§ 1021-d. Powers and duties of the authority. The powers conferred by this title shall be exercised by the directors, subject to the terms of this title. In the exercise of those powers, either directly or through its officers and employees, the directors may do the following things, among others, and the following list of powers shall not be deemed complete or exclusive, or to deny the existence of other powers, whether similar or different, so long as they are reasonably necessary for accomplishing the purposes declared and indicated in this title:

1. To make and alter by-laws for the regulation of its affairs and conduct of its activities, to schedule annual, regular and special meetings of the directors, as the conduct of the business of the authority may warrant, and to adopt and amend an official seal;

2. To develop, acquire, construct, reconstruct, rehabilitate and improve facilities for the distribution of electric power or any connected service;

3. To determine the location, type, size, construction, lease, purchase, ownership, acquisition, use and operation of any facilities or other structure or property, within or without the service area;

4. To investigate, implement and integrate, to the fullest extent practicable and economically feasible, such resource conservation and energy efficiency measures and equipment intended to reduce power demand and usage, utilize green technologies, alternative and renewable fuels, net metering and demand response programs, all as integral elements in its investments in new equipment for distribution of power, and in its marketing and sale of electricity to consumers;

5. To acquire on behalf of and in the name of the authority, whether by agreement with and purchase from the owner or owners, or by arbitration, or within the service area by eminent domain, pursuant to the procedures set forth in the eminent domain procedure law, or by lease, the whole or any part of any existing facilities or of any other property to be used in connection with power distribution by the authority as set out in this title; provided, however, that the

authority shall not acquire real property of a municipality or a political subdivision of the state unless such municipality or political subdivision shall consent thereto; and provided further that the authority shall not acquire by the exercise of eminent domain any transmission or generation facilities; and provided further that the authority shall not acquire by the exercise of eminent domain any facilities for distribution operating at a voltage in excess of twenty-two thousand volts from any person, corporation or association, public or private, engaged in the business of distribution and sale of electricity to ultimate customers unless the authority is unable to acquire by contract with the owners or operators thereof, the right to use such facilities on just, reasonable and non-discriminatory terms. In the exercise of the power of eminent domain, as provided in this subdivision, the property being acquired shall be deemed, when so determined by the authority, to be for a public use;

6. To distribute electric power and any connected services within the service area, to fix rates and charges for the furnishing or rendition of electric power or of any connected service, and to collect revenues. Provided however, that prior to the first sale of electric power or any connected service, the authority shall promulgate regulations granting to customers the protections afforded by article two of the public service law and section one hundred thirty-one-s of the social services law;

7. To maintain, operate and manage, and contract for the maintenance, operation and management of properties of the authority;

8. To apply to the appropriate agencies and officials of the federal, state and local governments for such licenses, permits or approvals for its plans and projects as it may deem necessary or advisable, and upon such terms and conditions as it may deem appropriate to accept, in its discretion, such licenses, permits or approvals as may be tendered to it by such agencies and officials;

9. To enter upon such lands, waters or premises as in the judgment of the authority shall be necessary for the purpose of making surveys,

soundings, borings and examinations to accomplish any purpose authorized by this title, the authority being liable only for actual damages done;

10. To enter into cooperative agreements with other authorities, municipalities, utility companies, individuals, firms or corporations, and the dominion of Canada and its political subdivisions, for the interconnection of facilities and the exchange or interchange of electric power or connected services, upon such terms and conditions as shall be determined to be reasonable;

11. To execute contracts, borrow money, issue bonds, notes and other obligations as provided in section one thousand twenty-one-i of this title, and sell the same in such amounts and at such prices, interest rates and other financial terms as may be determined by the directors;

12. To enter into agreements to purchase power from the power authority of the state of New York, the state, any state agency, any municipality, any private entity or any other available source at such price or prices as may be negotiated, including the power to enter into any agreement or any negotiation for the purchase of power from the dominion of Canada, or any political subdivision, public authority or private corporation therein;

13. To make any plans, studies or investigations which it may deem necessary, convenient or desirable to enable it effectually to carry out the provisions of this title;

14. To do whatever may be necessary to give effect to the purposes of this title, and in general to have and exercise all other powers necessary or incidental to the purposes of this title.