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THE NEW YORK CITY COUNCIL
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COMMITTEE REPORT OF THE INFRASTRUCTURE DIVISION
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COMMITTEE ON ENVIRONMENTAL PROTECTION
Hon. Costa Constantinides, Chair

September 23, 2019

PROPOSED INT. NO. 49-A: By Council Members Constantinides, Espinal and Brannan

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to installing utility-scale energy storage systems on city buildings and conducting a feasibility study on the installation of such systems throughout the city

ADMINISTRATIVE CODE: Adds a new section 4-207.3

PROPOSED INT. NO. 140-A: By Council Members Levin, Constantinides, Reynoso, Richards, Rosenthal and Rivera

TITLE: In relation to a study and plan relating to community choice aggregation programs

PROPOSED INT. NO. 426-A:

By Council Members Constantinides, Reynoso and Kallos

TITLE:

A Local Law to amend the administrative code of the city of New York, in relation to the installation of solar water heating and thermal energy systems on city-owned buildings

ADMINISTRATIVE CODE:

Adds a new section 4-207.4

I. INTRODUCTION

On September 23, 2019, the Committee on Environmental Protection, chaired by Council Member Costa Constantinides, will hold a hearing on three bills related to energy storage, aggregation and sources. Proposed Int. No. 46-A would require the Department of Citywide Administrative Services (“DCAS”) to conduct a feasibility study on the installation of utility-scale battery storage systems on city buildings. Proposed Int. No. 140-A would require the City conduct a feasibility study and plan on community choice aggregation for energy purchasing. Proposed Int. No. 426-A would require that DCAS conduct a feasibility study of the costs of installing solar water heating and thermal energy systems on city-owned buildings and mandate the installation when identified as cost-effective.

The Committee previously held a hearing on these bills on June 24, 2019, and received testimony from the New York City Mayor’s Office of Sustainability and Mayor’s Office of Resiliency, utility companies and energy providers, unions, environmental advocates, green building architects, and the general public.

More information about these bills is available with the materials for that hearing, which can be accessed online at <http://legistar.council.nyc.gov/>.

II. PROPOSED INT. NO. 49-A

Proposed Int. No. 49-A would require DCAS, or any other agency authorized by the commissioner, to conduct a feasibility study on the installation and use of each available type of utility-scale energy storage systems in each city building, and submit to the mayor and the speaker of the council a copy of such study by April 30, 2021. As determined by the study, the department shall install utility-scale energy storage systems on all city buildings where the installation of such systems is cost effective. The bill also requires the department produce a report on the types of utility-scale energy storage systems studied, city buildings where installation of such systems may be appropriate, and number of city buildings where installation of such systems has been commenced and been completed., and submit to the mayor and the speaker of the council a copy of such report by December 15, 2021. Additionally, this bill would require a feasibility study that also identifies the environmental and financial benefits relating to the installation of utility-scale battery storage systems on non-city buildings. This local law would take effect immediately.

III. PROPOSED INT. NO. 140-A

Proposed Int. No. 140-A would require the office of long-term planning and sustainability to conduct a feasibility study on the implementation of one or more community choice aggregation programs for energy purchasing by April 30, 2021. A preliminary report is due to the Mayor and the Speaker by March 1, 2020. If the office determines that such a plan or plans would be feasible and is recommended by the office, then the office will be required to submit an implementation plan to the mayor and speaker and make the plan publically available

by December 31, 2021. The city was authorized to conduct such a program by the public service commission in 2016. This local law would take effect immediately.

IV. PROPOSED INT. NO. 426-A

Proposed Int. No. 426-A would require that DCAS, or any other agency authorized by the commissioner, conduct a study identifying the types of city-owned buildings where solar water heating and thermal energy systems may be appropriate and cost-effective, and submit such study to the mayor and the speaker of the council by April 30, 2021. The bill also requires the department install a solar water heating system or a thermal energy system on all city-owned buildings where the traditional hot water or space heating equipment has reached the end of its useful life, provided that such a solar water heating system or thermal energy system is cost effective in the aforementioned feasibility study. The bill also requires the department produce a report on the types of city buildings where the installation of a solar water heating or thermal energy system may be appropriate, number of city buildings where the installation of such systems has been commenced and completed, and annual energy and other cost savings, and any other environmental benefits associated with the use of such completed systems, and submit to the mayor and the speaker of the council a copy of such report by December 15, 2021. This local law would take effect immediately.

