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:

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

§ 4-c. Utility corporation utilization metrics. 1. (a) No later than one hundred eighty days after the effective date of this section, each electric or combination electric and gas utility corporation shall petition the commission for approval of electric grid utilization metrics. Such petition shall include an overview of electric grid utilization metrics, including industry standard metrics. Each utility corporation shall include in such petition an assessment of current electric distribution and transmission system performance as compared with optimal utilization of existing electric grid assets, including any information necessary for the commission to evaluate the efficiency and performance of electric distribution and transmission system infrastructure owned and operated by each such electric and combination electric and gas utility corporation.

(b) Any electric grid utilization metrics proposed by a utility corporation under paragraph (a) of this subdivision shall include: (i) the ratio of distribution system peak load to total distribution electric grid capacity; (ii) the ratio of current electric load delivered to total potential deliverable electric load over the distribution system; (iii) the percentage of kilowatt-hours of electricity lost during the 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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constrained circuits on the distribution system; and (v) an evaluation of the performance of the distribution system at system peaks.

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

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

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

2. (a) The commission shall produce an annual report to the legislature and the governor on each utility corporation's assessment of relevant grid utilization metrics and performance against such metrics relative to the requirements of this section, including the timeline established by the commission for each such utility corporation.

(b) In the report submitted under paragraph (a) of this subdivision, the commission shall also analyze the potential for each utility corporation to increase electric grid utilization through the deployment of non-wires alternatives, including: (i) virtual power plants; (ii) flexible transmission and transmission static synchronous compensators; (iii) synchronous condensers; and (iv) power quality monitoring equipment installed at the point of interconnection for all customers with a measured or contracted demand of twenty-five megawatts or greater.

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

(d) This section shall not apply to municipally-owned electric utilities.

§ 2. This act shall take effect immediately.