STATE OF NEW YORK

4870--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 6, 2025

Introduced by M. of A. SIMON, SHRESTHA, R. CARROLL, COLTON, GONZALEZ-ROJAS, ROSENTHAL, SHIMSKY, SEAWRIGHT, GALLAGHER, BURDICK, STERN, LUNSFORD, FORREST, REYES, LEVENBERG, RAMOS, KELLES, MAMDANI, RAJKUMAR, BORES, STECK, DE LOS SANTOS, GIBBS, WEPRIN, EPSTEIN, SIMONE, STIRPE, CLARK, MITAYNES, ANDERSON, FALL, CUNNINGHAM, PAULIN, HUNTER, DINOWITZ, OTIS, TAPIA, ZACCARO, KIM, HEVESI, SEPTIMO, RAGA, BRONSON, ALVAREZ, TAYLOR, GLICK, MEEKS, JACKSON, LUPARDO, PHEFFER AMATO, LEE, SAYEGH, JACOBSON, BICHOTTE HERMELYN, VANEL, RIVERA, CHANDLER-WATERMAN, ZINERMAN, WALKER, LUCAS -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT an act to amend the public service law, the public authorities law, the transportation corporations law and the labor law, in relation to enacting the NY Home Energy Affordable Transition Act; to repeal section 66-b of the public service law relating to continuation of gas service; and to repeal section 66-g of the public service law relating to the sale of indigenous natural gas for generation of electricity

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

Section 1. Short title. This act shall be known and may be cited as the "NY Home Energy Affordable Transition Act" or the "NY HEAT Act".

§ 2. Legislative findings. The legislature finds and declares that:

1. The Climate Leadership and Community Protection Act (CLCPA) sets forth ambitious mandates to achieve significant greenhouse gas (GHG) emission reductions across New York's economy, while prioritizing reductions in co-pollutant emissions in disadvantaged communities and requiring significant state investments to bring the affordability and health benefits of energy efficiency and clean energy to these communities.

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

LBD05559-05-5

2. Buildings are the largest source of GHG emissions in New York, contributing approximately one-third of the state's total emissions. They also produce significant local air pollution, leading to adverse health outcomes such as asthma and heart disease, especially in disadvantaged communities. Reducing emissions and pollution from buildings is essential to meeting the CLCPA's climate and equity goals and improving public health.

3. Achieving New York's climate and equity objectives necessitates updating the regulation of gas utilities. Current policies create misalignment between gas system investments and the CLCPA's 2030 and 2050 mandates, increasing the risk of a costly and disorderly transition. Strategic planning and investment are needed to decarbonize buildings, right-size the gas system, and ensure coordinated enhancements to the electric system, enabling equitable and affordable access to clean energy solutions for all New Yorkers. Such investments will lead to significant benefits: the Climate Action Council found that the cost of inaction on climate exceeds the cost of action by more than $115 billion.

4. Outdated public service laws are misaligned with the state's energy affordability goals and CLCPA mandates in the following ways:

a. The "utility obligation to serve gas" compels utilities to expand gas infrastructure, making it challenging to redirect investments toward insulating and upgrading homes and installing clean energy alternatives like electrification and thermal energy networks that align with climate goals while mitigating costs for ratepayers.

b. Mandated system extension allowances require existing ratepayers to subsidize gas hookups for new customers, costing ratepayers hundreds of millions of dollars annually.

c. Utilities are projected to spend $150 billion to replace leak-prone gas pipelines. Through the changes implemented in this act, many of these investments could be avoided by redirecting funds to neighborhood-scale decarbonization projects. Neighborhood-scale projects offer the most cost-effective pathway to transition gas customers to alternative heating and cooling solutions. These projects reduce costs, minimize stranded investments in the gas system, and enable coordinated efforts among utilities, customers, and other stakeholders.

5. This legislation, the NY Home Energy Affordable Transition (NY HEAT) Act, seeks to:

a. Reduce unjust and disproportionate energy cost burdens by avoiding unnecessary, non-strategic, and expensive gas infrastructure investments, and improving affordability protections.

b. Ensure utility regulations do not work at cross-purposes with the CLCPA.

c. Provide the Public Service Commission with clear authority and direction to align utility planning with CLCPA goals, proactively addressing regulatory barriers and recommending necessary legislative changes.

d. Minimize the need for new gas infrastructure investments by redirecting ratepayer funds to alternatives including electrification, thermal energy networks, targeted energy efficiency, demand response, and market transformation measures.

e. Facilitate a planned, neighborhood-scale transition away from fossil fuels, avoiding stranded gas infrastructure costs and supporting coordinated investments that reduce emissions, increase affordability, and create good paying jobs.

f. Ensure equitable access to affordable, clean energy for heating, cooling, and other building needs, protecting customers from undue burdens during the transition.