Proposed Int. No. 49-A

By Council Members Constantinides, Espinal and Brannan

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to installing utility-scale energy storage systems on city buildings and conducting a feasibility study on the installation of such systems throughout the city

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 4 of the administrative code of the city of New York is amended by adding a new section 4-207.3 to read as follows:

§ 4-207.3 Utility-scale energy storage systems for city buildings. a. Definitions. As used in this section, the following terms have the following meanings:

Energy storage system. The term “energy storage system” means a set of methods and technologies for storing potential, kinetic, chemical, electromagnetic, thermal, or any other type of energy, including compressed air, flywheels, batteries, superconducting magnetic storage and ice storage, so that such energy may be used at a time other than when it is generated.

City building. The term “city building” means a building that is owned by the city or for which the city regularly pays all of the annual energy bills, or a cultural institution that is in the cultural institutions group as determined by the department of cultural affairs for which the city regularly pays all or part of the annual energy bills.

Commissioner. The term “commissioner” means the commissioner of citywide administrative services

Cost effective. The term “cost effective” means, with respect to the installation of an energy storage system, that the cumulative savings in energy costs expected to result from the use of such system will, within 15 years of installation of such system, be equal to or exceed the

expected costs of the acquisition, installation, and maintenance of such system during that same time period. The determination of cost effectiveness shall not include any savings in energy costs directly attributed to federal, state and other non-city governmental assistance, but shall include the social cost of carbon value, as provided in paragraph 3 of subdivision d of section 3-125 or pursuant to paragraph 4 of subdivision d of section 3-125, provided however, that a site- or project-specific social cost of carbon value may be developed and used in lieu of the social cost of carbon value provided in or pursuant to such paragraphs if such site- or project-specific social cost of carbon value is higher than the social cost of carbon value provided in or pursuant to such paragraphs.

Department. The term “department” means the department of citywide administrative services.

b. No later than April 30, 2021, the department, or any other agency authorized by the commissioner, shall complete a study regarding the feasibility of the installation and use of each available type of utility-scale energy storage systems in each city building, and submit to the mayor and the speaker of the council a copy of such study. Such study shall include a review of any available federal or state funds or incentives for the acquisition, installation, operation or maintenance of such systems.

c. The department, or any other agency authorized by the commissioner, shall, in accordance with all applicable law, install utility-scale energy storage systems on all city buildings where the installation of such systems is cost effective, as determined by the study described in subdivision b.

d. No later than December 15, 2021, the department shall report to the mayor and the speaker of the council:

1. The types of utility-scale energy storage systems that were studied, as applied to various city buildings;

2. The city buildings where the installation of a utility-scale energy storage system may be appropriate, as determined by the department and the projected annual energy and other cost savings for each such system, both individually and in the aggregate;

3. The number of city buildings where the installation of a utility-scale energy storage system has been commenced by the department or other agency authorized by the commissioner;
and

4. The number of city buildings where the installation of a utility-scale energy storage system has been completed by the department or other agency authorized by the commissioner, the type of such system installed on such building, and the annual energy and other cost savings associated with the installation and use of such systems.

§ 2. No later than 2 years after the effective date of this local law, one or more offices or agencies designated by the mayor shall submit to the mayor and speaker of the council, and make available to the public, a report regarding the feasibility of installing utility-scale energy storage systems on buildings throughout the city other than city buildings, as defined in section 4-207.3 of the administrative code of the city of New York. Such report shall also include, but need not be limited to, recommendations on where the installation of utility-scale energy storage systems would be appropriate and the identification of any financial or environmental benefits to the public that are associated with the installation of such systems.

§ 3. This local law takes effect immediately.

