

6270

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 meter-
ing by farm and non-residential customer-generators

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

1 Section 1. Subdivision 3 of section 66-j of the public service law is
2 amended by adding a new paragraph (e) to read as follows:
3 (E) A CUSTOMER WHO OWNS OR OPERATES A FARM OPERATION AS SUCH TERM IS
4 DEFINED IN SUBDIVISION ELEVEN OF SECTION THREE HUNDRED ONE OF THE AGRI-
5 CULTURE AND MARKETS LAW, OR A NON-RESIDENTIAL CUSTOMER-GENERATOR AS
6 DEFINED BY SUBPARAGRAPH (III) OF PARAGRAPH (A) OF SUBDIVISION ONE OF
7 THIS SECTION THAT LOCATES SOLAR ELECTRIC GENERATING EQUIPMENT OR FARM
8 WASTE ELECTRIC GENERATING EQUIPMENT WITH A NET ENERGY METER ON PROPERTY
9 OWNED OR LEASED BY SUCH CUSTOMER-GENERATOR MAY DESIGNATE, OVER A PERIOD
10 AS PRESCRIBED IN PARAGRAPH (C) OF SUBDIVISION FOUR OF THIS SECTION, ALL
11 OR A PORTION OF THE NET METERING CREDITS GENERATED BY SUCH EQUIPMENT TO
12 METERS AT ANY PROPERTY OWNED OR LEASED BY SUCH CUSTOMER-GENERATOR WITHIN
13 THE SERVICE TERRITORY OF THE SAME ELECTRIC CORPORATION TO WHICH THE
14 CUSTOMER-GENERATOR'S NET ENERGY METERS ARE INTERCONNECTED AND BEING
15 WITHIN THE SAME LOAD ZONE AS DETERMINED BY THE LOCATION BASED MARGINAL
16 PRICE AS OF THE DATE OF INITIAL REQUEST BY THE CUSTOMER-GENERATOR TO
17 CONDUCT NET METERING. THE AMOUNT OF THE NET METERING CREDITS SO DESIG-
18 NATED MAY NOT EXCEED THE TOTAL AMOUNT BILLED TO SUCH CUSTOMER-GENERATOR
19 AT SUCH DESIGNATED METER OR METERS OVER A PERIOD AS PRESCRIBED IN PARA-
20 GRAPH (C) OF SUBDIVISION FOUR OF THIS SECTION.
21 S 2. Subdivision 3 of section 66-1 of the public service law is
22 amended by adding a new paragraph (e) to read as follows:
23 (E) A CUSTOMER WHO OWNS OR OPERATES LAND USED IN AGRICULTURAL
24 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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1 OF THE AGRICULTURE AND MARKETS LAW, OR A NON-RESIDENTIAL CUSTOMER-GENER-
2 ATOR AS DEFINED BY PARAGRAPH (C-1) OF SUBDIVISION ONE OF THIS SECTION
3 THAT LOCATES WIND ELECTRIC GENERATING EQUIPMENT WITH A NET ENERGY METER
4 ON PROPERTY OWNED OR LEASED BY SUCH CUSTOMER-GENERATOR MAY DESIGNATE
5 OVER A PERIOD AS PRESCRIBED IN PARAGRAPH (C) OF SUBDIVISION FOUR OF THIS
6 SECTION, ALL OR A PORTION OF THE NET METERING CREDITS GENERATED BY SUCH
7 EQUIPMENT TO METERS, AT ANY PROPERTY OWNED OR LEASED BY SUCH
8 CUSTOMER-GENERATOR WITHIN THE SERVICE TERRITORY OF THE SAME ELECTRIC
9 CORPORATION TO WHICH THE CUSTOMER-GENERATOR'S NET ENERGY METERS ARE
10 INTERCONNECTED AND BEING WITHIN THE SAME LOAD ZONE AS DETERMINED BY THE
11 LOCATION BASED MARGINAL PRICE AS OF THE DATE OF INITIAL REQUEST BY THE
12 CUSTOMER-GENERATOR TO CONDUCT NET METERING. THE AMOUNT OF THE NET METER-
13 ING CREDITS SO DESIGNATED MAY NOT EXCEED THE TOTAL AMOUNT BILLED TO SUCH
14 CUSTOMER-GENERATOR AT SUCH DESIGNATED METER OR METERS OVER A PERIOD AS
15 PRESCRIBED IN PARAGRAPH (C) OF SUBDIVISION FOUR OF THIS SECTION.
16 S 3. This act shall take effect immediately.