S T A T E O F N E W Y O R K

9652

I N A S S E M B L Y

March 24, 2016

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

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:

Section 1. Paragraph (b) of subdivision 12-b of section 66 of the public service law, as added by chapter 626 of the laws of 1983, is amended to read as follows:

(b) The commission may also authorize utility corporations to contract with existing or prospective industrial and commercial customers to wheel or deliver electricity or gas purchased directly by such customers, provided that the commission finds that such arrangements are in the overall best interest of the rate payers of the corporation, and that the rates and fees for the services provided adequately compensate the corporation for the use of its facilities, AND FURTHER PROVIDED THAT SUCH WHEELING OR DELIVERY OF ELECTRICITY OR NATURAL GAS TO RESIDENTIAL CUSTOMERS SHALL NOT BE ALLOWED.

S 2. Section 66-d of the public service law, as added by chapter 519 of the laws of 1984, subdivision 2 as amended by chapter 790 of the laws of 1985, is amended to read as follows:

S 66-d. Contract carrier authorization. 1. For purposes of this section the term natural gas shall mean natural gas produced within the state or transported within the state no matter where produced for consumption in the state BY NON-RESIDENTIAL CUSTOMERS.

2. The commission, upon its own initiative or upon application by a natural gas producer or a NON-RESIDENTIAL consumer of natural gas in any year and after notice and hearing shall, upon such terms and subject to such conditions as the commission considers just and reasonable, have the authority to order any gas corporation to transport or contract with others to transport gas under contract for sale by such producer or owned by such NON-RESIDENTIAL consumer provided that, the commission

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

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finds that the gas corporation has available capacity, that no undue burden shall be placed upon the gas corporation or its ratepayers and that the ability of the gas corporation to render adequate service to its customers is not impaired.

S 3. This act shall take effect immediately.