STATE OF NEW YORK

3855

2021-2022 Regular Sessions

IN ASSEMBLY

January 28, 2021

Introduced by M. of A. CUSICK, WALLACE, COLTON, L. ROSENTHAL, GOTTFRIED, GALEF, STECK -- read once and referred to the Committee on Consumer Affairs and Protection

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:

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

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

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

(b) a dormant electric generating site as determined by the commission; or

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

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

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

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3. The commission shall oversee and approve the implementation of the renewable reclamation projects program by combination gas and electric corporations or private developers. Such program shall include the following elements:

(a) (i) Combination gas and electric corporations or private developers shall own or lease a brownfield site or a dormant electric generating site; or

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

(b) The combination gas and electric corporation or private developer shall own the infrastructure required to effectively integrate the electricity produced into the electric system. Such infrastructure shall be interconnected and operated in parallel with the combination gas and electric corporation's distribution facilities.

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

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

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

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

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

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

§ 2. This act shall take effect immediately.