

# STATE OF NEW YORK

4490--A

2017-2018 Regular Sessions

## IN SENATE

February 16, 2017

Introduced by Sen. HAMILTON -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to enacting the "New York microgrids act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Article 8 of the public authorities law is amended by adding a new title 9-B to read as follows:

### TITLE 9-B NEW YORK MICROGRIDS ACT

Section 1900. Short title.

1901. Definitions.

1902. Purposes.

1903. Microgrids of New York grant program.

§ 1900. Short title. This title shall be known and may be cited as the "New York microgrids act".

§ 1901. Definitions. As used in this section, the following terms shall have the following meanings:

1. "Authority" means the New York state energy research and development authority continued pursuant to section eighteen hundred fifty-two of this article.

2. "Energy insecure regions" means areas of the state that have experienced increased electricity outages due to grid instability, capacity constraints, distribution and transmission line issues.

3. "Program" means the microgrids of New York grant program established pursuant to section nineteen hundred three of this title.

4. "Rural areas" shall have the same meaning as is ascribed to such term pursuant to subdivision seven of section four hundred eighty-one of the executive law.

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

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1 5. "Low-income community" means a census block group, or contiguous  
2 area with multiple census block groups, having a low-income population  
3 equal to or greater than 23.59 percent of the total population of such  
4 block group or groups, or such other percentage as may be determined by  
5 the New York state department of environmental conservation.

6 § 1902. Purposes. The purposes of this title are to:

- 7 1. promote long term reduction of energy costs;  
8 2. reduce the capacity demand for the market by drawing less energy  
9 from the original grid;  
10 3. stabilize energy costs;  
11 4. enhance the reliability of energy sources;  
12 5. increase energy independence throughout the state; and  
13 6. promote reliance on renewable energy sources to help mitigate  
14 climate change and achieve the state's energy use reduction goals.

15 § 1903. Microgrids of New York grant program. 1. The authority shall  
16 establish and operate the microgrids of New York grant program. Such  
17 program shall be implemented by the authority, in consultation with the  
18 department of public service, the power authority of the state of New  
19 York, the Long Island power authority and the department of environ-  
20 mental conservation. In furtherance thereof, the authority shall:

21 (a) use monies made available for the purposes of this title and the  
22 program;

23 (b) enter into contracts with constituency based organizations and  
24 other entities through the competitive grant process established pursu-  
25 ant to subdivision two of this section;

26 (c) enter into contracts with one or more program implementers to  
27 perform such functions as the authority deems appropriate; and

28 (d) exercise such other powers as are necessary for the proper imple-  
29 mentation of this title.

30 2. The authority shall:

31 (a) issue one or more program opportunity notices or requests for  
32 proposals to solicit applications from partnerships comprised of consti-  
33 tency based organizations, which can connect community members to the  
34 program, including facilitating awareness of the program and enrollment  
35 therein;

36 (b) award grants of not more than one hundred fifty thousand dollars  
37 to each approved applicant;

38 (c) with regard to awarding such grants, give preference to:

39 (i) communities in areas of the state where energy costs are a partic-  
40 ularly high percentage of a community's median household income as  
41 determined by the authority;

42 (ii) communities that would benefit from energy resiliency provided by  
43 a microgrid, as demonstrated by prior outage history due to weather or  
44 other causes;

45 (iii) low income communities;

46 (iv) energy insecure regions; and

47 (v) rural areas.

48 3. The authority is authorized in consultation with the department of  
49 public service, the power authority of the state of New York, the Long  
50 Island power authority and the department of environmental conservation,  
51 to promulgate such rules and regulations as shall be necessary to imple-  
52 ment the provisions of this section.

53 § 2. This act shall take effect on the one hundred eightieth day after  
54 it shall have become a law.