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

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I N A S S E M B L Y

July 6, 2010

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Cahill) -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to the definition of alternate energy production facilities

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

Section 1. Subdivision 2-b of section 2 of the public service law, as amended by chapter 276 of the laws of 2009, is amended to read as follows:

2-b. The term "alternate energy production facility,"[,] when used in this chapter, includes any solar, wind turbine, fuel cell, tidal, wave energy, waste management resource recovery, refuse-derived fuel [or], wood burning facility, OR LITHIUM ION ENERGY BATTERIES, together with any related facilities located at the same project site, with an electric generating capacity of up to eighty megawatts, which produces electricity, gas or useful thermal energy.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.

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

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