

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:

1 Section 1. The public service law is amended by adding a new section
2 66-q to read as follows:

3 § 66-q. 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.

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

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

5 (a) (i) Combination gas and electric corporations or private develop-
6 ers shall own or lease a brownfield site or a dormant electric generat-
7 ing site; or

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

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

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

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

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

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

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

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

40 § 2. This act shall take effect immediately.