

# 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:

Section 1. The public service law is amended by adding a new section 66-u to read as follows:

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

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

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

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

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

LBD03871-01-3

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.