

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON THE ENVIRONMENT

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, October 26, 2011
2:20 p.m.

PRESENT:

COUNCILMAN JAMES KENNEY, CHAIR
COUNCILMAN CURTIS JONES, JR.
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN FRANK RIZZO, JR.

BILL 110442 - An ordinance amending Chapter
19-2600 of The Philadelphia Code, entitled
"Business Privilege Taxes," by changing the
reporting requirement related to the
Sustainable Business Tax Credit...

BILL 110533 - An ordinance amending Subcode
"A" (The Philadelphia Administrative Code) of
Title 4 of The Philadelphia Code, entitled
"The Philadelphia Building Construction and
Occupancy Code," by providing for the manner
of payment of electrical permit fees for the
installation of solar electric (also known as
photovoltaic) systems.

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2 COUNCILMAN KENNEY: Ladies and
3 gentlemen, can I please have your
4 attention. The Committee on the
5 Environment is now in session to conduct
6 a hearing on two bills. The first bill
7 we have -- by the way, we have a quorum
8 today with Councilman Rizzo,
9 Councilmember Reynolds Brown and
10 Councilman Curtis Jones and myself,
11 Councilman Kenney, as the Chair.

12 We will hear two bills today.
13 The first is Bill No. 110442, which is an
14 ordinance amending Chapter 19-2600 of The
15 Philadelphia Code, entitled "Business
16 Privilege Taxes," by changing the
17 reporting requirement related to the
18 Sustainable Business Tax Credit; all
19 under certain terms and conditions.

20 Bill No. 110533, an ordinance
21 amending Subcode "A" (The Philadelphia
22 Administrative Code) of Title 4 of The
23 Philadelphia Code, entitled "The
24 Philadelphia Building Construction and
25 Occupancy Code," by providing for the

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2 manner of payment of electrical permit
3 fees for the installation of solar
4 electric (also known as photovoltaic)
5 systems.

6 The first witness on our list
7 is Alex Dews, Mayor's Office of
8 Sustainability.

9 (Witness approached witness
10 table.)

11 COUNCILMAN KENNEY: Please
12 identify yourself for the record and
13 proceed.

14 MR. DEWS: Good afternoon,
15 Chairman Kenney and members of the City
16 Council Committee on the Environment. I
17 am Alex Dews, Policy and Program Manager
18 for the Mayor's Office of Sustainability.
19 I am here to testify in support of Bill
20 No. 110442, which was introduced by
21 Councilman Kenney and amends the
22 reporting requirement for the Sustainable
23 Business Tax Credit passed by Council in
24 November 2009. The Sustainable Business
25 Tax Credit grants an exclusion from the

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2 definition of receipts for the business
3 privilege tax any receipts from certified
4 sustainable businesses.

5 As you know, the Mayor's Office
6 of Sustainability is responsible for
7 implementation of Greenworks
8 Philadelphia, the City's comprehensive
9 sustainability plan. Greenworks sets
10 measurable goals in the areas of energy,
11 environment, equity, economy and
12 engagement. The Sustainable Business Tax
13 Credit, which takes effect beginning in
14 2012, formally acknowledges sustainable
15 business practices in Philadelphia and
16 encourages the growth of the local clean
17 economy by offering a \$4,000 per year tax
18 credit to certified sustainable
19 businesses.

20 This bill merely changes the
21 responsibility of administering the
22 application process and meeting the
23 annual reporting requirement for the
24 Department of Revenue to the Mayor's
25 Office of Sustainability. The first

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2 round of applications for the Sustainable
3 Business Tax Credit will be available on
4 April 15th, 2012, with an application
5 deadline of October 15th, 2012. The
6 first 25 certified sustainable businesses
7 can claim the tax credit when they file
8 2012 taxes the following spring. The
9 Mayor's Office of Sustainability will
10 deliver its first written report to the
11 Mayor and to the Chief Clerk of Council
12 summarizing the experience with the
13 Sustainable Business Tax Credit by
14 December 31st, 2013.

15 Thank you for this opportunity
16 to testify regarding this bill. I will
17 be happy to respond to any questions at
18 this time.

19 COUNCILMAN KENNEY: Does the
20 Office of Sustainability have any
21 preliminary estimate on the effectiveness
22 of this or are there companies that are
23 expressing interest and to what level?

24 MR. DEWS: Currently there are
25 about 35 businesses that are certified in

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2 the Philadelphia region. Within the City
3 proper, that number is right around 20,
4 but I know that there are a number of
5 businesses who are in the process of
6 certification right now. So we expect
7 there to be 25 applicants at least at the
8 time that the applications become
9 available.

10 COUNCILMAN KENNEY: And do you
11 have off the top of your head, do you
12 know a ball park figure on the number of
13 employees, the aggregate of those 20, 25?
14 If you don't know, you don't know.

15 MR. DEWS: I don't know. I'd
16 be happy to report back. I think that
17 it's tough to say off the top, just
18 because the kinds of businesses we're
19 talking about range from relatively small
20 employers, one or two person shops, to
21 some larger employers.

22 COUNCILMAN KENNEY: Okay.
23 Great.

24 Anyone have any questions for
25 Mr. Dews?

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2 Councilwoman Reynolds Brown.

3 COUNCILWOMAN BROWN: Good

4 afternoon. Please, if you would, just
5 give us an update on the staff
6 composition of the Office of
7 Sustainability. It's how many years old?

8 MR. DEWS: Been around since
9 2008. Greenworks was put in place 2009,
10 and we have issued now two progress
11 reports on the progress that we've made
12 to date with the plan. We are --
13 Katherine Gajewski is the Director of the
14 office; myself, Policy and Program
15 Manager; Sara Wu, who is Outreach
16 Communications Director; and Kristin
17 Sullivan recently moved from our office
18 over to the Mayor's Office of
19 Transportation and Utility, but still
20 shares some duties with Solar America
21 Cities; and Adam Agalloco, who is the
22 Energy Conservation Coordinator.

23 COUNCILWOMAN BROWN: Where are
24 you all housed?

25 MR. DEWS: We share a floor

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2 with the City Planning Commission, One
3 Parkway Building, 13th Floor.

