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

3872--B

2011-2012 Regular Sessions

I N S E N A T E

March 8, 2011

Introduced by Sens. MAZIARZ, DUANE, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to requiring the development of a generation attribute tracking system by the New York state energy research and development authority

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

Section 1. Section 1851 of the public authorities law is amended by adding a new subdivision 18 to read as follows:

18. "GENERATION ATTRIBUTE CERTIFICATE" SHALL MEAN THE ENVIRONMENTAL ATTRIBUTES ASSOCIATED WITH ONE MEGAWATT-HOUR OF QUALIFIED RENEWABLE ENERGY GENERATED BY A SOURCE WITHIN NEW YORK STATE INCLUDING ALL GENERATORS PARTICIPATING IN THE WHOLESALE ENERGY MARKETS AS WELL AS THOSE NOT PARTICIPATING IN THE WHOLESALE ENERGY MARKETS INCLUDING BEHIND-THE-METER INSTALLATION; SUCH CERTIFICATES SHALL INCLUDE, BUT NOT BE LIMITED TO, INFORMATION ON THE TYPE OF FUEL USED SUCH THAT THE CERTIFICATES MAY ALSO BE USED AS RENEWABLE ENERGY CREDITS OR RECS WHEN THE FUEL SUPPLY SO QUALIFIES.

S 2. Section 1854 of the public authorities law is amended by adding a new subdivision 19 to read as follows:

19. TO ESTABLISH A PROCESS AND PROCEDURE FOR CERTIFYING GENERATION ATTRIBUTE CERTIFICATES AND A SYSTEM FOR TRACKING THE SALE AND TRADING OF SUCH CERTIFICATES INDEPENDENTLY FROM THE SIMULTANEOUSLY GENERATED ENERGY. EACH INITIAL ISSUANCE, SALE, AND TRADING OF CERTIFICATES SHALL BE RECORDED IN THE TRACKING SYSTEM AND EASILY REPORTABLE. THE AUTHORITY SHALL CONSULT WITH THE NEW YORK STATE INDEPENDENT SYSTEM OPERATOR AND

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

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THE DEPARTMENT OF PUBLIC SERVICE TO AID IN DEVELOPMENT OF THE TRACKING SYSTEM AND MAY CONTRACT AND DELEGATE RESPONSIBILITY FOR THE OPERATION OF THE SYSTEM TO THE INDEPENDENT SYSTEM OPERATOR OR A THIRD PARTY PENDING APPROVAL OF THE AUTHORITY'S BOARD OF DIRECTORS. SUCH SYSTEM SHALL BE DEVELOPED WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THIS SUBDIVISION AND SHALL BE COMPATIBLE WITH OTHER SUCH SYSTEMS OPERATING IN OTHER REGIONS OF THE UNITED STATES AND CANADA TO THE GREATEST EXTENT FEASIBLE. IT SHALL ALSO ACCOUNT FOR ENERGY IMPORTS FROM AREAS WITHOUT SIMILAR TRACKING SYSTEMS.

S 3. This act shall take effect immediately.