STATE OF NEW YORK

2398--A

2023-2024 Regular Sessions

IN ASSEMBLY

January 26, 2023

Introduced by M. of A. PAULIN, CUNNINGHAM -- read once and referred to the Committee on Energy -- reported and referred to the Committee on Ways and Means -- recommitted to the Committee on Ways and Means in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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-x to read as follows:

§ 66-x. 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

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

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distribution outage, with the exception of momentary interruptions associated with transitions to and from grid parallel and grid islanded operations; and

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

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

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

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

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

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

§ 1020-nn. 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, health care providers, 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 the authority's electric 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

(d) "microgrid" shall mean a load or group of interconnected loads and distributed energy resources within clearly defined electrical boundaries that acts as a single controllable entity with respect to the elec-

tric grid. A microgrid can connect and disconnect from the electric grid to enable it to operate in both grid-connected or island-mode.

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

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

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

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

§ 3. This act shall take effect immediately.