

**ERIE-NIAGARA REGIONAL PARTNERSHIP**  
INSTITUTE FOR LOCAL GOVERNANCE AND REGIONAL GROWTH  
UNIVERSITY AT BUFFALO  
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April 21, 2005

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Assemblyman Paul Tonko  
913 Legislative Office Building  
Albany, New York 12248

Dear Assemblyman Tonko:

The Erie-Niagara Regional Partnership – an ad hoc subcommittee of the Niagara and Erie County Legislatures, in partnership with the public, private, and non-profit sectors – would like to express its strong endorsement for immediate passage of the “Replacement Power” legislation, A2715. We would also like to acknowledge and applaud your efforts pertaining to “Power for Jobs.” We believe both are serving the best interests of our state.

In reference to A2715, we respectfully urge that this bill be taken before the Assembly Energy Committee as soon as possible. In consideration of the Assembly’s efforts in introducing and passing “Replacement Power” legislation during the 2004 legislation session, we respectfully urge that this bill be quickly addressed and reported from Committee. Now that the Senate has passed a companion bill, we urge the Assembly to expeditiously pass this legislation so a bill can be signed into law as soon as possible.

As you know, A2715 amends subdivision 13 of Section 1005 of Public Authorities Law to ensure that 445 megawatts of a category of Niagara Project hydropower, known as “Replacement Power,” will continue to be sold to industry in Western New York. The federal statutory protection for “Replacement Power” expires on December 31, 2005. A2715 would continue the protection beyond this date by providing state statutory protection for “Replacement Power.” This legislation would maintain the status quo.

From a business planning perspective, the pending expiration of the Federal statutory protection at the end of this year is on a very short timeline. The uncertainty of this “Replacement Power” legislation is impacting short-term and long-term corporate planning and investment decisions - with potential adverse and likely irreversible implications. In addition to the local impact, many of the Western New York businesses have suppliers across the state. The loss of power would have negative affect to these businesses as well.

We therefore respectfully request that this matter be addressed without delay. The importance of signing “Replacement Power” legislation into law cannot be overstated.

Sincerely,

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Hon. George Holt, Jr.  
Hon. William Ross  
John Sheffer, II  
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