*** § 1020-s. Public service law generally not applicable to authority; inconsistent provisions in certain other acts superseded.** * 1. The rates, services and practices relating to the electricity generated by facilities owned or operated by the authority shall not be subject to the provisions of the public service law or to regulation by, or the jurisdiction of, the public service commission, except to the extent (a) article seven of the public service law applies to the siting and operation of a major utility transmission facility as defined therein, (b) article VIII of the public service law applies to the siting and operation of a major electric generation facility or a major electric transmission facility as defined therein, (c) article ten of such law applies to the siting of a generating facility as defined therein, (d) section eighteen-a of such law provides for assessment for certain costs, property or operations, (e) to the extent that the department of public service reviews and makes recommendations with respect to the operations and provision of services of, and rates and budgets established by, the authority pursuant to section three-b of such law, (f) that section seventy-four of the public service law applies to qualified energy storage systems within the authority's jurisdiction, and (g) that section seventy-four-b of the public service law applies to Long Island community choice aggregation programs.

* NB Effective until December 31, 2040

* 1. The rates, services and practices relating to the electricity generated by facilities owned or operated by the authority shall not be subject to the provisions of the public service law or to regulation by, or the jurisdiction of, the public service commission, except to the extent (a) article seven of the public service law applies to the siting and operation of a major utility transmission facility as defined therein, (b) article ten of such law applies to the siting of a generating facility as defined therein, (c) section eighteen-a of such law provides for assessment for certain costs, property or operations, (d) to the extent that the department of public service reviews and makes recommendations with respect to the operations and provision of services of, and rates and budgets established by, the authority pursuant to section three-b of such law, (e) that section seventy-four of the public service law applies to qualified energy storage systems within the authority's jurisdiction, and (f) that section seventy-four-b

of the public service law applies to Long Island community choice aggregation programs.

* NB Effective December 31, 2040

2. The issuance by the authority of its obligations to acquire the securities or assets of LILCO shall be deemed not to be "state action" within the meaning of the state environmental quality review act, and such act shall not be applicable in any respect to such acquisition or any action of the authority to effect such acquisition.

3. In the event that a comprehensive and regular management and operations audit, as provided by subdivision (bb) of section one thousand twenty-f of this article, indicates a finding of fraud, abuse, or mismanagement by a service provider of the authority, and upon a finding by the public service commission that reasonable cause exists for the basis of such indication, the public service commission may order that any recommendations contained in the regular management and operations audit be implemented. The public service commission may also provide in their order, the date in which any recommendation must be fully implemented. Failure to comply with any such order can result in the imposition of a civil penalty by the public service commission against the service provider or revocation of the service provider's authority to operate within the state.

* NB There are 2 § 1020-s's