

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:

1 Section 1. Short title. This act shall be known and may be cited as
2 the "NY Home Energy Affordable Transition Act" or the "NY HEAT Act".
3 § 2. Legislative findings. The legislature finds and declares that:
4 1. The Climate Leadership and Community Protection Act (CLCPA) sets
5 forth ambitious mandates to achieve significant greenhouse gas (GHG)
6 emission reductions across New York's economy, while prioritizing
7 reductions in co-pollutant emissions in disadvantaged communities and
8 requiring significant state investments to bring the affordability and
9 health benefits of energy efficiency and clean energy to these communi-
10 ties.

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

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

8 3. Achieving New York's climate and equity objectives necessitates
9 updating the regulation of gas utilities. Current policies create misa-
10 lignment between gas system investments and the CLCPA's 2030 and 2050
11 mandates, increasing the risk of a costly and disorderly transition.
12 Strategic planning and investment are needed to decarbonize buildings,
13 right-size the gas system, and ensure coordinated enhancements to the
14 electric system, enabling equitable and affordable access to clean ener-
15 gy solutions for all New Yorkers. Such investments will lead to signif-
16 icant benefits: the Climate Action Council found that the cost of
17 inaction on climate exceeds the cost of action by more than \$115
18 billion.

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 Outdated public service laws are misaligned with the state's energy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

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

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

29 c. Utilities are projected to spend \$150 billion to replace leak-prone
30 gas pipelines. Through the changes implemented in this act, many of
31 these investments could be avoided by redirecting funds to neighbor-
32 hood-scale decarbonization projects. Neighborhood-scale projects offer
33 the most cost-effective pathway to transition gas customers to alterna-
34 tive heating and cooling solutions. These projects reduce costs, mini-
35 mize stranded investments in the gas system, and enable coordinated
36 efforts among utilities, customers, and other stakeholders.

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

39 a. Reduce unjust and disproportionate energy cost burdens by avoiding
40 unnecessary, non-strategic, and expensive gas infrastructure invest-
41 ments, and improving affordability protections.

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

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

48 d. Minimize the need for new gas infrastructure investments by redi-
49 recting ratepayer funds to alternatives including electrification, ther-
50 mal energy networks, targeted energy efficiency, demand response, and
51 market transformation measures.

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

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

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

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

10 § 66-y. Statewide affordable gas transition plan. 1. No later than
11 two years after the effective date of this section, the commission shall
12 publish a statewide affordable gas transition plan to guide an orderly,
13 affordable, and equitable right-sizing of the utility gas system in a
14 manner that aligns with, and supports achievement of, the climate
15 justice and emissions reduction provisions in chapter one hundred six of
16 the laws of two thousand nineteen, and such successors in law and func-
17 tion as may arise from time to time, incorporating in such plan prudent
18 investments and strategic opportunities to generate cost efficiencies
19 for all gas and electric customers and redirect resources toward assist-
20 ing customers to upgrade their homes and energy appliances. Such plan
21 shall include, at a minimum:

22 (a) Targets for the transition of gas system infrastructure and recom-
23 mendations for planning and investment strategies for the state's gas
24 corporations to achieve such targets.

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

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

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

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

38 (iv) to prioritize voluntary disconnections from gas service, to mini-
39 imize the cost of transition for existing gas and electric customers, and
40 to encourage utilization of existing resources for weatherization, ener-
41 gy efficiency, and electrification programs available in the state.

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

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

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

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

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

3 § 66-z. Utility home energy affordable transition programs. 1. The
4 commission shall, for each gas corporation in this state, issue an order
5 to develop home energy affordable transition programs pursuant to this
6 section, and in accordance with the statewide affordable gas transition
7 plan in section sixty-six-y of this article, and shall require partic-
8 ipation of such gas corporation as necessary for implementation. Such
9 programs shall require implementation of neighborhood gas transition
10 projects for the purpose of decommissioning discrete segments of the
11 utility gas system in order to provide for an orderly gas system transi-
12 tion to achieve consistency with the climate justice and emission
13 reduction provisions in chapter one hundred six of the laws of two thou-
14 sand nineteen, and such successors in law and function as may arise from
15 time to time. Development and approval of such programs shall be
16 completed no later than one year after the statewide affordable gas
17 transition plan has been published.

18 2. Prior to January first, two thousand thirty, no existing residen-
19 tial gas customer, as such term is referenced in section thirty of this
20 chapter, shall have their gas service discontinued as part of a neigh-
21 borhood gas transition project implemented pursuant to this section
22 except by consent of such customer.

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

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

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

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

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

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

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

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

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

1 tric distribution grid or gas distribution system, or result in unrea-
2 sonable disruption of service to buildings that are used for an indus-
3 trial or commercial use that is difficult to electrify using
4 commercially available technology or that house an energy intensive and
5 trade exposed industry, or to critical infrastructure as such terms are
6 defined by the commission.

