

STATE OF NEW YORK

6570

2025-2026 Regular Sessions

IN SENATE

March 17, 2025

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law and the public service law, in relation to enacting the accelerate solar for affordable power (ASAP) act

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 "accelerate solar for affordable power (ASAP) act".

3 § 2. Legislative findings and intent. The legislature finds that
4 increasing distributed solar energy capacity and lowering intercon-
5 nection costs are essential for achieving the state's affordability,
6 economic development, and environmental goals. It is the intent of the
7 legislature to amend the climate leadership and community protection act
8 to set a new target for distributed solar energy capacity and direct the
9 public service commission to advance reforms to the utility intercon-
10 nection process to ensure timely and cost-effective integration of new
11 distributed energy resources, such as solar and energy storage systems,
12 into the electric distribution system.

13 § 3. Paragraph e of subdivision 13 of section 75-0103 of the environ-
14 mental conservation law, as added by chapter 106 of the laws of 2019, is
15 amended to read as follows:

16 e. Measures to achieve ~~[six]~~ twenty gigawatts of distributed solar
17 energy capacity installed in the state by two thousand ~~[twenty-five]~~
18 thirty-five, nine gigawatts of offshore wind capacity installed by two
19 thousand thirty-five, a statewide energy efficiency goal of one hundred
20 eighty-five trillion British thermal units energy reduction from the two
21 thousand twenty-five forecast; and three gigawatts of statewide energy
22 storage capacity by two thousand thirty.

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

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

LBD10828-01-5

1 § 66-x. Interconnection reforms. 1. (a) Within ninety days of the
2 effective date of this section the commission shall issue an order
3 requiring every electric corporation to file a report with the commis-
4 sion which shall include itemized costs of completed upgrades to the
5 electric distribution system required in order to interconnect new
6 distributed energy resources in the prior calendar categorized by
7 upgrade type and equipment type annually by March thirty-first. Such
8 reports shall be accompanied by sufficient supporting documentation as
9 determined by the commission, and shall be subject to inspection and
10 public comment before adoption by the commission. Adopted reports
11 received pursuant to this paragraph shall be the basis for electric
12 corporations to develop future distribution upgrade cost estimates.

13 (b) Electric corporations shall track actual costs of all distribution
14 upgrades they perform and disclose such costs to the department and to
15 the distributed energy resource company that paid for the upgrade. The
16 department shall maintain a database on its publicly accessible website
17 of all disclosed cost data and annual reports submitted pursuant to
18 paragraph (a) of this subdivision.

19 2. Within ninety days of the effective date of this section the
20 commission shall issue an order directing all electric corporations to
21 develop a program allowing distributed energy resource companies to
22 self-perform certain distribution upgrades, provided such work meets
23 safety, reliability, labor and technical standards. Electric companies
24 shall allow self-performance of point-of-interconnection facilities on
25 deenergized lines, including express feeders. The commission may consid-
26 er expanding program requirements to include additional scopes of work
27 in consultation with the electric corporations and other stakeholders.
28 For projects above one megawatt AC, prevailing wages shall be required
29 for any work performed under a program developed pursuant to this subdivi-
30 vision. Electric corporations shall not impose unreasonable restrictions
31 on self-performed upgrades and shall respond to customer-submitted
32 upgrade plans within thirty days. Electric corporation customers may
33 appeal the denial of a self-performance request to the commission, which
34 shall adjudicate such disputes within sixty days of the receipt of such
35 appeal.

36 3. The commission shall consider proposals to create greater cost-cer-
37 tainty for distribution upgrades in order to limit the risk of uncapped
38 utility cost overruns, and the commission shall issue an order to
39 increase cost-certainty and counteract utility cost overruns within one
40 hundred eighty days of the effective date of this section.

41 § 5. Subdivision 1 of section 66-j of the public service law is
42 amended by adding a new paragraph (j) to read as follows:

43 (j) "Flexible interconnection" means the use of smart-grid technology
44 to monitor and actively manage distributed energy resources.

