



Legislation Text

---

**File #:** Res 2194-2009, **Version:** \*

---

Res. No. 2194

Resolution calling on the New York State Assembly to pass Assembly Bill 5785, the New York State Senate to introduce and pass similar legislation, and the Governor to sign such legislation into law, expanding New York's net metering law.

By Council Members Garodnick, Brewer, James, Mendez and Nelson

Whereas, Small-scale renewable energy generation has the potential to make an important contribution to New York City's energy independence, help reduce New York City's carbon emissions, and increase the reliability of our electricity grid; and

Whereas, Because of variation in wind speed and the strength of solar power, renewable energy generation is often irregular, producing excess energy when it is not needed at the site on which it is generated and inadequate energy when the site reaches its peak demand; and

Whereas, Net metering allows customers to sell energy back to utilities when excess electricity is generated, providing an opportunity for small-scale generators of renewable energy to benefit from investment in renewable energy generation equipment in spite of its irregularity; and

Whereas, The New York State Public Service Law currently requires that utilities provide customers who generate electricity using solar, wind, and farm waste equipment with two-way connections to the electricity grid, and requires utilities to buy excess electricity when it is not being used at the generation site; and

Whereas, The size of electric generating equipment that utilities are required to connect to the grid, however, is limited to twenty-five kilowatts for residential customers using solar or wind electric generating equipment, five hundred kilowatts for farm service customers using farm waste, solar, or wind electric

generating equipment, and two megawatts for non-residential customers using solar or wind electric generating equipment; and

Whereas, Electric utilities are currently not required to connect electric generating equipment powered by fuel cells to the electricity grid; and

Whereas, It is in the interest of both New York City and New York State to encourage more property owners to invest in renewable energy generating equipment; and

Whereas, Assembly Bill 5785 would encourage such investment by expanding the net metering law to include fuel cell generating equipment, an emerging technology with great potential to produce clean energy; and

Whereas, Assembly Bill 5785 would further encourage such investment by increasing the amount of power that electric utilities must connect to the electricity grid to 2 megawatts for all electricity customers; and

Whereas, Assembly Bill 5785 would also streamline the requirements for net metering, creating a uniform requirement that utilities connect all renewable energy generating equipment of up to two megawatts to the electricity grid and buy the excess energy that is generated, regardless of the type of equipment or the nature of the property on which it is generated; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Assembly to pass Assembly Bill 5785, the New York State Senate to introduce and pass similar legislation, and the Governor to sign such legislation into law, expanding New York's net metering law.

LS# 7669  
STW  
8/9/09