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2013-2014 Regular Sessions

I N A S S E M B L Y

June 5, 2013

Introduced by M. of A. RYAN, BRINDISI, CUSICK, GOLDFEDER, ROZIC, SIMA-
NOWITZ -- read once and referred to the Committee on Corporations,
Authorities and Commissions

AN ACT to amend the public authorities law, in relation to adding public
and nonpublic elementary and secondary schools to the list of the New
York power authority's mandated customers

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

1 Section 1. The third undesignated paragraph of section 1005 of the
2 public authorities law, as amended by chapter 287 of the laws of 2004,
3 is amended to read as follows:
4 The authority is further authorized to construct and/or acquire and
5 complete such base load generating, transmission and related facilities
6 as it deems necessary or desirable to assist in maintaining an adequate
7 and dependable supply of electricity by supplying power and energy for
8 the metropolitan transportation authority, its subsidiary corporations,
9 the New York city transit authority, the port authority of New York and
10 New Jersey, the city of New York, the state of New York, PUBLIC AND
11 PRIVATE ELEMENTARY AND SECONDARY SCHOOLS IN THE STATE OF NEW YORK, the
12 United States, other public corporations and electric corporations with-
13 in the metropolitan area of the city of New York within the state of New
14 York; provided, however, that (i) the acquisition of completed or
15 partially completed facilities shall be after public hearing and shall
16 be limited to facilities located in New York city or Westchester county
17 and the energy and power generated by such facilities shall be used, to
18 the extent feasible, for the benefit of electric consumers in that area,
19 (ii) not more than one such generating facility shall be acquired in
20 each of New York city and Westchester county, (iii) the price to be paid
21 pursuant to any agreement entered into with respect to the purchase,
22 appropriation or condemnation of any such completed or partially
23 completed facility, as the case may be, shall be subject to the approval

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

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1 of the state comptroller and (iv) transmission facilities shall not be
2 so acquired pursuant to this paragraph unless such acquisition is neces-
3 sary to assure delivery of power and energy produced by any acquired
4 generating facility. The authority is further authorized, to the extent
5 it deems it necessary or desirable, to provide power and energy, as it
6 may determine it to be available, for the use by the Niagara frontier
7 transportation authority or its subsidiary corporation. The authority
8 is [authorized] DIRECTED to make energy efficiency services[,] AND clean
9 energy technologies [and, in the event that supplies of power and energy
10 are determined to be available from the competitive market for this
11 purpose, power and energy,] available to public and nonpublic elementary
12 and secondary schools throughout the state.
13 S 2. This act shall take effect immediately.