STATE OF NEW YORK

7768

2021-2022 Regular Sessions

IN ASSEMBLY

May 21, 2021

Introduced by M. of A. KELLES -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to certificate conditions for dormant power generating facilities that are in layup or out of service

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 174 to read as follows:

§ 174. Certificate conditions for dormant facilities. 1. Notwithstanding subdivision two of section one hundred sixty-two of this article, a certificate may not be transferred for a major electric generating facility that was permitted prior to two thousand twelve and has provided notification that such facility is in layup or out of service.

2. A major electric generating facility that was permitted prior to two thousand twelve and that has provided notification that such facility is in layup or out of service shall not utilize a fossil fuel resource to produce electricity, or for any other industrial purpose, without issuance of a new certificate by the commission.

§ 2. This act shall take effect on the one hundred and eightieth day after it shall have become a law.

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

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