

STATE OF NEW YORK

9608--B

IN SENATE

March 30, 2026

Introduced by Sens. MAY, HARCKHAM, KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to directing utility corporations to petition the public service commission for approval of electric grid utilization metrics

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public service law is amended by adding a new section
2 4-c to read as follows:

3 § 4-c. Utility corporation utilization metrics. 1. (a) No later than
4 one hundred eighty days after the effective date of this section, each
5 electric or combination electric and gas utility corporation shall peti-
6 tion the commission for approval of electric grid utilization metrics.
7 Such petition shall include an overview of electric grid utilization
8 metrics, including industry standard metrics. Each utility corporation
9 shall include in such petition an assessment of current electric
10 distribution and transmission system performance as compared with opti-
11 mal utilization of existing electric grid assets, including any informa-
12 tion necessary for the commission to evaluate the efficiency and
13 performance of electric distribution and transmission system infrastruc-
14 ture owned and operated by each such electric and combination electric
15 and gas utility corporation.

16 (b) Any electric grid utilization metrics proposed by a utility corpo-
17 ration under paragraph (a) of this subdivision shall include: (i) the
18 ratio of distribution system peak load to total distribution electric
19 grid capacity; (ii) the ratio of current electric load delivered to
20 total potential deliverable electric load over the distribution system;
21 (iii) the percentage of kilowatt-hours of electricity lost during the
22 distribution process or by the distribution system; (iv) an analysis of

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

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1 constrained circuits on the distribution system; and (v) an evaluation
2 of the performance of the distribution system at system peaks.

3 (c) (i) In evaluating petitions made under this subdivision, the
4 commission shall determine which electric grid utilization metrics shall
5 be approved, how such metrics may be reasonably applied at the feeder
6 and substation level, and how such metrics may be reported in future
7 integrated resource plan filings, and shall include, as deemed appropri-
8 ate by the commission, a requirement to submit seasonal assessments of
9 electric grid utilization and implementation of such electric grid
10 utilization metrics.

11 (ii) In approving any electric grid utilization metrics under this
12 paragraph, the commission shall include, as appropriate: (1) a timeline
13 for each utility corporation to increase electric grid utilization in
14 accordance with the approved metrics; and (2) a description of the ways
15 in which such metrics may inform the commission's consideration of
16 future utility requests for approval of cost recovery for capital
17 investments.

18 (iii) In subsequent integrated resource plan filings, each electric or
19 combination electric and gas utility corporation shall include an
20 assessment of current system performance relative to each proposed
21 metric and may propose new or modified electric grid utilization metrics
22 for commission approval.

23 2. (a) The commission shall produce an annual report to the legisla-
24 ture and the governor on each utility corporation's assessment of rele-
25 vant grid utilization metrics and performance against such metrics rela-
26 tive to the requirements of this section, including the timeline
27 established by the commission for each such utility corporation.

28 (b) In the report submitted under paragraph (a) of this subdivision,
29 the commission shall also analyze the potential for each utility corpo-
30 ration to increase electric grid utilization through the deployment of
31 non-wires alternatives, including: (i) virtual power plants; (ii) flexi-
32 ble transmission and transmission static synchronous compensators; (iii)
33 synchronous condensers; and (iv) power quality monitoring equipment
34 installed at the point of interconnection for all customers with a meas-
35 ured or contracted demand of twenty-five megawatts or greater.

36 (c) In conducting an analysis under paragraph (b) of this subdivision,
37 the commission may request any information necessary from each utility
38 corporation to properly evaluate such utility corporation's deployment
39 of non-wires alternatives or other methods to improve electric grid
40 utilization.

41 (d) This section shall not apply to municipally-owned electric utili-
42 ties.

43 § 2. This act shall take effect immediately.