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

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I N S E N A T E

May 13, 2010

Introduced by Sens. AUBERTINE, MAZIARZ -- 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 requiring the New York state independent system operator to increase end-use consumer representation

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

Section 1. Legislative findings. The legislature finds that much confusion exists with respect to determining and understanding the role of the New York State Independent System Operator, Inc. (NYISO) in administering New York's wholesale electric power markets. The legislature further finds that increasing the representation of end-use consumer issues in the daily operations of the NYISO will help to ensure the direct impact on end-use consumers is considered by the NYISO and its stakeholders.

S 2. The public service law is amended by adding a new section 65-c to read as follows:

S 65-C. END-USE CONSUMER REPRESENTATION IN WHOLESALE ELECTRICITY MARKET. 1. THE NEW YORK STATE INDEPENDENT SYSTEM OPERATOR, INC. (NYISO) SHALL IMPLEMENT MEASURES PROVIDING THAT THE INTERESTS OF END-USE CONSUMERS ARE CONSIDERED WHEN AMENDING OR ADMINISTERING TARIFF PROVISIONS THAT IMPACT NEW YORK'S WHOLESALE ELECTRICITY MARKETS.

2. THE NYISO SHALL AMEND ITS MISSION STATEMENT TO INCLUDE THE PROVISION OF RELIABLE SERVICE AT THE LOWEST REASONABLE COST TO END-USE CONSUMERS.

3. THE NYISO SHALL AMEND SECTION 5.04 OF THE ISO AGREEMENT AND SECTION 9.02 OF THE MANAGEMENT COMMITTEE BY-LAWS BY ADDING THE DEPUTY SECRETARY OF ENERGY TO THE GOVERNOR AS A MEMBER OF THE NYISO BOARD SELECTION SUBCOMMITTEE UPON VACANCIES ON THE BOARD OF DIRECTORS.

S 3. The public service law is amended by adding a new section 66-m to read as follows:

S 66-M. NEW YORK STATE INDEPENDENT SYSTEM OPERATOR (NYISO) ANNUAL REPORT ON END-USE CONSUMERS. BEGINNING APRIL FIRST, TWO THOUSAND ELEVEN

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

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AND ANNUALLY THEREAFTER, THE NYISO SHALL FILE A REPORT TO THE GOVERNOR, THE CHAIRMAN OF THE PUBLIC SERVICE COMMISSION, THE SPEAKER OF THE ASSEMBLY, THE TEMPORARY PRESIDENT OF THE SENATE, THE MINORITY LEADERS OF THE SENATE AND THE ASSEMBLY, AND THE CHAIRS OF THE ENERGY COMMITTEES OF BOTH THE SENATE AND ASSEMBLY SETTING FORTH INFORMATION REGARDING THE IMPACT OF NEW YORK'S WHOLESALE POWER MARKETS ON END-USE CONSUMERS. THE PUBLIC SERVICE COMMISSION IN CONSULTATION WITH THE CONSUMER PROTECTION BOARD MAY PRESCRIBE THE FORM AND CONTENT OF SUCH REPORT.

S 4. This act shall take effect on the one hundred eightieth day after it shall have become a law.