

# STATE OF NEW YORK

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6570

2025-2026 Regular Sessions

## IN SENATE

March 17, 2025

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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 sion. 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.