S T A T E O F N E W Y O R K

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I N A S S E M B L Y

June 5, 2014

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Brennan) -- (at request of the Department of Law) -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law and the public authorities law, in relation to utility assessment of and accommodation to climate change

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

Section 1. This act shall be known and may be cited as the "public utility extreme weather and storm hardening assessment act of 2014".

S 2. Legislative intent. The legislature hereby finds that the levels of carbon dioxide and other greenhouse gases in the atmosphere are continuing to increase and that the international community of scientists who study such matters overwhelmingly believe that this progressive increase in the levels of atmospheric carbon dioxide and other greenhouse gases is causing and will continue to cause an increase in the severity of weather events as well as an increase in the frequency of such weather events in New York state and globally, phenomena commonly referred to as climate change.

Severe weather events have caused and have the potential to cause in the future, significant disruptions to the provision of essential utility services to the public, including electric and natural gas services. In our modern-day society the provision of adequate and reliable public utility services is essential to the safety, health and well-being of all New Yorkers and to the state's economy.

It is therefore critical that the providers of public utility services adopt and follow protocols and procedures that will allow them to anticipate the impacts of climate change on their ability to provide these essential services and that allow them to undertake appropriate actions that will avoid or, at the very least minimize, any disruptions to these essential utility services that may be caused by the severe weather events resulting from climate change.

S 3. Section 66 of the public service law is amended by adding a new subdivision 18 to read as follows:

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

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18. (A) FOR PURPOSES OF THIS SUBDIVISION:

(I) THE TERM "PUBLIC UTILITY" INCLUDES A COMBINED GAS AND ELECTRIC CORPORATION, AN ELECTRIC CORPORATION, A GAS CORPORATION, THE LONG ISLAND POWER AUTHORITY AND THE NEW YORK POWER AUTHORITY;

(II) THE TERM "DROUGHT" MEANS MODERATE, SEVERE, OR EXTREME DROUGHT CONDITIONS AS MEASURED BY THE PALMER DROUGHT SEVERITY INDEX;

(III) THE TERM "HEIGHTENED POTENTIAL FOR FOREST FIRES" MEANS A UNITED STATES FOREST SERVICE FIRE DANGER RATING OF "HIGH," "VERY HIGH," OR "EXTREME"; AND

(IV) THE TERM "WEATHER EVENT" SHALL INCLUDE PRECIPITATION, AMBIENT ATMOSPHERIC TEMPERATURE, WIND, HUMIDITY, TROPICAL CYCLONE, NOR'EASTER, TORNADO, DERECHO, MICROBURST, FLOOD, DROUGHT, OR FOREST FIRE.

(B) EACH PUBLIC UTILITY SHALL SUBMIT TO THE COMMISSION AND TO THE COUNTY EXECUTIVE OR CHIEF ELECTED OFFICIAL OF EACH COUNTY WITHIN ITS SERVICE TERRITORY A CLIMATE CHANGE IMPACT STATEMENT ("STATEMENT") CONTAINING, WITHOUT LIMITATION, ALL OF THE ELEMENTS SET FORTH IN PARAGRAPH (H) OF THIS SUBDIVISION, IN ACCORDANCE WITH THE APPLICABLE SCHEDULE FOR SUCH SUBMISSIONS SET FORTH IN PARAGRAPHS (C), (D) AND (E) OF THIS SUBDIVISION. FOR THE PURPOSES OF A PUBLIC UTILITY OPERATING WITHIN THE CITY OF NEW YORK, SUCH PUBLIC UTILITY SHALL FILE A COPY OF ITS CLIMATE CHANGE IMPACT STATEMENT WITH THE EMERGENCY MANAGEMENT OFFICE OF THE CITY OF NEW YORK.

(C) IN TWO THOUSAND SIXTEEN, AND EVERY FIFTH YEAR THEREAFTER, ON OR BEFORE THE FIRST DAY OF JUNE, THE LONG ISLAND POWER AUTHORITY, WITH THE ASSISTANCE OF THE SERVICE PROVIDER OR PROVIDERS, AND THE NEW YORK POWER AUTHORITY SHALL EACH SUBMIT TO THE COMMISSION AND TO THE COUNTY EXECUTIVE OR CHIEF ELECTED OFFICIAL OF EACH COUNTY WITHIN THEIR RESPECTIVE SERVICE TERRITORIES A CLIMATE CHANGE IMPACT STATEMENT BASED ON THE FIVE CALENDAR YEARS IMMEDIATELY PRECEDING THE SUBMISSION DATE.

