S T A T E O F N E W Y O R K

7441

I N S E N A T E

May 15, 2014

Introduced by Sen. GIPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to the community wind energy pilot program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The public service law is amended by adding a new section 66-n to read as follows:

S 66-N. COMMUNITY WIND ENERGY PILOT PROGRAM. 1. THE COMMISSION SHALL ESTABLISH A NEW YORK STATE PILOT PROGRAM PROMOTING THE USE OF COMMUNITY WIND ENERGY.

2. THE COMMISSION SHALL OVERSEE THE IMPLEMENTATION OF THE PILOT PROGRAM AND SHALL ISSUE AN ORDER OF THE COMMISSION AUTHORIZING THE CONSTRUCTION OF A WIND ENERGY SYSTEM INSTALLATION.

3. THE COMMISSION SHALL INVITE CONSUMERS TO PARTICIPATE IN THE PROGRAM AS SUBSCRIBERS, PROVIDED THAT:

(A) THE COMMISSION SHALL SET A SUBSCRIPTION SCHEDULE, INCLUDING THE PRICE PER WATT TO SUBSCRIBE AND THE PERCENTAGE OF THE TOTAL INSTALLATION EACH SUBSCRIPTION LEVEL SHALL REPRESENT;

(B) SUBSCRIBERS SHALL MAKE A ONE TIME PAYMENT TO THE COMMISSION AND, IN RETURN, SUBSCRIBERS SHALL BE PAID A QUARTERLY DIVIDEND FOR THE ENERGY GENERATED BY THE WATTS COVERED BY THEIR SUBSCRIPTION LEVEL;

(C) A CONSUMER SHALL BE PAID ON A QUARTERLY BASIS BASED ON THE CONSUMER'S SUBSCRIPTION LEVEL;

(D) THE COMMISSION SHALL SET A MAXIMUM NUMBER OF SUBSCRIPTIONS AT EACH LEVEL; AND

(E) THE MINIMUM PRICE PER SUBSCRIPTION SHALL NOT EXCEED FIVE HUNDRED DOLLARS.

4. ALL ENERGY GENERATED BY THE WIND ENERGY SYSTEM INSTALLATION SHALL BE SOLD BACK TO AN INVESTOR-OWNED UTILITY.

5. ONE PERCENT OF ALL PAYMENTS DUE TO SUBSCRIBERS SHALL BE HELD BY THE COMMISSION TO PAY FOR THE CAPITAL INVESTMENT INTO THE ORIGINAL WIND ENERGY SYSTEM INSTALLATION. AFTER THE ORIGINAL INSTALLATION HAS BEEN

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD15137-01-4

PAID IN FULL, THE ONE PERCENT HELD BY THE COMMISSION SHALL BE USED TO FUND NEW WIND ENERGY SYSTEM INSTALLATIONS IN THE SAME MANNER.

6. THE STATE SHALL RETAIN OWNERSHIP OF THE WIND ENERGY SYSTEM INSTALLATION AND OF ANY RENEWABLE ENERGY CREDITS GENERATED BY THE INSTALLATION.

7. SUBSCRIBERS SHALL BE PAID FOR ENERGY GENERATED AT THE RETAIL RATE AND NOT AT THE AVOIDED-COST RATE.

8. THE MAXIMUM SIZE OF THE INSTALLATION SHALL BE TWO THOUSAND KILOWATTS.

9. SUBSCRIPTIONS MAY NOT BE RESOLD TO ANY ENTITY OTHER THAN THE STATE.

S 2. This act shall take effect immediately.