4 COUNCILWOMAN BROWN: Okay. And
5 how is it funded these days?

6 MR. DEWS: We are just coming
7 off some funding from the Energy
8 Efficiency and Conservation Block Grant
9 rolling on to General Fund. I don't have
10 specifics with me, but I'd be happy to
11 report back.

12 COUNCILWOMAN BROWN: Yeah. If
13 you could please report that information
14 to the Chair and a breakdown of the
15 office.

16 MR. DEWS: Absolutely. Be
17 happy to do that.

18 COUNCILWOMAN BROWN: Thank you.

19 COUNCILMAN KENNEY: Councilman
20 Jones.

21 COUNCILMAN JONES: Just for the
22 record, Mr. Dews is one of the success
23 stories of the City of Philadelphia,
24 educated in Philadelphia at Philadelphia
25 University, interned in City government

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2 and decided to stay and raise his family.

3 COUNCILMAN KENNEY: And who may
4 he have interned with?

5 COUNCILMAN JONES: Oh, that
6 would be the Councilman from the 4th
7 Councilmanic District, Curtis Jones.

8 MR. DEWS: That's correct.

9 COUNCILMAN KENNEY: Thank you,
10 sir.

11 Any other questions?

12 (No response.)

13 COUNCILMAN KENNEY: Thank you
14 for your testimony.

15 MR. DEWS: Thank you.

16 COUNCILMAN KENNEY: Anyone else
17 to testify on this bill?

18 (No response.)

19 COUNCILMAN KENNEY: Seeing
20 none, we will move to Bill No. 110533 and
21 we would ask Kristin Sullivan and Maura
22 Kennedy.

23 (Witnesses approached witness
24 table.)

25 MS. SULLIVAN: Now you'll have

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2 to guess which one is Kristin and which
3 one is Maura.

4 COUNCILMAN KENNEY: I don't
5 think Maura is here.

6 MS. SULLIVAN: Today we have
7 John Young from License and Inspections.

8 COUNCILMAN KENNEY: Please
9 identify yourself.

10 MR. YOUNG: My name is John
11 Young representing the Department of
12 Licenses and Inspections. Thank you.

13 MS. SULLIVAN: Good afternoon,
14 Chairman Kenney and members of the
15 Committee on the Environment. I'm
16 Kristin Sullivan, Energy Manager for the
17 City of Philadelphia in the Mayor's
18 Office of Transportation and Utilities,
19 as well as the Program Director for the
20 DOE-funded Philadelphia Solar City
21 Partnership Program. I'm here to testify
22 on Bill No. 110533, which was introduced
23 by Councilman Kenney and proposes changes
24 to the electrical permit fee structure
25 for solar energy projects.

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2 I'm excited about this
3 particular legislation, and I thank you
4 for this opportunity.

5 Target No. 4 of Greenworks
6 Philadelphia, the City's comprehensive
7 sustainability plan, is to purchase or
8 generate 20 percent of electricity used
9 in Philadelphia from alternative energy
10 sources. Adopting a slightly altered fee
11 structure will help move Philadelphia
12 closer to this goal by providing a
13 reprieve for business owners, residents
14 or other entities that want to build
15 larger-scale solar projects throughout
16 the City of Philadelphia.

17 The Mayor's Office of
18 Transportation and Utilities, along with
19 the Department of Licenses and
20 Inspections and the Mayor's Office of
21 Sustainability, worked with Councilman
22 Kenney's office to propose amendments to
23 this legislation in order to address our
24 concerns regarding deferring permit fee
25 payment to a later date.

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2 The proposed amendment to this
3 bill seeks to reduce permitting fee costs
4 for solar projects built in the City by
5 modifying the existing fee structure for
6 electrical permits. The modification
7 excludes the cost of solar panels and
8 inverters in what's called the
9 "construction value." Eliminating the
10 cost of the panels within the
11 construction value creates a more
12 reasonable fee structure. The core
13 intention of the bill is to provide a
14 reprieve for mid-scale solar projects
15 that are too large to take advantage of
16 the residential electrical permit fee
17 structure but too small to absorb the
18 electrical permit fee costs easily.

19 In discussing the possibility
20 of providing a more effective option to
21 Bill No. 110533, it was agreed that it is
22 best to simply adopt a restructured fee
23 for all solar projects. The reduction in
24 fees will not adversely affect the City's
25 revenue stream on any significant level.

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2 Providing this reduction in

3 permit fee costs can help offset the
4 current struggles in the solar market.

5 To further add difficulty to these
6 struggles, Pennsylvania's Solar Renewable
7 Energy Credit market is what many have
8 been tagging as suffering from success.

9 The solar industry answered the call of
10 the Pennsylvania Alternative Energy
11 Portfolio standard with a resounding
12 reaction and provided more than enough
13 SRECs, Solar Renewable Energy Credits,
14 for state compliance. This success has
15 caused a market slump, making third-party
16 financing very difficult for mid- and
17 large-scale projects.

18 Supporting solar energy
19 installations in Philadelphia provides a
20 multitude of benefits for the City,
21 residents and the region. More solar
22 installations within the City will
23 increase distributed generation, which
24 reduces the need for conventionally
25 fueled generation, reduces grid

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2 congestion during high peak times, which
3 is when solar installations are most
4 likely providing electricity, and reduces
5 emissions regionally. Furthermore, solar
6 provides an important visual indication
7 of the City's commitment to
8 sustainability.

9 Thank you very much, and I'm
10 happy to answer any questions.

11 COUNCILMAN KENNEY: Thank you.

12 Could you please, if you have
13 testimony to offer, could you offer it
14 now and then we'll --

15 MR. YOUNG: I don't.

16 COUNCILMAN KENNEY: You're just
17 here for assistance, you're here to
18 answer questions?

19 MR. YOUNG: Yeah.

20 COUNCILMAN KENNEY: Any
21 questions for Ms. Sullivan?

22 COUNCILWOMAN BROWN: Good
23 afternoon. Just share with us how long
24 you've been with the Administration, how
25 long you've been with the Department and

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2 just a little bit about your work.

3 MS. SULLIVAN: I have --

4 COUNCILWOMAN BROWN: And let me
5 state why I'm asking these questions.

6 Because this is one of the newest
7 departments in government, and like all
8 departments in government, we want it to
9 at some point look like Philadelphia.

