

5149--A

Cal. No. 71

2013-2014 Regular Sessions

I N S E N A T E

May 10, 2013

Introduced by Sens. MAZIARZ, DeFRANCISCO, MONTGOMERY, PARKER, RANZENHOF-  
ER, SAMPSON -- read twice and ordered printed, and when printed to be  
committed to the Committee on Energy and Telecommunications -- recom-  
mitted to the Committee on Energy and Telecommunications in accordance  
with Senate Rule 6, sec. 8 -- reported favorably from said committee,  
ordered to first and second report, ordered to a third reading, passed  
by Senate and delivered to the Assembly, recalled, vote reconsidered,  
restored to third reading, amended and ordered reprinted, retaining  
its place in the order of third reading

AN ACT to amend the public service law, in relation to a study by the  
public service commission on net metering

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

1 Section 1. The public service law is amended by adding a new section  
2 66-n to read as follows:  
3 S 66-N. NET METERING STUDY. THE COMMISSION SHALL CONDUCT A STUDY TO  
4 ANALYZE THE ECONOMIC AND ENVIRONMENTAL BENEFITS FROM AND THE ECONOMIC  
5 COST BURDEN, IF ANY, OF THE NET ENERGY METERING PROGRAM AND TO ANALYZE  
6 THE EXTENT TO WHICH RATEPAYERS RECEIVING SERVICE UNDER THE NET ENERGY  
7 METERING PROGRAM ARE PAYING THE FULL COST OF SERVICES PROVIDED TO THEM  
8 BY COMBINED ELECTRIC AND GAS CORPORATIONS AND GAS CORPORATIONS, AND THE  
9 EXTENT TO WHICH THEIR CUSTOMERS PAY A SHARE OF COSTS OF PUBLIC PURPOSE  
10 PROGRAMS THROUGH ASSESSMENTS ON THEIR ELECTRIC AND/OR GAS BILLS. IN  
11 ANALYZING PROGRAM COSTS AND BENEFITS FOR THE PURPOSES OF THIS STUDY, THE  
12 COMMISSION SHALL CONSIDER ALL ELECTRICITY GENERATED BY RENEWABLE ELEC-  
13 TRIC GENERATING SYSTEMS ELIGIBLE FOR NET METERING UNDER SECTIONS SIXTY-  
14 SIX-J AND SIXTY-SIX-L OF THIS ARTICLE, INCLUDING THE ELECTRICITY USED  
15 ONSITE TO REDUCE THE CUSTOMER'S CONSUMPTION OF ELECTRICITY THAT WOULD  
16 OTHERWISE BE SUPPLIED THROUGH THE ELECTRICAL GRID, AS WELL AS ELECTRICAL  
17 OUTPUT THAT IS BEING FED BACK TO THE ELECTRICAL GRID FOR WHICH THE  
18 CUSTOMER RECEIVES CREDIT OR NET SURPLUS ELECTRICITY COMPENSATION UNDER

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

LBD10909-02-4

1 NET ENERGY METERING. AS IT RELATES TO THE ENVIRONMENTAL BENEFITS, THE  
2 STUDY SHALL QUANTIFY THE APPROXIMATE AVOIDED LEVEL OF HARMFUL EMISSIONS  
3 INCLUDING, BUT NOT LIMITED TO, INFORMATION CONCERNING: NITROGEN DIOXIDE,  
4 SULFUR DIOXIDE AND CARBON DIOXIDE, AS WELL AS OTHER AIR POLLUTANTS  
5 DEEMED NECESSARY AND APPROPRIATE FOR STUDY BY THE COMMISSION. THE STUDY  
6 SHALL ALSO QUANTIFY THE ECONOMIC COSTS AND BENEFITS OF NET ENERGY METER-  
7 ING TO PARTICIPANTS AND NON-PARTICIPANTS AND SHALL FURTHER DISAGGREGATE  
8 THE RESULTS BY UTILITY. THE STUDY SHALL ALSO GATHER AND PRESENT DATA ON  
9 THE INCOME DISTRIBUTION OF RESIDENTIAL NET METERING PARTICIPANTS THAT IS  
10 PUBLICLY AVAILABLE AND AGGREGATED BY ZIP CODE AND COUNTY. IN ORDER TO  
11 ASSESS THE ECONOMIC COSTS AND BENEFITS AT VARIOUS LEVELS OF NET METERING  
12 IMPLEMENTATION, THE STUDY SHALL BE CONDUCTED USING MULTIPLE NET ENERGY  
13 METERING PENETRATION SCENARIOS.

14 THE COMMISSION SHALL PUBLISH A REPORT FROM ITS FINDINGS. THE REPORT  
15 MUST BE PUBLISHED WITHIN THREE HUNDRED SIXTY-FIVE DAYS OF THE EFFECTIVE  
16 DATE OF THIS SECTION. A COPY OF THE REPORT MUST BE FURNISHED TO THE  
17 TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE  
18 CHAIR OF THE SENATE ENERGY AND TELECOMMUNICATIONS COMMITTEE AND THE  
19 CHAIR OF THE ASSEMBLY ENERGY COMMITTEE.

20 S 2. This act shall take effect immediately.