

# STATE OF NEW YORK

592

2017-2018 Regular Sessions

## IN ASSEMBLY

January 9, 2017

Introduced by M. of A. PAULIN, BRINDISI, ENGLEBRIGHT, HEVESI, ABINANTI, BARRETT, CROUCH, GALEF, JAFFEE, LUPARDO, OTIS, QUART, ROSENTHAL, SCHIMMINGER, SKARTADOS, WEPRIN, KAVANAGH, WALKER -- Multi-Sponsored by -- M. of A. COLTON, GLICK, GOTTFRIED, LOPEZ, MAGEE, PERRY -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to the rates paid for micro-combined heat and power or fuel cell customer-generators

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph (b) of subdivision 4 of section 66-j of the public service law, as amended by chapter 494 of the laws of 2014, is amended to read as follows:

(b) In the event that the amount of electricity produced by a customer-generator during the billing period exceeds the amount of electricity used by the customer-generator, the corporation shall apply a credit to the next bill for service to the customer-generator for the net electricity provided at the same rate per kilowatt hour applicable to service provided to other customers in the same service class which do not generate electricity onsite, except for [~~micro-combined heat and power or fuel cell customer-generators or~~] farm waste generating equipment customer-generators as described in subparagraph (ix) of paragraph (a) of subdivision one of this section, who will be credited at the corporation's avoided costs. The avoided cost credit provided to [~~micro-combined heat and power or fuel cell customer-generators or~~] farm waste generating equipment customer-generators as described in subparagraph (ix) of paragraph (a) of subdivision one of this section shall be treated for ratemaking purposes as a purchase of electricity in the market that is includable in commodity costs.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.

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

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