

STATE OF NEW YORK

2398

2023-2024 Regular Sessions

IN ASSEMBLY

January 26, 2023

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

AN ACT to amend the public service law and the public authorities law, in relation to developing microgrids in preparation for extreme weather events and other risks to public security

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-u to read as follows:

3 § 66-u. Microgrid development program. 1. Definitions. As used in this
4 section:

5 (a) "community outage asset" means a public or private entity that
6 provides critical services to the public during an extended electric
7 distribution outage. Community outage assets shall include, but are not
8 limited to: telecommunications providers, hospitals, nursing homes,
9 large retail stores, supermarkets, government agencies, data centers,
10 transportation systems, financial institutions, gas stations, educa-
11 tional institutions, large multi-family residential housing, wastewater
12 treatment facilities, community centers and other customers deemed by
13 the commission to provide a critical service to the public that would
14 promote or enhance health and safety during an outage of the electric
15 distribution system;

16 (b) "extended electric distribution outage" means a total or partial
17 outage of an electric corporation's distribution system that continues
18 for a period of twenty-four hours or longer;

19 (c) "uninterrupted" means that the output of the microgrid system is
20 delivered to the end-use customer throughout an extended electric
21 distribution outage, with the exception of momentary interruptions asso-
22 ciated with transitions to and from grid parallel and grid islanded
23 operations; and

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

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1 (d) "microgrid" shall mean a load or group of interconnected loads and
2 distributed energy resources within clearly defined electrical bounda-
3 ries that acts as a single controllable entity with respect to the elec-
4 tric grid. A microgrid can connect and disconnect from the electric
5 grid to enable it to operate in both grid-connected or island-mode.

6 2. On or within one hundred twenty days of the effective date of this
7 section, the commission shall, after a hearing held on notice, adopt an
8 order requiring the New York state energy research and development
9 authority to establish a program to support the development of micro-
10 grids that are capable of providing an uninterrupted supply of power to
11 one or more community outage assets through an extended electric
12 distribution outage. Such program shall provide overall funding in the
13 amount of seventy-five million dollars for the years two thousand twen-
14 ty-four through two thousand twenty-eight. Such program shall include a
15 preference for those microgrids that:

16 (a) maximize annual reductions in carbon dioxide equivalent, oxides of
17 nitrogen, sulfur dioxide and particulate matter emissions achieved rela-
18 tive to marginal grid emissions for the region in which the project is
19 located. For purposes of this section the commission shall define
20 marginal emissions using the same metric or metrics that are used to
21 quantify emissions reductions achieved by other New York state energy
22 research and development authority clean energy programs;

23 (b) displace or otherwise reduce the operation of diesel back-up
24 generators; and

25 (c) are more capable of being expeditiously permitted, interconnected
26 and commissioned in preparation for extreme weather events and other
27 grid related risks.

28 § 2. The public authorities law is amended by adding a new section
29 1020-nn to read as follows:

30 § 1020-nn. Microgrid development program. 1. Definitions. As used in
31 this section:

32 (a) "community outage asset" means a public or private entity that
33 provides critical services to the public during an extended electric
34 distribution outage. Community outage assets shall include, but are not
35 limited to: telecommunications providers, hospitals, nursing homes,
36 large retail stores, supermarkets, government agencies, data centers,
37 transportation systems, financial institutions, gas stations, educa-
38 tional institutions, health care providers, large multi-family residen-
39 tial housing, wastewater treatment facilities, community centers and
40 other customers deemed by the commission to provide a critical service
41 to the public that would promote or enhance health and safety during an
42 outage of the electric distribution system;

43 (b) "extended electric distribution outage" means a total or partial
44 outage of the authority's electric distribution system that continues
45 for a period of twenty-four hours or longer;

46 (c) "uninterrupted" means that the output of the microgrid system is
47 delivered to the end-use customer throughout an extended electric
48 distribution outage, with the exception of momentary interruptions asso-
49 ciated with transitions to and from grid parallel and grid islanded
50 operations; and

51 (d) "microgrid" shall mean a load or group of interconnected loads and
52 distributed energy resources within clearly defined electrical bounda-
53 ries that acts as a single controllable entity with respect to the elec-
54 tric grid. A microgrid can connect and disconnect from the electric
55 grid to enable it to operate in both grid-connected or island-mode.

1 2. On or within one hundred eighty days of the effective date of this
2 section, the authority shall establish a program to support the develop-
3 ment of microgrids that are capable of providing an uninterrupted supply
4 of power to one or more community outage assets through an extended
5 electric distribution outage. Such program shall provide overall funding
6 in the amount of twenty-five million dollars for the years two thousand
7 twenty-four through two thousand twenty-eight. Such program shall
8 include a preference for those microgrids that:

9 (a) maximize annual reductions in carbon dioxide equivalent, oxides of
10 nitrogen, sulfur dioxide and particulate matter emissions achieved rela-
11 tive to marginal grid emissions for the authority's service territory.
12 For purposes of this section the authority shall define marginal emis-
13 sions using the same metric or metrics that are used to quantify emis-
14 sions reductions achieved by other New York state energy research and
15 development authority clean energy programs;

16 (b) displace or otherwise reduce the operation of diesel back-up
17 generators; and

18 (c) are more capable of being expeditiously permitted, interconnected
19 and commissioned in preparation for extreme weather events and other
20 grid related risks.

21 § 3. This act shall take effect immediately.