STATE OF NEW YORK

10830--A

IN ASSEMBLY

April 1, 2026

Introduced by M. of A. McMAHON, McDONALD, SHRESTHA -- read once and referred to the Committee on Energy -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to the siting of new electric transmission facilities

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

Section 1. Paragraphs (d) and (e) of subdivision 1 of section 139 of the public service law are relettered paragraphs (e) and (f) and a new paragraph (d) is added to read as follows:

(d) The uniform standards and conditions established pursuant to this section shall give priority, in accordance with any considerations relating to economic feasibility, engineering and design, electric system reliability and maintenance, and environmental protection as determined by ORES, to major electric transmission facilities that are proposed to be sited in existing rights-of-way including those owned by an electric corporation or distribution utility, or by the state, including any subdivision thereof, or a state public authority, for state highway or transportation purposes, and railroad corridors.

§ 2. Subdivisions 2 and 9 of section 143 of the public service law, as added by section 11 of part O of chapter 58 of the laws of 2024, are amended to read as follows:

2. In addition to addressing uniform standards and conditions, the application for a siting permit with respect to a major electric transmission facility shall include, in such form as ORES may prescribe, the following information: (i) the location of the site or right-of-way; (ii) a description of the transmission facility to be built thereon; (iii) a summary of any studies which have been made of the environmental impact of the project, and a description of such studies; (iv) a statement explaining the public need for the facility; (v) copies of any studies of the electrical performance and system impacts of the facility performed by the state grid operator pursuant to its tariff; (vi) such other information as the applicant may consider relevant or ORES may by

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

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regulation require; and (vii) a description of any reasonable alternative location or locations for the proposed facility, a description of the comparative merits and detriments of each location submitted **including existing electric corporation owned rights-of-way, state highways, and railroad corridors**, and a statement of the reasons why the primary proposed location is best suited for the facility.

9. For a major electric transmission facility that would be constructed substantially within existing rights-of-way that possess existing major electric transmission infrastructure, **or within existing electric corporation owned rights-of-way, state highways, or railroad corridors without such existing infrastructure,** the office of renewable energy siting and electric transmission may include within its regulations a framework that relieves certain requirements of this article, provided that such relief is reasonable and does not impair any rights of municipalities established under this article or limit requirements relating to public notice or the finding of public need.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that the amendments to sections 139 and 143 of the public service law made by sections one and two of this act shall not affect the repeal of such sections and shall be deemed repealed therewith.