6. This legislation does not impose a ban on the use of gas. It is the intent of the Legislature to support a gradual and carefully planned transition for existing gas customers to cleaner alternatives, ensuring affordability, reliability, and equity throughout the process.

§ 3. The public service law is amended by adding two new sections 66-y and 66-z to read as follows:

§ 66-y. Statewide affordable gas transition plan. 1. No later than two years after the effective date of this section, the commission shall publish a statewide affordable gas transition plan to guide an orderly, affordable, and equitable right-sizing of the utility gas system in a manner that aligns with, and supports achievement of, the climate justice and emissions reduction provisions in chapter one hundred six of the laws of two thousand nineteen, and such successors in law and function as may arise from time to time, incorporating in such plan prudent investments and strategic opportunities to generate cost efficiencies for all gas and electric customers and redirect resources toward assisting customers to upgrade their homes and energy appliances. Such plan shall include, at a minimum:

(a) Targets for the transition of gas system infrastructure and recommendations for planning and investment strategies for the state's gas corporations to achieve such targets.

(b) General requirements for utility home energy affordable transition programs pursuant to section sixty-six-z of this article, regarding criteria for approval of such programs and neighborhood gas transition projects implemented as part of such programs, including requirements:

(i) to ensure customers affected by a neighborhood gas transition project have continued access to safe and reliable energy services for heating, cooling, cooking, and water heating;

(ii) for utilities to notify customers affected by a neighborhood gas transition project in a timely manner;

(iii) to ensure the ability of the electrical grid to safely support any new electric load created by a home energy affordable transition program, including for utility participation in any coordination activities regarding grid planning; and

(iv) to prioritize voluntary disconnections from gas service, to minimize the cost of transition for existing gas and electric customers, and to encourage utilization of existing resources for weatherization, energy efficiency, and electrification programs available in the state.

(c) In collaboration with the state's gas and electric corporations, identification of a preliminary list of neighborhood gas transition projects best suited for home energy affordable transition programs pursuant to section sixty-six-z of this article.

(d) A review of the public service law and its current rules and policy guidance to identify any law, rule, guidance, or lack thereof, that may inhibit timely and equitable achievement of the climate justice and emission reduction provisions in chapter one hundred six of the laws of two thousand nineteen, and such successors in law and function as may arise from time to time.

2. In developing an affordable gas transition plan pursuant to this section, the department shall hold no fewer than four public hearings in different regions of the state.

3. Upon completion, the statewide affordable gas transition plan shall be made available on the department's website and shall be delivered to

the governor, the temporary president of the senate, and the speaker of the assembly.

§ 66-z. Utility home energy affordable transition programs. 1. The commission shall, for each gas corporation in this state, issue an order to develop home energy affordable transition programs pursuant to this section, and in accordance with the statewide affordable gas transition plan in section sixty-six-y of this article, and shall require participation of such gas corporation as necessary for implementation. Such programs shall require implementation of neighborhood gas transition projects for the purpose of decommissioning discrete segments of the utility gas system in order to provide for an orderly gas system transition to achieve consistency with the climate justice and emission reduction provisions in chapter one hundred six of the laws of two thousand nineteen, and such successors in law and function as may arise from time to time. Development and approval of such programs shall be completed no later than one year after the statewide affordable gas transition plan has been published.

2. Prior to January first, two thousand thirty, no existing residential gas customer, as such term is referenced in section thirty of this chapter, shall have their gas service discontinued as part of a neighborhood gas transition project implemented pursuant to this section except by consent of such customer.

3. Programs shall be designed to maximize cost efficiencies from avoided investments in the expansion and maintenance of the gas system, and redirect resources toward implementation of neighborhood gas transition projects, including assisting customers to upgrade their homes and energy appliances, including those used for heating, cooling, cooking, and water heating, in addition to utilizing state and federal appliance and efficiency incentive programs and other available funding streams.

