



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
BRAD LANDER

June 17, 2024

Governor Kathy Hochul
Executive Chambers, State Capitol
Albany, NY 12224

Janno Lieber, Chair and CEO
Metropolitan Transportation Authority
2 Broadway, New York, NY 10004

Commissioner Marie Therese Dominguez
New York State Department of Transportation
50 Wolf Road Albany, NY 12232

Dear Governor Hochul, Chair Lieber, and Commissioner Dominguez,

On Wednesday June 5, Governor Hochul announced an “indefinite pause” to the implementation of the Central Business District Tolling Program, also known as congestion pricing. As chief financial officer of New York City (the City), my office has serious concerns about the financial, transit, accessibility/civil rights, climate, quality-of-life, and legal implications of this decision, which comes after decades of planning, extensive public testimony, and approvals from multiple levels of government. Delays to congestion pricing, temporary or permanent, jeopardizes a \$1 billion annual funding stream for the Metropolitan Transportation Authority (MTA) which is needed for transit modernization and accessibility for people-with-disabilities, prolongs traffic congestion and air-polluting emissions, and comes after the installation of hundreds of millions of dollars worth of infrastructure.

Under the Freedom of Information Law, Article 6 of the New York State Public Officers Law, I hereby respectfully request all e-mail communications, memoranda, guidance, rules, advisories, or any other written form or document received, created, or issued by each of your agencies between March 17, 2024 and June 17, 2024, pertaining to the decision to indefinitely suspend the implementation of congestion pricing, including, but not limited to:

- All documents setting forth the rationale(s) to indefinitely postpone congestion pricing.
- All communications with agencies consulted and/or communicated with concerning the approval, delay, and/or cancellation of the congestion pricing program, including but not limited to the MTA, Triborough Bridge and Tunnel Authority, New York City Department of Transportation, New York State Department of Transportation (NYSDOT), United States Department of Transportation (USDOT), and Federal Highway Administration (FHWA). Our office also specifically requests:
 - FHWA’s approvals on the Central Business District Tolling Program Environmental Assessment.
 - Any requests from the Governor’s Office and/or NYSDOT asking that USDOT pause congestion pricing implementation.
 - Correspondence between any agencies regarding the joint agreement to implement congestion pricing under the Value Pricing Pilot Program.

- All communications with external parties concerning the approval, delay, and/or cancellation of congestion pricing implementation, including but not limited to advocates, civic organizations, and lobbyists.
- Records sufficient to identify the ultimate decision-makers for the State as a whole and for each State agency as it relates to the decision to indefinitely postpone congestion pricing.
- All records setting forth the legal basis, if any, for the decision to implement congestion pricing by June 30, 2024.
- All records examining or discussing the impacts on or plans to address the decision's impacts on:
 - The financial position of the MTA
 - The financial position of the City
 - Transit accessibility
 - Traffic congestion and air quality in Manhattan below 60th Street and regionally
 - The City's ability to achieve its carbon emissions reduction and air quality improvement targets
 - Any additional impacts or implications for the City's transportation users, businesses, and residents
- Itemized lists, discussions, or documentation of expenditures incurred by all City, State and Federal agencies to prepare for implementation of congestion pricing, including information on the source(s) of funding for all such expenditures.

The New York Freedom of Information Law establishes a response time of five business days. If access to the records requested will take longer than this amount of time, please contact our office about when we should expect to receive this information. If you believe that any portion of this request fails to reasonably describe the records sought, we request that your office first seek clarification from our office before denying any portion of the request on that basis.

If this request is denied in whole or in part, we request a detailed justification for withholding the records. If you produce any records that are redacted, please set forth the statutory basis for the redacted material. We also request any non-exempt portions of the records be disclosed.

Please contact our office at Sindhu Bharadwaj at sbharad@comptroller.nyc.gov if there are any specific questions about this request, including any technical details that need to be clarified.

Thank you very much for your consideration of this request.

Sincerely,



Brad Lander
New York City Comptroller