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I N   A S S E M B L Y

March 16, 2012
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Introduced by M. of A. BRINDISI, CAHILL -- read once and referred to the
    Committee on Energy

AN ACT to amend the public service law, in relation to remote net energy
    metering by farm and non-residential customer-generators using micro-
    hydroelectric generating equipment

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

1   Section 1. Subparagraphs (vi) and (vii) of paragraph (a) of subdivi-
2 sion 1 of section 66-j of the public service law, subparagraph (vi) as
3 added by chapter 546 of the laws of 2011, are redesignated subparagraphs
4 (vii) and (viii).
5   S 2. Subdivision 3 of section 66-j of the public service law is
6 amended by adding a new paragraph (f) to read as follows:
7   (F) A CUSTOMER WHO OWNS OR OPERATES A FARM OPERATION AS SUCH TERM IS
8 DEFINED IN SUBDIVISION ELEVEN OF SECTION THREE HUNDRED ONE OF THE AGRI-
9 CULTURE AND MARKETS LAW, OR A NON-RESIDENTIAL CUSTOMER-GENERATOR AS
10 DEFINED BY SUBPARAGRAPH (VIII) OF PARAGRAPH (A) OF SUBDIVISION ONE OF
11 THIS SECTION THAT LOCATES MICRO-HYDROELECTRIC GENERATING EQUIPMENT WITH
12 A NET ENERGY METER ON PROPERTY OWNED OR LEASED BY SUCH CUSTOMER-GENERA-
13 TOR MAY DESIGNATE ALL OR A PORTION OF THE NET METERING CREDITS GENERATED
14 BY SUCH EQUIPMENT TO METERS AT ANY PROPERTY OWNED OR LEASED BY SUCH
15 CUSTOMER-GENERATOR WITHIN THE SERVICE TERRITORY OF THE SAME ELECTRIC
16 CORPORATION TO WHICH THE CUSTOMER-GENERATOR'S NET ENERGY METERS ARE
17 INTERCONNECTED AND BEING WITHIN THE SAME LOAD ZONE AS DETERMINED BY THE
18 LOCATION BASED MARGINAL PRICE AS OF THE DATE OF INITIAL REQUEST BY THE
19 CUSTOMER-GENERATOR TO CONDUCT NET METERING. THE ELECTRIC CORPORATION
20 WILL CREDIT THE ACCOUNTS OF THE CUSTOMER BY APPLYING ANY CREDITS TO THE
21 HIGHEST USE METER FIRST, THEN SUBSEQUENT HIGHEST USE METERS UNTIL ALL
22 SUCH CREDITS ARE ATTRIBUTED TO THE CUSTOMER. ANY EXCESS CREDITS SHALL BE
23 CARRIED OVER TO THE FOLLOWING MONTH.
24   S 3. This act shall take effect immediately.

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