

3407

2011-2012 Regular Sessions

I N S E N A T E

February 18, 2011

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.