STATE OF NEW YORK

597

2017-2018 Regular Sessions

IN ASSEMBLY

January 9, 2017

Introduced by M. of A. PAULIN, SCHIMMINGER, CAHILL, FAHY, LIFTON, SIMON, OTIS, GOTTFRIED, CRESPO, CROUCH, BARRETT, GALEF, WALKER -- Multi-Sponsored by -- M. of A. LAWRENCE, LOPEZ, MAGEE, McLAUGHLIN -- read once and referred to the Committee on Energy

AN ACT to direct the public service commission to issue an order governing the equitable sharing of interconnection costs for distributed generation resources

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

Section 1. 1. No later than 365 days after the effective date of this act, the public service commission shall issue an order governing the equitable sharing of interconnection costs where two or more distributed generation resources substantially utilize the same dedicated equipment, including but not limited to dedicated electric cables, wires, circuits, transformers and substations, which but for the operation of such resources would not have been installed by an electric corporation.

2. For the purposes of this section, "distributed generation resources" shall refer to:

(a) energy-generating equipment defined in paragraphs (d), (e), (f), (g) and (h) of subdivision 1 of section 66-j of the public service law;

(b) energy-generating equipment defined in paragraph (f) of subdivision 1 of section 66-l of the public service law; and

(c) energy-generating equipment necessary for community net-metering as established by the commission on or after July 17, 2015.

3. The order established by such commission shall include:

(a) the reasonable payment of costs to customer-generators and persons who previously paid the costs of installing dedicated equipment required for the interconnection of a distributed generation resource. The order shall provide for cost-sharing payments under the following scenarios:

(i) an applicant who has received approval from his or her electric corporation to interconnect a distributed generation resource which

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

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would substantially utilize existing equipment paid for by one or more customer-generators or persons owning or operating one or more distributed generation resources.

(ii) two or more applicants who have received approval from their electric corporation to interconnect distributed generation resources which would substantially utilize existing equipment paid for by one or more customer-generators or persons owning or operating one or more distributed generation resources.

(iii) one or more applicants who have received approval from their electric corporation to interconnect distributed generation resources, and seek to upgrade existing equipment paid for by one or more customer-generators or persons owning or operating one or more distributed generation resources, and under which all parties would substantially utilize such upgraded equipment.

(b) a process by which the department of public service would notify applicants of their requirement to provide cost-sharing payments to customer-generators or persons owning or operating one or more distributed generation resources and previously had borne the costs of installing dedicated equipment necessary for interconnection.

(c) a process by which subscribers to a community net-metering distributed generation facility where the owner has received equipment cost-sharing payments will receive a refund against subscription costs proportional to the share which they have paid for the installation of such equipment; and

(d) any other guidelines such commission deems necessary to effectuate equitable cost-sharing and subscriber protections, and encourage the responsible siting of distributed generation resources.

4. In developing the order pursuant to subdivision one of this section, the public service commission shall consult with the New York state energy research and development authority, and solicit the input of renewable energy advocates and electric corporations.

§ 2. This act shall take effect immediately.