFP process was long, unnecessarily complicated, and wasted valuable time on both sides. The results has been contracted services that are limited in scope and funding. We believe this course of action has diminished services, eliminated any ability for AEA and NYSWDA to do long term
planning, and is not in the best interest of New York State’s
Weatherization Assistance Program as a whole. AEA and NYSWDA
have spent years developing our organizations and have a better
understanding of New York State WAP program policy than any
other potential entity. Diminishing both organizations to
service provider status through a safer procurement process was
not the right decision and was not required by the Office of
the State Controller who stated that their office generally
defers to the procuring agency’s determinations on matters
properly within the agency’s expertise. Ultimately, a sole
source \CRER\ was deemed appropriate and both associations
should have been funded directly through the State Plan. AEA
and NYSWDA have evolved based on contract deliverables and the
needs of our network to the point where our services comingled
with the needs of the state, whether it’s providing technical
support on \one-to-four\ multi-family units or delivering
course work from well-appointed training centers which have
taken years to develop, these services cannot be replicated.
Based on all indicators to date, we do not believe this process
will ultimately improve anything and it is our hope that HCR
will reconsider this major change and fight the fight needed to
\keep technical assistance\ where it belongs in the State Plan
as subgrantee status.

In closing, I feel that it’s important to state that the
success of the New York State Weatherization Assistance Program
needs to be based on a cooperative partnerships with open dialogue and communication between state staff, your technical assistance providers, and your local programs. New York’s WAP program has a lot to bring to the table in forging and maintaining partnerships with state staff, stakeholders like NYSERDA and their Empower program, as well as AEA and NYSWDA, can only enhance your program and your ability to deliver it to low income residents of New York State. Thank you.

[Dan] Thank you, Andy, and just a reminder to give a copy of that to Beth. Is there anyone else in the Syracuse office that is there to speak?

[Beth] No, there’s no one here at this time, Dan.

[Dan] Okay. Let’s go to the Buffalo office. Rick Joste, is there anyone there that wishes to speak?

[Rick] No, there’s not.

[Dan] Okay. We’ll come back. We have some new arrivals at the New York City office. Is there anyone who is interested in speaking?

[Joe] Good morning. My name is Joe Barden and I serve as the Executive Director of Margaret Community Corporation. Margaret is a community based nonprofit neighborhood preservation company located in and is a subgrantee responsible for administering the New York State Homes and Community Renewal Weatherization Assistance Program in South
Queens. On behalf of the Board of Directors and staff of Margaret and the New York State high energy burdened households we serve, I would like to take advantage of this opportunity to offer the following comments on the WAP 2020 State Plan. We strongly support the plan’s emphasis upon leveraging and coordination with other programs, to supplement funding for the program and to generate additional non-federal resources for weatherization. We’re especially excited about the possibilities presented by the Weatherization Preservation Plus initiative and hopeful for the selection of a project within our service territory in the near future. We wonder though, and not for the first time, when we might realistically expect additional benefits to assisted households and additional funding opportunities for subgrantees to become manifest as a result of HCR’s alignment with the National healthy Homes Initiative.

We urge New York State Homes and Community Renewal to take the leadership role in the interagency task force on energy needs. I remain cautiously optimistic that our network for weatherization subgrantees will be recognized and embraced as the appropriate vehicle through which to most effectively address the energy needs of low income communities and improve outcomes for low income households in New York State. We fully support the manner in which New York State transfers a portion of its HEAP allocation to weatherization. I continue to
urge the state to maximize the infusion of HEAP dollars to the fullest extent possible.

We are grateful for the continuing coordination with NYSERDA’s low income energy efficiency programs. I look forward to once again serving both small homes and hopefully some multi-family buildings through the Empower New York program.

As the interagency referrals, we continue to mourn the loss of the weatherization referral and packaging program through which energy, housing, and social services were coordinated for elderly participants who were otherwise unable to identify and access such services on their own. The streamlining and efficiencies of the wrap program were beneficial to both the program and its participants and should receive strong consideration for resurrection.

We fully support the plan’s encouragement of subgrantees to coordinate with OTDA, or HRA in New York City, on the heating repair and replacement program for HEAP clients, and we remain ready, willing and able to participate in both emergency heating and cooling programs. We once again urge HCR to strongly consider a return to a more active role in the direct administration of these initiatives.

As to the plan’s funding allocation formula, we simply note again the large percentage of subgrantees receiving adjusted allocations with no further comment at this time, but we do feel compelled to comment on the status of our technical
assistance providers. The failure to protect these important entities as TA subgrantees as they had been clearly recognized in prior state plans as well as the allocation charts has led to unforeseen consequences that threaten the delivery of these critical services throughout the state. AEA and NYSWDA provide invaluable services to both the weatherization network and to HCR. We strongly urge HCR to acknowledge their unique status as TA providers and provide funding consistent with the services they provide.

Last but not least, we extend our deepest gratitude to New York State HCR leadership and staff, both in Albany and New York City and throughout the state, for their continued assistance and support. Thank you for your time and attention this morning.

[Dan] Thank you, Joe. I have a copy of Joe’s [inaudible]. Is there anybody else in New York City that wishes to speak at this time? ... Okay. We’ll go back around to Albany. Is there anyone in Albany that wishes to speak at this time?

[Casey] Not at this time.

