STATE OF NEW YORK

7722

IN SENATE

January 7, 2022

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend a chapter of the laws of 2021 directing the public service commission to study the feasibility and the costs of burying all or most of the electrical, telephone and internet transmission lines in New York state and to publish and deliver a report of its findings to the governor and the legislature, and requiring new electrical, telephone and internet transmission lines to be buried underground, as proposed in legislative bills numbers S. 4186-A and A. 2330-A, in relation to directing the New York state department of public service to study the feasibility and the costs of relocating underground all or most of the existing, above-ground electrical distribution lines, telephone lines and internet transmission lines

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Sections 1 and 2 of a chapter of the laws of 2021 directing the public service commission to study the feasibility and the costs of burying all or most of the electrical, telephone and internet transmission lines in New York state and to publish and deliver a report of its findings to the governor and the legislature, and requiring new electrical, telephone and internet transmission lines to be buried underground, as proposed in legislative bills numbers S.4186-A and A. 2330-A, are amended to read as follows:

Section 1. [~~1. The public service commission shall conduct a study to analyze the feasibility and the costs of burying underground all or most of the existing electrical, telephone and internet transmission lines in New York state. Such study shall include an analysis of:~~

~~(a) the economic and environmental benefits from burying such existing lines; and~~

~~(b) the economic cost burden of doing so, if any, including an estimate of what the cost per utility customer would be, the number of jobs to be created to complete the project and a timeline for completion of the project.~~

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

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~~2. In analyzing costs and benefits for the purposes of this study, the commission shall consider the varying geographical areas of the state and report separately on the impact particular areas might have on the project. The study shall also quantify the economic costs and benefits of burying existing electrical, telephone and internet transmission lines to utility customers and shall disaggregate the results by utility. The study shall calculate the cost per customer of the entire cost of the project statewide, regardless of where the customer lives, for the life of the project on a monthly basis.~~

~~3. Within one year of the effective date of this act, the commission shall:~~

~~(a) publish the report of its findings on its website in a location accessible to the public; and~~

~~(b) deliver a copy of the report to the governor, the temporary president of the senate, the speaker of the assembly, the chair of the senate energy and telecommunications committee and the chair of the assembly energy committee.~~] The New York state department of public service ("department"), in cooperation with the New York state energy research and development authority ("authority"), shall conduct a study to analyze the feasibility of relocating underground all or most of the existing, above-ground electrical distribution lines, telephone lines and internet transmission lines in the state (collectively, "transmission lines") of (1) entities that are subject to the jurisdiction of the public service commission ("jurisdictional entities"), (2) the Long Island power authority, and (3) cable and broadband providers. The study shall include but need not be limited to consideration of the following issues:

a. potential constraints to and opportunities for relocating transmission lines underground and how such potential constraints can be addressed;

b. potential adverse and beneficial impacts associated with relocating transmission lines underground and how such potential impacts can be mitigated or facilitated;

c. estimated costs of relocating transmission lines underground, presented on a statewide basis and in any other form the department determines presents useful information;

d. estimated cost impacts on ratepayers of relocating transmission lines underground, including an estimate of the cost per utility customer to the extent such estimate can be made, presented on a statewide basis and in any other form the department determines presents useful information;

e. costs to utilities, providers, businesses and residents (e.g., repair, maintenance) that could be avoided by relocating transmission lines underground;

f. job sector impacts associated with relocation projects, including potential job creation that may be practically projected; and

g. estimated timelines associated with relocation projects presented by region/area.

§ 2. The department is hereby authorized to request and obtain from jurisdictional entities all data, analyses and other information that it determines in consultation with the authority is necessary to support the study.

§ 3. Within eighteen months of the effective date of this act, the department shall:

(1) publish a report of its findings on its website in a location accessible to the public; and

(2) deliver a copy of the report to the governor, the temporary president of the senate, the speaker of the assembly, the chair of the senate energy and telecommunications committee and the chair of the assembly energy committee.

§ 4. All state agencies and state public authorities are authorized to provide the department and authority with information and other assistance that is necessary to complete the study called for in section one of this act. The Long Island power authority is authorized to allocate a proportional amount of funding for the cost of the study, based on the Long Island power authority's percentage of statewide energy load as determined by the department.

§ [~~2.~~] **5.** This act shall take effect immediately.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2021 directing the public service commission to study the feasibility and the costs of burying all or most of the electrical, telephone and internet transmission lines in New York state and to publish and deliver a report of its findings to the governor and the legislature, and requiring new electrical, telephone and internet transmission lines to be buried underground, as proposed in legislative bills numbers S. 4186-A and A. 2330-A, takes effect.