(D) IN TWO THOUSAND SEVENTEEN, AND EVERY FIFTH YEAR THEREAFTER, ON OR BEFORE THE FIRST DAY OF JUNE, EACH COMBINED GAS AND ELECTRIC CORPORATION SHALL SUBMIT TO THE COMMISSION AND TO THE COUNTY EXECUTIVE OR CHIEF ELECTED OFFICIAL OF EACH COUNTY WITHIN ITS SERVICE TERRITORY A CLIMATE CHANGE IMPACT STATEMENT BASED ON THE FIVE CALENDAR YEARS IMMEDIATELY PRECEDING THE SUBMISSION DATE.

(E) IN TWO THOUSAND EIGHTEEN, AND EVERY FIFTH YEAR THEREAFTER, ON OR BEFORE THE FIRST DAY OF JUNE, EACH GAS CORPORATION AND ELECTRIC CORPORATION SHALL SUBMIT TO THE COMMISSION AND TO THE COUNTY EXECUTIVE OR CHIEF ELECTED OFFICIAL OF EACH COUNTY WITHIN THEIR RESPECTIVE SERVICE TERRITORIES, A CLIMATE CHANGE IMPACT STATEMENT BASED ON THE FIVE CALENDAR YEARS IMMEDIATELY PRECEDING THE SUBMISSION DATE.

(F) IN THE EVENT THAT AT ANY TIME BETWEEN THE CLOSE OF THE REPORTING PERIOD AND THE SCHEDULED SUBMISSION OF A CLIMATE CHANGE IMPACT STATEMENT A WEATHER EVENT OCCURS THAT COULD POTENTIALLY ALTER ONE OR MORE MATERIAL ELEMENTS IN THE STATEMENT, THEN THE PUBLIC UTILITY SHALL PROMPTLY REQUEST AN EXTENSION OF TIME FROM THE COMMISSION TO INCORPORATE SUCH NEW INFORMATION INTO THE STATEMENT. ANY EXTENSION GRANTED BY THE COMMISSION SHALL NOT EXTEND THE PUBLIC UTILITY'S TIME TO SUBMIT THE STATEMENT BY MORE THAN SIXTY DAYS.

(G) THE CLIMATE CHANGE IMPACT STATEMENT SHALL DESCRIBE THE PUBLIC UTILITY'S EFFORTS OVER THE COURSE OF THE PREVIOUS FIVE CALENDAR YEARS TO ASCERTAIN THE MOST CURRENT CREDIBLE INFORMATION ABOUT CLIMATE CHANGE, SET FORTH THAT INFORMATION, ASSESS, BASED ON THAT INFORMATION, THE PROBABLE IMPACTS OF CLIMATE CHANGE ON THE PUBLIC UTILITY'S INFRASTRUCTURE AND OPERATIONS OVER THE NEXT TWENTY YEARS OR SUCH OTHER TIME PERIOD AS THE COMMISSION MAY DETERMINE BY REGULATION, AND DESCRIBE HOW THE PUBLIC

UTILITY HAS INCORPORATED AND/OR WILL INCORPORATE THE PROBABLE IMPACTS OF CLIMATE CHANGE INTO THE PUBLIC UTILITY'S FUTURE OPERATIONS, MAINTENANCE, PLANNING, INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND EMERGENCY PREPARATIONS.

(H) EACH CLIMATE CHANGE IMPACT STATEMENT SUBMITTED PURSUANT TO THIS SUBDIVISION SHALL CONTAIN, AT A MINIMUM, THE FOLLOWING:

