STATE OF NEW YORK

4490--A

2017-2018 Regular Sessions

IN SENATE

February 16, 2017

Introduced by Sen. HAMILTON -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to enacting the "New York microgrids act"

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

Section 1. Article 8 of the public authorities law is amended by adding a new title 9-B to read as follows:

TITLE 9-B
NEW YORK MICROGRIDS ACT

Section 1900. Short title.
1901. Definitions.
1902. Purposes.
1903. Microgrids of New York grant program.

§ 1900. Short title. This title shall be known and may be cited as the "New York microgrids act".

§ 1901. Definitions. As used in this section, the following terms shall have the following meanings:

1. "Authority" means the New York state energy research and development authority continued pursuant to section eighteen hundred fifty-two of this article.

2. "Energy insecure regions" means areas of the state that have experienced increased electricity outages due to grid instability, capacity constraints, distribution and transmission line issues.

3. "Program" means the microgrids of New York grant program established pursuant to section nineteen hundred three of this title.

4. "Rural areas" shall have the same meaning as is ascribed to such term pursuant to subdivision seven of section four hundred eighty-one of the executive law.

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

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5. "Low-income community" means a census block group, or contiguous area with multiple census block groups, having a low-income population equal to or greater than 23.59 percent of the total population of such block group or groups, or such other percentage as may be determined by the New York state department of environmental conservation.

§ 1902. Purposes. The purposes of this title are to:

1. promote long term reduction of energy costs;

2. reduce the capacity demand for the market by drawing less energy from the original grid;

3. stabilize energy costs;

4. enhance the reliability of energy sources;

5. increase energy independence throughout the state; and

6. promote reliance on renewable energy sources to help mitigate climate change and achieve the state's energy use reduction goals.

§ 1903. Microgrids of New York grant program. 1. The authority shall establish and operate the microgrids of New York grant program. Such program shall be implemented by the authority, in consultation with the department of public service, the power authority of the state of New York, the Long Island power authority and the department of environmental conservation. In furtherance thereof, the authority shall:

(a) use monies made available for the purposes of this title and the program;

(b) enter into contracts with constituency based organizations and other entities through the competitive grant process established pursuant to subdivision two of this section;

(c) enter into contracts with one or more program implementers to perform such functions as the authority deems appropriate; and

(d) exercise such other powers as are necessary for the proper implementation of this title.

2. The authority shall:

(a) issue one or more program opportunity notices or requests for proposals to solicit applications from partnerships comprised of constituency based organizations, which can connect community members to the program, including facilitating awareness of the program and enrollment therein;

(b) award grants of not more than one hundred fifty thousand dollars to each approved applicant;

(c) with regard to awarding such grants, give preference to:

(i) communities in areas of the state where energy costs are a particularly high percentage of a community's median household income as determined by the authority;

(ii) communities that would benefit from energy resiliency provided by a microgrid, as demonstrated by prior outage history due to weather or other causes;

(iii) low income communities;

(iv) energy insecure regions; and

(v) rural areas.

3. The authority is authorized in consultation with the department of public service, the power authority of the state of New York, the Long Island power authority and the department of environmental conservation, to promulgate such rules and regulations as shall be necessary to implement the provisions of this section.

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