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I N A S S E M B L Y

May 26, 2016

Introduced by M. of A. PAULIN, SCHIMMINGER -- read once and referred to the Committee on Energy

AN ACT to direct the public service commission to issue an order governing the equitable sharing of interconnection costs for distributed generation resources

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

1 Section 1. 1. No later than 365 days after the effective date of this
2 act, the public service commission shall issue an order governing the
3 equitable sharing of interconnection costs where two or more distributed
4 generation resources substantially utilize the same dedicated equipment,
5 including but not limited to dedicated electric cables, wires, circuits,
6 transformers and substations, which but for the operation of such
7 resources would not have been installed by an electric corporation.

8 2. For the purposes of this section, "distributed generation
9 resources" shall refer to:

10 (a) energy-generating equipment defined in paragraphs (d), (e), (f),
11 (g) and (h) of subdivision 1 of section 66-j of the public service law;

12 (b) energy-generating equipment defined in paragraph (f) of subdivi-
13 sion 1 of section 66-l of the public service law; and

14 (c) energy-generating equipment necessary for community net-metering
15 as established by the commission on or after July 17, 2015.

16 3. The order established by such commission shall include:

17 (a) the reasonable payment of costs to customer-generators and persons
18 who previously paid the costs of installing dedicated equipment required
19 for the interconnection of a distributed generation resource. The order
20 shall provide for cost-sharing payments under the following scenarios:

21 (i) an applicant who has received approval from his or her electric
22 corporation to interconnect a distributed generation resource which
23 would substantially utilize existing equipment paid for by one or more
24 customer-generators or persons owning or operating one or more distrib-
25 uted generation resources.

26 (ii) two or more applicants who have received approval from their
27 electric corporation to interconnect distributed generation resources

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

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1 which would substantially utilize existing equipment paid for by one or
2 more customer-generators or persons owning or operating one or more
3 distributed generation resources.

4 (iii) one or more applicants who have received approval from their
5 electric corporation to interconnect distributed generation resources,
6 and seek to upgrade existing equipment paid for by one or more custom-
7 er-generators or persons owning or operating one or more distributed
8 generation resources, and under which all parties would substantially
9 utilize such upgraded equipment.

10 (b) a process by which the department of public service would notify
11 applicants of their requirement to provide cost-sharing payments to
12 customer-generators or persons owning or operating one or more distrib-
13 uted generation resources and previously had borne the costs of install-
14 ing dedicated equipment necessary for interconnection.

15 (c) a process by which subscribers to a community net-metering
16 distributed generation facility where the owner has received equipment
17 cost-sharing payments will receive a refund against subscription costs
18 proportional to the share which they have paid for the installation of
19 such equipment; and

20 (d) any other guidelines such commission deems necessary to effectuate
21 equitable cost-sharing and subscriber protections, and encourage the
22 responsible siting of distributed generation resources.

23 4. In developing the order pursuant to subdivision one of this
24 section, the public service commission shall consult with the New York
25 state energy research and development authority, and solicit the input
26 of renewable energy advocates and electric corporations.

27 S 2. This act shall take effect immediately.