

# STATE OF NEW YORK

3210--A

2019-2020 Regular Sessions

## IN SENATE

February 4, 2019

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to requiring gas pipeline facilities to accelerate the repair, rehabilitation, and replacement of equipment or pipelines that are leaking or at a high risk of leaking

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

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

§ 66-q. Pipeline modernization and consumer protection. 1. As used in this section, "gas pipeline facility" means (a) a distribution facility, and (b) a gas utility.

2. Each operator of a gas pipeline facility shall accelerate the repair, rehabilitation, and replacement of gas piping or equipment that is:

(a) leaking; or

(b) may pose high risks of leaking, or may no longer be fit for service, because of: (i) inferior materials, (ii) poor construction practices, (iii) lack of maintenance, or (iv) age.

3. In complying with subdivision two of this section, the commission shall: (a) develop prioritized timelines to repair all leaks based on the severity of the leak, including non-hazardous leaks, or replace identified leaking or high-risk piping or equipment, including leaks identified as part of an integrity management plan developed under this section if applicable;

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

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1 (b) adopt a cost-recovery program that includes (i) replacement plans  
2 with targets and benchmarks for leaking or high-risk infrastructure  
3 replacement, (ii) consideration of the economic, safety, and environ-  
4 mental benefits of reduced gas leakage, including consideration of  
5 reduced operation and maintenance costs and reduced costs attributable  
6 to lost or unaccounted-for natural gas, and (iii) reporting on the  
7 reductions in lost or unaccounted-for gas as a result of pipeline  
8 replacements;

9 (c) adopt a standard definition and methodology for calculating and  
10 reporting unaccounted-for gas to improve data quality;

11 (d) adopt limits on cost recovery for the lost and unaccounted-for  
12 gas; and

13 (e) require use of best available technology to detect gas leaks.

14 4. No later than one year after the effective date of this section,  
15 the commission shall, after notice and opportunity to comment, issue  
16 non-binding guidelines identifying best practices for identifying and  
17 classifying high-risk pipeline infrastructure and leaks for repair or  
18 replacement.

19 5. Notwithstanding any other provision of law to the contrary, no  
20 later than one year after the effective date of this section, the  
21 commission shall establish and publish forms that adopt a standard defi-  
22 nition and methodology for calculating and reporting unaccounted-for  
23 gas, including, when possible, information on the causes of unaccount-  
24 ed-for gas and the quantities associated with each cause, for use by  
25 applicable state agencies to standardize the data collected on unac-  
26 counted-for gas.

27 6. Operators of gas pipeline facilities in cities with a population of  
28 one million or more shall establish a database of pipeline infrastruc-  
29 ture that includes its age and state of repair and shall share this  
30 information with the coordinated building inspection data analysis  
31 system.

32 § 2. This act shall take effect immediately.