10 And so having some help as to how it's
11 being framed out, because we know that
12 you have to work hard to get funding,
13 unlike civil service, which has its own
14 separate set of challenges when it comes
15 to growing an office that looks like
16 Philadelphia.

17 MS. SULLIVAN: Well, great, and
18 I appreciate the opportunity to tell you
19 the different things that I'm working on.

20 I started with the City in
21 October of 2008 working through a
22 grant-funded program, the Solar City
23 Partnership Program. So it was
24 originally funded by the Department of
25 Energy. I moved in to that position

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2 doing about 25 percent of my work was
3 solar related and 75 percent of my work
4 was energy procurement, demand response
5 programs, working on our utility bill
6 management system, trying to get
7 something up and running. So since
8 October 2008 until about six months ago,
9 I was working and housed in the Office of
10 Sustainability, and then just recently I
11 moved over to the Mayor's Office of
12 Transportation and Utilities, because the
13 energy procurement piece is a pretty huge
14 piece of energy management, and so I took
15 along with me the demand response
16 program, which we earned approximately --
17 we had revenue of almost a half a million
18 dollars in that particular program, which
19 is curtailing our energy use during those
20 hot summer days. So that particular
21 program brings in money, which has helped
22 the Office of Sustainability and Mayor's
23 Office of Transportation and Utilities
24 with -- in terms of looking at ways we
25 can actually bring in revenue and earn

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2 money and have savings from energy
3 efficiency.

4 So that's where I am today. I
5 still work on solar quite a bit and it's
6 always in my heart even though I do a lot
7 more energy procurement.

8 COUNCILWOMAN BROWN: We need
9 about 15 more folk like you.

10 MS. SULLIVAN: Thank you.

11 COUNCILWOMAN BROWN: Thank you
12 for your testimony.

13 COUNCILMAN KENNEY: Thank you
14 very much.

15 Councilman Jones.

16 COUNCILMAN JONES: Thank you,
17 Mr. Chairman.

18 As Chair of Transportation and
19 Public Utilities, if you could forward me
20 just a state of the union kind of where
21 you are, how things are going, what
22 direction you're trying to move in, that
23 would be helpful to me.

24 Let me pose a hypothetical,
25 theoretical question. As we approach

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2 next year's budget cycle in January, is
3 it a reasonable expectation if we as
4 Council, as we review each department,
5 made a demand of, particularly for
6 departments that have high energy
7 consumption, to say to them that you have
8 a mandate now to reduce your energy
9 consumption by 5 percent? And I'm just
10 grabbing that out of the air as a figure.
11 Is there a reasonableness to that demand
12 both from the fact that we want to be
13 environmental -- good environmental
14 stewards, but also from the fact that
15 last I counted we had 1,500 electric
16 accounts and \$85 million worth of
17 electric bill. Is that something that
18 would be an unreasonable demand from this
19 body?

20 MS. SULLIVAN: You're
21 absolutely right in those numbers, and I
22 definitely appreciate that question and
23 intention. Right off the bat, I say yes,
24 it's reasonable that we ask that.
25 However, we can't ask departments to do

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2 something unless we're providing them
3 with measurable data, data that they can
4 look at and start to see what are our
5 trends from this year to last year.

6 So we are working right now on
7 a monthly department-by-department report
8 that we are going to start on with the
9 larger departments and understand just
10 what kind of manpower it takes for us to
11 create those reports every month. But we
12 just installed a new database. We
13 established a new database where we have
14 this data at our hand. What the big
15 issue has been is that it has never been
16 reader friendly. It has never been user
17 friendly. So we've really tried to focus
18 on a better user interface, more
19 graphics, so that facilities, personnel
20 and commissioners can really take a quick
21 look at it and say where were we last
22 year this month and where are we this
23 year this year.

24 So we are developing that
25 report as we speak. We actually expect

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2 to have a final draft of that for review
3 in the next two or three weeks.

4 COUNCILMAN JONES: One of the
5 things that we've always done as a body
6 or even the executive branch, they
7 measure employment. They measure things
8 like consumable supplies. They measure
9 these things, but we don't measure energy
10 consumption. And I can't begin to guess
11 why we never did that, but maybe now that
12 we are a lot more conscious about it,
13 that might be a standard measurement that
14 we hold departments accountable to and
15 something that we look at in the budget
16 cycle.

17 MS. SULLIVAN: I agree. I
18 think coming from my perspective, I would
19 appreciate that. And I think when we
20 have such a centralized way that we pay
21 bills, it's difficult to tell departments
22 to take action and spend some of their
23 own operating money if they're never
24 going to see the savings, because we see
25 it centrally.

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2 COUNCILMAN JONES: That's -- I
3 mean, we face that -- and I won't belabor
4 this, Mr. Chairman, but we face that with
5 the courts. We demanded that they reduce
6 the number of inmates, and they did, and
7 now the biggest issue now is that they
8 don't realize -- it goes into the General
9 Fund, and we all appreciate that, but
10 they would like to realize some of those
11 savings and be able to use them for
12 further programs that they want to do.

13 Similarly, each department
14 maybe, if you're the Recreation
15 Department -- and I don't know,
16 Councilwoman Brown, how many rec
17 departments we have in the City of
18 Philadelphia, but there's maybe 20 in my
19 district. Multiply that by ten, that's
20 significant. You're talking real money
21 then.

22 MS. SULLIVAN: We have almost
23 700 of our accounts are parks and rec,
24 and so --

25 COUNCILMAN JONES: Seven

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2 hundred of those accounts?

3 MS. SULLIVAN: We got a lot.

4 COUNCILMAN JONES: All right.

5 MS. SULLIVAN: But I would love
6 that opportunity to talk with your staff
7 to brainstorm on how should we best
8 approach this as effective, considering
9 the setup that we have, how it's
10 systematized.

11 COUNCILMAN JONES: In the
12 future, January, when other departments
13 ask, Well, where did this measurement
14 come from, I'm going to point them right
15 at you.

