# STATE OF NEW YORK

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# IN SENATE

Introduced by Sens. AVELLA, KRUEGER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Tele-communications -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to establish a moratorium on that portion of the order of the state of New York public service commission, issued August 1, 2016 in cases 15-E-0302 and 16-E-0270 enacting a zero-emission credit require-ment in relation to certain upstate nuclear generating facilities; and providing for the repeal of such provisions upon expiration thereof

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

1    Section 1. There is hereby established a moratorium on that portion of
2  the order of the state of New York public service commission, issued
3  August 1, 2016 in cases 15-E-0302 and 16-E-0270 enacting a zero-emission
4  credit requirement in relation to certain upstate nuclear generating
5  facilities. Such upstate nuclear generating facilities shall be the
6  Fitzpatrick, Ginna and Nine Mile Point nuclear generating facilities
7  referred to in such order. Specifically, paragraphs ten, eleven, and
8  twelve of said order shall be subject to the moratorium established by
9  this act.
10  § 2. Severability. If any provision of this act or the application
11  thereof shall for any reason be adjudged by any court of competent
12  jurisdiction to be invalid, such judgment shall not affect, impair, or
13  invalidate the remainder of this act, but shall be confined in its oper-ation
14  to the provision thereof directly involved in the controversy in
15  which such judgment shall have been rendered.
16  § 3. This act shall take effect immediately and shall be deemed to
17  have been in full force and effect on and after August 1, 2016 and shall
18  expire July 1, 2017 when upon such date the provisions of this act shall
19  be deemed repealed.

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