STATE OF NEW YORK

5036

2021-2022 Regular Sessions

IN ASSEMBLY

February 10, 2021

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:

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

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

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

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

§ 5. The zero emissions credit price adjustment required by section one of this act shall be approved by the New York public service commission on or before August 1, 2021.

§ 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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