16 MS. SULLIVAN:
17 KristinSullivan@Phila.gov.

18 COUNCILMAN JONES: Thank you.

19 COUNCILMAN KENNEY: Thank you.

20 Councilman Rizzo.

21 COUNCILMAN RIZZO: Councilman
22 Jones, it's interesting that you touched
23 on that. Not too long ago I was riding
24 on a snowy night past a recreation center
25 and all the lights were on. The fields

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2 were covered with snow, and every light
3 in the center was on. So the obvious
4 thing is, you pick up the phone the next
5 day and you call the Recreation
6 Commissioner. Well, I'm not going to
7 identify who that Commissioner was, but
8 this was the answer: I don't pay that
9 bill, so it's not an issue for me.
10 Public Property pays the bill.

11 There's no incentive for our
12 operating departments to reduce their
13 energy costs because it's not impacted in
14 their budget. In most corporations
15 today, departments are responsible as
16 part of their budget is their electric
17 utility. That's where you need to go.
18 You need to go so City Council pays their
19 light bill, the Recreation, Police, Fire,
20 and you could bet there would be an
21 effort to try to reduce that electric
22 consumption. Because of the way we do
23 business, no commissioner, no deputy
24 mayor is motivated to do anything other
25 than, yeah, it's a good thing, but I'm

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2 not going to spend a lot of time, because
3 there's no impact on my department.

4 MS. SULLIVAN: Right.

5 Absolutely.

6 COUNCILMAN RIZZO: You agree
7 with that?

8 MS. SULLIVAN: Yes.

9 COUNCILMAN RIZZO: So I can't
10 figure why we can't develop a process
11 that that money is put into the
12 department's budget and each month they
13 are debited for that amount. And guess
14 what? If they can keep the money that
15 they save, they'd be motivated to reduce
16 the energy costs.

17 MS. SULLIVAN: Exactly.

18 COUNCILMAN RIZZO: Those rec
19 fields covered with snow in the middle of
20 January is mind-boggling to the
21 taxpayers.

22 MS. SULLIVAN: Right.

23 COUNCILMAN RIZZO: I'm sure if
24 it got my attention, it certainly gets
25 theirs. And the answer was that we have

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2 the lights lit for security reasons, that
3 we don't have a way to only light a few,
4 that -- you know, one excuse after the
5 other, other than we need to do something
6 on that.

7 MS. SULLIVAN: Absolutely. And
8 I think, if I could just take a second to
9 respond, just short of de-centralizing
10 the billing, which while I have my gripes
11 about a centralized system, it does have
12 its pros as well, in that it's easier to
13 track the whole entire City, especially
14 as we come upon climate action plans and
15 climate disclosure projects, to be able
16 to see everything in one and also make
17 sure our bills are getting paid faster,
18 which really reduces the cost of capital,
19 that cost of carry for that capital, and
20 it's ultimately cheaper electricity and
21 cheaper natural gas.

22 So to have that central control
23 is really nice in a lot of ways, but what
24 we're trying to do just short of
25 de-centralizing is to really engage each

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2 department and looking at exactly that.

3 If you do need security lights, let's
4 talk about investing a little bit of
5 money with some grant funding, with some
6 possible operations money and we put
7 security lighting there and then we put
8 timers on the larger lights and, again,
9 also switching out the current lights,
10 the sodium lights, to LED lights, things
11 like that.

12 So we're working at different
13 angles and trying to take bigger bites
14 than maybe we have in the past. So I'll
15 definitely keep you posted on that, but I
16 agree a hundred percent, we need to do it
17 better.

18 COUNCILMAN RIZZO: Thank you
19 for listening.

20 COUNCILMAN KENNEY: Thank you.

21 Any more questions for these
22 witnesses?

23 (No response.)

24 COUNCILMAN KENNEY: Thank you
25 very much for your testimony.

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2 I'd like to call Micah Gold,
3 Bertha Sarmina, Andrew Kleeman and Ron
4 Celentano.

5 (Witnesses approached witness
6 table.)

7 MR. GOLD-MARKEL:
8 Unfortunately, we're only two today.

9 COUNCILMAN KENNEY: Okay.
10 That's fine. Please identify yourself
11 for the record and proceed.

12 MR. GOLD-MARKEL: Good
13 afternoon, Chairman Kenney and members of
14 the City Council Committee on the
15 Environment. My name is Micah
16 Gold-Markel and I am the Founder and CEO
17 of Solar States. Solar States is the
18 premiere provider of power purchase
19 agreements in the City of Philadelphia.
20 A power purchase agreement is when we
21 provide power to a specific building or
22 property owner and we do that through the
23 production of solar energy.

24 Currently, we own and operate
25 the largest rooftop solar array in the

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2 Center City Philadelphia area. It's an
3 81 kilowatt solar array. It's located at
4 1400 North American Street. It involves
5 over 400 solar panels, and it was over a
6 half a million dollar project, and we're
7 very proud of the success that we've seen
8 there. It's been operating for over six
9 months now.

10 We have quite an exciting
11 pipeline ready in the City of
12 Philadelphia, and we're here to testify
13 that if we can just get our costs down
14 ever so slightly, we will be able to
15 execute this pipeline.

16 Solar is a very low-margin
17 business at the moment and, as was stated
18 earlier, the SREC market is severely
19 depressed in the State of Pennsylvania.
20 Because of this, any cost savings that we
21 can see will help us move forward with
22 the pipeline that we have in place.

23 Additionally, the State of
24 Pennsylvania and the City of Philadelphia
25 are facing stiff competition from the

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2 surrounding states. Both New Jersey and
3 Massachusetts have much better
4 marketplaces in terms of SRECs and
5 compliance laws than the State of
6 Pennsylvania.

7 I'm a lifelong Philadelphian.

8 I have no interest in going to New Jersey
9 or Massachusetts to succeed. I would
10 like to succeed here. In order to do
11 that, we have to have streamlined L&I
12 processes that are reasonably priced.
13 For mid-range solar installs, we're
14 looking at sometimes above 2 percent of
15 the cost of the project going to the
16 electrical permitting. This is out of
17 line with the industry standard.

18 On top of this, we employ a
19 number of folks from a broad spectrum of
20 backgrounds when we do solar
21 installations, from the folks who are
22 driving our materials to the job site to
23 those who are installing, to those who
24 are engineering. Solar installations
25 have many benefits across a wide range of

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2 our economy. Making more solar energy is
3 not just good for the environment, it's
4 good business, and we want to do more of
5 it in Philadelphia.