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

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

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

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

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

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

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

43 § 30. Residential gas, electric and steam service policy. 1. This
44 article shall apply to the provision of all or any part of the gas,
45 electric or steam service provided to any residential customer by any
46 gas, electric or steam and municipalities corporation or municipality.
47 It is hereby declared to be the policy of this state that the continued
48 provision of [~~all or any part of such gas,~~] electric and steam [~~service~~]
49 services to all residential customers without unreasonable qualifica-
50 tions or lengthy delays is necessary for the preservation of the health
51 and general welfare, is consistent with the achievement of the state's
52 climate justice and emission reduction goals, and is in the public
53 interest. It is further the policy of this state that electric and
54 steam services to all residential customers, and gas service for exist-
55 ing residential customers must be provided in a manner that is safe and
56 adequate, not unjustly discriminatory or unduly preferential, and in all

1 respects just and reasonable, while providing for an orderly, affordable
2 and equitable right-sizing of the utility gas system to achieve consist-
3 ency with the climate justice and emission reduction provisions in chap-
4 ter one hundred six of the laws of two thousand nineteen, and such
5 successors in law and function as may arise from time to time, encourag-
6 ing neighborhood-scale transitions and the elimination of on-site
7 co-pollutants.

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

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

21 3. (a) Within one year of the effective date of this subdivision, the
22 commission shall develop a plan to ensure that all residential customers
23 be adequately protected from bearing an energy burden greater than six
24 percent of their household income. In developing such plan, the commis-
25 sion shall evaluate available tools, including but not limited to bill
26 discounts, bill credits, redirection of avoided costs of utility infras-
27 tructure, rate making strategies, energy efficiency, distributed renewa-
28 ble energy, and potential budgetary measures, prioritizing mitigation of
29 rate increases on residential customers. Beginning in the calendar year
30 following the effective date of this subdivision, and continuing annual-
31 ly on or before October first, the commission shall report to the gover-
32 nor and legislature on the actions it has taken and progress it has made
33 toward implementing the plan developed pursuant to this paragraph. Such
34 report shall include but not be limited to recommendations regarding any
35 additional legislative or budgetary measures necessary to achieve such
36 goal. The annual report shall also be published on the commission's
37 website. In implementing the plan developed pursuant to this paragraph,
38 the commission shall prioritize low-to-moderate income customers, as
39 defined by the commission, including those who are already eligible for
40 the commission's energy affordability program.

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

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

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

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

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

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

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

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

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

47 (d) receives clear, timely information from the gas corporation, elec-
48 tric corporation, municipality, or retail energy service company, writ-
49 ten in plain language, available in the top twelve most common non-Engl-
50 ish languages spoken by limited English proficient New Yorkers, and
51 approved by the commission after stakeholder input, on incentives and
52 opportunities for installing energy-efficient electric heating and cool-
53 ing technologies, weatherization, demand-side management, and distrib-
54 uted energy resource programs.

55 (e) nothing in this subdivision shall be construed to prohibit exist-
56 ing gas customers, in accordance with section thirty of this article and

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

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

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

22 4-a. In the case of any application for gas service to a building
23 which is not supplied with gas, a utility corporation or municipality
24 shall be obligated to provide gas service to such building in accordance
25 with commission regulation, provided however, that the commission shall
26 require applicants for gas service to such building to pay or agree in
27 writing to pay material and installation costs relating to the pipe or
28 other facilities to be installed to enable service to the applicant.

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

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

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

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

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

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

37 12-e. The commission shall review the capital construction plan of
38 each gas corporation and establish a process to examine the feasible
39 alternatives to such construction in order to achieve consistency with
40 the climate justice and emission reduction provisions in chapter one
41 hundred six of the laws of two thousand nineteen, and such successors in
42 law and function as may arise from time to time, and to align with the
43 statewide affordable gas transition plan pursuant to section sixty-six-y
44 of this article. The commission may require participation in such proc-
45 ess by each electric corporation with a service area overlapping the
46 service area of the gas corporation, and the commission shall have the
47 power to require any such electric corporation to participate in alter-
48 natives to gas capital construction, including participation in financ-
49 ing. Any costs incurred by such electric corporation for such corpo-
50 ration's participation shall be subject to an opportunity for full
51 recovery, as determined by the commission.

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

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

55 § 66-x. Expansion of gas company service territories. Except as
56 provided in this section, and notwithstanding any other provision of

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

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

15 § 15. Subdivision 1 of section 224-d of the labor law, as amended by
 16 section 31 of part 0 of chapter 58 of the laws of 2024, is amended and a
 17 new subdivision 9 is added to read as follows:

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

37 9. For purposes of this section, a "covered neighborhood gas transi-
 38 tion project" shall mean a project performed by contractors or subcon-
 39 tractors hired directly by a public utility company, as defined by
 40 subdivision twenty-three of section two of the public service law, to
 41 ensure that customers permanently transitioning off utility gas service
 42 as part of a home energy affordable transition program pursuant to
 43 section sixty-six-z of the public service law have continued access to
 44 safe and reliable energy services for heating, cooling, cooking, and
 45 water heating. A covered neighborhood gas transition project shall not
 46 include a project performed under private contract with an entity other
 47 than a public utility company, even if such entity or contractor
 48 receives financial and/or technical support from a public utility compa-
 49 ny, including for the purchase and installation of customer-owned equip-
 50 ment.

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

1 have been rendered. It is hereby declared to be the intent of the legis-
2 lature that this act would have been enacted even if such invalid
3 provisions had not been included herein.
4 § 17. This act shall take effect immediately.