Roundtable Testimony: Legislative Barriers and Solutions for New York's Green Transition

Prepared by:

Clarke Gocker, Senior Director of Movement Building

Aung Aung Hlaing, Policy Coordinator

PUSH Buffalo (People United for Sustainable Housing)

Buffalo, NY

Date: September 26, 2025

Thank you for the opportunity to speak today. PUSH is a 20-year-old grassroots organization rooted in Buffalo, New York, with a mission to advance housing and climate justice for frontline and underserved BIPOC communities. Our work spans across Western New York, where we organize, advocate, and build community-driven solutions to address systemic inequities in housing, energy, and environmental racism. We believe that those most impacted by injustice must be at the center of shaping the policies and programs that affect their lives.

Critical Areas to Meet the Goals of the CLCPA

The Climate Leadership and Community Protection Act (CLCPA) sets ambitious targets for reducing greenhouse gas emissions in New York State, with a strong emphasis on equity and prioritizing frontline and underserved BIPOC communities. One of the reasons other states look to New York's CLCPA as a model is its explicit commitment to environmental justice—ensuring that those most impacted by pollution and disinvestment are centered in climate solutions.

Buildings account for approximately **one-third of New York State's greenhouse gas emissions**[1], making housing quality and energy efficiency central to achieving CLCPA goals. In Western New York, where PUSH Buffalo operates one of **13 regional clean energy hubs** through a four-year grant from NYSERDA, the housing stock is among the oldest in the nation. In fact, **47.9% of homes in Disadvantaged Communities (DACs)** across Western New York and **57.2% in Buffalo's DACs** are part of this aging housing stock[2]—posing significant barriers to clean energy access.

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[1] "HCR Sustainability," Homes and Community Renewal, n.d., https://hcr.ny.gov/sustainability#:~:text=Of%20the%20various%20economic%20sectors,help%20us%20reach%20these%20goals.

[2] "RABA (Regional Assessment and Barriers Analysis) – WNY Clean Energy Hub,", https://pushgreen.org/raba/.

Stakeholders consistently point to poor housing conditions—driven by aging infrastructure, income inequality, and absentee landlord disinvestment—as a major obstacle to energy transition. Existing home repair programs often **favor homeowners over renters**, lack sustainable funding, and create **distrust** when access is limited, or eligibility requirements are overly restrictive.

While the Department of Public Service (DPS)[3] has taken steps to reduce energy burdens for **one million low-income households**, more than **two million New York households**[4] still face unaffordable energy costs. This burden is compounded by **double-digit utility rate hikes**, which the Public Service Commission (PSC) continues to approve—often based on proposals from polluting utilities.

In Buffalo, PUSH Buffalo led a **popular education campaign** to oppose National Fuel's rate hike request, mobilizing burdened customers to share their stories directly with the PSC at a public hearing held in the downtown library. Despite these efforts, the PSC approved an **18% rate increase** in December 2024, even as **over 54,000 National Fuel customers**[5] faced potential service shut-offs.

Our recent interview[6] with middle-income households reveals that rising utility costs—combined with student loans, mortgages, auto loans, and credit card debt—are deepening the affordability crisis. If these challenges persist, they will not only hinder low-income families but also undermine New York's ability to meet its climate and equity goals under the CLCPA.

Dismantling the IRA, Landsliding Renewable Projects, and Mudsliding Empower+

The Trump Administration's efforts to dismantle the Inflation Reduction Act (IRA) have created deep uncertainty[7] around federal funding, threatening the progress of climate goals and home retrofit initiatives across New York State. One of our greatest concerns stems from a recent report[8]

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[3] "PSC Expands Energy Affordability Policy for Low-to-Moderate Income Customers," Department of Public Service, n.d., https://dps.ny.gov/news/psc-expands-energy-affordability-policy-low-moderate-income-customers#:~:text=ALBANY%20%E2%80%94%20The%20New%20York%20State%20Public,existing%20low%2Dincome%20Energy%20Affordability%20Policy%20(EAP)%20programs.

[4] Acadia Center, "New York's Household Energy Burden Imperative: Challenges and Solutions," *WE ACT 4 Change* (Acadia Center, 2025), https://weact4change.org/wp-content/uploads/2025/03/Acadia-Center-Energy-Burden-one-page-report-031025.pdf.

[5] "PUSH Responds as Regulators Approve yet Another National Fuel Rate Hike – PUSH Buffalo," PUSH Buffalo, n.d., https://www.pushbuffalo.org/regulator-approve-yet-another-national-fuel-rate-hike/.

[6] Interview with Buffalo-based middle-income family of two for the impacts of rate hikes on September 3rd, 2025

[7] "Impact of the Inflation Reduction Act on New York," 2025, https://www.osc.ny.gov/files/reports/pdf/impact-of-the-inflation-reduction-act-on-new-york.pdf.

[8] Draft Clean Energy Standard Biennial Review, Case 15-E-0302 - Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard.

by the New York State Public Service Commission, which acknowledges that meeting CLCPA targets is increasingly at risk due to global interest rate volatility, inflation, supply chain disruptions, and stalled renewable energy deployment—particularly in wind and solar sectors that had gained momentum under the Biden Administration and the IRA.

