

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2017**

No. 248

Introduced by Council Members Johnson, Richards, Cohen, Constantinides, Rosenthal, Gentile, Menchaca, Kallos and Levin.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to creating a long-term energy plan for the city and establishing a New York city energy policy advisory subcommittee

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-126 to read as follows:

§ 3-126 New York city energy policy. a. Definitions. As used in this section:

Advisory subcommittee. The term “advisory subcommittee” means the New York city energy policy advisory subcommittee appointed to advise the city’s sustainability advisory board, as established by subdivision g of section 20 of the New York city charter, regarding the long-term energy goals of the city of New York.

Administering agency. The term “administering agency” means the office or agency designated by the mayor, pursuant to subdivision f of this section, to administer the provisions of this section.

Energy supply. The term “energy supply” means (i) power plants and any other facilities that generate energy that is used in the city; (ii) infrastructure that transmits or distributes energy that is used in the city; (iii) any fuels that are used in buildings or facilities in the city; and (iv)

distributed generation sources of electricity, including cogeneration and energy storage facilities that are used in the city.

Renewable energy. The term “renewable energy” means energy generated from (i) hydropower, municipal solid waste, marine and hydrokinetic, wind, solar, biomass, geothermal, and biogas; (ii) any source that the administering agency determines is renewable; or (iii) any source that is determined by the administering agency to have a positive environmental impact or a substantially lower negative environmental impact than other sources of energy.

b. New York city energy policy advisory subcommittee. 1. The administering agency shall convene a New York city energy policy advisory subcommittee.

2. The head of the administering agency or a designee of the mayor shall be the chair of the advisory subcommittee.

3. The mayor or his or her designee shall, in consultation with the speaker of the council, appoint the members of the advisory subcommittee. To the extent practicable, the appointed members shall include representatives of (i) governmental entities that regulate or have a significant interest in the development of the energy supply; (ii) energy utilities; (iii) the renewable energy industry; (iv) the energy industry; (v) consumer organizations advocating on energy issues; (vi) environmental advocacy organizations; (vii) licensed professional engineers; and (viii) other persons with experience or expertise deemed relevant by the mayor or his or her designee. Members of the advisory subcommittee shall serve without compensation and may be removed at any time by the mayor or his or her designee, in consultation with the speaker of the council.

c. Meetings. The advisory subcommittee shall convene at least once every six months for the purpose of evaluating materials related to the adequacy and potential risks to the energy supply, and to provide advice and recommendations concerning the implementation of objectives regarding the development of the energy supply, as established by the long-term energy plan required by this section.

d. The administering agency shall submit to the mayor and the speaker of the council, and make publicly available online, a long-term energy plan, in conjunction with the plan developed in accordance with subdivision e of section 20 of the New York city charter. The advisory subcommittee established by this section shall provide, as needed, advice and recommendations with respect to the development of such plan, which shall include, but not be limited to:

1. A review of the current energy supply and capacity;

2. A summary of the current citywide energy demand and a projection of the future citywide energy demand over the next four years, or such longer period as the advisory subcommittee may deem appropriate, including (i) an identification of factors that may affect demand; (ii) specific recommendations regarding the capacity that could be added to the current energy supply to meet such projected demand after consideration of such factors; and (iii) actions the city could take in connection with such recommendations;

3. A list of each governmental entity that regulates or exercises any authority over the energy supply, in whole or in part, and, for each such entity, a description of its role with respect to the energy supply;

4. *An estimate of the renewable energy sources within or directly connected to Zone J plus an accounting of energy efficiency measures and distributed generation that have been deployed in the city;*

5. *Specific recommendations for developing and integrating additional renewable energy sources and energy efficiency measures to the maximum extent possible, including actions the city could take in connection with such recommendations, and actions the city could advocate be taken by the state and federal government in connection with such recommendations.*

e. *Where the administering agency has established a long-term energy plan in accordance with this section and in conjunction with the long-term sustainability plan required by subdivision e of section 20 of the New York city charter, the advisory subcommittee shall provide advice and recommendations with respect to:*

1. *Plans for providing information to city residents and other members of the public regarding energy efficiency initiatives and the purchase of renewable energy;*

2. *Plans for the dissemination of information to city residents and other members of the public about the benefits of and progress attained through such long-term energy plan; and*

3. *For any subsequent long-term energy plan, a review of the city's objectives and recommendations established in the previous long-term energy plan.*

f. *The mayor shall, in writing, designate one or more offices or agencies to administer the provisions of this section and may, from time to time, change such designation. Within 10 days after such designation or change thereof, a copy of such designation or change thereof shall be published on the city's website and on the website of each such office or agency, and shall be electronically submitted to the speaker of the council.*

§ 2. This local law takes effect immediately; provided, however, that the plan required by subdivision d of section 3-126 of the administrative code of the city of New York, as added by this local law, shall be completed by December 31, 2019 and shall be updated every four years thereafter.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on November 16, 2017 and returned unsigned by the Mayor on December 19, 2017.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 248 of 2017, Council Int. No. 1637-A of 2017) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEVEN LOUIS, Acting Corporation Counsel.