

Bulk Energy Storage Scheduling and Dispatch Rights Request for Proposals

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APPENDIX C4

Permits

Bidders are responsible for obtaining all permits (e.g., building, site, transportation), and must include a permitting plan and cost estimates related to these activities as part of the Project's all-in costs. Bidders are responsible for all costs associated with these permits, and are responsible for compliance, mitigation measures or other conditions of approval associated with these permits. Bidders should provide these costs as part of their response. A listing of all permits and certifications required, the associated status, and actual or anticipated completion date of each must be included in the Offer. For permits and certifications not already achieved, a detailed description of the steps and schedule required to achieve each should be included for consideration in the evaluation of Project viability.

For more information regarding New York City and New York State storage permitting, please see the 2020 New York City permitting guide¹, 2021 FDNY proposed rules², and the statewide Battery Storage Permitting Guide³.

Definitions for terms are in the Energy Storage Services Agreement (Appendix D1/D2) and Section 7 of the RFP; for Phase One Offers, please note details provided in the RFP about the 2021 Agreement.

1. Provide evidence of completed permits as required by the Fire Department of New York ("FDNY") or Fire Departments of jurisdictions outside of New York. If permits have not been attained by the time of the Offer submission, please provide a Certificate of Approval (COA) or Letter of No Objection (LONO) received by FDNY.
2. Provide copies of all required NFPA UL certifications, including UL 1642, UL 1973 (2018), UL 1741 (2010), UL 9540 (2020) and NFPA 70. Submission of UL 9540A (4th Edition) testing data will also be required. If not already achieved at the time of the bid, provide a detailed description of the steps and schedule required to achieve UL9540A reporting and submission of test data, compliance and certification.
3. Provide copies of any additional system certifications required by Governmental Authorities.
4. Create a table of permits and discretionary approvals required from local, state, and federal Governmental Authorities for both the Project and any interconnection related upgrades under consideration. List all permits that are required (environmental studies/permits, etc.), including those not currently held and the status of permits in the application phase. List the expiration

¹ https://nysolarmap.com/media/2101/li-ion-permitting-guide-2020-updated_11320.pdf

² <https://www1.nyc.gov/site/fdny/codes/fire-code/proposed-fire-code.page>

³ <https://www.nyserda.ny.gov/All-Programs/Programs/Clean-Energy-Siting/Battery-Energy-Storage-Guidebook>

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date of all discretionary permits already obtained and the agency process for granting. Provide links to agency or applicant web sites where permit information is available.

[Sample permits for illustration only. Bidder to insert project-specific list in the below format]

No.	Permit Type / Name ⁴	Issuing Agency	Actual or Expected Completion Date
1	New Building	DOB	
2	Letter of No Objection	FDNY	
3	Letter of Conditional Acceptance	DOB- OTCR	
4	Final Acceptance	DOB-OTCR	
5	Electrical Permit	DOB	
6	Construction Permit	DOB	
7	Operational Permit	FDNY	

⁴ Permits shown are not intended to be complete or necessarily chronological. Bidders should provide a complete, project-specific set of permits in Offer submission.

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Project Milestone Schedule

An appropriately detailed Project milestone schedule will help the CECONY and O&R review teams evaluate the Bidder’s understanding of the energy storage Project development process in New York and the proposed Project’s likelihood of meeting the requirement for to have a Commercial Operation Date before December 31, 2025.⁵

1. Please provide a high-level Project schedule describing financing, permitting, engineering, procurement, construction, interconnection, startup activities, timelines and status. See the Agreement (Appendix D1/D2) for specific Milestone and Critical Path Milestone requirements; for Phase One Offers, please note details provided in the RFP about the 2021 Agreement.

[Bidder to insert project-specific list in the below format]

No.	Milestones⁶	Actual or Expected Date
1	Example Milestone 1	
2	Example Milestone 2	
...	...	
X	Example Milestone X	

2. Discuss any risks or challenges anticipated with the overall Project and construction schedule including plans to address/mitigate.

⁵ As required in the April 16, 2021, New York Public Service Commission Decision in Case 18-E-0130

⁶ Milestones and Critical Path Milestones in the Agreement must be included at a minimum.