45 § 6. Section 66-j of the public service law is amended by adding two
46 new subdivisions 2-a and 6-a to read as follows:

47 2-a. Flexible interconnection. (a) The commission shall direct every
48 electric corporation to develop a proposal for a flexible intercon-
49 nection program to be established in the state. Within ninety days of
50 the effective date of this subdivision, electric corporations with
51 active flexible interconnection pilot projects shall file a flexible
52 interconnection implementation plan, including proposed tariff modifica-
53 tions and interconnection agreement contract language, with the commis-
54 sion. The commission shall solicit public comments on the electric
55 corporation proposals, consider alternative proposals, convene at least
56 two technical conferences, and consult with stakeholders throughout the

1 process of program development. Every electric corporation which does
2 not have an active flexible interconnection pilot project shall file
3 comments in response to the initial proposal and may file alternative
4 proposals for consideration. Within one year of the effective date of
5 this subdivision, the commission shall issue an order establishing a
6 uniform statewide flexible interconnection program. Such program shall
7 include clearly defined limits to annual energy curtailment for solar
8 energy systems and shall include transparent pricing for customer-funded
9 equipment, software and operating expenses. This program shall be tech-
10 nology agnostic, and electric corporations must consider customer-pro-
11 posed flexible interconnection solutions that meet the technical
12 requirements of the electric corporation.

13 (b) The commission shall establish guidelines and timelines for the
14 implementation of flexible interconnection procedures to lower the cost
15 and shorten the timeline to integrate distributed energy resources.

16 6-a. Distributed energy resource capacity expansion. (a) Within three
17 months of the effective date of this subdivision, the commission shall
18 establish a distribution system investment program whose purpose is to
19 identify and direct electric corporations to implement proactive
20 distribution upgrades that create distributed energy resource hosting
21 capacity. Such program shall be integrated into the coordinated grid
22 planning process, and electric corporations shall submit annual reports
23 to the commission detailing actions taken and electric corporation
24 investments made to expand hosting capacity for distributed energy
25 resources.

26 (b) The commission shall establish a defined distribution system volt-
27 age threshold of 69KV, excluding any lines under federal energy regula-
28 tory commission jurisdiction, such that electric infrastructure owned by
29 electric corporations with a voltage at or below 69KV shall be consid-
30 ered distribution for the purposes of distributed energy resource inter-
31 connection and distributed energy resource compensation. All distributed
32 energy resources seeking to interconnect to the distribution system
33 shall be eligible for interconnection under the New York state standard-
34 ized interconnection requirements and shall be eligible for compensation
35 under the value of distributed energy resources tariff.

36 § 7. Implementation. 1. The New York state energy research and devel-
37 opment authority (NYSERDA), in collaboration with the department of
38 public service, is hereby directed to file a proposal to continue the
39 NY-Sun program to develop and implement initiatives necessary to cost-
40 effectively achieve the new distributed solar goal set forth in this
41 act. The implementation plan shall include incentives and other initi-
42 atives to support rooftop solar for homes and businesses as well as
43 community solar, with at least thirty-five percent of program investment
44 benefiting low- to moderate-income households and disadvantaged communi-
45 ties. The implementation plan may include rate design improvements and
46 additional interconnection reforms to lower the cost of the program.

47 2. From available funds, the public service commission is hereby
48 directed to issue an order authorizing additional funding to NYSERDA for
49 the continuation of the NY-Sun program. Such funding shall be sufficient
50 to support the development and implementation of the initiatives
51 required to meet the new distributed solar goal. NY-Sun funding may be
52 authorized by the commission in increments to control program costs,
53 provided that these increments must be sufficient to support at least
54 two gigawatts of solar energy capacity each. The commission shall ensure
55 that the NY-Sun program operates continuously, without interruption,
56 until the distributed solar goal is reached.

1 3. The public service commission is hereby directed to issue orders
2 necessary to effectuate the provisions and modifications set forth in
3 this act.
4 § 8. This act shall take effect immediately.