

3407

2011-2012 Regular Sessions

I N   S E N A T E

February 18, 2011

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Introduced by Sens. MAZIARZ, GRISANTI, McDONALD, DeFRANCISCO, JOHNSON, LITTLE, MARCELLINO, RANZENHOFER, SALAND -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

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:

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 UP TO FIFTEEN METERS AT ANY PROPERTY OWNED OR LEASED BY SUCH  
13 CUSTOMER-GENERATOR WITHIN THE SERVICE TERRITORY OF THE SAME ELECTRIC  
14 CORPORATION TO WHICH THE CUSTOMER-GENERATOR'S NET ENERGY METERS ARE  
15 INTERCONNECTED AND BEING WITHIN THE SAME LOAD ZONE AS DETERMINED BY THE  
16 NEW YORK INDEPENDENT SYSTEM OPERATOR AS OF THE DATE OF INITIAL REQUEST  
17 BY THE CUSTOMER-GENERATOR TO CONDUCT NET METERING. THE AMOUNT OF THE NET  
18 METERING CREDITS SO DESIGNATED MAY NOT EXCEED THE TOTAL AMOUNT BILLED TO  
19 SUCH CUSTOMER-GENERATOR AT SUCH DESIGNATED METER OR METERS OVER A PERIOD  
20 AS PRESCRIBED IN PARAGRAPH (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:

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

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1 (E) A CUSTOMER WHO OWNS OR OPERATES LAND USED IN AGRICULTURAL  
2 PRODUCTION AS DEFINED IN SUBDIVISION FOUR OF SECTION THREE HUNDRED ONE  
3 OF THE AGRICULTURE AND MARKETS LAW, OR A NON-RESIDENTIAL CUSTOMER-GENER-  
4 ATOR AS DEFINED BY PARAGRAPH (C-1) OF SUBDIVISION ONE OF THIS SECTION  
5 THAT LOCATES WIND ELECTRIC GENERATING EQUIPMENT WITH A NET ENERGY METER  
6 ON PROPERTY OWNED OR LEASED BY SUCH CUSTOMER-GENERATOR MAY DESIGNATE  
7 OVER A PERIOD AS PRESCRIBED IN PARAGRAPH (C) OF SUBDIVISION FOUR OF THIS  
8 SECTION, ALL OR A PORTION OF THE NET METERING CREDITS GENERATED BY SUCH  
9 EQUIPMENT TO UP TO FIFTEEN METERS, AT ANY PROPERTY OWNED OR LEASED BY  
10 SUCH CUSTOMER-GENERATOR WITHIN THE SERVICE TERRITORY OF THE SAME ELEC-  
11 TRIC CORPORATION TO WHICH THE CUSTOMER-GENERATOR'S NET ENERGY METERS ARE  
12 INTERCONNECTED AND BEING WITHIN THE SAME LOAD ZONE AS DETERMINED BY THE  
13 NEW YORK INDEPENDENT SYSTEM OPERATOR AS OF THE DATE OF INITIAL REQUEST  
14 BY THE CUSTOMER-GENERATOR TO CONDUCT NET METERING. THE AMOUNT OF THE NET  
15 METERING CREDITS SO DESIGNATED MAY NOT EXCEED THE TOTAL AMOUNT BILLED TO  
16 SUCH CUSTOMER-GENERATOR AT SUCH DESIGNATED METER OR METERS OVER A PERIOD  
17 AS PRESCRIBED IN PARAGRAPH (C) OF SUBDIVISION FOUR OF THIS SECTION.

18 S 3. This act shall take effect immediately.