(I) THE NAME OF THE CHIEF EXECUTIVE OFFICER OF THE PUBLIC UTILITY AND THE NAME AND TITLE OF EACH PUBLIC UTILITY OFFICER OR EMPLOYEE PRINCIPALLY RESPONSIBLE FOR THE PREPARATION OF THE CLIMATE CHANGE IMPACT STATEMENT. IN ADDITION, THE PUBLIC UTILITY SHALL PREPARE SEPARATELY AND SUBMIT TO THE COMMISSION A LIST, BY NAME AND POSITION OR JOB TITLE, OF ALL EMPLOYEES OF THE REPORTING PUBLIC UTILITY WHO DIRECTLY PARTICIPATED IN THE PREPARATION OF THE STATEMENT, EXCLUDING THOSE EMPLOYEES WHO PROVIDED SOLELY CLERICAL SERVICES. FOR EACH SUCH PARTICIPATING EMPLOYEE BRIEFLY STATE THE NATURE OF HIS OR HER INVOLVEMENT AND THE TOTAL NUMBER OF WORK HOURS SUCH EMPLOYEE DEVOTED TO THE PREPARATION OF THE STATEMENT.

(II) A LIST, BY NAME AND AFFILIATION, OF ALL CONSULTANTS, CONTRACTORS AND ANY OTHER PERSON OR ENTITY NOT IDENTIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH RETAINED BY THE REPORTING PUBLIC UTILITY TO PREPARE OR ASSIST IN THE PREPARATION OF THE STATEMENT. FOR EACH SUCH PERSON OR ENTITY STATE THE NATURE OF THE SERVICES PROVIDED INCLUDING THE NUMBER OF HOURS INVOLVED AND THE COSTS OF SUCH SERVICES TO THE PUBLIC UTILITY.

(III) A LIST OF ALL GOVERNMENT, TECHNICAL, ACADEMIC AND OTHER REPORTS OR INFORMATION CONSULTED OR CONSIDERED DURING THE PREPARATION OF THE STATEMENT AND, IF ANY OF THESE MATERIALS WERE FOUND BY THE REPORTING PUBLIC UTILITY TO BE NOT CREDIBLE, THE GROUNDS FOR SUCH FINDING. IDENTIFY AND STATE THE FACTS AND RESULTS OF ANY REPORTING YEAR WEATHER EVENT THAT THE PUBLIC UTILITY BELIEVES HAD A MATERIAL IMPACT ON ITS PLANNING OR PREPARATION.

(IV) A STATEMENT SETTING FORTH IN DETAIL THE CONCLUSIONS DRAWN BY THE REPORTING PUBLIC UTILITY FROM THE INFORMATION IDENTIFIED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, REGARDING CLIMATE CHANGE AND RELATED WEATHER EVENTS WITH RESPECT TO THEIR PROBABLE IMPACTS ON THE REPORTING PUBLIC UTILITY'S PAST AND FUTURE OPERATIONS, MAINTENANCE, PLANNING, INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND EMERGENCY PREPARATIONS.

(V) A DESCRIPTION OF ANY MEASURES THE REPORTING PUBLIC UTILITY HAS UNDERTAKEN TO INCORPORATE ITS CONCLUSIONS ABOUT THE PROBABLE IMPACTS OF CLIMATE CHANGE AND RELATED WEATHER EVENTS INTO ITS FUTURE OPERATIONS, MAINTENANCE, PLANNING, INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND EMERGENCY PREPARATIONS.

(VI) COPIES OF THE APPROPRIATE CURRENT AND PROPOSED FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD PLAIN MAPS AND SUCH OTHER FLOOD PLAIN MAPS THAT THE COMMISSION MAY DETERMINE BY REGULATION TO BE APPROPRIATE, WHICH MAP OR MAPS THE REPORTING PUBLIC UTILITY SHALL MODIFY TO SHOW THE LOCATION OF THE REPORTING PUBLIC UTILITY'S INFRASTRUCTURE WITHIN PREDICTED ONE HUNDRED YEAR AND FIVE HUNDRED YEAR FLOOD ZONES.

(VII) IF ANY OF THE REPORTING PUBLIC UTILITY'S INFRASTRUCTURE IS LOCATED ON LAND FOR WHICH THERE IS NO CURRENT OR PROPOSED FEDERAL EMERGENCY MANAGEMENT AGENCY OR OTHER COMMISSION APPROVED FLOOD PLAIN MAP, A CURRENT UNITED STATES GEOLOGICAL SURVEY MAP MODIFIED TO SHOW THE LOCATION OF THE REPORTING PUBLIC UTILITY'S INFRASTRUCTURE AND AN ASSESSMENT BY THE PUBLIC UTILITY CONCERNING THE RISK TO SUCH INFRASTRUCTURE FROM FLOODING, STORM SURGE, WAVE ACTION OR OTHER WATER DAMAGE.

