

# STATE OF NEW YORK

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5289

2017-2018 Regular Sessions

## IN SENATE

March 20, 2017

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Introduced by Sen. GRIFFO -- 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 limiting authority for retail wheeling or delivery of natural gas not purchased from the electric or gas corporation delivering it to non-residential customers

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

1 Section 1. Paragraph (b) of subdivision 12-b of section 66 of the  
2 public service law, as added by chapter 626 of the laws of 1983, is  
3 amended to read as follows:

4 (b) The commission may also authorize utility corporations to contract  
5 with existing or prospective industrial and commercial customers to  
6 wheel or deliver electricity or gas purchased directly by such custom-  
7 ers, provided that the commission finds that such arrangements are in  
8 the overall best interest of the rate payers of the corporation, and  
9 that the rates and fees for the services provided adequately compensate  
10 the corporation for the use of its facilities, and further provided that  
11 such wheeling or delivery of electricity or natural gas to residential  
12 customers shall not be allowed.

13 § 2. Section 66-d of the public service law, as added by chapter 519  
14 of the laws of 1984, subdivision 2 as amended by chapter 790 of the laws  
15 of 1985, is amended to read as follows:

16 § 66-d. Contract carrier authorization. 1. For purposes of this  
17 section the term natural gas shall mean natural gas produced within the  
18 state or transported within the state no matter where produced for  
19 consumption in the state by non-residential customers.

20 2. The commission, upon its own initiative or upon application by a  
21 natural gas producer or a non-residential consumer of natural gas in any  
22 year and after notice and hearing shall, upon such terms and subject to

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

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1 such conditions as the commission considers just and reasonable, have  
2 the authority to order any gas corporation to transport or contract with  
3 others to transport gas under contract for sale by such producer or  
4 owned by such non-residential consumer provided that, the commission  
5 finds that the gas corporation has available capacity, that no undue  
6 burden shall be placed upon the gas corporation or its ratepayers and  
7 that the ability of the gas corporation to render adequate service to  
8 its customers is not impaired.  
9 § 3. This act shall take effect immediately.