

# STATE OF NEW YORK

9036

## IN SENATE

June 14, 2018

Introduced by Sens. GRIFFO, ORTT, YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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  
26 corporations or private developers. Such program shall include the  
27 following elements:

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

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

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

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

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

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

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

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

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

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

36 § 2. This act shall take effect immediately.