

7326

I N S E N A T E

April 15, 2016

Introduced by Sen. GRIFFO -- 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 limiting authority for retail wheeling or delivery of natural gas not purchased from the electric or gas corporation delivering it to non-residential customers

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

1 Section 1. Paragraph (b) of subdivision 12-b of section 66 of the
2 public service law, as added by chapter 626 of the laws of 1983, is
3 amended to read as follows:
4 (b) The commission may also authorize utility corporations to contract
5 with existing or prospective industrial and commercial customers to
6 wheel or deliver electricity or gas purchased directly by such customers,
7 provided that the commission finds that such arrangements are in
8 the overall best interest of the rate payers of the corporation, and
9 that the rates and fees for the services provided adequately compensate
10 the corporation for the use of its facilities, AND FURTHER PROVIDED THAT
11 SUCH WHEELING OR DELIVERY OF ELECTRICITY OR NATURAL GAS TO RESIDENTIAL
12 CUSTOMERS SHALL NOT BE ALLOWED.
13 S 2. Section 66-d of the public service law, as added by chapter 519
14 of the laws of 1984, subdivision 2 as amended by chapter 790 of the laws
15 of 1985, is amended to read as follows:
16 S 66-d. Contract carrier authorization. 1. For purposes of this
17 section the term natural gas shall mean natural gas produced within the
18 state or transported within the state no matter where produced for
19 consumption in the state BY NON-RESIDENTIAL CUSTOMERS.
20 2. The commission, upon its own initiative or upon application by a
21 natural gas producer or a NON-RESIDENTIAL consumer of natural gas in any
22 year and after notice and hearing shall, upon such terms and subject to
23 such conditions as the commission considers just and reasonable, have
24 the authority to order any gas corporation to transport or contract with
25 others to transport gas under contract for sale by such producer or

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

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1 owned by such NON-RESIDENTIAL consumer provided that, the commission
2 finds that the gas corporation has available capacity, that no undue
3 burden shall be placed upon the gas corporation or its ratepayers and
4 that the ability of the gas corporation to render adequate service to
5 its customers is not impaired.
6 S 3. This act shall take effect immediately.