

5150

2013-2014 Regular Sessions

I N S E N A T E

May 10, 2013

Introduced by Sen. MAZIARZ -- (at request of the NYC Office of Long Term Planning and Sustainability) -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

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.

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

LBD10737-01-3

1 S 3. Paragraph (e) of subdivision 3 of section 66-j of the public
2 service law, as amended by chapter 546 of the laws of 2011, is amended
3 to read as follows:

4 (e) (I) A customer who owns or operates a farm operation as such term
5 is defined in subdivision eleven of section three hundred one of the
6 agriculture and markets law, or a non-residential customer-generator as
7 defined by subparagraph (iii) of paragraph (a) of subdivision one of
8 this section that locates solar electric generating equipment or farm
9 waste electric generating equipment with a net energy meter on property
10 owned or leased by such customer-generator may designate all or a
11 portion of the net metering credits generated by such equipment to
12 meters at any property owned or leased by such customer-generator within
13 the service territory of the same electric corporation to which the
14 customer-generator's net energy meters are interconnected and being
15 within the same load zone as determined by the location based marginal
16 price as of the date of initial request by the customer-generator to
17 conduct net metering. The electric corporation will credit the accounts
18 of the customer by applying any credits to the highest use meter first,
19 then subsequent highest use meters until all such credits are attributed
20 to the customer. Any excess credits shall be carried over to the follow-
21 ing month.

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

35 S 4. This act shall take effect immediately.