6 I would compare solar energy to
7 the early days of the pharma industry.

8 Very few people knew about
9 pharmaceuticals or how important they are
10 in our society today, and now

11 Philadelphia is known, not just
12 nationally but throughout the world, as
13 being a hub for pharma companies. Solar
14 can do the same thing for Philadelphia.

15 We can become a world leader in this
16 industry, and I truly believe that, a
17 world leader. And it can have a very
18 similar effect to the pharma industry,
19 that the global market for this product
20 is huge. It is huge. And if we can
21 focus that energy, so to speak, pardon
22 the pun, in Philadelphia, we can be very
23 successful.

24 I'd like to take a moment now
25 to thank the Mayor's Office of

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2 Sustainability and particularly Kristin
3 Sullivan for their work in distributing
4 information about solar and what needs to
5 be done in terms of cooperation with the
6 City of Philadelphia. Their information
7 has been critical to the success of our
8 projects thus far, and I think that
9 without them, it would be much more
10 difficult to accomplish our goals in
11 terms of getting solar energy throughout
12 the City.

13 Thank you for this opportunity
14 to testify regarding this bill, and I'm
15 happy to respond to any questions at this
16 time.

17 COUNCILWOMAN BROWN: Well, we
18 thank you for your testimony and for your
19 forward thinking, if I may.

20 Let's hear all of the testimony
21 and then we'll open it up to questions.

22 MS. SARMINA: Good afternoon,
23 Chairman and members of the Committee on
24 the Environment. My name is Bertha
25 Sarmina and I'm here to testify on Bill

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2 No. 110533, which was introduced to
3 propose changes to the electric permit
4 fee structure for solar energy projects.

5 I work for Finanta, which is a non-profit
6 community development financial
7 institution. We're a community lender.

8 We have been working with Solar States
9 both as an investor, partner and as well
10 as looking to finance solar energy

11 projects throughout the Philadelphia
12 region. We're fortunate in that we have

13 some capital available to do so, but we
14 would be very interested in seeing the
15 fee structure come down and any costs

16 come down. We've seen reduction in some
17 of the pricing just over this past year

18 since we've been working with Solar
19 States, and we'd like to see some of

20 those costs continue to come down,
21 because as a lender, well, it helps us be

22 able to underwrite and provide the
23 capital for these projects if they're

24 more affordable, if they're more

25 accessible to more people, both on a

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2 residential and commercial level.

3 We're also very interested in
4 developing some spaces in the American
5 Street area. Our organization was
6 formerly the American Street Financial
7 Services Center, and we're very invested
8 in the American Street corridor area and
9 we're looking to continue to invest in
10 that community. And so if we could bring
11 costs down, we're certain that there
12 would be more people and more businesses
13 interested in solar energy systems in the
14 area and throughout Philadelphia.

15 COUNCILWOMAN BROWN: Thank you
16 as well for your testimony.

17 Any questions from members of
18 the Committee?

19 Councilman Jones.

20 COUNCILMAN JONES: Thank you.

21 It was interesting to see a
22 special on TV that talked about the
23 production of these panels and where they
24 go. We had a facility, the Arthur Ashe
25 Tennis Center, which just wired its solar

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2 panels in and we flipped the switch.

3 They told me that it would result in 50
4 percent less energy consumption,
5 electrical bills, the like, on that
6 facility, which I think is substantial
7 when you consider the amount of energy
8 they use.

9 Will we stay on the cutting
10 edge of producing these panels and what
11 is the likelihood of Philadelphia
12 actually manufacturing and creating jobs
13 out of this industry? What's your vision
14 on that?

15 MR. GOLD-MARKEL: Well,
16 actually, it's interesting you say that.
17 An article just came out in the New York
18 Times that the solar industry is one of
19 the few industries left in America that
20 is a net exporter, and that's impressive.
21 I can't say that enough. There are so
22 many industries where we import way more
23 than we export. Now, most of that comes
24 from the manufacturing of something
25 called ingots.

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2 The way that solar panels work
3 is, they're very thinly sliced silicon
4 wafers inside of the panel, and in order
5 to get those wafers, you slice ingots,
6 laser slice them. I think there's
7 tremendous opportunity in the City for
8 manufacturing of ingots.

9 In terms of the manufacturing
10 of the entire panel itself, that's going
11 to be very difficult unless things change
12 at the federal level.

13 COUNCILMAN JONES: In what way?

14 MR. GOLD-MARKEL: Because the
15 competition from overseas, particularly
16 China --

17 COUNCILMAN JONES: That's
18 what -- I wasn't going to say that, but
19 I'm glad you brought it up.

20 MR. GOLD-MARKEL: The assembly
21 of panels in China -- and there's a big
22 mistake being made here too, which is
23 people think that the Chinese
24 manufacturing is cheaper because labor
25 costs are lower. This is not the case.

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2 With the manufacturing of solar panels,
3 it's mostly automated. It's mostly
4 machine done stuff. However, there's
5 much more support on a federal level in
6 China than there is in America. They
7 have access to billions of dollars of
8 credit at extremely low rates that we
9 just can't find here in America.

10 COUNCILMAN JONES: The story
11 went that there was an innovator in this
12 regard and he had to make a decision as
13 to where he would make a commitment,
14 asked the federal government several
15 times to participate in his business
16 venture, and eventually China knocked on
17 the door and said, Hey, we'll build it
18 and you can come.

19 MR. GOLD-MARKEL: That's right.
20 That's correct. A guy by the name
21 Dr. Shi. He's the head of the largest
22 solar manufacturer in the world. He was
23 studying in Australia. He was looking to
24 open up a factory, and let me tell you, I
25 visited the factory in China, Suntech.

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2 It is impressive. It is a very
3 impressive facility.

