

7311

2013-2014 Regular Sessions

I N   A S S E M B L Y

May 10, 2013

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Introduced by M. of A. HEVESI -- read once and referred to the Committee  
on Energy

AN ACT to amend the public service law, in relation to net metering

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

1     Section 1. Subparagraph (iii) of paragraph (a) of subdivision 1 of  
2     section 66-j of the public service law, as amended by chapter 546 of the  
3     laws of 2011, is amended to read as follows:  
4     (iii) a non-residential customer of an electric corporation which owns  
5     or operates solar electric generating equipment located and used at its  
6     premises, OR A CORPORATION THAT OWNS, LEASES, OR OPERATES SOLAR ELECTRIC  
7     GENERATING EQUIPMENT ON PROPERTY OWNED OR LEASED BY A NON-RESIDENTIAL  
8     CUSTOMER OF AN ELECTRIC CORPORATION;  
9     S 2. Paragraph (d) of subdivision 1 of section 66-j of the public  
10    service law, as amended by chapter 7 of the laws of 2010, is amended to  
11    read as follows:  
12    (d) "Solar electric generating equipment" means a photovoltaic system  
13    (i) (A) in the case of a residential customer, with a rated capacity of  
14    not more than twenty-five kilowatts; and (B) in the case of a non-resi-  
15    dential customer, (1) with a rated capacity of not more than two thou-  
16    sand kilowatts, OR (2) WITHIN A CITY HAVING A POPULATION OF ONE MILLION  
17    OR MORE, WITH A RATED CAPACITY OF NOT MORE THAN TEN THOUSAND KILOWATTS;  
18    and (ii) that is manufactured, installed, and operated in accordance  
19    with applicable government and industry standards, that is connected to  
20    the electric system and operated in conjunction with an electric corpo-  
21    ration's transmission and distribution facilities, and that is operated  
22    in compliance with any standards and requirements established under this  
23    section.  
24    S 3. Paragraph (e) of subdivision 3 of section 66-j of the public  
25    service law, as amended by chapter 546 of the laws of 2011, is amended  
26    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) (I) A customer who owns or operates a farm operation as such term  
2 is defined in subdivision eleven of section three hundred one of the  
3 agriculture and markets law, or a non-residential customer-generator as  
4 defined by subparagraph (iii) of paragraph (a) of subdivision one of  
5 this section that locates solar electric generating equipment or farm  
6 waste electric generating equipment with a net energy meter on property  
7 owned or leased by such customer-generator may designate all or a  
8 portion of the net metering credits generated by such equipment to  
9 meters at any property owned or leased by such customer-generator within  
10 the service territory of the same electric corporation to which the  
11 customer-generator's net energy meters are interconnected and being  
12 within the same load zone as determined by the location based marginal  
13 price as of the date of initial request by the customer-generator to  
14 conduct net metering. The electric corporation will credit the accounts  
15 of the customer by applying any credits to the highest use meter first,  
16 then subsequent highest use meters until all such credits are attributed  
17 to the customer. Any excess credits shall be carried over to the follow-  
18 ing month.

19 (II) WITHIN A CITY HAVING A POPULATION OF ONE MILLION OR MORE, THE  
20 CUSTOMER-GENERATOR MAY DESIGNATE ALL OR A PORTION OF THE NET METERING  
21 CREDITS GENERATED BY SUCH EQUIPMENT TO ONE OR MORE METERS (A) OF A  
22 CUSTOMER THAT OWNS OR LEASES THE PROPERTY ON WHICH THE GENERATION FACIL-  
23 ITY IS LOCATED, AND (B) THAT ARE INSTALLED AT ANY PROPERTY LOCATED WITH-  
24 IN THE SERVICE TERRITORY OF THE SAME ELECTRIC CORPORATION TO WHICH THE  
25 CUSTOMER-GENERATOR'S NET ENERGY METERS ARE INTERCONNECTED AND BEING  
26 WITHIN THE SAME LOAD ZONE AS DETERMINED BY THE LOCATION BASED MARGINAL  
27 PRICE AS OF THE DATE OF INITIAL REQUEST BY THE CUSTOMER-GENERATOR TO  
28 CONDUCT NET METERING. THE ELECTRIC CORPORATION WILL CREDIT THE ACCOUNTS  
29 OF SUCH ELIGIBLE CUSTOMERS AS DIRECTED BY THE CUSTOMER-GENERATOR, UNTIL  
30 ALL SUCH CREDITS ATTRIBUTED TO THE CUSTOMER-GENERATOR HAVE BEEN DISTRIB-  
31 UTED. ANY EXCESS CREDITS SHALL BE CARRIED OVER TO THE FOLLOWING MONTH.

32 S 4. This act shall take effect immediately.