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:

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

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

(d) In addition to the fees established pursuant to paragraph (a) of this subdivision, the office, pursuant to regulations adopted pursuant to this section, may assess a fee for the purpose of recovering costs 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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storage system submitted pursuant to clause (ii) of paragraph (g) of subdivision four of this section to be accompanied by a fee of fifty thousand dollar.

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