

# STATE OF NEW YORK

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336

2019-2020 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 9, 2019

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Introduced by M. of A. PAULIN, DINOWITZ, ENGLEBRIGHT -- read once and referred to the Committee on Energy

AN ACT in relation to the price of zero emissions credits

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

1 Section 1. Notwithstanding any other law, rule, regulation, or order,  
2 the New York public service commission shall adjust the price of a zero  
3 emissions credit to account for the proportional benefits received with-  
4 in each energy zone attributed to the continued operation of nuclear  
5 facilities. The price of a zero emissions credit shall be higher in  
6 energy zones where the proportional benefits are greater and lower in  
7 energy zones where the proportional benefits are less.

8 § 2. The term "proportional benefits" when used in this act shall  
9 include all (a) proximity advantages derived from avoided fossil fuel  
10 generation within each energy zone due to the continued operation of the  
11 nuclear facilities, (b) revenues, funds, taxes or credits received from  
12 nuclear facilities through real property tax collections or payments in  
13 lieu of taxes within each energy zone, and (c) advantages acquired  
14 through employment related to the continued operation of nuclear facili-  
15 ties within each energy zone.

16 § 3. The term "energy zone" when used in this act shall mean the  
17 federally designated electric bulk system operator's zone.

18 § 4. The term "nuclear facilities" when used in this act shall mean  
19 the Fitzpatrick, Ginna and Nine Mile nuclear facilities.

20 § 5. The zero emissions credit price adjustment required by section  
21 one of this act shall be approved by the New York public service commis-  
22 sion on or before August 1, 2019.

23 § 6. This act shall take effect immediately.

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

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