4 COUNCILMAN JONES: So bringing
5 this back to River City here, how would
6 this legislation be helpful?

7 MR. GOLD-MARKEL: This
8 legislation would be helpful because it
9 takes baby steps. If we want to have the
10 solar industry here, we have to have an
11 environment that's friendly to solar
12 installation. Once we accomplish that
13 and we start showing that we're a leader
14 in solar energy production, that we have
15 a number of large arrays throughout the
16 City -- the Water Department did a great
17 job putting in an over 200 kilowatt
18 array, and, again, the Mayor's Office of
19 Sustainability is very forward thinking
20 in trying to lease City land for the use
21 of this.

22 COUNCILMAN JONES: And our
23 Chairman of the Environmental Committee
24 was all on top of this, by the way.

25 MR. GOLD-MARKEL: Right. I

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2 mean, these are the ideas that are going
3 to get us there.

4 This is a small step. We need
5 to make sure that our permitting and L&I
6 fees from mid-size installations are in
7 line with the industry so that we can get
8 more of them. Once we get more of them,
9 then we'll attract more attention.

10 COUNCILMAN JONES: Thank you,
11 Mr. Chairman.

12 COUNCILMAN KENNEY: Thank you
13 very much.

14 And thank you, Vice-Chairman,
15 for chairing the Committee while I was in
16 the hallway.

17 I just want to give you a
18 little bit of history of the bill. Micah
19 and I met in a bowling alley, Northern
20 Liberties. I was introduced, sitting at
21 the bar stool, and he explained to me
22 this issue, which came now to this piece
23 of legislation.

24 The other issue that I want you
25 to just, from an information standpoint

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2 for the Committee, talk about what we
3 were talking about earlier relative to
4 SREC rates, for example, in New Jersey as
5 opposed to Pennsylvania and what that
6 means to your ability or inability to
7 finance projects.

8 MR. GOLD-MARKEL: Absolutely.

9 So --

10 COUNCILMAN KENNEY: And say
11 what an SREC is.

12 MR. GOLD-MARKEL: SREC stands
13 for Solar Renewable Energy Credit. A
14 brief explanation is, in the State of
15 Pennsylvania in 2004, Governor Rendell
16 signed into law the Alternative Energy
17 Portfolio Standard, and what this says is
18 that all utilities selling into the state
19 have to have a certain percentage of
20 their overall production come from solar.
21 Right now that's a half a percent by
22 2021. So between now and 2021, they have
23 to get up to a half a percent, and it
24 ramps up very slowly.

25 In New Jersey, they have a very

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2 similar law, except it's two and a half
3 percent, and because of that, because
4 it's higher, their SRECs, their Renewable
5 Energy Credits, are trading. Now, you
6 trade SRECs in a marketplace, very
7 similar to the stockmarket, and you can
8 sell them. And so there's supply and
9 demand issues. And in Pennsylvania,
10 there's a lot of supply because, as
11 Kristin said, the installers answered the
12 bell. We installed the amount of solar
13 electricity that the legislation called
14 for. I hate to say it, but it was easy,
15 because it's so low, it was an easy job
16 to do. And now the SREC demand has gone
17 way down, thus prices for SRECs have gone
18 very low.

19 In New Jersey, the opposite is
20 true. There's still demand and the SREC
21 prices are still very competitive,
22 although there is market fluctuations
23 going on. In all markets I would say
24 that if we can see just a one point
25 raise, something very simple, very minor,

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2 one point raise, from a half a percent to
3 1.5 percent at a state level, it will be
4 a huge jobs boon for the entire state and
5 Philadelphia in particular.

6 COUNCILMAN KENNEY: Now, I had
7 met a number of -- well, a couple of
8 folks who represent businesses who
9 finance solar projects, and they
10 explained to me this SREC problem. So I
11 had made some inquiry to the Corbett
12 Administration, and for one reason or
13 another, philosophically they are natural
14 gas and coal people, and they've made it
15 very clear that that's where they think
16 things should be.

17 But what we did was, we hooked
18 up the association of the folks who are
19 financing these projects with the farm
20 industry and the agriculture folks to get
21 the representatives of the agriculture
22 industry to approach the Corbett
23 Administration for the potential point
24 increase in the SREC rate to help
25 agriculture. So if it's not an issue of

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2 southeastern urban solar arrays, perhaps
3 the agriculture industry could convince
4 the Corbett Administration -- and use
5 your republican friends when you can use
6 them -- to influence them to increase the
7 rate, because it will benefit farmers of
8 all kinds, both land farmers and dairy
9 farmers and everyone else out there, and
10 hopefully we can -- we've made that
11 marriage. Hopefully that marriage will
12 produce a one point SREC child.

13 MR. GOLD-MARKEL: And that's
14 very important. It's a very small
15 change, and also this is a role that
16 Bertha is very familiar with. When I go
17 for financing for my projects, I have to
18 forecast what we'll get for SRECs, and,
19 you know, I come to -- I came to Bertha
20 six months ago and we got a project
21 financed and the SREC market was healthy
22 at that point in time because it hadn't
23 been built out as we were discussing, and
24 now when I come to Bertha and I show her
25 the projects that I want to do and she

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2 sees the way that the SREC market is
3 going, it's very difficult, it's very
4 difficult. As I explained, it's a
5 low-margin business right now, and thus
6 any savings that we can see on the City
7 level really helps.

8 MS. SARMINA: Right, because
9 the revenue for the company like Solar
10 States, it's so much more limited when
11 the market is so low; therefore, their
12 ability to pay back any financing gets
13 reduced. So the lender is more reluctant
14 to lend, et cetera.

15 So any cost that we can bring
16 down and any revenue that we can bring up
17 is much more attractive to the lender,
18 obviously.

19 COUNCILMAN KENNEY: Councilman
20 Rizzo, did you have a question?

21 COUNCILMAN RIZZO: You
22 mentioned about other states. I was
23 driving through New Jersey, I think it
24 was, and the amount of solar that the
25 public sector uses there, I was going

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2 through one community where every street
3 light was powered by a solar panel.
4 Nothing here.

5 MR. GOLD-MARKEL: It's
6 staggering, Councilman. It's staggering.
7 And it's staggering for a number of
8 reasons, because of the economic impact
9 that it's had on New Jersey, it's huge.
10 The amount of jobs that are created, it's
11 something you can't outsource, frankly.
12 I cannot outsource the installation of
13 solar panels.

