

STATE OF NEW YORK

7321--A

2021-2022 Regular Sessions

IN SENATE

August 9, 2021

Introduced by Sens. STEC, BORRELLO, GALLIVAN, OBERACKER, O'MARA, PALUMBO, RITCHIE, SERINO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to directing the public service commission to conduct a full cost benefit analysis of the technical and economic feasibility of renewable energy systems in the state of New York and to compare such directly with other methods of electricity generation

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-s to read as follows:

3 § 66-s. Supplemental study of the costs, benefits, technical and
4 economic feasibility of meeting the New York state climate leadership
5 and community protection act renewable energy targets. 1. Not later than
6 nine months after the effective date of this section, and every four
7 years thereafter, the commission, on behalf of the climate action coun-
8 cil established by section 75-0103 of the environmental conservation
9 law, and in consultation with the president of the New York state energy
10 research and development authority and the presiding officer of the
11 federally designated electric bulk system operator, shall publish and
12 update a comprehensive study to determine the costs, benefits and over-
13 all economic feasibility of meeting the climate leadership and community
14 protection act ("CLCPA") targets for renewable energy systems in New
15 York state.

16 2. Such study shall include a full cost benefit analysis assessing the
17 following, including, but not limited to:

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

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1 (a) The current state of technology in place for electric generation
2 as of the date of the study, as well as new and emerging generation
3 methods;

4 (b) The impact of CLCPA renewable energy target compliance on elec-
5 tricity wholesale prices, delivery rates and total bills that energy
6 consumers in this state will pay, including indirect energy costs. This
7 analysis would include the impacts of subsidies to site land-based and
8 offshore renewable energy projects, the build-out of the electric
9 infrastructure to receive and transmit renewable power, subsidies of
10 energy storage projects, and the addition of new loads associated with
11 deep electrification efforts in the residential, commercial, industrial
12 and transportation sectors. This analysis shall address both short-term
13 and long-term maintenance costs;

14 (c) Direct and indirect costs associated with the transition to heat-
15 ing and cooling provided by heat pumps powered by renewable energy
16 systems;

17 (d) The current civilian state of the art in nuclear reactor technolo-
18 gy and the role such technology could play in the transition to a clean-
19 er, more reliable, and more resilient energy portfolio in New York
20 state;

21 (e) The impact of renewable energy systems on the reliability of the
22 electric system in this state, including but not limited to, voltage
23 sags and how reliability shall be maintained when solar and wind
24 resources are not generating power, and shall also address how reliabil-
25 ity will be maintained if fast-ramping gas-fired generation is phased
26 out;

27 (f) Costs and logistical issues associated with end-of-life disposal
28 of renewable energy system components;

29 (g) Short-term and long-term costs associated with building-out and
30 maintaining adequate energy storage and/or battery capacity for periods
31 when renewable energy systems are intermittent;

32 (h) Direct and indirect transportation costs associated with such
33 matters as charging station infrastructure, a moratorium on gas pipeline
34 construction, and over-the-road transport of goods, such as perishable
35 agricultural products;

36 (i) The impact of CLCPA compliance on natural gas market prices,
37 delivery rates and total bills that energy consumers in this state will
38 pay including but not limited to short-term and long-term maintenance
39 costs;

40 (j) The impact CLCPA compliance has on the reliability of the natural
41 gas system in this state and its ability to support manufacturing proc-
42 esses for which today there are no known replacement fuels. Consider-
43 ation shall be given to the following: the utilization and dependence
44 upon natural gas by manufacturers for process purposes; the utilization
45 and dependence on natural gas service for cooking by the restaurant and
46 food-service industry, due to the ability of gas ranges and ovens to
47 heat foods more evenly than their electric counterparts; the use of
48 natural gas for heating in forty-six percent of households in the North-
49 east; and reliable and affordable alternatives for heating and other
50 services currently supplied by natural gas;

51 (k) Clarification of the impact of CLCPA compliance on industrial use
52 of fossil fuels; and

53 (l) An examination of the land use implications of major renewable
54 electric generating facilities in the state, both from the standpoint of
55 tourism and this state's tourism-based economic sectors, and potential
56 effects on the viability of agriculture in this state.

1 3. Such study shall build upon relevant expertise already at the
2 commission's disposal, along with that of the climate action council.

3 4. The department, on behalf of the commission, shall contract with an
4 independent and competitively-selected consultant to undertake such
5 study.

6 5. The department, and any contractors it may retain for such
7 purposes, shall consult with entities that have resources and expertise
8 to assist in such study, including, but not limited to, academic part-
9 ners, electric corporations, electricity generating companies, trade
10 organizations, environmental justice groups, and other stakeholders.

11 6. Upon completion of the initial study and each updated study
12 conducted pursuant to subdivision one of this section, the department
13 shall prepare a report on such study's findings, including recommenda-
14 tions for future courses of action and/or those issues requiring further
15 investigation. The commission shall transmit such report along with the
16 study to the governor, the speaker of the assembly, the minority leader
17 of the assembly, the temporary president of the senate, the minority
18 leader of the senate, the chair of the assembly energy committee, the
19 ranking member of the assembly energy committee, the chair of the senate
20 energy and telecommunications committee, and the ranking member of the
21 senate energy and telecommunications committee no later than thirty days
22 after the study's completion.

23 7. The Long Island power authority and the power authority of the
24 state of New York are authorized, as deemed feasible and advisable by
25 their respective boards, to make a voluntary contribution toward this
26 study.

27 8. Upon receipt of the report of the study's findings, the commission
28 shall, within ninety days, promulgate rules and regulations necessary
29 for effectuating the intent of the recommendations made by the report.

30 § 2. This act shall take effect immediately.