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

5132

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

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

AN ACT to amend the public authorities law, in relation to requiring the power authority of the state of New York to provide insulation and energy conservation plans to certain housing authority customers

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 1001-b to read as follows:

S 1001-B. INSULATION AND ENERGY CONSERVATION PLANS FOR HOUSING AUTHORITY CUSTOMERS. THE LEGISLATURE HEREBY FINDS AND DECLARES THAT THERE IS A CONTINUING NEED TO CONSERVE ENERGY IN MANY HOMES IN NEW YORK STATE WHICH LACK ADEQUATE INSULATION AND OTHER CONSERVATION MEASURES. THIS NEED IS MOST PRONOUNCED, HOWEVER, IN THE STATE'S MULTIFAMILY DWELLINGS WITHIN THE METROPOLITAN AREA OF THE CITY OF NEW YORK WHERE THE OWNERS AND TENANTS OF SUCH PROPERTIES ARE UNABLE TO AFFORD THE INITIAL COST OF ENERGY CONSERVATION MEASURES. BECAUSE ENERGY WASTE IN MULTIFAMILY DWELLINGS CAUSES MORE EXPENSIVE AND LESS EFFICIENT ENERGY SOURCES TO BE USED, THE REDUCTION OF ENERGY CONSUMPTION IN THESE BUILDINGS WILL ACCRUE TO THE BENEFIT OF ALL ENERGY USERS IN THE STATE. ACCORDINGLY, THE LEGISLATURE HEREBY DIRECTS THE POWER AUTHORITY OF THE STATE OF NEW YORK TO PROVIDE TO ITS HOUSING AUTHORITY CUSTOMERS, INCLUDING THE NEW YORK CITY HOUSING AUTHORITY, AN INSULATION AND ENERGY CONSERVATION PLAN.

1. AS USED IN THIS SECTION, THE TERM "ENERGY CONSERVATION MEASURES" SHALL MEAN:

(A) CAULKING AND WEATHERSTRIPPING OF ALL EXTERIOR DOORS AND WINDOWS;

(B) FURNACE EFFICIENCY MODIFICATIONS INCLUDING BUT NOT LIMITED TO:

(I) REPLACEMENT BURNERS DESIGNED TO REDUCE THE FIRING RATE OR TO ACHIEVE A REDUCTION IN THE AMOUNT OF FUEL CONSUMED AS A RESULT OF INCREASED COMBUSTION EFFICIENCY;

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

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(II) DEVICES FOR MODIFYING FLUE OPENINGS WHICH WILL INCREASE THE EFFICIENCY OF THE HEATING SYSTEM; AND

(III) ELECTRICAL OR MECHANICAL FURNACE IGNITION SYSTEMS WHICH REPLACE STANDING GAS PILOT LIGHTS;

(C) FURNACE AND BOILER RETROFITS, INCLUDING BUT NOT LIMITED TO BURNER AND SYSTEM DERATING;

(D) FURNACE AND BOILER REPLACEMENTS REGARDLESS OF THE FUEL USED, PROVIDED THAT SUCH REPLACEMENT FURNACES OR BOILERS SHALL MEET MINIMUM EFFICIENCY STANDARDS ESTABLISHED BY THE COMMISSION;

(E) HEAT PUMPS PROVIDED THAT SUCH HEAT PUMPS SHALL MEET SUCH MINIMUM EFFICIENCY STANDARDS FOR HEATING AND COOLING PURPOSES ESTABLISHED BY THE PUBLIC SERVICE COMMISSION IN THE ABSENCE OF ANY PROVISION ESTABLISHING SUCH STANDARDS IN THE ENERGY LAW;

(F) CLOCK THERMOSTATS;

(G) CEILING, ATTIC, WALL, FOUNDATION, AIR DUCT, HEATING PIPE AND FLOOR INSULATION;

(H) HOT WATER HEATER INSULATION;

(I) STORM AND THERMAL WINDOWS AND DOORS;

(J) SOLAR AND WIND SYSTEMS; AND

(K) LOAD MANAGEMENT DEVICES AND ENERGY USE METERS, TOGETHER WITH ASSOCIATED WIRING.

2. THE AUTHORITY SHALL ADOPT AND IMPLEMENT AN INSULATION AND ENERGY CONSERVATION PLAN AND SHALL OFFER PARTICIPATION TO ANY HOUSING AUTHORITY CUSTOMER, INCLUDING, BUT NOT LIMITED TO THE NEW YORK CITY HOUSING AUTHORITY, WHICH RECEIVES ELECTRIC SERVICE FROM THE AUTHORITY. SUCH PLAN SHALL PROVIDE PARTICIPATING CUSTOMERS WITH THE OPPORTUNITY TO ENTER INTO AN AGREEMENT WITH THE AUTHORITY WHEREBY THE AUTHORITY SHALL PROVIDE FINANCIAL ASSISTANCE TO FINANCE THE INSTALLATION OF ENERGY CONSERVATION MEASURES; PROVIDED THAT NO COSTS ASSOCIATED WITH SUCH FINANCIAL ASSISTANCE SHALL BE CHARGED TO THE AUTHORITY'S CUSTOMERS. FINANCIAL ASSISTANCE SHALL BE REPAID TO THE AUTHORITY, OVER A PERIOD NOT TO EXCEED TEN YEARS, WITH SAVINGS IN ENERGY COSTS AND RELATED COSTS WHICH ACCRUE TO THE PARTICIPATING CUSTOMERS AS A RESULT OF INSTALLING SUCH MEASURES.

3. THE AUTHORITY SHALL AFFORD EACH PARTICIPANT IN ITS INSULATION AND ENERGY CONSERVATION PLAN THE OPTION OF INSTALLING ENERGY CONSERVATION MEASURES EITHER (A) BY PERFORMING THE WORK ON A "DO-IT-YOURSELF" BASIS, WHERE DEEMED SAFE AND FEASIBLE; (B) THROUGH THE USE OF SERVICES PROVIDED BY THE AUTHORITY ITSELF, IF THE AUTHORITY DECIDES TO OFFER SUCH SERVICES PROVIDED, HOWEVER, THAT IN OFFERING SUCH SERVICES, THE AUTHORITY SHALL CONTRACT, THROUGH THE USE OF PREVAILING COMPETITIVE BIDDING PROCESSES, WITH PERSONS, FIRMS AND CORPORATIONS NOT OWNED OR OPERATED BY SUCH AUTHORITY FOR THE INSTALLATION OF ENERGY CONSERVATION MEASURES; OR, (C) THROUGH THE USE OF THE SERVICES OF A CONTRACTOR AND/OR SUPPLIER OF THE CUSTOMER'S CHOICE. IN IMPLEMENTING PARAGRAPH (A) OF THIS SUBDIVISION, THE AUTHORITY, IN CONSULTATION WITH THE PUBLIC SERVICE COMMISSION, SHALL PREPARE A "DO-IT-YOURSELF" MANUAL FOR THE CUSTOMERS IT SERVES, DETAILING THE MATERIALS CAPABLE OF BEING USED, THEIR MANNER OF EFFECTIVE INSTALLATION, AND THE CRITERIA USED IN INSPECTION TO DETERMINE THE DEGREE OF EFFECTIVENESS.

S 2. This act shall take effect immediately.