

# STATE OF NEW YORK

7834

2023-2024 Regular Sessions

## IN SENATE

December 22, 2023

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to qualified energy storage systems

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

1 Section 1. Paragraph (g) of subdivision 4 and paragraph (d) of subdivi-  
2 sion 7 of section 94-c of the executive law, paragraph (g) of subdivi-  
3 sion 4 as added by section 4 of part JJJ of chapter 58 of the laws of  
4 2020, and paragraph (d) of subdivision 7 as amended by section 2 of part  
5 BBB of chapter 55 of the laws of 2021, are amended to read as follows:

6 (g) Any person intending to construct (i) a facility that is a renewa-  
7 ble energy system, as such term is defined in section sixty-six-p of the  
8 public service law as added by chapter one hundred six of the laws of  
9 two thousand nineteen, with a nameplate capacity of at least twenty  
10 thousand but less than twenty-five thousand kilowatts, or (ii) a quali-  
11 fied energy storage system, as such term is defined in subdivision one  
12 of section seventy-four of the public service law, with a nameplate  
13 capacity of more than five thousand kilowatts and not co-located with a  
14 major renewable energy facility, may apply to become subject to the  
15 provisions of this section by filing an application for a siting permit.  
16 Upon submission of such application, the subject renewable energy facil-  
17 ity or qualified energy storage system inclusive of related electric  
18 transmission facilities less than ten miles in length that provide  
19 access to load or integrate such systems into the state's bulk electric  
20 transmission system, shall be treated as a "major renewable energy  
21 facility" exclusively for purposes of permitting under this section.

22 (d) In addition to the fees established pursuant to paragraph (a) of  
23 this subdivision, the office, pursuant to regulations adopted pursuant  
24 to this section, may assess a fee for the purpose of recovering costs  
25 the office incurs and may require applications for a qualified energy

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

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1 storage system submitted pursuant to clause (ii) of paragraph (g) of  
2 subdivision four of this section to be accompanied by a fee of fifty  
3 thousand dollar.

4 § 2. This act shall take effect on the ninetieth day after it shall  
5 have become a law.