

STATE OF NEW YORK

2462--A

Cal. No. 338

2025-2026 Regular Sessions

IN SENATE

January 17, 2025

Introduced by Sens. GIANARIS, MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public authorities law and the energy law, in relation to the New York power authority's conferral process

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 "public renewables transparency act".

3 § 2. Paragraph (d) of subdivision 27-a of section 1005 of the public
4 authorities law, as amended by section 28 of part O of chapter 58 of the
5 laws of 2024, is amended to read as follows:

6 (d) No later than one hundred eighty days after the effective date of
7 this subdivision, and annually thereafter, the authority shall confer
8 with the New York state energy research and development authority, the
9 department of public service, climate and resiliency experts, labor
10 organizations, and environmental justice and community organizations
11 concerning the state's progress on meeting the renewable energy goals
12 established by the climate leadership and community protection act. At
13 each board of trustees' meeting, there shall be a public report deliv-
14 ered and published on the development and implementation of the authori-
15 ty's renewable energy generation strategic plan. The authority shall
16 also maintain a public dashboard demonstrating their progress in imple-
17 menting the authority's renewable energy generation strategic plan. When
18 exercising the authority provided for in paragraph (a) of this subdivi-
19 sion, the information developed through such conferral shall be used to
20 identify projects to help ensure that the state meets its goals under
21 the climate leadership and community protection act. Any conferral
22 provided for in this paragraph shall include consideration of the timing

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

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1 of projects in the interconnection queue of the federally designated
2 electric bulk system operator for New York state, taking into account
3 both capacity factors or planned projects and the interconnection
4 queue's historical completion rate. A report on the information devel-
5 oped through such conferral shall be published and made accessible on
6 the website of the authority, including, but not limited to, the basis
7 of the conferral report. The published basis shall include notes from
8 the conferral meetings.

9 § 3. Paragraph (d) of subdivision 27-a of section 1005 of the public
10 authorities law, as added by section 1 of part QQ of chapter 56 of the
11 laws of 2023, is amended to read as follows:

12 (d) No later than one hundred eighty days after the effective date of
13 this subdivision, and annually thereafter, the authority shall confer
14 with the New York state energy research and development authority, the
15 office of renewable energy siting, the department of public service,
16 climate and resiliency experts, labor organizations, and environmental
17 justice and community organizations concerning the state's progress on
18 meeting the renewable energy goals established by the climate leadership
19 and community protection act. At each board of trustees' meeting, there
20 shall be a public report delivered and published on the development and
21 implementation of the authority's renewable energy generation strategic
22 plan. The authority shall also maintain a public dashboard demonstrat-
23 ing their progress in implementing the authority's renewable energy
24 generation strategic plan. When exercising the authority provided for in
25 paragraph (a) of this subdivision, the information developed through
26 such conferral shall be used to identify projects to help ensure that
27 the state meets its goals under the climate leadership and community
28 protection act. Any conferral provided for in this paragraph shall
29 include consideration of the timing of projects in the interconnection
30 queue of the federally designated electric bulk system operator for New
31 York state, taking into account both capacity factors or planned
32 projects and the interconnection queue's historical completion rate. A
33 report on the information developed through such conferral shall be
34 published and made accessible on the website of the authority, includ-
35 ing, but not limited to, the basis of the conferral report. The
36 published basis shall include notes from the conferral meetings.

37 § 4. Clauses (J) and (K) of subparagraph (iv) of paragraph (e) of
38 subdivision 27-a of section 1005 of the public authorities law, as added
39 by section 1 of part QQ of chapter 56 of the laws of 2023, are amended
40 to read as follows:

41 (J) the state's progress towards achieving the renewable energy goals
42 of the climate leadership and community protection act; ~~and~~

43 (K) methodologies and modeling showing their financial and technical
44 capabilities in a variety of scenarios including but not limited to
45 bonding capabilities, expected return on investment, energy needs,
46 renewable progress, siting potential, grid interconnection, existing
47 labor pool needs, and job creation. The strategic plan shall include
48 quantitative assessments of various borrowing scenarios, including using
49 green bonds to raise capital for renewable energy development as well as
50 the impact that each scenario would have on the authority's bond rating
51 and the estimated additional interest expense associated with a poten-
52 tial rating change. The strategic plan shall assess the potential for
53 leveraging other sources of capital within the authority, such as
54 economic development funds, other sources of state funding, and opportu-
55 nities for federal assistance; and

56 (L) any other information the authority determines to be appropriate.

