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

5133

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. V. LOPEZ, PHEFFER -- read once and referred to the Committee on Energy

AN ACT to amend the public authorities law and the public service law, in relation to the eligibility of state and New York city supervised, limited profit housing developments to receive energy services from the New York state power authority

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

Section 1. The third undesignated paragraph of section 1005 of the public authorities law, as amended by chapter 287 of the laws of 2004, is amended to read as follows:

The authority is further authorized to construct and/or acquire and complete such base load generating, transmission and related facilities as it deems necessary or desirable to assist in maintaining an adequate and dependable supply of electricity by supplying power and energy for the metropolitan transportation authority, its subsidiary corporations, the New York city transit authority, the port authority of New York and New Jersey, the city of New York, the state of New York, the United States, other public corporations and electric corporations within the metropolitan area of the city of New York within the state of New York; provided, however, that (i) the acquisition of completed or partially completed facilities shall be after public hearing and shall be limited to facilities located in New York city or Westchester county and the energy and power generated by such facilities shall be used, to the extent feasible, for the benefit of electric consumers in that area, (ii) not more than one such generating facility shall be acquired in each of New York city and Westchester county, (iii) the price to be paid pursuant to any agreement entered into with respect to the purchase, appropriation or condemnation of any such completed or partially completed facility, as the case may be, shall be subject to the approval of the state comptroller and (iv) transmission facilities shall not be

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

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so acquired pursuant to this paragraph unless such acquisition is necessary to assure delivery of power and energy produced by any acquired generating facility. The authority is further authorized, to the extent it deems it necessary or desirable, to provide power and energy, as it may determine it to be available, for the use by the Niagara frontier transportation authority or its subsidiary corporation. The authority is authorized to make energy efficiency services, clean energy technologies and, in the event that supplies of power and energy are determined to be available from the competitive market for this purpose, power and energy, available to public and nonpublic elementary and secondary schools throughout the state. THE AUTHORITY IS FURTHER MANDATED TO PROVIDE POWER AND ENERGY FOR THE USE BY HOUSING COMPANIES INCORPORATED PURSUANT TO ARTICLE TWO OF THE PRIVATE HOUSING FINANCE LAW.

S 2. Subdivision 28 of section 66 of the public service law, as added by chapter 82 of the laws of 1998, is amended to read as follows:

28. No revenues foregone by an electric corporation, as a result of subjecting certain veterans' organizations [with] TO rates or charges applicable to domestic consumers pursuant to section seventy-six of this article OR AS A RESULT OF THE PROVISION OF POWER AND ENERGY TO CERTAIN HOUSING COMPANIES PURSUANT TO THE THIRD UNDESIGNATED PARAGRAPH OF SECTION ONE THOUSAND FIVE OF THE PUBLIC AUTHORITIES LAW, shall be recovered from the customers of such corporation.

S 3. This act shall take effect immediately.