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

3969

2009-2010 Regular Sessions

I N A S S E M B L Y

January 29, 2009

Introduced by M. of A. HYER-SPENCER, TITONE, TOBACCO -- Multi-Sponsored by -- M. of A. DIAZ -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to electrical generating facilities

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

Section 1. Section 66 of the public service law is amended by adding a new subdivision 29 to read as follows:

29. (A) THE COMMISSION SHALL REQUIRE THAT ANY ELECTRICAL GENERATING FACILITY LOCATED WITHIN THE CITY OF NEW YORK, THAT WAS CONSTRUCTED BETWEEN JANUARY FIRST, TWO THOUSAND ONE AND DECEMBER THIRTY-FIRST, TWO THOUSAND ONE AND THAT LIES WITHIN FIVE HUNDRED FEET OF A RESIDENCE SHALL NOT BE PERMITTED TO OPERATE OR GENERATE ELECTRICITY UNLESS THE DEMAND FOR ELECTRICAL CAPACITY EXCEEDS THE DAILY FORECAST FOR THE CITY OF NEW YORK AS DETERMINED BY THE COMMISSION THE DAY BEFORE THE DAY OF USAGE.

(B) THE COMMISSION SHALL REQUIRE THAT THE POWER AUTHORITY OF THE STATE OF NEW YORK PRODUCE A PLAN WITHIN SIX MONTHS FROM THE EFFECTIVE DATE OF THIS SUBDIVISION TO CEASE OPERATION OF ANY ELECTRICAL GENERATING FACILITY LOCATED WITHIN THE CITY OF NEW YORK, THAT WAS CONSTRUCTED BETWEEN JANUARY FIRST, TWO THOUSAND ONE AND DECEMBER THIRTY-FIRST, TWO THOUSAND ONE, AND THAT IS LOCATED WITHIN FIVE HUNDRED FEET OF A RESIDENCE, BY DECEMBER THIRTY-FIRST, TWO THOUSAND ELEVEN.

S 2. This act shall take effect on the ninetieth 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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