STATE OF NEW YORK

9136

2025-2026 Regular Sessions

IN ASSEMBLY

October 17, 2025

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to requiring new data centers to incorporate thermal energy networks

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

Section 1. The public service law is amended by adding a new section 66-x to read as follows:

§ 66-x. Thermal energy network requirements for data centers. 1. Definitions. For the purposes of this section:

(a) "Data center" shall mean a facility with a total aggregate information technology (IT) load greater than one megawatt, primarily used to house computer systems, associated components, and networking equipment.

(b) "Thermal energy network" shall have the same meaning as described in section sixty-six-t of this article, as added by chapter three hundred seventy-five of the laws of two thousand twenty-two.

(c) "Major expansion" shall mean any increase in a facility's aggregate IT load by twenty-five percent or more.

2. Applicability. The provisions of this section shall apply to:

(a) all data centers for which initial construction permits are issued on or after January first, two thousand twenty-seven; and

(b) any major expansion of an existing data center for which permits are issued on or after such date.

3. Feasibility assessment. Prior to the issuance of a construction permit for a facility subject to this section, the owner or operator shall submit to the commission a thermal energy network feasibility assessment prepared by a licensed engineer. The assessment shall identify potential off-site thermal loads within one mile of the facility and evaluate the technical and economic feasibility of interconnection, including cost estimates and potential partners.

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

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4. Thermal energy network requirement. (a) Each applicable data center shall be designed, constructed, and operated to capture and reuse waste heat generated by computing equipment through a thermal energy network, unless the commission determines through the feasibility assessment process that such interconnection is technically infeasible or would impose an undue economic hardship.

(b) Where initial interconnection is determined to be infeasible, the facility shall be constructed in a manner that preserves the ability to connect to a thermal energy network in the future, including the installation of thermal recovery equipment, interface points, and reserved space for connection infrastructure.

5. Clustered and shared networks. Two or more facilities located within two miles of each other may satisfy the requirements of this section by participating in a shared thermal energy network serving multiple thermal loads.

6. Standards and implementation. (a) The commission, in consultation with the New York state energy research and development authority, shall, within eighteen months of the effective date of this section, adopt rules establishing:

(i) minimum thermal energy recovery performance standards;

(ii) interconnection and metering requirements; and

(iii) reporting protocols for heat recovery and reuse.

(b) The commission shall maintain and publish a statewide map identifying potential thermal energy network opportunities and nearby high-density thermal loads to guide facility siting and interconnection planning.

7. Reporting. Each facility subject to this section shall annually report to the commission the amount of thermal energy recovered, distributed, and reused, and any barriers encountered in achieving full compliance.

§ 2. This act shall take effect immediately and shall apply to any qualifying facility or expansion for which a construction permit is issued on or after January 1, 2027.