

STATE OF NEW YORK

11282

IN ASSEMBLY

July 25, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Cusick, Wallace) -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to renewable energy projects on brownfield sites, dormant electric generating sites and utility owned property

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

1 Section 1. The public service law is amended by adding a new section
2 66-p to read as follows:

3 § 66-p. New York state renewable reclamation projects program. 1. As
4 used in this section, a "renewable reclamation project" shall mean solar
5 electric generating equipment, wind electric generating equipment, elec-
6 tric energy storage equipment and hydroelectric generating equipment
7 which a combination gas and electric corporation or private developer is
8 authorized to own and operate on:

9 (a) a brownfield site as defined in subdivision two of section 27-1405
10 of the environmental conservation law, not excluding a site subject to
11 an enforcement order as provided for in paragraph (c) of subdivision two
12 of section 27-1405 of the environmental conservation law; or

13 (b) a dormant electric generating site as determined by the commis-
14 sion; or

15 (c) real property owned by a private developer or real property owned
16 by a combination gas and electric corporation.

17 2. The commission, with input from the empire state development corpo-
18 ration and the New York state energy research and development authority
19 regarding funding and other available resources, shall establish the New
20 York state renewable reclamation projects program to stimulate the
21 development of renewable energy on the types of sites designated in
22 subdivision one of this section subject to private or combination gas
23 and electric corporation ownership and operation.

24 3. The commission shall oversee and approve the implementation of the
25 renewable reclamation projects program by combination gas and electric

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

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1 corporations or private developers. Such program shall include the
2 following elements:

3 (a) (i) Combination gas and electric corporations or private develop-
4 ers shall own or lease a brownfield site or a dormant electric generat-
5 ing site; or

6 (ii) Private developers or combination gas and electric corporations
7 shall own real property and any such property shall be strategically
8 located to allow for a more optimized, secure and flexible renewable
9 electric power system.

10 (b) The combination gas and electric corporation or private developer
11 shall own the infrastructure required to effectively integrate the elec-
12 tricity produced into the electric system. Such infrastructure shall be
13 interconnected and operated in parallel with the combination gas and
14 electric corporation's distribution facilities.

15 (c) The combination gas and electric corporation shall issue a request
16 for proposal for the construction of the renewables.

17 4. A combination gas and electric corporation or a private developer
18 shall provide the commission with the following:

19 (a) An examination of the costs, benefits and risks of any proposal
20 submitted by a combination gas and electric corporation or private
21 developer including the rate implications to customers.

22 (b) A demonstration that the corporation has entered into a labor
23 peace agreement with a bona fide labor organization of jurisdiction that
24 is actively engaged in representing or attempting to represent the
25 combination gas and electric corporation's employees. The labor peace
26 agreement shall be an ongoing material condition of authorization to
27 participate in the New York state renewable reclamation projects
28 program.

29 5. The combination gas and electric corporation may, with the approval
30 of the commission, participate in funding opportunities provided by the
31 New York state energy research and development authority. A private
32 developer may participate in any funding opportunities provided by any
33 state or federal program including but not limited to public benefit
34 corporations.

35 6. The commission shall issue such orders, rules and regulations as
36 may be necessary and appropriate for the interpretation, implementation
37 or administration of this section.

38 § 2. This act shall take effect immediately.