(VIII) FOR ANY STATEMENT SUBMITTED BY THE LONG ISLAND POWER AUTHORITY, THE NEW YORK POWER AUTHORITY OR ANY COMBINED GAS AND ELECTRIC CORPORATION, A DESCRIPTION OF ANY CHANGES IN PROCEDURES, PRACTICES OR

RESOURCES, INCLUDING CHANGES IN PERSONNEL, RESULTING FROM THE CONSEQUENCES OF EACH AND EVERY WEATHER EVENT THAT CAUSED DAMAGE OF ONE MILLION DOLLARS OR MORE TO THE INFRASTRUCTURE OF THE REPORTING PUBLIC UTILITY DURING THE FIVE CALENDAR YEARS IMMEDIATELY PRECEDING THE YEAR OF THE STATEMENT; FOR EVERY OTHER PUBLIC UTILITY NOT COVERED BY THE PRECEDING SENTENCE, DESCRIBE ANY CHANGES IN PROCEDURES, PRACTICES OR RESOURCES, INCLUDING CHANGES IN PERSONNEL, RESULTING FROM THE CONSEQUENCES OF EACH AND EVERY WEATHER EVENT THAT CAUSED DAMAGE OF TWO HUNDRED FIFTY THOUSAND DOLLARS OR MORE TO THE INFRASTRUCTURE OF THE REPORTING PUBLIC UTILITY DURING THE FIVE CALENDAR YEARS PRIOR TO THE YEAR OF THE STATEMENT.

(IX) A DESCRIPTION OF THE (A) FLOOD HARDENING STANDARD OR STANDARDS, (B) WIND HARDENING STANDARD OR STANDARDS, (C) ICE AND SNOW HARDENING STANDARD OR STANDARDS, AND (D) VEGETATION CONTROL STANDARD OR STANDARDS THAT THE PUBLIC UTILITY CURRENTLY APPLIES TO ITS INFRASTRUCTURE, AND A DESCRIPTION OF HOW THE PUBLIC UTILITY APPLIES EACH SUCH STANDARD. IF THE PUBLIC UTILITY PROPOSES TO APPLY A DIFFERENT STANDARD IN THE FUTURE, THE PUBLIC UTILITY SHALL IDENTIFY EACH SUCH PROPOSED CHANGE IN EACH SUCH STANDARD AND DESCRIBE HOW IT PROPOSES TO APPLY SUCH CHANGED STANDARD.

(X) A DESCRIPTION OF HOW EXTREME AMBIENT AIR TEMPERATURE HAS AFFECTED THE PUBLIC UTILITY'S OPERATIONS, MAINTENANCE, PLANNING, INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND EMERGENCY PREPARATIONS DURING THE FIVE CALENDAR YEARS PRIOR TO THE YEAR OF THE STATEMENT.

(XI) A DESCRIPTION OF HOW THE PUBLIC UTILITY PROPOSES TO REDUCE THE IMPACT OF EXTREME ELEVATED AMBIENT AIR TEMPERATURE ON ITS FUTURE OPERATIONS, MAINTENANCE, PLANNING, INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND EMERGENCY PREPARATIONS.

(XII) A DESCRIPTION OF DROUGHT CONDITIONS WITHIN THE PUBLIC UTILITY'S SERVICE AREA DURING THE REPORTING PERIOD AND WHETHER SUCH CONDITIONS HAVE CREATED A HEIGHTENED POTENTIAL FOR FOREST FIRES OR OTHER RISKS OF INFRASTRUCTURE DAMAGE.

(XIII) SUCH OTHER INFORMATION AS THE COMMISSION MAY DETERMINE BY REGULATION IS APPROPRIATE.

(XIV) IN A PUBLIC UTILITY'S SECOND STATEMENT AND EACH SUBSEQUENT STATEMENT, A DESCRIPTION OF HOW THE PUBLIC UTILITY'S UNDERSTANDING OF CLIMATE CHANGE HAS EVOLVED SINCE THE PREVIOUS STATEMENT, AND A DETAILED LISTING OF THE OPERATING, MAINTENANCE, PLANNING, DESIGN, CONSTRUCTION, AND EMERGENCY PREPARATION IMPROVEMENTS THE PUBLIC UTILITY HAS MADE BASED ON ITS EVOLVED UNDERSTANDING OF CLIMATE CHANGE.

