

STATE OF NEW YORK

2030

2023-2024 Regular Sessions

IN SENATE

January 18, 2023

Introduced by Sens. STEC, BORRELLO, GALLIVAN, MATTERA, OBERACKER, O'MARA, ORTT, PALUMBO -- 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 directing the public service commission to conduct a full cost benefit analysis of the technical and economic feasibility of renewable energy systems in the state of New York and to compare such directly with other methods of electricity generation

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. Supplemental study of the costs, benefits, technical and
4 economic feasibility of meeting the New York state climate leadership
5 and community protection act renewable energy targets. 1. Not later than
6 nine months after the effective date of this section, and every four
7 years thereafter, the commission, on behalf of the climate action coun-
8 cil established by section 75-0103 of the environmental conservation
9 law, and in consultation with the president of the New York state energy
10 research and development authority and the presiding officer of the
11 federally designated electric bulk system operator, shall publish and
12 update a comprehensive study to determine the costs, benefits and over-
13 all economic feasibility of meeting the climate leadership and community
14 protection act ("CLCPA") targets for renewable energy systems in New
15 York state.

16 2. Such study shall include a full cost benefit analysis assessing the
17 following, including, but not limited to:

18 (a) The current state of technology in place for electric generation
19 as of the date of the study, as well as new and emerging generation
20 methods;

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

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1 (b) The impact of CLCPA renewable energy target compliance on elec-
2 tricity wholesale prices, delivery rates and total bills that energy
3 consumers in this state will pay, including indirect energy costs. This
4 analysis would include the impacts of subsidies to site land-based and
5 offshore renewable energy projects, the build-out of the electric
6 infrastructure to receive and transmit renewable power, subsidies of
7 energy storage projects, and the addition of new loads associated with
8 deep electrification efforts in the residential, commercial, industrial
9 and transportation sectors. This analysis shall address both short-term
10 and long-term maintenance costs;

11 (c) Direct and indirect costs associated with the transition to heat-
12 ing and cooling provided by heat pumps powered by renewable energy
13 systems;

14 (d) The current civilian state of the art in nuclear reactor technolo-
15 gy and the role such technology could play in the transition to a clean-
16 er, more reliable, and more resilient energy portfolio in New York
17 state;

18 (e) The impact of renewable energy systems on the reliability of the
19 electric system in this state, including but not limited to, voltage
20 sags and how reliability shall be maintained when solar and wind
21 resources are not generating power, and shall also address how reliabil-
22 ity will be maintained if fast-ramping gas-fired generation is phased
23 out;

24 (f) Costs and logistical issues associated with end-of-life disposal
25 of renewable energy system components;

26 (g) Short-term and long-term costs associated with building-out and
27 maintaining adequate energy storage and/or battery capacity for periods
28 when renewable energy systems are intermittent;

29 (h) Direct and indirect transportation costs associated with such
30 matters as charging station infrastructure, a moratorium on gas pipeline
31 construction, and over-the-road transport of goods, such as perishable
32 agricultural products;

33 (i) The impact of CLCPA compliance on natural gas market prices,
34 delivery rates and total bills that energy consumers in this state will
35 pay including but not limited to short-term and long-term maintenance
36 costs;

37 (j) The impact CLCPA compliance has on the reliability of the natural
38 gas system in this state and its ability to support manufacturing proc-
39 esses for which today there are no known replacement fuels. Consider-
40 ation shall be given to the following: the utilization and dependence
41 upon natural gas by manufacturers for process purposes; the utilization
42 and dependence on natural gas service for cooking by the restaurant and
43 food-service industry, due to the ability of gas ranges and ovens to
44 heat foods more evenly than their electric counterparts; the use of
45 natural gas for heating in forty-six percent of households in the North-
46 east; and reliable and affordable alternatives for heating and other
47 services currently supplied by natural gas;

48 (k) Clarification of the impact of CLCPA compliance on industrial use
49 of fossil fuels; and

50 (l) An examination of the land use implications of major renewable
51 electric generating facilities in the state, both from the standpoint of
52 tourism and this state's tourism-based economic sectors, and potential
53 effects on the viability of agriculture in this state.

54 3. Such study shall build upon relevant expertise already at the
55 commission's disposal, along with that of the climate action council.

1 4. The department, on behalf of the commission, shall contract with an
2 independent and competitively-selected consultant to undertake such
3 study.

4 5. The department, and any contractors it may retain for such
5 purposes, shall consult with entities that have resources and expertise
6 to assist in such study, including, but not limited to, academic part-
7 ners, electric corporations, electricity generating companies, trade
8 organizations, environmental justice groups, and other stakeholders.

9 6. Upon completion of the initial study and each updated study
10 conducted pursuant to subdivision one of this section, the department
11 shall prepare a report on such study's findings, including recommenda-
12 tions for future courses of action and/or those issues requiring further
13 investigation. The commission shall transmit such report along with the
14 study to the governor, the speaker of the assembly, the minority leader
15 of the assembly, the temporary president of the senate, the minority
16 leader of the senate, the chair of the assembly energy committee, the
17 ranking member of the assembly energy committee, the chair of the senate
18 energy and telecommunications committee, and the ranking member of the
19 senate energy and telecommunications committee no later than thirty days
20 after the study's completion.

21 7. The Long Island power authority and the power authority of the
22 state of New York are authorized, as deemed feasible and advisable by
23 their respective boards, to make a voluntary contribution toward this
24 study.

25 8. Upon receipt of the report of the study's findings, the commission
26 shall, within ninety days, promulgate rules and regulations necessary
27 for effectuating the intent of the recommendations made by the report.

28 § 2. This act shall take effect immediately.