

2613

2013-2014 Regular Sessions

I N S E N A T E

January 23, 2013

Introduced by Sens. YOUNG, MAZIARZ -- read twice and ordered printed,
and when printed to be committed to the Committee on Corporations,
Authorities and Commissions

AN ACT to require the power authority of the state of New York to
conduct an analysis of the economic viability of certain electric
generating facilities

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

1 Section 1. Within 90 days of the effective date of this act, the power
2 authority of the state of New York shall conduct an analysis of the
3 current economic viability of load producing electric generating facili-
4 ties in the counties of Chautauqua, Tompkins and Niagara, and as deemed
5 feasible and advisable by the trustees of such authority, taking full
6 consideration of the requirements and viability of the entire power
7 generating system needs of the state of New York with special consider-
8 ation of the ratepayers and taxpayers in Western New York, recommend
9 entering into a purchase power agreement with the owners and operators
10 of such facilities. Such power purchase agreements shall be effective
11 upon the conclusion of such 90 day period and be designed to maintain
12 said facilities power production capacities at a rate sufficient to
13 ensure at least three years worth of no less than a level of operating
14 income necessary to allow said facilities to remain open and functioning
15 reliably and safely and fully staffed at at least ninety percent of
16 current employment levels, payrolls and local community benefits.

17 S 2. Notwithstanding any limitations or conditions contained in para-
18 graph 8 of subdivision (a) and paragraph 7 of subdivision (c) of section
19 188-a of the economic development law, any power purchased by the power
20 authority of the state of New York pursuant to section one of this act
21 shall be considered Recharge New York power, and shall be utilized to
22 augment Recharge New York power allocations for eligible businesses as
23 defined in paragraph 5 or 7 of subdivision (a) of section 188-a of the
24 economic development law that are recommended for a Recharge New York
25 power allocation pursuant to part CC of chapter 60 of the laws of 2011.

26 S 3. This act shall take effect immediately.

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

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