4. The commission shall only approve programs that ensure that all affected residential customers will:

(a) have continued access to safe and reliable energy services for heating, cooling, cooking, and water heating;

(b) have access to funding and technical support for the purchase and installation of customer-owned equipment at low or no cost, as well as for the purposes of identifying, planning, and securing services to undertake weatherization and energy efficiency measures, and pre-electrification upgrades, using any resources available for such purposes;

(c) be given notice at least two years in advance of the cessation of gas service, and at least every six months subsequently, via mail and, when applicable, electronically, and, where feasible, through at least one in-person contact, and be provided notification of financial and technical assistance available to such customers from the utility or other state or federal programs to support electrification;

(d) have an opportunity to comment on the proposed neighborhood gas transition project before it is finalized; and

(e) be provided notice when an adjacent customer connected to their local gas grid has voluntarily opted to discontinue service, via mail and, when applicable, electronically.

5. The commission shall require each gas corporation to reevaluate its existing plans, policies, and programs related to proactive replacement of gas system infrastructure based on analyses of discrete segments of the gas system that are most suitable to be prioritized for neighborhood gas transition projects.

6. The commission shall ensure that any program approved pursuant to this section will not compromise the safety and reliability of the elec-

tric distribution grid or gas distribution system, or result in unreasonable disruption of service to buildings that are used for an industrial or commercial use that is difficult to electrify using commercially available technology or that house an energy intensive and trade exposed industry, or to critical infrastructure as such terms are defined by the commission.

7. Programs approved pursuant to this section shall not compromise the ability of a gas corporation to seek to recover prudent, commission-approved investments in infrastructure that was used and useful.

8. Prior to approval, the commission shall consider whether a program is adequately designed to mitigate potential financial hardship to affected residential customers in connection with the replacement of gas-fired appliances as part of neighborhood gas transition projects implemented pursuant to the program.

§ 4. Subdivision 1 of section 4 of the public service law, as amended by chapter 594 of the laws of 2021, is amended to read as follows:

1. There shall be in the department of public service a public service commission, which shall possess the powers and duties hereinafter specified, and also all powers necessary or proper to enable it to carry out the purposes of this chapter and to enable achievement of the climate justice and emission reduction provisions in chapter one hundred six of the laws of two thousand nineteen, and such successors in law and function as may arise from time to time. The commission shall consist of five members, to be appointed by the governor, by and with the advice and consent of the senate. A commissioner shall be designated as [~~chairman~~] chairperson of the commission by the governor to serve in such capacity at the pleasure of the governor or until [~~his~~] the commissioner's term [~~as commissioner~~] expires whichever first occurs. At least one commissioner shall have experience in utility consumer advocacy. No more than three commissioners may be members of the same political party unless, pursuant to action taken under subdivision two of this section, the number of commissioners shall exceed five, and in such event no more than four commissioners may be members of the same political party.

§ 5. Paragraph b of subdivision 1 of section 5 of the public service law, as amended by chapter 155 of the laws of 1970, is amended to read as follows:

b. To the manufacture, conveying, transportation, sale or distribution of gas (natural or manufactured or mixture of both) and electricity for light, heat, cooling, or power, to gas plants and to electric plants and to the persons or corporations owning, leasing or operating the same.

§ 6. Section 30 of the public service law, as amended by chapter 686 of the laws of 2002, is amended to read as follows:

§ 30. Residential gas, electric and steam service policy. 1. This article shall apply to the provision of all or any part of the gas, electric or steam service provided to any residential customer by any gas, electric or steam and municipalities corporation or municipality. It is hereby declared to be the policy of this state that the continued provision of [~~all or any part of such gas,~~] electric and steam [~~service~~] services to all residential customers without unreasonable qualifications or lengthy delays is necessary for the preservation of the health and general welfare, is consistent with the achievement of the state's climate justice and emission reduction goals, and is in the public interest. It is further the policy of this state that electric and steam services to all residential customers, and gas service for existing residential customers must be provided in a manner that is safe and adequate, not unjustly discriminatory or unduly preferential, and in all

respects just and reasonable, while providing for an orderly, affordable and equitable right-sizing of the utility gas system to achieve consistency with the climate justice and emission reduction provisions in chapter one hundred six of the laws of two thousand nineteen, and such successors in law and function as may arise from time to time, encouraging neighborhood-scale transitions and the elimination of on-site co-pollutants.

