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THE SENATE  
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August 28, 2025

The Honorable Kathy Hochul  
Governor of New York State  
New York State Capitol Building  
Albany, NY 12224

Dear Governor Hochul,

We write to urge you to direct the State Fire Prevention and Building Code Council to adopt an emergency rule pursuant to State Administrative Procedure Act §202 to allow counties to opt out of the all-electric building requirements set to take effect at the beginning of next year.

The All-Electric Building Act, which you signed into law in 2023, will prohibit the use of natural gas, propane, and oil in new construction. This sweeping mandate raises serious concerns, particularly regarding housing affordability, energy reliability and consumer choice.

The cost difference between traditional fossil fuel systems and all-electric alternatives is significant and would add a substantial burden to new construction, particularly residential housing.

- Installing a high-efficiency natural gas furnace typically costs between \$5,500 and \$12,000.
- Installing a geothermal heating and cooling system averages \$24,500, with some systems costing over \$32,000.

These additional costs, ranging from \$15,000 to \$20,000 per home, would come at a time when New York is already in the midst of an affordable housing crisis. The average cost of a new home in New York is about \$180 per square foot, meaning a typical 2,000 square foot home costs roughly \$360,000. The all-electric mandate could drive that up to \$375,000–\$380,000, potentially pricing out working families and first-time homebuyers.

Additionally, the over-reliance on a grid that is not yet ready to handle the increased demand from electrification has already led to warnings and conservation pleas during heat waves, a clear sign that our infrastructure is struggling to keep pace with the state's ideological mandates.

The New York Independent System Operator (NYISO) has issued multiple reports warning of potential grid reliability challenges as the State transitions toward a 100% zero-emissions electric grid by 2040. The New York State Energy Research and Development Authority (NYSERDA) has recently released a new draft energy plan which acknowledges this reality. And New York State Comptroller

Thomas DiNapoli, a public servant who is respected by both sides of the aisle, called for enhanced planning to deal with the mandates of the CLCPA.

And your office recently acknowledged that it is impossible to achieve the current objectives of the CLCPA without harming our ratepayers.

The reality is that while admitting there is an issue is essential, it must be met with equal and meaningful public policy. The lack of clarity and an alternative policy that allows all New York's ratepayers, businesses, workers, and builders to know clearly what the rules are is causing uncertainty.

New Yorkers deserve, and indeed require, to know that they will have access to affordable and reliable energy to heat their homes, power their businesses, and live their lives. Workers need to know their careers are protected without being threatened by moving mandates and deadlines. And our state's construction industry needs to know with absolute certainty that New York State is not just talking about this issue but providing concrete answers that provide realistic solutions and reasonable time frames.

In short, ambiguity is unacceptable and unfair to all we represent.

New York State must protect fuel choice for our residents and invest in our natural gas infrastructure. Instead of relying on costly and less efficient liquefied natural gas (LNG) truck deliveries that increase emissions, we should be leveraging proven and available pipeline projects, such as the Constitution and Northeast Supply Enhancement (NESE) pipelines.

Natural gas, in its current form, is a clean, affordable, and readily available bridge fuel that is essential to our state's energy portfolio. Rushing to eliminate it before a truly viable, affordable, and reliable alternative is in place is simply putting the cart before the horse.

The time for a "realistic plan, not a ban" is now. I urge you to work with us to protect our citizens from the devastating economic consequences of these mandates, and to ensure that New York has an energy policy grounded in affordability, reliability, and reality.

Mandating all-electric systems in new buildings, without first ensuring the electric grid can handle the increased load, risks creating a public safety hazard, especially during extreme weather events. During periods of peak demand, such as heatwaves or winter storms, electric systems are especially vulnerable to outages.

In these moments, lives are at stake. The 2022 Buffalo blizzard, which tragically claimed thirty-eight lives, underscores the danger of inadequate energy infrastructure during crises.

Until the electric grid is demonstrably capable of meeting the surge in winter demand from widespread adoption of air source and geothermal heat pumps, moving forward with a blanket all-electric mandate in new buildings is premature and potentially dangerous.

In addition to reliability and cost, the mandate also impacts consumer choice. Under the law, new homes will no longer be able to include gas stoves, a popular option for many New Yorkers. Starting next year, families building new homes will have no choice but to go electric.

Allowing counties to opt out of the all-electric building requirement will empower local officials—who best understand their community's housing market and grid capacity—to make decisions that

reflect local conditions. This approach provides a more balanced and pragmatic path forward as the State works toward its long-term climate goals.

We appreciate your consideration of this request and urge swift action to adopt an emergency rule providing counties with the flexibility they need.

Sincerely,

A handwritten signature in black ink, appearing to read "Mario R. Mattera".

Mario R. Mattera  
3<sup>RD</sup> Senate District

A handwritten signature in black ink, appearing to read "Mark Walczyk".

Mark Walczyk  
49<sup>th</sup> Senate District

A handwritten signature in black ink, appearing to read "Thomas O'Mara".

Thomas O'Mara  
58<sup>th</sup> Senate District