

7755

I N S E N A T E

June 5, 2014

Introduced by Sen. MAZIARZ -- (at request of the Attorney General) --
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 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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. This act shall be known and may be cited as the "public
2 utility extreme weather and storm hardening assessment act of 2014".
3 S 2. Legislative intent. The legislature hereby finds that the levels
4 of carbon dioxide and other greenhouse gases in the atmosphere are
5 continuing to increase and that the international community of scien-
6 tists who study such matters overwhelmingly believe that this progres-
7 sive increase in the levels of atmospheric carbon dioxide and other
8 greenhouse gases is causing and will continue to cause an increase in
9 the severity of weather events as well as an increase in the frequency
10 of such weather events in New York state and globally, phenomena common-
11 ly referred to as climate change.
12 Severe weather events have caused and have the potential to cause in
13 the future, significant disruptions to the provision of essential utili-
14 ty services to the public, including electric and natural gas services.
15 In our modern-day society the provision of adequate and reliable public
16 utility services is essential to the safety, health and well-being of
17 all New Yorkers and to the state's economy.
18 It is therefore critical that the providers of public utility services
19 adopt and follow protocols and procedures that will allow them to antic-
20 ipate the impacts of climate change on their ability to provide these
21 essential services and that allow them to undertake appropriate actions
22 that will avoid or, at the very least minimize, any disruptions to these
23 essential utility services that may be caused by the severe weather
24 events resulting from climate change.
25 S 3. Section 66 of the public service law is amended by adding a new
26 subdivision 18 to read as follows:

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

LBD14815-04-4

1 18. (A) FOR PURPOSES OF THIS SUBDIVISION:

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

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

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

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

13 (B) EACH PUBLIC UTILITY SHALL SUBMIT TO THE COMMISSION AND TO THE
14 COUNTY EXECUTIVE OR CHIEF ELECTED OFFICIAL OF EACH COUNTY WITHIN ITS
15 SERVICE TERRITORY A CLIMATE CHANGE IMPACT STATEMENT ("STATEMENT")
16 CONTAINING, WITHOUT LIMITATION, ALL OF THE ELEMENTS SET FORTH IN PARA-
17 GRAPH (H) OF THIS SUBDIVISION, IN ACCORDANCE WITH THE APPLICABLE SCHED-
18 ULE FOR SUCH SUBMISSIONS SET FORTH IN PARAGRAPHS (C), (D) AND (E) OF
19 THIS SUBDIVISION. FOR THE PURPOSES OF A PUBLIC UTILITY OPERATING WITHIN
20 THE CITY OF NEW YORK, SUCH PUBLIC UTILITY SHALL FILE A COPY OF ITS
21 CLIMATE CHANGE IMPACT STATEMENT WITH THE EMERGENCY MANAGEMENT OFFICE OF
22 THE CITY OF NEW YORK.

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

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

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

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

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

1 UTILITY HAS INCORPORATED AND/OR WILL INCORPORATE THE PROBABLE IMPACTS OF
2 CLIMATE CHANGE INTO THE PUBLIC UTILITY'S FUTURE OPERATIONS, MAINTENANCE,
3 PLANNING, INFRASTRUCTURE DESIGN AND CONSTRUCTION, AND EMERGENCY PREPARA-
4 TIONS.

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

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

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

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

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

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

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

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

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

1 RESOURCES, INCLUDING CHANGES IN PERSONNEL, RESULTING FROM THE CONSE-
2 QUENCES OF EACH AND EVERY WEATHER EVENT THAT CAUSED DAMAGE OF ONE
3 MILLION DOLLARS OR MORE TO THE INFRASTRUCTURE OF THE REPORTING PUBLIC
4 UTILITY DURING THE FIVE CALENDAR YEARS IMMEDIATELY PRECEDING THE YEAR OF
5 THE STATEMENT; FOR EVERY OTHER PUBLIC UTILITY NOT COVERED BY THE PRECED-
6 ING SENTENCE, DESCRIBE ANY CHANGES IN PROCEDURES, PRACTICES OR
7 RESOURCES, INCLUDING CHANGES IN PERSONNEL, RESULTING FROM THE CONSE-
8 QUENCES OF EACH AND EVERY WEATHER EVENT THAT CAUSED DAMAGE OF TWO
9 HUNDRED FIFTY THOUSAND DOLLARS OR MORE TO THE INFRASTRUCTURE OF THE
10 REPORTING PUBLIC UTILITY DURING THE FIVE CALENDAR YEARS PRIOR TO THE
11 YEAR OF THE STATEMENT.

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

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

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

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

32 (XIII) SUCH OTHER INFORMATION AS THE COMMISSION MAY DETERMINE BY REGU-
33 LATION IS APPROPRIATE.

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

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

43 (J) UPON COMPLETION OF THE PUBLIC COMMENT PERIOD FOR EACH CLIMATE
44 CHANGE IMPACT STATEMENT, THE COMMISSION SHALL PREPARE AND ISSUE AN EVAL-
45 UATION OF THE STATEMENT BASED ON THE INFORMATION AVAILABLE TO IT,
46 INCLUDING INFORMATION IN THE STATEMENT AND TAKING INTO CONSIDERATION THE
47 PUBLIC COMMENTS SUBMITTED TO THE DEPARTMENT, AND SHALL TAKE SUCH OTHER
48 ACTION AS THE COMMISSION DEEMS APPROPRIATE. THE COMMISSION SHALL TRANS-
49 MIT ITS EVALUATION OF THE CLIMATE CHANGE IMPACT STATEMENT TO THE REPORT-
50 ING PUBLIC UTILITY AND MAKE SUCH EVALUATION AVAILABLE TO THE PUBLIC
51 WITHIN THREE BUSINESS DAYS OF ISSUANCE.

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

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

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

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

33 S 4. Section 1020-f of the public authorities law, as added by chapter
34 517 of the laws of 1986, is amended by adding a new subdivision (ii) to
35 read as follows:

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

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

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

1 THE NEW YORK POWER AUTHORITY SHALL FILE A COPY OF SUCH STATEMENT WITH
2 THE EMERGENCY MANAGEMENT OFFICE OF THE CITY OF NEW YORK. ALL SUBSTAN-
3 TIVE REQUIREMENTS AND PROCEDURES SET FORTH IN SUCH SUBDIVISION SHALL
4 APPLY TO THE CLIMATE CHANGE IMPACT STATEMENT SUBMITTED BY SUCH POWER
5 AUTHORITY.

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