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

461--A

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. JEFFRIES, MILLMAN, MAISEL, JAFFEE, TITONE -- Multi-Sponsored by -- M. of A. BALL, BENEDETTO, GABRYSZAK, HOOPER, McENENY, ROBINSON, SPANO -- read once and referred to the Committee on Energy -- recommitted to the Committee on Energy in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to directing the New York state energy research and development authority to conduct a study related to a comprehensive energy plan for the downstate region of the state

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

Section 1. The public authorities law is amended by adding a new section 1855-a to read as follows:

S 1855-A. COMPREHENSIVE ENERGY MANAGEMENT PLAN. 1. THE AUTHORITY IS HEREBY AUTHORIZED AND DIRECTED TO CONDUCT A COMPREHENSIVE STUDY TO ANALYZE THE ELECTRICITY AND STEAM CAPACITY AND POWER DISTRIBUTION GRID CONDITIONS IN THE DOWNSTATE REGION OF THE STATE. FOR PURPOSES OF THIS SECTION, "DOWNSTATE" SHALL BE DEFINED AS THAT REGION LOCATED SOUTH OF THE MILLWOOD - SOUTH TRANSMISSION INTERFACE. SUCH STUDY SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO:

(A) AN ANALYSIS OF PROJECTED POWER NEEDS AND AN ASSESSMENT OF EXISTING:

(I) GENERATING FACILITIES WITH A CAPACITY OF TWENTY MEGAWATTS OR MORE;

(II) POWER GRID CAPACITY AND LOAD POCKETS;

(III) NATURAL GAS AND OTHER FUEL SOURCE CAPACITY;

(IV) SUBSTATION TRANSFORMERS; AND

(V) EMERGENCY GENERATORS;

(B) AN ANALYSIS OF FUTURE POWER NEEDS;

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

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(C) AN ENVIRONMENTAL ASSESSMENT OF GENERATING FACILITIES WITH A CAPACITY OF TWENTY MEGAWATTS OR MORE INCLUDING, BUT NOT LIMITED TO:
(I) EMISSIONS;
(II) WATER IMPACTS;
(III) LAND USE IMPACTS;
(IV) TRAFFIC IMPACTS; AND
(V) NOISE IMPACTS;
(D) THE IDENTIFICATION OF AREAS OF OVERSATURATION OF POWER FACILITIES; AND
(E) AN ASSESSMENT OF ALTERNATIVES, SUCH AS:
(I) ENERGY EFFICIENCY;
(II) LOAD CURTAILMENT;
(III) CLEAN DISTRIBUTED GENERATION; AND
(IV) CO-GENERATION.

2. THE AUTHORITY SHALL SUBMIT A COPY OF SUCH STUDY TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIRPERSON OF THE SENATE ENERGY AND TELECOMMUNICATIONS COMMITTEE AND THE CHAIRPERSON OF THE ASSEMBLY ENERGY COMMITTEE NO LATER THAN JANUARY FIRST, TWO THOUSAND ELEVEN.

3. UPON COMPLETION OF THE STUDY CONDUCTED PURSUANT TO SUBDIVISION ONE OF THIS SECTION, THE AUTHORITY SHALL DEVELOP AN OVERALL COMPREHENSIVE ENERGY MANAGEMENT PLAN. SUCH PLAN SHALL TAKE INTO ACCOUNT THE RESULTS AND FINDINGS OF SUCH STUDY, AND SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO THE FOLLOWING:
(A) AN OUTLINE OF GUIDELINES AND REQUIREMENTS FOR SITING POWER PLANTS;
(B) THE RESEARCH OF POTENTIAL SITES FOR FUTURE POWER PLANT LOCATIONS THAT MEET THE GUIDELINES AND REQUIREMENTS ESTABLISHED PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION AND ARE NOT LOCATED IN AREAS OF OVERSATURATION;
(C) AN IDENTIFICATION OF EXISTING PLANTS THAT SHOULD BE TARGETED FOR RE-POWERING WITH MORE EFFICIENT GENERATORS; AND
(D) A REQUIREMENT THAT AT LEAST TWO PUBLIC HEARINGS BE HELD WITHIN THE DOWNSTATE REGION DESCRIBED IN SUBDIVISION ONE OF THIS SECTION WITHIN SIXTY DAYS OF THE PUBLICATION OF SUCH MANAGEMENT PLAN, AND PROVIDE ADEQUATE OPPORTUNITY FOR WRITTEN TESTIMONY REGARDING SUCH PLAN.

4. THE AUTHORITY SHALL SUBMIT A COPY OF SUCH MANAGEMENT PLAN TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIRPERSON OF THE SENATE ENERGY AND TELECOMMUNICATIONS COMMITTEE AND THE CHAIRPERSON OF THE ASSEMBLY ENERGY COMMITTEE NO LATER THAN SEPTEMBER FIRST, TWO THOUSAND ELEVEN.

S 2. This act shall take effect immediately.