STATE OF NEW YORK

10775

IN ASSEMBLY

April 1, 2026

Introduced by M. of A. REILLY -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to ensuring net metering is maintained as a compensation floor for residential producers of energy

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

Section 1. Paragraph (b) of subdivision 4 of section 66-j of the public service law, as amended by chapter 691 of the laws of 2022, is amended to read as follows:

(b) **(i)** In the event that the amount of electricity produced by a customer-generator during the billing period exceeds the amount of electricity used by the customer-generator, the corporation shall apply a credit to the next bill for service to the customer-generator for the net electricity provided at the same rate per kilowatt hour applicable to service provided to other customers in the same service class which do not generate electricity onsite, except for micro-combined heat and power or fuel cell or fuel-flexible linear generator customer-generators or farm waste generating equipment customer-generators as described in subparagraph (ix) of paragraph (a) of subdivision one of this section, who will be credited at the corporation's avoided costs. The avoided cost credit provided to micro-combined heat and power or fuel cell or fuel-flexible linear generator customer-generators or farm waste generating equipment customer-generators as described in subparagraph (ix) of paragraph (a) of subdivision one of this section shall be treated for ratemaking purposes as a purchase of electricity in the market that is includable in commodity costs.

(ii) Any credits remaining on a customer-generator's account shall be liquidable, or transferable to any new owner of the property in which the generation equipment resides, with proof of deed transfer by the corporation within thirty days of a request made by a customer-generator. If the customer-generator requests payment for the remaining credits, each corporation shall issue a check, in the amount of outstanding credits payable to the customer-generator.

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

LBD14633-01-6

§ 2. Subdivision 6 of section 66-j of the public service law, as amended by chapter 355 of the laws of 2009, is amended to read as follows:

6. Electric restructuring. Notwithstanding the provisions of this section, including, but not limited to paragraph (b) of subdivision three of this section, a customer-generator shall comply with any applicable determinations of the commission relating to restructuring of the electric industry. **However, customer-generators shall never be compensated at a value less than would exist under net energy metering.**

§ 3. Subdivision 6 of section 66-l of the public service law, as amended by chapter 721 of the laws of 2006, is amended to read as follows:

6. Electric restructuring. Notwithstanding the provisions of this section, including, but not limited to paragraph (c) of subdivision three of this section, a customer-generator shall comply with any applicable determinations of the commission relating to restructuring of the electric industry. **However, customer-generators shall never be compensated at a value less than would exist under net energy metering.**

§ 4. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after January 1, 2026.