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

4993

2009-2010 Regular Sessions

I N  S E N A T E

April 27, 2009

Introduced by Sen. THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to net energy metering for residential solar and wind, farm waste or non-residential solar electric generating systems

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

Section 1. Paragraph (d) of subdivision 1 of section 66-j of the public service law, as amended by chapter 452 of the laws of 2008, is amended to read as follows:

(d) "Solar electric generating equipment" means a photovoltaic system (i) (A) in the case of a residential customer, with a rated capacity of not more than twenty-five kilowatts; and (B) in the case of a non-residential customer, with a rated capacity of not more than [the lesser of] two thousand kilowatts [or such customer's peak load as measured over the prior twelve month period, or in the case that such twelve month period of measurement is not available, then as determined by the commission based on its analysis of comparable facilities]; and (ii) that is manufactured, installed, and operated in accordance with applicable government and industry standards, that is connected to the electric system and operated in conjunction with an electric corporation's transmission and distribution facilities, and that is operated in compliance with any standards and requirements established under this section.

S 2. Paragraph (f) of subdivision 1 of section 66-1 of the public service law, as amended by chapter 483 of the laws of 2008, is amended to read as follows:

(f) "Wind electric generating equipment" means one or more wind generators with a combined rated capacity of not more than twenty-five kilowatts for a residential customer-generator, and not more than five

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

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hundred kilowatts for a farm service customer-generator, and in the case of a non-residential customer-generator, [the lesser of] NOT MORE THAN two thousand kilowatts [or the customer-generator's peak load as measured over the prior twelve month period, or in the case that such twelve month period of measurement is not available, then as determined by the commission based on its analysis of comparable facilities]; that is manufactured, installed, and operated in accordance with applicable government and industry standards, that is connected to the electric system and operated in parallel with an electric corporation's transmission and distribution facilities, and that is operated in compliance with any standards and requirements established under this section.

S 3. This act shall take effect immediately.