[Dan] Okay. I don’t see anyone else arriving in Syracuse. I’m just gonna ask in Buffalo. Does anyone else wish to speak?

[Rick] No, Dan.

[Dan] At this time I’m gonna mute our line and I ask that you all mute your line. If someone in your office wishes to speak, please unmute and just announce your presence and we’ll
start back up again. We’re conducting this hearing until noon, so people still have time to arrive or get notes together and decide they want to speak. We’ll mute our line. Thank you all, and we’ll stay here.

(extended pause)

[Dan] We’re back. In New York City, we’re gonna have Dave Epinstal speak.

[Dave] David Hepinstal, the Executive Director of Association for Energy Affordability. On behalf of AEA we wish to thank you for the opportunity to provide comments in the HCR WAP program year 2020 draft State Plan. As the Executive Director of AEA, I’ve been an active participant in New York State’s weatherization program for many years as we played diverse roles in WAP, as a training and technical services provider and as a WAP direct services subgrantee serving sections of the Bronx and Queens. Personally as a member and vice-chair of this pack, as participant in regional task force meetings, as a member of the steering committee, and as a regular participant in the national training conferences convened by NASCAS and sponsored by US DOE. In the course of this work I’ve also led AEA in its implementation of government and utility energy efficiency programs that have often provided substantial leveraged funds in support of buildings being weatherized by WAP subgrantees. Through these roles and in my direct participation in policy advocacy in
support of the expansion of energy efficiency, particularly to promote preservation of affordable housing, I’ve had the opportunity to see the weatherization program from several different perspectives and vantage points, and to recognize the significant role that WAP can plan in helping New York State to achieve its expanded clean energy and climate goals in the 2020 WAP program year. In these brief comments I will focus primarily on the topics outlined below. First I want to address specific items in the draft plan. I acknowledge the request for receipt from input in WAP network and \pack\ in the development of the plan, I acknowledge that and say this request was welcome in response to feedback, and there are signs that some of the input is reflected in this draft and that is promising. Second, partnering with the New York State housing trust, the weatherization preservation trust initiative. This state investment of up to seven million dollars for this initiative is a promising opportunity for expanding the impact of WAP on affordable housing and preservation in New York State. We look forward to the possibility of playing a direct role in demonstrating the value of this partnership in 2020 through leveraging and coordination with other \programs\, Pages 9 and 10. This is a good list. We support all the items on the list and commit to being involved to support their successful
implementation. I don’t want to repeat everything Joe said, but a lot of what we did more fully before and I would like it to be expanded, but it is a good list.

One correction or update \inaudible\, this past year is already \included buildings\ and subgrantees in Bronx and Manhattan not just Brooklyn and Queens. AEA has been directly involved in buildings in this pilot. The pilot has great potential to serve the low income households’ greatest need well. The Healthy Homes coordination opportunities with the state and city health departments are also \inaudible\. We look forward to participating, census data summarized on Page 16.

The plan contains much good information \inaudible\, however typically there is neither a direct reference to the source or a footnote giving the precise source information.

Parenthetically, since some outdated information has at times been repeated from one year to the next in these plans, it is particularly important to add this. It could also be useful to incorporate some comparison data over time to show what changes are evident that might affect our plan. I really want to underscore what I just said. There’s really good data and footnotes would really be helpful, \inaudible\ data over time as well.

Section 5.5, Page 19 needs to be updated and Valerie Strouse’s comments referenced that so I won’t repeat that.

\Centering\ more broadly, I want to address the issue of HEAP
funding for WAP. On behalf of our WAP network I wish to express
disappointment that the budget numbers in the draft 2020 State
Plan show that New York State still has not yet determined to
allocate the full 15% of its federal HEAP allocation to the DOE
weatherization program administered in New York by \inaudible\.
Since this is allowed by that HEAP statute, has been permitted
by state law in New York since 1992, and is now required in
many other states, it is disappointing that as much as 5% of
this 15% \quote for weatherization purposes is being allocated
to NYSERDA for Empower instead of directly to the
weatherization program. We support the fact that this will
support low income energy efficiency and that coordination with
WAP is sometimes possible, however particularly from an
affordable housing and downstate New York City perspective
where most low income households reside in multi-unit
buildings, the fact that Empower funds now limited solely to
small homes or individual apartment units rather than the whole
building measures and are not allocated by county based upon
each county’s share of the low income households in the state,
as WAP is \through ACR\, means that both New York City and the
multi-family affordable housing throughout the state are not
being treated in an equitable fashion. I recommend that this
issue be put on the agenda for interagency coordination
discussions regarding addressing \inaudible\ households and the
state’s energy efficiency program \ramp up\, and that WAP’s
steering committee participants be included in such meetings. Thank you for your consideration of these comments in the 2020 WAP State Plan.

[Dan] Thank you, Dave. Anyone in New York City who would like to speak? ... We’ll do another round. Let’s ask again in Albany, if anyone there would like to speak.

[Casey] Nope, no there.

[Dan] Buffalo?

[Rick] No.

[Dan] And Syracuse?

[Beth] No, no one here.

[Dan] Alright. We’ll go back to mute and we’ll wait for the next person to unmute. Thank you.

(extended pause)

[Dan] Hello everybody. We’re back, and I just wanted everybody to put on their speakers again.

[Director] As Director of \inaudible\ weatherization, I’m pleased to state that we have accomplished a great deal by providing energy—