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**VIA ELECTRONIC FILING**

New York State Climate Action Council  
625 Broadway  
Albany, New York 12233-0001  
518-402-8448

***Re: Plug Power Comments to the Climate Leadership and Community Protection Act, Draft Scoping Plan***

Plug Power Inc. (“Plug”) respectfully submits the following comments to the Climate Action Council’s (the “Council”) Climate Leadership and Community Protection Act (“CLCPA”) Draft Scoping Plan. As the leading provider of turnkey green hydrogen solutions and with nearly 1,000 employees in State, Plug has been proud to call New York State its home since our formation nearly twenty-five years ago. The CLCPA is a nation-leading framework, whereby New York State (the “State”) is paving the way to achieve ambitious, yet necessary, greenhouse gas, clean energy, environmental justice, and workforce transition goals. We commend the Council, the Climate Justice Working Group, the Just Transition Working Group, advisory panels, and other stakeholders for the monumental effort advancing the CLCPA draft scoping plan. We laud the public-facing process and framework through which this effort takes place. Diverse and comprehensive input is necessary to thoughtfully achieve our collective climate, clean energy, and environmental justice goals.

We thank the Council for its support of green hydrogen and hydrogen fuel cell technologies within the draft scoping plan. Plug successfully pioneered the first commercially viable market for fuel cells – in material handling – and has a rapidly expanding footprint in medium- and heavy-duty mobility applications, electrolyzers, and stationary power. Plug is also a leading provider of green hydrogen, made through electrolysis and powered by renewable energy. In 2021, Plug broke ground on its green hydrogen generation facility in Genesee County, which will generate up to 75 tons of green hydrogen per day and run on hydroelectric power from Niagara Falls. Plug continues to invest within the Empire State, in part because of its climate leadership and policy support for the green hydrogen economy. A robust green hydrogen economy is vital to any comprehensive climate strategy. For difficult-to-decarbonize industries, such as steel, cement, and ammonia, green hydrogen may be the only viable way to reduce emissions. In short, green hydrogen is necessary to achieve the CLCPA’s climate, clean energy, environmental justice, and workforce goals.

We encourage the Council to maintain strong support for green hydrogen and fuel cell technologies within the final scoping plan. However, there are several areas of the draft scoping plan where stronger support of green hydrogen and hydrogen fuel cells could bolster the CLCPA’s goals:

- i. **The final scoping plan should emphasize the environmental justice benefits of hydrogen fuel cell technologies and green hydrogen.**

The final scoping plan should more comprehensively acknowledge the environmental justice benefits of hydrogen fuel cells and the green hydrogen economy. Hydrogen fuel cells, in many cases, are the best replacement for diesel. Specifically, hydrogen fuel cells are a commercially available, zero emission solution to reducing diesel particulate matter within disadvantaged communities. Replacement of diesel trucking fleets and stationary generators with zero-emission hydrogen fuel cell alternatives can achieve focused-environmental benefits for disadvantaged communities that suffer disproportionate health impacts from diesel emissions (such as high asthma rates). Relatedly, the green hydrogen economy will benefit disadvantaged communities through job creation, regional infrastructure improvements, and community-driven programs. State climate policy must align with the rapidly-scaling hydrogen economy, to ensure that these opportunities come to New York and are directed to communities most in need.

ii. **The final scoping plan should align with the State’s Green Hydrogen Hub effort and the federal bi-partisan Infrastructure Law.**

Plug greatly appreciates Governor Hochul’s State of the State announcement to make New York a Green Hydrogen Hub. In November 2021, President Biden signed the bi-partisan Infrastructure Investment and Jobs Act (“IIJA”) into law. The IIJA creates several clean hydrogen programs, including \$8 billion for the formation of Regional Clean Hydrogen Hubs. This program is a landmark opportunity for the State to solidify its position as a climate and clean energy leader. Governments across the world are rapidly enacting policies to attract and scale green hydrogen technologies – it is not a question of “if” but “where” these hubs will take hold. Plug is excited to lead the way in New York State, with its headquarters in Latham, new manufacturing facility in Bethlehem, new Gigafactory outside of Rochester, green hydrogen generation facility in Genesee County, and customer base throughout the State. In many ways, the State is already a nascent hydrogen hub, and as a result, is uniquely qualified to leverage the Regional Clean Hydrogen hub funding opportunity. Governor Hochul and NYSERDA have taken key steps to ensure that the State secures its position as a green, renewable hydrogen hub. It is imperative that the Council align its final scoping plan with this effort.

To that end, the final scoping plan should not foreclose upon any potential application of green hydrogen, including using existing infrastructure to deliver hydrogen and substituting hydrogen for natural gas for power generation, in order to reduce greenhouse gas emissions. The plan should tout the suite of green hydrogen and fuel cell applications that will be deployed in a fully-functioning, self-sustaining green hydrogen economy. At scale, the green hydrogen economy will drive new efficiencies and applications with substantial climate and environmental justice benefits. Furthermore, zero-emission fuel cell applications will be necessary complements to electrification. The council should explicitly align the final scoping plan with the State’s Green Hydrogen Hub effort and include proposals referenced in the Governor’s State of the State. This alignment will not only help secure federal funds, but will advance the CLCPA’s goals, create tens of thousands of good-paying jobs, and ensure the State remains an epicenter of the clean energy economy.

iii. **The green hydrogen economy will drive workforce opportunities and just transition.**

Consistent with the State’s hydrogen hub effort, the final scoping plan should highlight workforce and just transition opportunities from a fully-scaled green hydrogen economy. Plug Power has been headquartered in

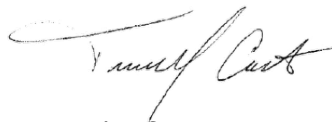
Upstate New York for nearly twenty-five years. Amidst our rapidly expanding global footprint, we are proud to call New York State our home. Plug currently employs nearly 1,000 individuals within the State. Our recently opened Gigafactory in Monroe County, hydrogen generation in Genesee County, and 350,000 square foot manufacturing facility in Albany County will collectively create thousands of new clean energy jobs within the Empire State. Ultimately, the State's hydrogen hub effort could create tens of thousands of new jobs – which will be good-paying, green collar jobs that ensure just transition for the existing workforce and the next generation of New Yorkers.

iv. **The final scoping plan should highlight hydrogen fuel cells as distributed energy resources that drive decarbonization and energy resiliency.**

Plug Power is supportive of increased electrification paired with a renewable and resilient grid. However, full grid decarbonization and resiliency cannot be achieved by electrification alone. Building electrification, by itself, will double the grid peak load and potentially have an unintended outcome of increased reliance on diesel backup generators. Firm and dispatchable zero-emission distributed energy resources, such as hydrogen fuel cells, are a necessary complement to electrification. These distributed energy resources will ensure grid resiliency, and in fact, will advance the CLCPA's decarbonization and environmental justice goals by displacing diesel generators. Consistent with these principles, Governor Hochul's Green Hydrogen Hub announcement includes a forthcoming green hydrogen microgrid program. The final scoping plan should similarly embrace hydrogen fuel cells as a distributed energy resource necessary for grid decarbonization and resiliency.

The CLCPA scoping plan is a monumental undertaking demonstrative of climate leadership and innovation. In no doubt, this effort will achieve tremendous climate, clean energy, workforce, and environmental justice benefits in the State. Equally important, this framework will guide jurisdictions across the globe towards a brighter, more equitable future. Plug is excited to be part of the solution and is thankful for the Council's consideration of our comments to the draft scoping plan.

Sincerely,



Tim Cortes  
Chief Technology Officer  
Plug Power Inc.