



LOCAL UNION 97

International Brotherhood of Electrical Workers

Syracuse, New York

July 28, 2025

Brothers and Sisters,

On July 23rd, a federal judge in the Northern District of New York ruled against a coalition's class action lawsuit challenging New York State's natural gas ban. This coalition includes Local 97 and Local 1049, as well as other unions and industry trade groups. The judge determined that the Energy Policy and Conservation Act (EPCA) does not preempt the state's prohibition.

This case, Mulhern Gas Co. v. Rodriguez, stands in direct contrast to the 9th circuit court's decision in CRA v. City of Berkeley, which held that Berkeley's gas ban was preempted and therefore invalid. Our coalition is working expeditiously to bring our case to the 2nd Circuit US Court of Appeals. There is also an outstanding case against a separate gas ban in New York City, which is currently awaiting appeal in that same court. Local 97 and the other members of our coalition will be working with our legal counsel in the coming days to evaluate next steps. We will continue to oppose gas bans in the courts and through other advocacy efforts.

In light of this ruling, the New York State Fire Prevention and Building Code Council met on July 25th. At that meeting, changes to the state's Uniform Commercial Code (UCC) and Energy Conservation Code were adopted unanimously. In short, these new regulations prevent newly constructed buildings from connecting to natural gas distribution networks beginning January 1, 2026. There are still many outstanding questions about what exceptions are to be made and how the regulations will affect existing buildings and renovations. As the PSC and other regulatory bodies clarify these items, we will update our members.

This administration, along with our legal counsel and coalition allies, will continue to fight for the future of the natural gas industry in New York State. Our local union will make every effort to uphold the founding principles of the IBEW: *"To seek a higher standard of living; to seek security for the individual; and by legal and proper means to elevate the moral, intellectual and social conditions of our members, their families and dependents, in the interest of a higher standard of citizenship."*

In Solidarity,

Michael T. Shelby
President/ Business Manager
IBEW Local 97