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

11413--A

I N A S S E M B L Y

June 10, 2010

Introduced by COMMITTEE ON RULES -- (at request of M. of A. DelMonte, Cahill, M. Miller, Galef, Gunther, Fields, Stirpe, Skartados, Castro, Zebrowski, Jaffee, Maisel, Englebright, Gordon, Finch, Gibson, Glick, Gottfried, Hooper, Magee, McEneny, Reilly, Schimel, Schimminger) -- read once and referred to the Committee on Energy -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the public service law, in relation to remote metering by farm and non-residential customer-generators

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 3 of section 66-j of the public service law is amended by adding a new paragraph (e) to read as follows:

(E) A CUSTOMER WHO OWNS OR OPERATES A FARM OPERATION AS SUCH TERM IS DEFINED IN SUBDIVISION ELEVEN OF SECTION THREE HUNDRED ONE OF THE AGRICULTURE AND MARKETS LAW, OR A NON-RESIDENTIAL CUSTOMER-GENERATOR AS DEFINED BY SUBPARAGRAPH (III) OF PARAGRAPH (A) OF SUBDIVISION ONE OF THIS SECTION MAY LOCATE SOLAR ELECTRIC GENERATING EQUIPMENT OR FARM WASTE ELECTRIC GENERATING EQUIPMENT WITH A NET ENERGY METER ON LAND OWNED OR LEASED BY SUCH CUSTOMER-GENERATOR AND DESIGNATE ONE HUNDRED PERCENT OF THE NET METERING CREDITS GENERATED BY SUCH EQUIPMENT TO A METER OR METERS AT ANY LOCATION OWNED OR LEASED BY SUCH CUSTOMER-GENERATOR WITHIN THE SERVICE AREA OF THE SAME ELECTRIC CORPORATION TO WHICH THE CUSTOMER-GENERATOR'S NET ENERGY METERS ARE INTERCONNECTED AND BEING WITHIN A RADIUS OF TWENTY-FIVE MILES OF THE SOLAR ELECTRIC GENERATING EQUIPMENT OR FARM WASTE ELECTRIC GENERATING EQUIPMENT.

S 2. Subdivision 3 of section 66-1 of the public service law is amended by adding a new paragraph (e) to read as follows:

(E) A CUSTOMER WHO OWNS OR OPERATES LAND USED IN AGRICULTURAL PRODUCTION AS DEFINED IN SUBDIVISION FOUR OF SECTION THREE HUNDRED ONE OF THE AGRICULTURE AND MARKETS LAW, OR A NON-RESIDENTIAL CUSTOMER-GENERATOR AS DEFINED BY PARAGRAPH (C-1) OF SUBDIVISION ONE OF THIS SECTION MAY LOCATE WIND ELECTRIC GENERATING EQUIPMENT WITH A NET ENERGY METER ON

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

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LAND OWNED OR LEASED BY SUCH CUSTOMER-GENERATOR AND DESIGNATE ONE HUNDRED PERCENT OF THE NET METERING CREDITS GENERATED BY SUCH EQUIPMENT TO A METER OR METERS AT ANY LOCATION OWNED OR LEASED BY SUCH CUSTOMER-GENERATOR WITHIN THE SERVICE AREA OF THE SAME ELECTRIC CORPORATION TO WHICH THE CUSTOMER-GENERATOR'S NET ENERGY METERS ARE INTERCONNECTED AND BEING WITHIN A RADIUS OF TWENTY-FIVE MILES OF THE WIND ELECTRIC GENERATING EQUIPMENT.

S 3. This act shall take effect immediately.