

5616

2009-2010 Regular Sessions

I N S E N A T E

May 21, 2009

Introduced by Sen. PARKER -- 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 solar and wind electric generating equipment

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

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

4 (d) "Solar electric generating equipment" means a photovoltaic system
5 (i) (A) in the case of a residential OR NON-RESIDENTIAL customer, with a
6 rated capacity of not more than twenty-five kilowatts; and (B) in the
7 case of a non-residential customer, with a rated capacity of [not] more
8 than TWENTY-FIVE KILOWATTS, the lesser of two thousand kilowatts or such
9 customer's peak load as measured over the prior twelve month period, or
10 in the case that such twelve month period of measurement is not avail-
11 able, then as determined by the commission based on its analysis of
12 comparable facilities; and (ii) that is manufactured, installed, and
13 operated in accordance with applicable government and industry stand-
14 ards, that is connected to the electric system and operated in conjunc-
15 tion with an electric corporation's transmission and distribution facil-
16 ities, and that is operated in compliance with any standards and
17 requirements established under this section.

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

21 (f) "Wind electric generating equipment" means one or more wind gener-
22 ators with a combined rated capacity of not more than twenty-five kilo-
23 watts for a residential OR NON-RESIDENTIAL customer-generator, and not
24 more than five hundred kilowatts for a farm service customer-generator,

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

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1 and in the case of a non-residential customer-generator OF MORE THAN
2 TWENTY-FIVE KILOWATTS, the lesser of two thousand kilowatts or the
3 customer-generator's peak load as measured over the prior twelve month
4 period, or in the case that such twelve month period of measurement is
5 not available, then as determined by the commission based on its analy-
6 sis of comparable facilities; that is manufactured, installed, and oper-
7 ated in accordance with applicable government and industry standards,
8 that is connected to the electric system and operated in parallel with
9 an electric corporation's transmission and distribution facilities, and
10 that is operated in compliance with any standards and requirements
11 established under this section.

12 S 3. This act shall take effect immediately.