

# STATE OF NEW YORK

40

2025-2026 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. GRAY, BLANKENBUSH, DeSTEFANO -- read once and referred to the Committee on Energy

AN ACT to amend the public authorities law, in relation to the amount of St. Lawrence county economic development power that may be used by the New York Power Authority to generate net earnings; and to amend the economic development law, in relation to authority-TMED contracts

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

1 Section 1. Paragraph (c) of subdivision 24 of section 1005 of the  
2 public authorities law, as added by chapter 545 of the laws of 2014, is  
3 amended to read as follows:  
4 (c) The authority shall establish an account to be known as the north-  
5 ern New York economic development fund, which shall consist solely of  
6 net earnings. The authority, as determined to be feasible and advisable  
7 by the trustees, shall deposit net earnings into the fund no less than  
8 quarterly, provided, however, that the amount of St. Lawrence county  
9 economic development power that may be used by the authority to generate  
10 net earnings shall not exceed the lesser of twenty megawatts or the  
11 amount of St. Lawrence county economic development power that has not  
12 been allocated by the authority under the authority-TMED contract for  
13 sub-allocations, [~~and provided further that beginning five years from~~  
14 ~~the effective date of this subdivision, the amount of St. Lawrence coun-~~  
15 ~~ty economic development power that may be used by the authority to~~  
16 ~~generate net earnings shall not exceed the lesser of ten megawatts or~~  
17 ~~the amount of St. Lawrence county economic development power that has~~  
18 ~~not been allocated by the authority under the authority-TMED contract~~  
19 ~~for sub-allocations]~~ or directly allocated by the authority to one or  
20 more qualified applicants under the authority-TMED contract. At least  
21 fifteen percent of net earnings paid into the fund shall be dedicated to  
22 eligible projects which are energy-related projects, programs and

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

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1 services as such term is defined in subparagraph two of paragraph (b) of  
2 subdivision seventeen of this section. In addition to funding eligible  
3 projects, the authority may use northern New York economic development  
4 fund monies to cover reasonable costs and expenses of the authority  
5 related to the management and administration of the northern New York  
6 power proceeds allocation program created by article seven-A of the  
7 economic development law.

8 § 2. Subdivision 2 of section 197-a of the economic development law,  
9 as added by chapter 545 of the laws of 2014, is amended to read as  
10 follows:

11 2. "Authority-TMED contract" refers to a certain contract between the  
12 authority and the town of Massena electric department, entitled "Agree-  
13 ment Governing the Sale of St. Lawrence-FDR Project Power and Energy to  
14 the Town of Massena Electric Department for Economic Development  
15 Purposes," executed and dated by the authority on October eighteenth,  
16 two thousand twelve, and the associated authority service tariff issued  
17 and effective August twenty-first, two thousand twelve, and any exten-  
18 sion or successor tariff and contract, described as such in such exten-  
19 sion or successor tariff and contract, that expires on or before two  
20 thousand forty.

21 § 3. This act shall take effect immediately.