

5773

2015-2016 Regular Sessions

I N S E N A T E

June 2, 2015

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and
when printed to be committed to the Committee on Energy and Telecommu-
nications

AN ACT to amend section 16 of part A of chapter 173 of the laws of 2013,
amending the public service law, the public authorities law, the execu-
tive law and the education law relating to the powers and duties of
the department of public service and the Long Island power authority,
in relation to the timing of the commencement of certain engineering,
environmental permitting and cost feasibility analysis and studies

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

1 Section 1. Section 16 of part A of chapter 173 of the laws of 2013,
2 amended the public service law, the public authorities law, the execu-
3 tive law and the education law relating to the powers and duties of the
4 department of public service and the Long Island power authority, as
5 amended by section 5 of part W of chapter 58 of the laws of 2015, is
6 amended to read as follows:
7 S 16. Repowering. The Long Island power authority, in cooperation with
8 its service provider, as defined under section 3-b of the public service
9 law, and the owner of the legacy LILCO power generating facilities will
10 perform an engineering, environmental permitting and cost feasibility
11 analysis and study of repowering the Port Jefferson power station
12 located in the town of Brookhaven in the county of Suffolk, the E.F.
13 Barrett power station located in the town of Hempstead in the county of
14 Nassau, and the Northport power station located in the village of North-
15 port in the county of Suffolk. Such study will focus on repowering
16 utilizing greater efficiency and environmentally friendly technologies,
17 and shall have been commenced no later than October 1, 2015 [for the
18 power stations in the town of Brookhaven and the town of Hempstead, and
19 no later than October 1, 2018 for the power station in the village of
20 Northport]. These analyses shall be completed and presented to the board

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

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1 of the Long Island power authority and the Long Island branch of the
2 department of public service no later than eighteen months after the
3 analysis commencement date. If after the Long Island power authority,
4 or its successor, determines, in accordance with the feasibility deter-
5 minations resulting from the studies and analyses authorized under this
6 section, and in accordance with the terms and conditions contained in
7 the amended and restated power supply agreement ("A&R PSA"), dated Octo-
8 ber 10, 2012, between the authority and the owner of the legacy LILCO
9 power generating facilities, that repowering any such generating facili-
10 ty is in the best interests of its ratepayers and will enhance the
11 authority's ability to provide a more efficient, reliable and economical
12 supply of electric energy in its service territory, consistent with the
13 goal of improving environmental quality, the authority will exercise its
14 rights under the A&R PSA related to repowering any such facility or
15 facilities, and shall enter into an agreement related to payments in
16 lieu-of-taxes for a term commensurate with any power purchase agreement
17 entered into related to such repowered facility, consistent with other
18 such agreements related to generating facilities under contract to the
19 authority in the service territory.

20 S 2. This act shall take effect immediately.