STATE OF NEW YORK

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IN ASSEMBLY

April 3, 2023

Introduced by M. of A. BARRETT, SEAWRIGHT, CONRAD, McDONALD, STERN, MAGNARELLI, ZEBROWSKI, SMULLEN, SANTABARBARA, CUNNINGHAM, SHIMSKY -- read once and referred to the Committee on Energy -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT in relation to establishing the New York state grid modernization commission

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

Section 1. New York state grid modernization commission. (a) Within one hundred eighty days of the effective date of this act, the New York state grid modernization commission shall be established.

(b) The New York state grid modernization commission shall consist of: (i) the chief executive officer of the department of public service or their chosen designee, (ii) the commissioner of environmental conservation or their chosen designee, (iii) the commissioner of economic development or their chosen designee, (iv) the commissioner of transportation or their chosen designee, (v) the commissioner of labor or their chosen designee, (vi) the commissioner of the division of homeland security and emergency services or their chosen designee, (vii) the commissioner of agriculture and markets or their chosen designee, (viii) the commissioner of health or their chosen designee, (ix) the secretary of state or their chosen designee, (x) the president of the power of authority or their chosen designee, (xi) the president of the New York state energy research and development authority or their chosen designee and (xii) two representatives appointed by the governor, two representatives appointed by the temporary president of the senate and two representatives appointed by the speaker of the assembly as well as one representative appointed by the minority leader of the senate and one representative appointed by the minority leader of the assembly. Such

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

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members shall be appointed in accordance with the provisions of subdivision (c) of this section.

(c) The grid modernization commission shall include members from communities of color, low-income communities, and communities bearing disproportionate pollution and climate change burdens, or shall be representatives of community-based organizations with experience and a history of advocacy on environmental justice issues, and shall include at least two representatives from New York city communities, two representatives from rural communities, and two representatives from upstate New York urban communities. Such representatives shall have experience in one or more of the following fields: economics, engineering, law, utility regulation, consumer advocacy, or environmental management.

(d) Members of the grid modernization commission shall serve without compensation, but shall be reimbursed for the necessary and actual expenses incurred in the performance of duties as members of the commission.

(e) The grid modernization commission shall meet biannually.

§ 2. (a) The grid modernization commission shall, in consultation with the department of public service, conduct a study of research, development, and demonstrations of electric grid modernization that address the principal challenges identified in the New York Independent System Operator's 2021-2040 System & Resource Outlook and any subsequent twenty-year comprehensive reliability plans. The study shall identify tools, resources, and deployment models that may enable improved performance through the adoption of emerging, commercially available or advanced grid technologies or solutions, including but not limited to:

(i) micro-grids;

(ii) distributed energy resources;

(iii) energy storage;

(iv) electric vehicles;

(v) electric vehicle charging infrastructure;

(vi) integrated information and communications systems;

(vii) transactive energy systems;

(viii) advanced demand management systems;

(ix) the role of the speed of interconnection to the distribution or bulk system in enabling a robust future electric grid;

(x) the role of state and local regulatory authorities in enabling a robust future electric grid to ensure that:

(A) electric utilities remain financially viable;

(B) electric utilities make the needed investments that ensure a reliable, secure, and resilient grid; and

(C) costs incurred to transform to an integrated grid are allocated and recovered responsibly, efficiently, and equitably; and

(xi) any other technologies, solutions, or strategies that the commission deems important to modernizing the grid.

(b) The grid modernization commission shall solicit input from stakeholders, including but not limited to:

(i) local governments;

(ii) municipal utilities;

(iii) utility companies;

(iv) rural electric cooperatives;

(v) labor unions;

(vi) ratepayers;

(vii) trade associations;

(viii) generators;

(ix) community organizations; and

(x) transmission owners.

(c) The grid modernization commission shall hold at least one public hearing in the preparation of the study and may base study findings on existing literature.

(d) Any expenses associated with the reimbursement of the grid modernization commission members shall be borne by the New York state energy research and development authority.

(e) No later than eighteen months after the effective date of this act, the grid modernization commission shall issue a report on the findings of its study to the state energy planning board containing any recommendations appropriate for consideration in the development of the state energy plan. The grid modernization commission shall issue an annual report following the submission of its initial report to the state energy planning board with any necessary updates. Such reports shall be posted on the authority's website and be issued to the temporary president of the senate and the speaker of the assembly.

§ 3. The grid modernization commission shall make recommendations to the New York state energy research and development authority of grants that the authority may make to carry out eligible projects related to the modernization of the electric grid, including but not limited to the application of technologies to improve observability, advanced controls, and prediction of system performance on the distribution system.

§ 4. In the development of the state energy plan, the state energy planning board shall consult with the grid modernization commission and consider the reasonableness, efficacy and expense of including in the state energy plan the recommendations contained in the grid modernization commission's report issued pursuant to this act.

§ 5. This act shall take effect immediately.