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:

Section 1. Short title. This act shall be known and may be cited as the "public renewables transparency act".

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

(d) No later than one hundred eighty days after the effective date of this subdivision, and annually thereafter, the authority shall confer with the New York state energy research and development authority, the department of public service, climate and resiliency experts, labor organizations, and environmental justice and community organizations concerning the state's progress on meeting the renewable energy goals established by the climate leadership and community protection act. **At each board of trustees' meeting, there shall be a public report delivered and published on the development and implementation of the authority's renewable energy generation strategic plan. The authority shall also maintain a public dashboard demonstrating their progress in implementing the authority's renewable energy generation strategic plan.** When exercising the authority provided for in paragraph (a) of this subdivision, the information developed through such conferral shall be used to identify projects to help ensure that the state meets its goals under the climate leadership and community protection act. Any conferral 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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of projects in the interconnection queue of the federally designated electric bulk system operator for New York state, taking into account both capacity factors or planned projects and the interconnection queue's historical completion rate. A report on the information developed through such conferral shall be published and made accessible on the website of the authority**, including, but not limited to, the basis of the conferral report. The published basis shall include notes from the conferral meetings**.

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

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

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

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

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

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

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

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

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

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

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

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

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

The governor, temporary president of the senate and the speaker of the assembly shall each appoint three regional planning council members per region. Regional planning council members shall serve without compensation, and shall have their principal residence within the region for which they are appointed. Such regional council members may solicit input from stakeholder interests within their region, including but not limited to local governments, municipal utilities, rural electric cooperatives, utilities, labor unions, ratepayers, businesses, trade associations, generators, and community organizations. Each regional planning

council shall transmit to the board a report containing any recommendations specific to its region on a schedule determined by the board to be appropriate for consideration of such report in the development of the draft energy plan.

3. Staff services shall be performed by personnel of the department of public service, the department of environmental conservation, **the New York power authority,** the department of transportation, the department of economic development, the division of homeland security and emergency services and the New York state energy research and development authority, as directed by the board. Assistance shall also be made available, as requested by the board, from other agencies, departments and public authorities of the state. The board may provide for its own representation in all actions or proceedings in which it is a party.

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