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

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2011-2012 Regular Sessions

I N A S S E M B L Y

March 11, 2011

Introduced by M. of A. CRESPO, P. RIVERA, CROUCH, STEVENSON, N. RIVERA -- Multi-Sponsored by -- M. of A. BURLING, OAKS, THIELE -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to remote net metering by farm and non-residential customer-generators

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

Section 1. Subdivision 3 of section 66-j of the public service law is amended by adding a new paragraph (e) to read as follows:

(E) A CUSTOMER WHO OWNS OR OPERATES A FARM OPERATION AS SUCH TERM IS DEFINED IN SUBDIVISION ELEVEN OF SECTION THREE HUNDRED ONE OF THE AGRICULTURE AND MARKETS LAW, OR A NON-RESIDENTIAL CUSTOMER-GENERATOR AS DEFINED BY SUBPARAGRAPH (III) OF PARAGRAPH (A) OF SUBDIVISION ONE OF THIS SECTION THAT LOCATES SOLAR ELECTRIC GENERATING EQUIPMENT OR FARM WASTE ELECTRIC GENERATING EQUIPMENT WITH A NET ENERGY METER ON PROPERTY OWNED OR LEASED BY SUCH CUSTOMER-GENERATOR MAY DESIGNATE, OVER A PERIOD AS PRESCRIBED IN PARAGRAPH (C) OF SUBDIVISION FOUR OF THIS SECTION, ALL OR A PORTION OF THE NET METERING CREDITS GENERATED BY SUCH EQUIPMENT TO METERS AT ANY PROPERTY OWNED OR LEASED BY SUCH CUSTOMER-GENERATOR WITHIN THE SERVICE TERRITORY OF THE SAME ELECTRIC CORPORATION TO WHICH THE CUSTOMER-GENERATOR'S NET ENERGY METERS ARE INTERCONNECTED AND BEING WITHIN THE SAME LOAD ZONE AS DETERMINED BY THE LOCATION BASED MARGINAL PRICE AS OF THE DATE OF INITIAL REQUEST BY THE CUSTOMER-GENERATOR TO CONDUCT NET METERING. THE AMOUNT OF THE NET METERING CREDITS SO DESIGNATED MAY NOT EXCEED THE TOTAL AMOUNT BILLED TO SUCH CUSTOMER-GENERATOR AT SUCH DESIGNATED METER OR METERS OVER A PERIOD AS PRESCRIBED IN PARAGRAPH (C) OF SUBDIVISION FOUR OF THIS SECTION.

S 2. Subdivision 3 of section 66-1 of the public service law is amended by adding a new paragraph (e) to read as follows:

(E) A CUSTOMER WHO OWNS OR OPERATES LAND USED IN AGRICULTURAL PRODUCTION AS DEFINED IN SUBDIVISION FOUR OF SECTION THREE HUNDRED ONE

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

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OF THE AGRICULTURE AND MARKETS LAW, OR A NON-RESIDENTIAL CUSTOMER-GENERATOR AS DEFINED BY PARAGRAPH (C-1) OF SUBDIVISION ONE OF THIS SECTION THAT LOCATES WIND ELECTRIC GENERATING EQUIPMENT WITH A NET ENERGY METER ON PROPERTY OWNED OR LEASED BY SUCH CUSTOMER-GENERATOR MAY DESIGNATE OVER A PERIOD AS PRESCRIBED IN PARAGRAPH (C) OF SUBDIVISION FOUR OF THIS SECTION, ALL OR A PORTION OF THE NET METERING CREDITS GENERATED BY SUCH EQUIPMENT TO METERS, AT ANY PROPERTY OWNED OR LEASED BY SUCH CUSTOMER-GENERATOR WITHIN THE SERVICE TERRITORY OF THE SAME ELECTRIC CORPORATION TO WHICH THE CUSTOMER-GENERATOR'S NET ENERGY METERS ARE INTERCONNECTED AND BEING WITHIN THE SAME LOAD ZONE AS DETERMINED BY THE LOCATION BASED MARGINAL PRICE AS OF THE DATE OF INITIAL REQUEST BY THE CUSTOMER-GENERATOR TO CONDUCT NET METERING. THE AMOUNT OF THE NET METERING CREDITS SO DESIGNATED MAY NOT EXCEED THE TOTAL AMOUNT BILLED TO SUCH CUSTOMER-GENERATOR AT SUCH DESIGNATED METER OR METERS OVER A PERIOD AS PRESCRIBED IN PARAGRAPH (C) OF SUBDIVISION FOUR OF THIS SECTION.

S 3. This act shall take effect immediately.