MN/ SS
LS 10603/Int. 1675-2017
LS 137
9/17/19 2:31pm

Proposed Int. No. 140-A

By Council Members Levin, Constantinides, Reynoso, Richards, Rosenthal and Rivera

A LOCAL LAW

In relation to a study and plan relating to community choice aggregation programs

Be it enacted by the Council as follows:

Section 1. a. On or before April 30, 2021, the office of long-term planning and sustainability, in consultation with any other relevant agencies or offices, shall conduct a study regarding the feasibility of implementing in the city one or more community choice aggregation programs, as such programs are described in an order of the public service commission issued on April 20, 2016 or any successor orders. Such study shall include, but need not be limited to:

1. An analysis of potential economic and environmental impacts of implementing such program(s) in the city, including costs to individual consumers and a discussion of any potential fees related to the operation of such program would be required;

2. A discussion of any potential regulatory barriers to implementing such program(s) in the city;

3. Recommendation of any regulatory and consumer protections that should be implemented with such program(s);

4. An analysis of the tradeoffs of different partnership models;

5. An assessment of whether such program(s) should be implemented citywide, on a borough-wide basis, at a community district level or in environmental justice areas;

6. The costs and benefits of implementation of an opt-in program and an opt-out program, and a comparison of the two types of programs, and whether the potential geographic area of a program would affect such costs and benefits; and

b. No later than March 1, 2020, such office shall submit electronically to the mayor and the speaker of the council and make publicly available online a preliminary report detailing the progress of such study as required by subdivision a of this local law, including whether services have been procured to perform such study. Such office shall also submit any preliminary data collected to perform any analyses required by such study.

c. If such office recommends implementing any such program(s), such office, in consultation with any other relevant agencies or offices, shall, on or before December 31, 2021, develop, submit electronically to the mayor and the speaker of the council and make publicly available online a plan for implementing such program(s).

§ 2. This local law takes effect immediately.

MG/ARP/SS
LS 9783/Int. 1820-2017
LS 767
9/17/19 747pm

Proposed Int. No. 426-A

By Council Members Constantinides, Reynoso and Kallos

A LOCAL LAW

To amend the administrative code of the city of New York in relation to the installation of solar water heating and thermal energy systems on city-owned buildings

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 4 of the administrative code of the city of New York is amended by adding a new section 4-207.4 to read as follows:

§ 4-207.4 Solar water heating and thermal energy systems for city-owned buildings. a. As used in this section, the following terms have the following meanings:

City building. The term “city building” means a building that is owned by the city or for which the city regularly pays all of the annual energy bills, or a cultural institution that is in the cultural institutions group as determined by the department of cultural affairs for which the city regularly pays all or part of the annual energy bills.

Commissioner. The term “commissioner” means the commissioner of citywide administrative services.

Cost effective. The term “cost effective” means, with respect to the installation of a solar water heating or thermal energy system, that the cumulative savings expected to result from the use of such system, including expected savings in energy costs, will, within 25 years of such installation, be equal to or exceed the expected costs of the acquisition, installation, and maintenance of such system during that same time period. The determination of cost effectiveness shall not include any savings in costs directly attributed to federal, state and other non-city governmental assistance, but shall include the social cost of carbon value, as provided in paragraph 3 of subdivision d of section 3-125 or pursuant to paragraph 4 of subdivision d of

section 3-125, provided, however, that a site- or project-specific social cost of carbon value may be developed and used in lieu of the social cost of carbon value provided in or pursuant to such paragraphs if such site- or project-specific social cost of carbon value is higher than the social cost of carbon value provided in or pursuant to such paragraphs.

Department. The term “department” means the department of citywide administrative services.

b. No later than April 30, 2021, the department, or any other agency authorized by the commissioner, shall conduct a study identifying the types of city-owned buildings where solar water heating and thermal energy systems may be appropriate and cost-effective, and submit such study to the mayor and the speaker of the council. Such study shall describe any federal or state funds or incentives that would be available to defray costs related to the installation, operation or maintenance of such systems.

c. The department, or any other agency authorized by the commissioner, shall, in accordance with all applicable law, install a solar water heating system or a thermal energy system on all city-owned buildings where the traditional hot water or space heating equipment has reached the end of its useful life, provided that such a solar water heating system or thermal energy system is cost effective, as determined by the study described in subdivision b.

d. No later than December 15, 2021, the department shall report to the mayor and the speaker of the council:

1. The types of city buildings where the installation of a solar water heating or thermal energy system may be appropriate, as determined by the department;

2. The number of city buildings where the installation of a solar water heating or thermal energy system has been commenced by the department of other agency authorized by the commissioner;

3. The number of city buildings where the installation of a solar water heating or thermal energy system has been completed by the department of other agency authorized by the commissioner; and

4. The annual energy and other cost savings, and any other environmental benefits associated with the use of such completed systems.

§ 2. This local law takes effect immediately.

SS/JJD/KS
LS 1545/Int. 1159-2016
LS 124
9/17/19 2:27pm