

# STATE OF NEW YORK

2735

2023-2024 Regular Sessions

## IN SENATE

January 24, 2023

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

AN ACT to amend the public service law, in relation to requiring gas pipeline facilities to accelerate the repair, rehabilitation, and replacement of equipment or pipelines that are leaking or at a high risk of leaking

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. Pipeline modernization and consumer protection. 1. As used in  
4 this section, "gas pipeline facility" means (a) a distribution facility,  
5 and (b) a gas utility.

6 2. Each operator of a gas pipeline facility shall accelerate the  
7 repair, rehabilitation, and replacement of gas piping or equipment that  
8 is:

9 (a) leaking; or

10 (b) may pose high risks of leaking, or may no longer be fit for  
11 service, because of: (i) inferior materials, (ii) poor construction  
12 practices, (iii) lack of maintenance, or (iv) age.

13 3. In complying with subdivision two of this section, the commission  
14 shall: (a) develop prioritized timelines to repair all leaks based on  
15 the severity of the leak, including non-hazardous leaks, or replace  
16 identified leaking or high-risk piping or equipment, including leaks  
17 identified as part of an integrity management plan developed under this  
18 section if applicable;

19 (b) adopt a cost-recovery program that includes (i) replacement plans  
20 with targets and benchmarks for leaking or high-risk infrastructure  
21 replacement, (ii) consideration of the economic, safety, and environ-  
22 mental benefits of reduced gas leakage, including consideration of

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

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1 reduced operation and maintenance costs and reduced costs attributable  
2 to lost or unaccounted-for natural gas, and (iii) reporting on the  
3 reductions in lost or unaccounted-for gas as a result of pipeline  
4 replacements;

5 (c) adopt a standard definition and methodology for calculating and  
6 reporting unaccounted-for gas to improve data quality;

7 (d) adopt limits on cost recovery for the lost and unaccounted-for  
8 gas; and

9 (e) require use of best available technology to detect gas leaks.

10 4. No later than one year after the effective date of this section,  
11 the commission shall, after notice and opportunity to comment, issue  
12 non-binding guidelines identifying best practices for identifying and  
13 classifying high-risk pipeline infrastructure and leaks for repair or  
14 replacement.

15 5. Notwithstanding any other provision of law to the contrary, no  
16 later than one year after the effective date of this section, the  
17 commission shall establish and publish forms that adopt a standard defi-  
18 inition and methodology for calculating and reporting unaccounted-for  
19 gas, including, when possible, information on the causes of unaccount-  
20 ed-for gas and the quantities associated with each cause, for use by  
21 applicable state agencies to standardize the data collected on unac-  
22 counted-for gas.

23 6. Operators of gas pipeline facilities in cities with a population of  
24 one million or more shall establish a database of pipeline infrastruc-  
25 ture that includes its age and state of repair and shall share this  
26 information with the coordinated building inspection data analysis  
27 system.

28 § 2. This act shall take effect immediately.