9560

IN ASSEMBLY

March 16, 2012

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 microhydroelectric generating equipment

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

- Section 1. Subparagraphs (vi) and (vii) of paragraph (a) of subdivision 1 of section 66-j of the public service law, subparagraph (vi) as added by chapter 546 of the laws of 2011, are redesignated subparagraphs (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 8 IN SUBDIVISION ELEVEN OF SECTION THREE HUNDRED ONE OF THE AGRI-DEFINED 9 CULTURE AND MARKETS LAW, OR A NON-RESIDENTIAL CUSTOMER-GENERATOR 10 DEFINED BY SUBPARAGRAPH (VIII) OF PARAGRAPH (A) OF SUBDIVISION ONE OF THIS SECTION THAT LOCATES MICRO-HYDROELECTRIC GENERATING EQUIPMENT 11 A NET ENERGY METER ON PROPERTY OWNED OR LEASED BY SUCH CUSTOMER-GENERA-12 13 TOR MAY DESIGNATE ALL OR A PORTION OF THE NET METERING CREDITS GENERATED BY SUCH EQUIPMENT TO METERS AT ANY PROPERTY 14 OWNED OR LEASED 15 CUSTOMER-GENERATOR WITHIN THE SERVICE TERRITORY OF THE SAME ELECTRIC CORPORATION TO WHICH THE CUSTOMER-GENERATOR'S 16 NETENERGY METERS ARE INTERCONNECTED AND BEING WITHIN THE SAME LOAD ZONE AS DETERMINED BY THE 17 18 LOCATION BASED MARGINAL PRICE AS OF THE DATE OF INITIAL REQUEST THE CUSTOMER-GENERATOR TO CONDUCT NET METERING. THE ELECTRIC CORPORATION 19 20 WILL CREDIT THE ACCOUNTS OF THE CUSTOMER BY APPLYING ANY CREDITS TO 21 USE METER FIRST, THEN SUBSECUENT HIGHEST USE METERS UNTIL ALL HIGHEST SUCH CREDITS ARE ATTRIBUTED TO THE CUSTOMER. ANY EXCESS CREDITS SHALL BE 22
- 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.

LBD14908-02-2