2. (a) The commission shall regulate for the continued provision of gas service to all existing residential gas customers, unless such service is discontinued pursuant to a home energy affordable transition program approved by the commission pursuant to section sixty-six-z of this chapter.

(b) For the purposes of this section, any new residential gas customer purchasing or renting or moving into a building with existing gas service, or in which gas service was temporarily interrupted, as defined by the commission, including temporary interruption for emergencies, disasters, maintenance, repairs, renovation, or restoration, shall be treated as an existing customer unless and until such service is discontinued pursuant to a home energy affordable transition program approved by the commission.

3. (a) Within one year of the effective date of this subdivision, the commission shall develop a plan to ensure that all residential customers be adequately protected from bearing an energy burden greater than six percent of their household income. In developing such plan, the commission shall evaluate available tools, including but not limited to bill discounts, bill credits, redirection of avoided costs of utility infrastructure, rate making strategies, energy efficiency, distributed renewable energy, and potential budgetary measures, prioritizing mitigation of rate increases on residential customers. Beginning in the calendar year following the effective date of this subdivision, and continuing annually on or before October first, the commission shall report to the governor and legislature on the actions it has taken and progress it has made toward implementing the plan developed pursuant to this paragraph. Such report shall include but not be limited to recommendations regarding any additional legislative or budgetary measures necessary to achieve such goal. The annual report shall also be published on the commission's website. In implementing the plan developed pursuant to this paragraph, the commission shall prioritize low-to-moderate income customers, as defined by the commission, including those who are already eligible for the commission's energy affordability program.

(b) In order to ensure that all residential customers be adequately protected from bearing an energy burden greater than six percent of their household income, the commission may authorize the use of reasonable per-customer caps on the amount of energy subject to such protections. The commission may also establish a reasonable cap on collections from ratepayers to fund the commission's energy affordability program or similar successor programs provided such cap is not less than three percent of total electric or gas revenues for sales to end-use customers for each utility.

4. Nothing in this article or any other law of New York state shall be interpreted or otherwise construed as preempting a municipality from adopting building codes or other regulations regarding on-site emissions for new and existing buildings within their localities.

§ 7. Subdivision 1 of section 1020-cc of the public authorities law, as amended by section 11 of part A of chapter 173 of the laws of 2013, is amended to read as follows:

1. All contracts of the authority shall be subject to the provisions of the state finance law relating to contracts made by the state. The authority shall also establish rules and regulations with respect to providing to its residential gas, electric and steam utility customers those rights and protections provided in article two and sections one hundred seventeen and one hundred eighteen of the public service law and section one hundred thirty-one-s of the social services law. **It shall be a goal of the authority that all residential customers be adequately protected from bearing an energy burden greater than six percent of their household income pursuant to subdivision three of section thirty of the public service law.** The authority shall conform to any safety standards regarding manual lockable disconnect switches for solar electric generating equipment established by the public service commission pursuant to subparagraph (ii) of paragraph (a) of subdivision five and subparagraph (ii) of paragraph (a) of subdivision five-a of section sixty-six-j of the public service law. The authority shall let contracts for construction or purchase of supplies, materials, or equipment pursuant to section one hundred three and paragraph (e) of subdivision four of section one hundred twenty-w of the general municipal law.

§ 8. Subdivisions 1, 3 and 4 of section 31 of the public service law, as added by chapter 713 of the laws of 1981, are amended and a new subdivision 4-a is added to read as follows:

1. Every gas corporation, electric corporation or municipality shall provide residential service upon the oral or written request of an applicant, provided that **any residential gas service shall only be provided in accordance with section thirty of this article, and provided further that** the commission may require that requests for service be in writing under circumstances as it deems necessary and proper as set forth by regulation, and provided further that the applicant:

(a) makes full payment for residential utility service provided to a prior account in [~~his~~] **the applicant's** name; or

(b) agrees to make payments under a deferred payment plan of any amounts due for service to a prior account in [~~his~~] **the applicant's** name and makes a down payment based on criteria to be established by the commission. No such down payment shall exceed one-half of any money due from an applicant for residential utility service, or three months average billing, whichever is less; or

(c) is a recipient of public assistance, supplemental security income or additional state payments pursuant to the social services law, or is an applicant for such assistance, income or payments, and the utility corporation or the municipality receives payment from, or is notified of the applicant's eligibility for utility payments by the social services official of the social services district in which such person resides for amounts due for service to a prior account in the applicant's name, together with guarantee of future payments to the extent authorized by the social services law**; and**

(d) receives clear, timely information from the gas corporation, electric corporation, municipality, or retail energy service company, written in plain language, available in the top twelve most common non-English languages spoken by limited English proficient New Yorkers, and approved by the commission after stakeholder input, on incentives and opportunities for installing energy-efficient electric heating and cooling technologies, weatherization, demand-side management, and distributed energy resource programs.