1 § 5. Subparagraph (vii) of paragraph (e) of subdivision 27-a of
2 section 1005 of the public authorities law, as added by section 1 of
3 part QQ of chapter 56 of the laws of 2023, is amended to read as
4 follows:

5 (vii) The authority shall post a draft of the strategic plan on its
6 website for public comment for a period of at least sixty days starting
7 no later than October eleventh, and shall hold at least [~~three~~] six
8 public hearings on the draft strategic plan in regionally diverse parts
9 of the state. In-person hearings shall be held in locations with access
10 to public transit. The authority shall provide an option for stakehold-
11 ers to submit comments remotely as well, and incorporate feedback from
12 such sessions and written comments into the final draft of the strategic
13 plan. Comments shall be made public no later than five days after the
14 comment period ends.

15 § 6. Section 6-102 of the energy law, as added by chapter 433 of the
16 laws of 2009, subdivisions 1, 2 and 3 as amended by chapter 195 of the
17 laws of 2011, is amended to read as follows:

18 § 6-102. State energy planning board. 1. There shall be established a
19 state energy planning board, hereinafter referred to as the "board",
20 which shall consist of the chair of the public service commission, the
21 commissioner of environmental conservation, the chief executive officer
22 of the New York power authority, the commissioner of economic develop-
23 ment, the commissioner of transportation, the commissioner of labor, the
24 commissioner of the division of homeland security and emergency
25 services, the commissioner of agriculture and markets, the commissioner
26 of health, the secretary of state and the president of the New York
27 state energy research and development authority. The governor, the
28 speaker of the assembly and the temporary president of the senate shall
29 each appoint one additional representative to serve on the board. The
30 presiding officer of the federally designated electric bulk system oper-
31 ator (BSO) shall serve as a non-voting member of the board. Any decision
32 or action by the board shall be by majority vote. The president of the
33 New York state energy research and development authority shall serve as
34 chair of the board. Members of the board may designate an executive
35 staff representative to participate on the board on their behalf.

36 2. Regional planning councils shall be established. Two regions shall
37 be established as follows:

38 (a) Downstate region - New York City and Dutchess, Nassau, Orange,
39 Putnam, Rockland, Suffolk, Ulster and Westchester counties;

40 (b) Upstate region - Albany, Allegany, Broome, Cattaraugus, Cayuga,
41 Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware,
42 Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer,
43 Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara,
44 Oneida, Onondaga, Ontario, Orleans, Oswego, Otsego, Rensselaer, Sarato-
45 ga, Schenectady, Schoharie, Schuyler, Seneca, St. Lawrence, Steuben,
46 Sullivan, Tioga, Tompkins, Warren, Washington, Wayne, Wyoming and Yates
47 counties.

48 The governor, temporary president of the senate and the speaker of the
49 assembly shall each appoint three regional planning council members per
50 region. Regional planning council members shall serve without compen-
51 sation, and shall have their principal residence within the region for
52 which they are appointed. Such regional council members may solicit
53 input from stakeholder interests within their region, including but not
54 limited to local governments, municipal utilities, rural electric coop-
55 eratives, utilities, labor unions, ratepayers, businesses, trade associ-
56 ations, generators, and community organizations. Each regional planning

1 council shall transmit to the board a report containing any recommenda-
2 tions specific to its region on a schedule determined by the board to be
3 appropriate for consideration of such report in the development of the
4 draft energy plan.

5 3. Staff services shall be performed by personnel of the department of
6 public service, the department of environmental conservation, the New
7 York power authority, the department of transportation, the department
8 of economic development, the division of homeland security and emergency
9 services and the New York state energy research and development authori-
10 ty, as directed by the board. Assistance shall also be made available,
11 as requested by the board, from other agencies, departments and public
12 authorities of the state. The board may provide for its own represen-
13 tation in all actions or proceedings in which it is a party.

14 § 7. This act shall take effect immediately, provided that the amend-
15 ments to paragraph (d) of subdivision 27-a of section 1005 of the public
16 authorities law made by section two of this act shall be subject to the
17 expiration and reversion of such paragraph pursuant to section 34 of
18 part 0 of chapter 58 of the laws of 2024, as amended, when upon such
19 date the provisions of section three of this act shall take effect.