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

1121

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DESTITO, GUNTHER, LUPARDO -- Multi-Sponsored by -- M. of A. MAGEE -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to siting of electrical transmission lines and towers

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 121-b to read as follows:

S 121-B. RESTRICTIONS ON RECOUPING THE COST OF ELECTRICAL TRANSMISSION LINES AND TOWERS. 1. EVERY APPLICANT FOR A CERTIFICATE PURSUANT TO SECTION ONE HUNDRED TWENTY-TWO OF THIS ARTICLE, INTENDING TO ERECT ELECTRICAL TRANSMISSION LINES AND/OR TOWERS, SHALL INCLUDE IN SUCH APPLICATION A PLAN TO HOLD HARMLESS PROPERTY OWNERS AND RESIDENTS OF ANY AREAS OF THE STATE WHICH WOULD OTHERWISE SEE THEIR ELECTRICITY COSTS INCREASE AS A RESULT OF THE CONSTRUCTION OF SUCH LINES AND/OR TOWERS.

2. NO APPLICATION FOR A RATE INCREASE BY A PROVIDER OF ELECTRICITY SHALL INCLUDE A PROPOSAL WHICH WOULD RAISE RATES IN ONE AREA OF THE STATE IN ORDER TO BENEFIT ANOTHER AREA OF THE STATE.

S 2. This act shall take effect immediately.

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

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