(e) nothing in this subdivision shall be construed to prohibit existing gas customers, in accordance with section thirty of this article and

subject to any other regulations implemented by the commission, from reconnecting to the gas distribution system following a gas interruption due to emergency repairs or remediation of leaking equipment.

3. Subject to the requirements of subdivisions four, four-a and five of this section, and in accordance with section thirty of this article, whenever a residential customer moves to a new residence within the service territory of the same utility corporation or municipality, [~~he~~] the applicant shall be eligible to receive service at the new residence and such service shall be considered a continuation of service in all respects except for the purposes of section thirty of this article, with any deferred payment agreement honored, and with all rights of such customer and such utility corporation provided by this article unimpaired.

4. In the case of any application for electric service to a building which is not supplied with electricity [~~or gas~~], a utility corporation or municipality shall be obligated to provide electric service to such a building, provided however, that the commission may require applicants for service to buildings located in excess of one hundred feet from [~~gas or~~] electric transmission lines to pay or agree in writing to pay material and installation costs relating to the applicant's proportion of the pipe, conduit, duct or wire, or other facilities to be installed.

4-a. In the case of any application for gas service to a building which is not supplied with gas, a utility corporation or municipality shall be obligated to provide gas service to such building in accordance with commission regulation, provided however, that the commission shall require applicants for gas service to such building to pay or agree in writing to pay material and installation costs relating to the pipe or other facilities to be installed to enable service to the applicant.

§ 9. Section 12 of the transportation corporations law, as separately amended by chapters 713 and 895 of the laws of 1981, is amended to read as follows:

§ 12. [~~Gas and electricity~~] Electricity must be supplied on application. Except in the case of an application for residential utility service pursuant to article two of the public service law, upon written application of the owner or occupant of any building within one hundred feet of any [~~main of a gas corporation or gas and electric corporation, or a~~] line of an electric corporation or gas and electric corporation, appropriate to the service requested, and payment by [~~him~~] the applicant of all money due from [~~him~~] the applicant to the corporation, it shall supply [~~gas or~~] electricity as may be required for [~~lighting~~] such building, notwithstanding there be rent or compensation in arrears for gas or electricity supplied, or for meter, wire, pipe or fittings furnished, to a former occupant thereof, unless such owner or occupant shall have undertaken or agreed with the former occupant to pay or to exonerate [~~him~~] the former occupant from the payment of such arrears, and shall refuse or neglect to pay the same; and if for the space of ten days after such application, and the deposit of a reasonable sum as provided in the next section, if required, the corporation shall refuse or neglect to supply gas or [~~electric light~~] electricity as required, such corporation shall forfeit and pay to the applicant the sum of ten dollars, and the further sum of five dollars for every day thereafter during which such refusal or neglect shall continue; provided that no such corporation shall be required to lay service pipes or wires for the purpose of supplying gas or electric light to any applicant where the ground in which such pipe or wire is required to be laid shall be frozen, or shall otherwise present serious obstacles to laying the same;

nor unless the applicant, if required, shall deposit in advance with the corporation a sum of money sufficient to pay the cost of [~~his proportion~~] the applicant's portion of the pipe, conduit, duct or wire required to be installed, and the expense of the installation of such portion.

§ 10. The transportation corporations law is amended by adding a new section 13 to read as follows:

§ 13. Gas must be supplied in accordance with public service commission rules and regulations. Except in the case of an application for residential utility service pursuant to article two of the public service law, upon written application of the owner or occupant of any building within one hundred feet of any main of a gas corporation or gas and electric corporation appropriate to the service requested, and payment by the applicant of all money due from the applicant to the corporation, it shall supply gas for such building in accordance with public service commission regulations, notwithstanding there be rent or compensation in arrears for gas supplied, or for meter, pipe or fittings furnished, to a former occupant thereof, unless such owner or occupant shall have undertaken or agreed with the former occupant to pay or to exonerate the former occupant from the payment of such arrears, and shall refuse or neglect to pay the same; and if for the space of ten days after such application, and the deposit of a reasonable sum, if required, the corporation shall refuse or neglect to supply gas as required pursuant to public service commission rules and regulations, such corporation shall forfeit and pay to the applicant the sum of ten dollars, and the further sum of five dollars for every day thereafter during which such refusal or neglect shall continue; provided that no such corporation shall be required to lay service pipes for the purpose of supplying gas to any applicant where the ground in which such pipes are required to be laid shall be frozen, or shall otherwise present serious obstacles to laying the same; nor unless the applicant shall deposit in advance with the corporation a sum of money sufficient to pay the material and installation costs relating to the pipe or other facilities to be installed to enable service to the applicant.

§ 11. Section 66 of the public service law is amended by adding a new subdivision 12-e to read as follows:

12-e. The commission shall review the capital construction plan of each gas corporation and establish a process to examine the feasible alternatives to such construction in order to achieve consistency with the climate justice and emission reduction provisions in chapter one hundred six of the laws of two thousand nineteen, and such successors in law and function as may arise from time to time, and to align with the statewide affordable gas transition plan pursuant to section sixty-six-y of this article. The commission may require participation in such process by each electric corporation with a service area overlapping the service area of the gas corporation, and the commission shall have the power to require any such electric corporation to participate in alternatives to gas capital construction, including participation in financing. Any costs incurred by such electric corporation for such corporation's participation shall be subject to an opportunity for full recovery, as determined by the commission.

§ 12. Section 66-b of the public service law is REPEALED.

§ 13. The public service law is amended by adding a new section 66-x to read as follows:

§ 66-x. Expansion of gas company service territories. Except as provided in this section, and notwithstanding any other provision of

this chapter, after December thirty-first, two thousand twenty-six, the commission shall not grant an amendment of a gas company's certificate of public convenience and necessity that expands a gas company's service territory in order to extend gas plant and the availability of gas service into geographic areas where gas service was not available prior to such date. The commission may authorize exceptions to the policy set forth in this section on a case-by-case basis, provided that the commission finds that the amendment of the certificate of public convenience and necessity is limited to a project that serves a compelling state interest, alternatives to gas service are either not technically feasible or prohibitively expensive, and that the project will be completed and put into service not later than December thirty-first, two thousand twenty-eight.

§ 14. Section 66-g of the public service law is REPEALED.

§ 15. Subdivision 1 of section 224-d of the labor law, as amended by section 31 of part O of chapter 58 of the laws of 2024, is amended and a new subdivision 9 is added to read as follows:

1. For purposes of this section, a "covered renewable energy system" means (a) a renewable energy system, as such term is defined in section sixty-six-p of the public service law, with a capacity of one or more megawatts alternating current and which involves the procurement of renewable energy credits by a public entity, or a company or corporation provided in subdivisions twenty-three and twenty-four of section two of the public service law, or a third party acting on behalf and for the benefit of a public entity; (b) any "thermal energy network" as defined by subdivision twenty-nine of section two of the public service law; (c) any offshore wind supply chain project, including but not limited to port infrastructure, primary component manufacturing, finished component manufacturing, subassembly manufacturing, subcomponent manufacturing, or raw material producers, or a combination thereof receiving direct funding from the New York state energy research and development authority pursuant to an award under a New York state energy research and development authority solicitation; [~~or~~] (d) a "major utility transmission facility" as such term is defined by section one hundred twenty of the public service law; or (e) any covered neighborhood gas transition project, as defined by subdivision nine of this section.

9. For purposes of this section, a "covered neighborhood gas transition project" shall mean a project performed by contractors or subcontractors hired directly by a public utility company, as defined by subdivision twenty-three of section two of the public service law, to ensure that customers permanently transitioning off utility gas service as part of a home energy affordable transition program pursuant to section sixty-six-z of the public service law have continued access to safe and reliable energy services for heating, cooling, cooking, and water heating. A covered neighborhood gas transition project shall not include a project performed under private contract with an entity other than a public utility company, even if such entity or contractor receives financial and/or technical support from a public utility company, including for the purchase and installation of customer-owned equipment.

§ 16. Severability. If any word, phrase, clause, sentence, paragraph, section, or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the word, phrase, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall

have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 17. This act shall take effect immediately.