(I) WITHIN THIRTY DAYS OF RECEIPT OF A PUBLIC UTILITY'S CLIMATE CHANGE IMPACT STATEMENT THE COMMISSION SHALL PUBLISH THE STATEMENT IN THE STATE REGISTER INITIATING A SIXTY DAY PUBLIC COMMENT PERIOD.

(J) UPON COMPLETION OF THE PUBLIC COMMENT PERIOD FOR EACH CLIMATE CHANGE IMPACT STATEMENT, THE COMMISSION SHALL PREPARE AND ISSUE AN EVALUATION OF THE STATEMENT BASED ON THE INFORMATION AVAILABLE TO IT, INCLUDING INFORMATION IN THE STATEMENT AND TAKING INTO CONSIDERATION THE PUBLIC COMMENTS SUBMITTED TO THE DEPARTMENT, AND SHALL TAKE SUCH OTHER ACTION AS THE COMMISSION DEEMS APPROPRIATE. THE COMMISSION SHALL TRANSMIT ITS EVALUATION OF THE CLIMATE CHANGE IMPACT STATEMENT TO THE REPORTING PUBLIC UTILITY AND MAKE SUCH EVALUATION AVAILABLE TO THE PUBLIC WITHIN THREE BUSINESS DAYS OF ISSUANCE.

(K) THE COMMISSION SHALL DETERMINE THE SCHEDULING OF THE ISSUANCE OF ITS EVALUATION OF A CLIMATE CHANGE IMPACT STATEMENT, BUT SHALL COMPLETE THE ISSUANCE OF EACH SUCH EVALUATION NO LATER THAN NINE MONTHS AFTER THE END OF THE PUBLIC COMMENT PERIOD FOR THE SUBJECT CLIMATE CHANGE IMPACT STATEMENT.

(L) NOTWITHSTANDING ANY GENERAL OR SPECIAL LAW, RULE OR REGULATION, THE COMMISSION SHALL HAVE THE POWER TO PRESCRIBE ADDITIONAL INFORMATION TO BE SUBMITTED IN CLIMATE CHANGE IMPACT STATEMENTS, AND MAY PRESCRIBE ADDITIONAL REPORTING REQUIREMENTS INCLUDING THE FINANCIAL STATUS OR OTHER CONDITION OF A PUBLIC UTILITY.

(M) THE COMMISSION MAY WAIVE A PUBLIC UTILITY'S OBLIGATION TO FILE A CLIMATE CHANGE IMPACT STATEMENT IN TWO THOUSAND SEVENTEEN PURSUANT TO PARAGRAPH (D) OF THIS SUBDIVISION IF THE COMMISSION DETERMINES, UPON THE PUBLIC UTILITY'S REQUEST, APPROPRIATE NOTICE TO THE LEGISLATURE AND THE PUBLIC OF SUCH REQUEST AND A FORTY-FIVE-DAY PUBLIC COMMENT PERIOD, THAT THE PUBLIC UTILITY IS SUBJECT TO A COMMISSION RATE ORDER ISSUED AFTER TWO THOUSAND ELEVEN WHICH FOLLOWED A COMMISSION PROCEEDING IN WHICH THE PUBLIC UTILITY'S FORMAL RESPONSE TO CLIMATE CHANGE ISSUES WAS SUFFICIENT TO ENABLE THE COMMISSION TO MAKE A DETERMINATION THAT THE PUBLIC UTILITY'S RESPONSE TO CLIMATE CHANGE FOR THE PERIOD ENDING IN TWO THOUSAND TWENTY-ONE IS REASONABLY LIKELY TO ENABLE THE PUBLIC UTILITY TO PROVIDE SAFE AND RELIABLE SERVICE AT JUST AND REASONABLE RATES.

