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

7684

2009-2010 Regular Sessions

I N A S S E M B L Y

April 21, 2009

Introduced by M. of A. GORDON -- read once and referred to the Committee on Energy

AN ACT to amend the energy law, in relation to allowing the sale and supply of electricity to a neighboring consumer

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

Section 1. Subdivision 1 of section 21-106 of the energy law, is amended by adding a new paragraph (e) to read as follows:

(E) THE TERM "NEIGHBORING CONSUMER" SHALL MEAN A NON-RESIDENTIAL CONSUMER OF ENERGY THAT IS LOCATED WITHIN TEN MILES OF THE LANDS UPON WHICH A CO-GENERATION, SMALL HYDRO OR ALTERNATE ENERGY PRODUCTION FACILITY IS LOCATED.

S 2. Subdivisions 4 and 5 of section 21-106 of the energy law are renumbered subdivisions 5 and 6 and a new subdivision 4 is added to read as follows:

4. ANY OWNER OR OPERATOR OF A CO-GENERATION, SMALL HYDRO OR ALTERNATE ENERGY PRODUCTION FACILITY CONSTRUCTED AND PLACED IN OPERATION ON OR AFTER JUNE TWENTY-SIXTH, NINETEEN HUNDRED EIGHTY, MAY SELL AND SUPPLY ELECTRICITY PRODUCED AT SUCH FACILITY TO ONE NEIGHBORING CONSUMER. THE STATE ENERGY OFFICE, IN CONSULTATION WITH THE PUBLIC SERVICE COMMISSION, SHALL PROMULGATE RULES AND REGULATIONS TO IMPLEMENT THIS SUBDIVISION BY JANUARY FIRST, TWO THOUSAND TEN.

S 3. This act shall take effect immediately.

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

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