



NYPSC spurns legislator's request for generator data in N.Y. wholesale market



New York Assemblyman **James Brennan**'s latest bid to glean information from the state's merchant power generators prompted a [stern refusal](#) from the **New York Public Utility Commission**, which said the disclosure would put industry at a competitive disadvantage. Oddly, as Brennan's own witness demonstrated in a PUC proceeding, much of the information he sought is reasonably available from public sources. Brennan, a Brooklyn representative, has sought for more than a year to obtain redacted information from power generators. "My belief is that [NewYork] electricity is seriously overpriced as a result of the structure of the wholesale markets in New York," he said in an interview last year. PSC Secretary **Kathleen Burgess**'s 25-page decision denying Brennan's Freedom of Information Law request for a second time said "Most of the [generators] provided detailed affidavits explaining the harms that would occur if the specific information at issue were disclosed." **Independent Power Producers of New York**, which cheered the ruling, had argued that release of the data would put the producers at a disadvantage with competitors. Consultant **Robert McCullough**, whose affidavit supporting Brennan's request made clear the ease by which one generator could obtain information on the others' costs, told Electricity Daily, "New York has one of the most distorted electric markets in the world, with 8% of all bid segments over \$500/MWh." He added, "I think the appropriate quote is, "Pay no attention to that man behind the curtain—the Great

Wizard of Oz has thundered his advice." October 29, 2015

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