(N) THE COMMISSION MAY MODIFY THE CLIMATE CHANGE IMPACT STATEMENT FILING REQUIREMENTS SET FORTH IN THIS SUBDIVISION AS SUCH REQUIREMENTS APPLY TO A GAS CORPORATION, ELECTRIC CORPORATION, THE LONG ISLAND POWER AUTHORITY OR THE NEW YORK POWER AUTHORITY, UPON SUCH PUBLIC UTILITY'S REQUEST AND SUBJECT TO APPROPRIATE NOTICE TO THE LEGISLATURE AND THE PUBLIC AND A FORTY-FIVE-DAY PUBLIC COMMENT PERIOD, IF THE COMMISSION FINDS THAT THE REQUIRED INFORMATION IS NOT RELEVANT TO THE PUBLIC UTILITY'S SERVICE OR SERVICE TERRITORY, THE PUBLIC UTILITY'S ADOPTION OF THE FINDINGS AND PRACTICES SET FORTH IN THE STATEMENT OF AN ADJACENT PUBLIC UTILITY IS LIKELY TO ENABLE THE PUBLIC UTILITY TO RESPOND ADEQUATELY TO CLIMATE CHANGE WHILE AVOIDING UNNECESSARY COST, OR THAT DEVELOPING OR COLLECTING CERTAIN INFORMATION WOULD PRESENT AN UNDUE HARDSHIP FOR THE PUBLIC UTILITY. A PUBLIC UTILITY GRANTED A MODIFICATION PURSUANT TO THIS PARAGRAPH SHALL, NOTWITHSTANDING SUCH MODIFICATION, COMPLY WITH EVERY OTHER APPLICABLE REQUIREMENT IN THIS SUBDIVISION.

S 4. Section 1020-f of the public authorities law, as added by chapter 517 of the laws of 1986, is amended by adding a new subdivision (ii) to read as follows:

(II) IN TWO THOUSAND SIXTEEN, AND EVERY FIFTH YEAR THEREAFTER, ON OR BEFORE THE FIRST DAY OF JUNE, THE LONG ISLAND POWER AUTHORITY, WITH THE ASSISTANCE OF THE SERVICE PROVIDER OR PROVIDERS, SHALL SUBMIT TO THE PUBLIC SERVICE COMMISSION AND TO THE COUNTY EXECUTIVE OR CHIEF ELECTED OFFICIAL OF EACH COUNTY IN WHICH THE LONG ISLAND POWER AUTHORITY OPERATES A CLIMATE CHANGE IMPACT STATEMENT PREPARED IN COMPLIANCE WITH SUBDIVISION EIGHTEEN OF SECTION SIXTY-SIX OF THE PUBLIC SERVICE LAW. ALL SUBSTANTIVE REQUIREMENTS AND PROCEDURES SET FORTH IN SUCH SUBDIVISION SHALL APPLY TO THE LONG ISLAND POWER AUTHORITY AND TO THE CLIMATE CHANGE IMPACT STATEMENT SUBMITTED BY SUCH POWER AUTHORITY.

S 5. The opening paragraph of section 1014 of the public authorities law is designated subdivision 1 and a new subdivision 2 is added to read as follows:

2. NOTWITHSTANDING ANY PROVISION OF LAW, INCLUDING SUBDIVISION ONE OF THIS SECTION, TO THE CONTRARY, IN TWO THOUSAND SIXTEEN, AND EVERY FIFTH YEAR THEREAFTER, ON OR BEFORE THE FIRST DAY OF JUNE, THE NEW YORK POWER AUTHORITY SHALL SUBMIT TO THE PUBLIC SERVICE COMMISSION AND TO THE COUNTY EXECUTIVE OR CHIEF ELECTED OFFICIAL OF EACH COUNTY IN WHICH THE NEW YORK POWER AUTHORITY OPERATES A CLIMATE CHANGE IMPACT STATEMENT PREPARED IN COMPLIANCE WITH SUBDIVISION EIGHTEEN OF SECTION SIXTY-SIX OF THE PUBLIC SERVICE LAW; PROVIDED, HOWEVER, THAT FOR THE CITY OF NEW YORK,

THE NEW YORK POWER AUTHORITY SHALL FILE A COPY OF SUCH STATEMENT WITH THE EMERGENCY MANAGEMENT OFFICE OF THE CITY OF NEW YORK. ALL SUBSTANTIVE REQUIREMENTS AND PROCEDURES SET FORTH IN SUCH SUBDIVISION SHALL APPLY TO THE CLIMATE CHANGE IMPACT STATEMENT SUBMITTED BY SUCH POWER AUTHORITY.

S 6. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.