14 And then, secondly, the impact
15 on the environment. You know, these are
16 all zero carbon energy sources, zero CO2.
17 So it makes our health, our air better.
18 I mean, I tend to think it's a
19 no-brainer, but --

20 COUNCILMAN RIZZO: I heard a
21 story where PennDOT had a sign that they
22 wanted to illuminate and they had to
23 spend 20-some thousand dollars to get
24 PP&L to run a wire to this sign and then
25 it had to go underground, and somebody

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2 made kind of what Councilman Kenney just
3 said, somebody said, Well, why don't we
4 just put a solar panel up -- "but we
5 don't do that" -- to light the sign.

6 So it's -- I just can't figure
7 why it's taking so long to get with it.

8 MR. GOLD-MARKEL: I don't
9 either. I always end anything I say
10 with, the sun is the source of all energy
11 on earth, period.

12 COUNCILMAN KENNEY: So
13 profound.

14 COUNCILMAN RIZZO: It's
15 dependable. People are not aware it even
16 works when it's a cloudy day, you know.

17 MR. GOLD-MARKEL: It's
18 mind-boggling.

19 COUNCILMAN RIZZO: You don't
20 really need the sun to charge these
21 panels at least to, you know, some
22 capacity; am I correct?

23 MR. GOLD-MARKEL: That's
24 correct. I mean, they operate in low
25 sunlight. You can store the electricity

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2 in batteries and in other ways. So it
3 is -- you can feed back into the grid.

4 COUNCILMAN RIZZO: In all
5 fairness, though, a lot of these trailers
6 with the signs, like "slow" and various
7 messages, they're starting to get with it
8 slowly where they realize that's the way
9 to go.

10 MR. GOLD-MARKEL: Absolutely.
11 You see more and more solar panels along
12 the Turnpike and various roads in
13 America.

14 COUNCILMAN RIZZO: Well, thank
15 you. Keep up the good work.

16 COUNCILMAN KENNEY: I was
17 telling Micah earlier that my dream solar
18 project is to get the DRPA to solar array
19 the Ben Franklin Bridge on the south side
20 and PATCO with a direct current using the
21 New Jersey SREC rate.

22 MR. GOLD-MARKEL: Let's do it.
23 Let's get it done, Councilman.

24 COUNCILMAN KENNEY: Thank you.

25 Bryan Collins.

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2 (Witness approached witness
3 table.)

4 COUNCILMAN KENNEY: Please
5 identify yourself for the record.

6 MR. COLLINS: Sure. Bryan
7 Collins. I'm the Philadelphia Outreach
8 Coordinator for Citizens for
9 PennFuture -- excuse me; Citizens for
10 Pennsylvania's Future, commonly known as
11 PennFuture. I rarely say Citizens for
12 Pennsylvania's Future myself.

13 I'll keep it brief, because
14 really a lot of what I was going to say
15 has already been covered.

16 You know, basically to give you
17 a quick background, the real fast blurb
18 on who we are. We're a statewide public
19 interest membership organization. We
20 work to enhance Pennsylvania's
21 environment and economy, and we take that
22 very seriously, the connection between
23 the two. We have offices here,
24 Harrisburg, Pittsburgh, Wilkes-Barre, and
25 we've been working to promote solar

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2 energy development around the state since
3 2004, and we were part of the Alternative
4 Energy Portfolio Standard process and
5 supporting that bill, the AEPS, which
6 created these RECs that we've been
7 talking about. So we've been at this
8 quite a while, and we definitely want to
9 express our support for this bill.

10 This is a small step, but it's
11 an important step. It sends a signal to
12 people around the City that even with
13 variations that are beyond our control
14 that are more at the state and the
15 federal level, the City of Philadelphia
16 is still willing to get behind these
17 projects and do what it can to make them
18 more appealing and just to get people
19 over that hump, because we're really at
20 that point where there's a lot of people
21 who are interested in using solar power
22 and installing it in their businesses,
23 but then they have that spreadsheet
24 moment where just how much are they going
25 to lay out and how long is the payback

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2 going to be. And knocking a few thousand
3 dollars off that because the City is
4 going to reduce the installation fees
5 will help and it will make a difference,
6 and it very well could be that little
7 deciding bump that puts things in place.
8 And also I think, again, it's just such a
9 positive signal that we're going to
10 continue to adapt as a city to see these
11 installations going up and make more
12 things happen.

13 Beyond that, I'll just throw
14 some numbers behind what we've been
15 talking about. In terms of job creation,
16 we have three full-time staffers who look
17 solely at renewable energy here in
18 Pennsylvania, and they gave me a couple
19 really nice numbers. Not a lot. Don't
20 worry. Nothing boring.

21 But solar creates more jobs per
22 megawatt than any type of electricity.
23 The estimates are roughly 20
24 manufacturing jobs and 13 installation
25 and maintenance jobs per megawatt. That

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2 is considerably higher than any of the
3 alternatives or conventional energies
4 that we're looking at.

5 COUNCILMAN KENNEY: And do you
6 have, just if you know, what the average
7 salary is with the jobs?

8 MR. COLLINS: I don't know the
9 average. I do, however, know that a
10 report came out recently showing that
11 they were significantly higher than
12 similar manufacturing sectors, and I
13 could send your office --

14 COUNCILMAN KENNEY: I'd be
15 interested.

16 MR. COLLINS: I'll send your
17 office the numbers.

18 COUNCILMAN KENNEY: And these
19 jobs are also very entry-level friendly,
20 I would say.

21 MR. COLLINS: Absolutely, yeah.
22 I mean, there's plenty of low-skill
23 opportunities with these kind of jobs,
24 and the training opportunities can go
25 from someone who is very low skill in the

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2 grand schemes of things to getting them
3 up to speed to be able to do these
4 installations, to be able to maintain
5 them. It's a job creator for sure and
6 definitely the kind of jobs we need here
7 in Philly.

8 And just to give you a sense of
9 why this is important, this SREC market,
10 when they're saying that there's an
11 oversupply and the prices went down, just
12 to give you a sense of it, the prices
13 went from roughly 300 per SREC credit to
14 20. So that hurts. That doesn't help.
15 And hopefully it will get back, because
16 PennFuture as a group with many, many
17 others is currently working to raise this
18 demand for the SRECs and get that market
19 back up.

