STATE OF NEW YORK

7524

2021-2022 Regular Sessions

IN ASSEMBLY

May 13, 2021

Introduced by M. of A. PALMESANO, BARCLAY, TAGUE, FITZPATRICK, ANGELINO, ASHBY, BLANKENBUSH, BRABENEC, BROWN, BYRNE, BYRNES, DeSTEFANO, DURSO, FRIEND, GALLAHAN, GANDOLFO, J. A. GIGLIO, J. M. GIGLIO, GOODELL, HAWLEY, JENSEN, LAWLER, LEMONDES, MANKTELOW, McDONOUGH, MIKULIN, B. MILLER, M. MILLER, MONTESANO, MORINELLO, NORRIS, RA, REILLY, SALKA, SCHMITT, SIMPSON, SMITH, SMULLEN, TANNOUSIS, WALCZYK, WALSH -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to directing the public service commission to conduct a full cost benefit analysis of the technical and economic feasibility of renewable energy systems in the state of New York and to compare such directly with other methods of electricity generation

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-s to read as follows:

§ 66-s. Supplemental study of the costs, benefits, technical and economic feasibility of meeting the New York state climate leadership and community protection act renewable energy targets. 1. Not later than nine months after the effective date of this section, and every four years thereafter, the commission, on behalf of the climate action council established by section 75-0103 of the environmental conservation law, and in consultation with the president of the New York state energy research and development authority and the presiding officer of the federally designated electric bulk system operator, shall publish and update a comprehensive study to determine the costs, benefits and overall economic feasibility of meeting the climate leadership and community protection act ("CLCPA") targets for renewable energy systems in New York state.

2. Such study shall include a full cost benefit analysis assessing the following, including, but not limited to:

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

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(a) The current state of technology in place for electric generation as of the date of the study, as well as new and emerging generation methods;

(b) The impact of CLCPA renewable energy target compliance on electricity wholesale prices, delivery rates and total bills that energy consumers in this state will pay, including indirect energy costs. This analysis would include the impacts of subsidies to site land-based and offshore renewable energy projects, the build-out of the electric infrastructure to receive and transmit renewable power, subsidies of energy storage projects, and the addition of new loads associated with deep electrification efforts in the residential, commercial, industrial and transportation sectors. This analysis shall address both short-term and long-term maintenance costs;

(c) Direct and indirect costs associated with the transition to heating and cooling provided by heat pumps powered by renewable energy systems;

(d) The current civilian state of the art in nuclear reactor technology and the role such technology could play in the transition to a cleaner, more reliable, and more resilient energy portfolio in New York state;

(e) The impact of renewable energy systems on the reliability of the electric system in this state, including but not limited to, voltage sags and how reliability shall be maintained when solar and wind resources are not generating power, and shall also address how reliability will be maintained if fast-ramping gas-fired generation is phased out;

(f) Costs and logistical issues associated with end-of-life disposal of renewable energy system components;

(g) Short-term and long-term costs associated with building-out and maintaining adequate energy storage and/or battery capacity for periods when renewable energy systems are intermittent;

(h) Direct and indirect transportation costs associated with such matters as charging station infrastructure, a moratorium on gas pipeline construction, and over-the-road transport of goods, such as perishable agricultural products;

(i) The impact of CLCPA compliance on natural gas market prices, delivery rates and total bills that energy consumers in this state will pay including but not limited to short-term and long-term maintenance costs;

(j) The impact CLCPA compliance has on the reliability of the natural gas system in this state and its ability to support manufacturing processes for which today there are no known replacement fuels. Consideration shall be given to the following: the utilization and dependence upon natural gas by manufacturers for process purposes; the utilization and dependence on natural gas service for cooking by the restaurant and food-service industry, due to the ability of gas ranges and ovens to heat foods more evenly than their electric counterparts; the use of natural gas for heating in forty-six percent of households in the Northeast; and reliable and affordable alternatives for heating and other services currently supplied by natural gas;

(k) Clarification of the impact of CLCPA compliance on industrial use of fossil fuels; and

(l) An examination of the land use implications of major renewable electric generating facilities in the state, both from the standpoint of tourism and this state's tourism-based economic sectors, and potential effects on the viability of agriculture in this state.

3. Such study shall build upon relevant expertise already at the commission's disposal, along with that of the climate action council.

4. The department, on behalf of the commission, shall contract with an independent and competitively-selected consultant to undertake such study.

5. The department, and any contractors it may retain for such purposes, shall consult with entities that have resources and expertise to assist in such study, including, but not limited to, academic partners, electric corporations, electricity generating companies, trade organizations, environmental justice groups, and other stakeholders.

6. Upon completion of the initial study and each updated study conducted pursuant to subdivision one of this section, the department shall prepare a report on such study's findings, including recommendations for future courses of action and/or those issues requiring further investigation. The commission shall transmit such report along with the study to the governor, the speaker of the assembly, the temporary president of the senate, the chair of the assembly energy committee, and the chair of the senate energy and telecommunications committee no later than thirty days after the study's completion.

7. The Long Island power authority and the power authority of the state of New York are authorized, as deemed feasible and advisable by their respective boards, to make a voluntary contribution toward this study.

8. Upon receipt of the report of the study's findings, the commission shall, within ninety days, promulgate rules and regulations necessary for effectuating the intent of the recommendations made by the report.

§ 2. This act shall take effect immediately.