STATE OF NEW YORK

5985

2017-2018 Regular Sessions

IN ASSEMBLY

February 21, 2017

Introduced by M. of A. THIELE, GLICK, LIFTON, ZEBROWSKI -- read once and referred to the Committee on Energy

AN ACT to establish a moratorium on that portion of the order of the state of New York public service commission, issued August 1, 2016 in cases 15-E-0302 and 16-E-0270 enacting a zero-emission credit requirement in relation to certain upstate nuclear generating facilities; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. There is hereby established a moratorium on that portion of the order of the state of New York public service commission, issued August 1, 2016 in cases 15-E-0302 and 16-E-0270 enacting a zero-emission credit requirement in relation to certain upstate nuclear generating facilities. Such upstate nuclear generating facilities shall be the Fitzpatrick, Ginna and Nine Mile Point nuclear generating facilities referred to in such order. Specifically, paragraphs ten, eleven, and twelve of said order shall be subject to the moratorium established by this act.

§ 2. Severability. If any provision of this act or the application thereof shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act, but shall be confined in its operation to the provision thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after August 1, 2016 and shall expire December 31, 2018 when upon such date the provisions of this act shall be deemed repealed.

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

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