Without sustained federal investment, the future of renewable energy in New York may be swept away—**landslided** from reality—leaving communities without the infrastructure needed to transition equitably. At the same time, the **Empower+ program**, a cornerstone of NYSERDA's efforts to support energy efficiency for low-income households, faces a **60% funding cut**[9], dropping from approximately $220 million in 2024 to just $80 million by 2027. This dramatic reduction raises serious concerns for homeowners, renters, and sustainable contractors alike[10].

The program's decline—**mudsliding** into uncertainty—threatens to erode the very foundation of climate justice efforts. If Empower+ is weakened, the most vulnerable communities will be left behind, and the promise of an equitable energy transition will remain out of reach.

Our Recommendations

We were deeply surprised by the **lack of financial foresight** in the **Draft State Energy Plan released in July 2025**, particularly regarding how New York intends to **bridge the funding gap** created by the Trump Administration's dismantling of the Inflation Reduction Act (IRA). While the plan is eloquently written and acknowledges the challenge of high upfront costs for weatherization and building electrification, it fails to offer **tangible strategies** for securing replacement funding. Most concerning is its **omission of the Climate Action Council's Scoping Plan recommendation** to pass and implement a **Cap-and-Invest Program (S4651/A3975)** legislatively or through an agency rule making process. Cap-and-Invest is a bold and innovative carbon pricing and community reinvestment mechanism. Draft regulations have been developed by New York State but for reasons that have not been made entirely clear, the Governor has refused to release the draft regulations and initiate a public review and comment process.

We must proceed with caution in legislating and implementing Cap-and-Invest. NY Renews outlines essential guardrails for New York's proposed Cap-and-Invest program to ensure it delivers climate justice by reducing emissions equitably, prohibiting allowance trading, and prioritizing pollution cuts in Disadvantaged Communities (DACs). The coalition warns that without strong enforcement, facility-specific caps, and protections against loopholes and false solutions, the program risks deepening environmental harm and economic inequality rather than

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[9] New York Focus, "New York to Scale Back Key Energy Affordability Program," *New York Focus*, July 18, 2025, https://nysfocus.com/2025/07/18/hochul-energy-efficient-affordable-empower-program-funding-cuts-nyserda.

[10] Holly Kirkpatrick, "Local Business Owners, Residents Push Back Against Cuts to State Energy Program," *Buffalo Toronto Public Media*, August 7, 2025, https://www.btpm.org/local/2025-08-07/local-business-owners-residents-push-back-against-cuts-to-state-energy-program.

achieving the CLCPA's climate and equity goals.[11] **rate hikes**, undermining affordability and equity. It is critical that any emissions trading under Cap-and-Invest does **not become a loophole** for utilities to trade allowances among themselves while avoiding penalties. Instead, penalties must be **reinvested directly into disadvantaged communities** and **renewable energy projects** to ensure climate justice.

Another urgent legislative priority is an energy affordability guarantee that has been included in the **NY HEAT Act (S4158/A4870).** This guarantee would cap utility bills at 6% of household income. Another provision from the NY HEAT Act that advanced in the NYS Legislature and was enacted last June is repeal of the 100-foot rule. It remains urgent that the Governor sign this legislation in order to **end subsidies for polluting gas utilities** that use ratepayer dollars to expand their gas systems.

As the WNY Regional Clean Energy Hub, we completed a year-long study in 2024 - a **Regional Assessment and Barriers Analysis (RABA)[12]** - that included interviews with 17 key stakeholders and focus group conversations with over 70 frontline community members. The analysis sought to understand and identify barrier and opportunities to accessing clean energy and energy efficiency benefits in the region. One of our key policy recommendations to the State Legislature is to pass the **GAP (Green Affordable Pre-Electrification) (S3315A/A2101S) Act** into law. We commend the Senate's leadership in proposing a **$200 million allocation** for GAP in the state budget, but were disappointed to see it reduced to just **$2 million**. This funding must be increased—not only for DACs, but also for **middle-income households**—to accelerate pre-weatherization efforts, stimulate home improvements statewide, and **grow demand for a sustainable workforce**.

EmPower+ has experienced nearly 30% year-over-year growth since 2022, driven by strong legislative support and overwhelming demand from households across New York State. As one of the few energy efficiency programs accessible to both renters and homeowners, EmPower+ has become a vital resource for families struggling to make ends meet—especially in disadvantaged communities where energy burdens are highest.

To ensure this momentum continues and that EmPower+ remains a lifeline for low- and moderate-income New Yorkers, we call on New York State Senate leadership and policymakers to invest $400 million over the next two years. This funding is essential to meet rising demand, expand access, and protect the program from future cuts that would jeopardize climate justice and affordability goals.

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[11] "Cap And Invest Guardrails — NY Renews," NY Renews, n.d., https://www.nyrenews.org/cap-and-invest-guardrails.

[12] "RABA (Regional Assessment and Barriers Analysis) – WNY Clean Energy Hub,", https://pushgreen.org/raba/.

With these legislative tools in place, we believe New York can **shield its residents from harmful federal rollbacks** and continue advancing a **just and inclusive green transition**.