20 But just to let you know that
21 it is a difficult financial time for the
22 solar industry. They're not down for the
23 count, by any means. We are going to
24 have more solar installs around the City
25 and there is a very clear path that this

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2 is going nationwide. It's just this is a
3 rough patch here in PA. So if you guys
4 can put that signal out there that you're
5 willing to support this, it would be a
6 really great move.

7 Thank you very much.

8 COUNCILMAN KENNEY: Thank you
9 for your testimony.

10 Is there anyone else to testify
11 on this bill or any other bill?

12 COUNCILWOMAN BROWN: Bryan,
13 just one --

14 COUNCILMAN KENNEY: Sorry. One
15 question.

16 COUNCILWOMAN BROWN: Not a
17 question. Did I hear you say that this
18 is the direction that the nation is
19 headed?

20 MR. COLLINS: Absolutely.

21 COUNCILWOMAN BROWN: And might
22 you cite or identify a city that may be a
23 little bit ahead of us?

24 MR. COLLINS: Yeah. It's the
25 ones that you stereotypically think of,

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2 like San Francisco and Austin actually
3 has some pretty good --

4 COUNCILWOMAN BROWN: Is that
5 right?

6 MR. COLLINS: Yeah. And, you
7 know, it's been a while since I looked at
8 sort of like where we're at, but to give
9 you the good news, Philadelphia is
10 already on the map, and we're usually in
11 the top ten and in some cases the top
12 five of some of these "who is the
13 greenest city" kind of lists, you know.
14 They come from all kinds of sources, so
15 you never know what numbers they're
16 looking at.

17 COUNCILWOMAN BROWN: Sure.

18 MR. COLLINS: But we're on the
19 list. And, you know, that's what we
20 really focus on with the Next Great City
21 campaign, and that's what I spend a lot
22 of my day doing, is trying to get Philly
23 higher on that list, higher on that map
24 of who are the really green cities that
25 are making progress.

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2 So, yeah, our competition is
3 the cities that you think of --

4 COUNCILWOMAN BROWN: Typically.

5 MR. COLLINS: -- that are
6 leaders in a lot of these areas. But
7 we're not that far behind.

8 COUNCILWOMAN BROWN: Well, the
9 work of the Next Great City is extremely
10 relevant, very progressive and forward
11 thinking, and we need that to continue to
12 be a real -- it is a guidepost, a
13 guidepost for where our city needs to
14 continue to grow.

15 Thank you for that important
16 work.

17 MR. COLLINS: Thank you so
18 much.

19 COUNCILMAN JONES: There were
20 two great quotes today. One was the sun
21 is the ultimate source of origin of all
22 energy, which is so profound in its
23 simplicity. And then the other great
24 quote was yours, a spreadsheet moment.
25 Is that original? Because --

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2 MR. COLLINS: It did just come
3 up into my head. It's not written down.

4 COUNCILMAN JONES: But the
5 reason --

6 MR. COLLINS: Maybe I read it
7 somewhere.

8 COUNCILMAN JONES: But the
9 reason why it's important is that that
10 moment is in a point where people decide
11 whether to do or not do a project, and
12 that is profound. So thank you very much
13 for your testimony.

14 MR. COLLINS: I appreciate it.

15 COUNCILMAN KENNEY: Thank you
16 very much.

17 Anyone else to testify on any
18 of these bills?

19 (No response.)

20 COUNCILMAN KENNEY: Seeing
21 none, that will conclude our public
22 hearing.

23 We will now convene a public
24 meeting, and the Chair recognizes
25 Councilmember Reynolds Brown for a motion

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2 to approve Bill No. 110442.

3 COUNCILWOMAN BROWN:

4 Mr. Chairman, I move that Bill No. 110442

5 be reported out of Committee with a

6 favorable recommendation and further move

7 that the rules of Council be suspended.

8 (Duly seconded.)

9 COUNCILMAN KENNEY: Moved and
10 seconded.

11 All in favor?

12 (Aye.)

13 COUNCILMAN KENNEY: There are
14 none opposed. Bill No. 110442 will
15 report out of this Committee favorably
16 and a request made for a rules suspension
17 to allow first reading at our next
18 Council session.

19 The Chair recognizes
20 Councilmember Jones to make a motion to
21 approve the amendment to Bill No. 110533.

22 MR. JONES: I make a motion
23 that the amendment be approved of Bill
24 No. 110533.

25 COUNCILMAN KENNEY: Can I have

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2 a second.

3 (Duly seconded.)

4 COUNCILMAN KENNEY: Moved and
5 seconded.

6 All in favor?

7 (Aye.)

8 COUNCILMAN KENNEY: Are there
9 any opposed?

10 (No response.)

11 COUNCILMAN KENNEY: There are
12 none opposed. The bill will be amended
13 accordingly.

14 The Chair now recognizes
15 Councilmember Reynolds Brown for a motion
16 on amended Bill 110533.

17 COUNCILWOMAN BROWN:
18 Mr. Chairman, I move that Bill No.
19 110533, as amended, be reported out of
20 the Committee with a favorable
21 recommendation and further move that the
22 rules of Council be suspended.

23 (Duly seconded.)

24 COUNCILMAN KENNEY: Moved and
25 seconded.

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2 All in favor?

3 (Aye.)

4 COUNCILMAN KENNEY: Are there
5 any opposed?

6 (No response.)

7 COUNCILMAN KENNEY: There are
8 none opposed. Bill No. 110533, as
9 amended, will report out of this
10 Committee favorably and a request will be
11 made for rules suspension to allow first
12 reading at our next Council session.

13 That concludes the business of
14 the Committee on the Environment. We
15 thank you for your attendance.

16 (Committee on the Environment
17 concluded at 3:05 p.m.)

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1
2 CERTIFICATE

3 I HEREBY CERTIFY that the
4 proceedings, evidence and objections are
5 contained fully and accurately in the
6 stenographic notes taken by me upon the
7 foregoing matter on October 26, 2011, and that
8 this is a true and correct transcript of same.

9
10
11
12
13 -----
14 MICHELE L. MURPHY
15 RPR-Notary Public
16
17
18

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