



**The New York Water Environment Association, Inc.**  
*The Water Quality Management Professionals*

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June 16, 2015

Senator David Valesky  
NY State Senate, Legislative Office Building, Room 512  
Albany, NY 12247

Assemblyman William Magee  
NY State Senate, Legislative Office Building, Room 828  
Albany, NY 12248

**RE: Net Metering Bill No. S5430/A7576 – Relates to net metering standards for  
municipal landfills and wastewater treatment facilities**

Dear Senator Valesky and Assemblyman Magee,

The New York Water Environment Association (NYWEA) is a statewide nonprofit organization of 2,500 water professionals dedicated to the preservation, protection and enhancement of New York's water resources. NYWEA has reviewed proposed Bill S5132 and offers the following comments for your consideration.

NYWEA commends you for introducing the Bill that would include energy generated at municipal landfills and wastewater treatment facilities into net metering. NYWEA strongly supports net metering for both municipal landfills and wastewater treatment facilities as a concept. However, we have two comments on the current language of the Bill that we believe need to be addressed to ensure that the Bill achieves its intended benefits for NY municipal landfills and wastewater treatment facilities. Our comments are as follows.

- 1) The purpose of the Bill is to allow additional types of customer generators (municipal landfills, wastewater treatment facilities, waste-fueled electric generating equipment) the option of offsetting their energy costs by producing their own energy and feeding it back into the grid through net metering. While the Bill creates three new subsections that describe these new types of customer generators, the definition of customer generator itself was not amended to include such categories.

Without the definition of customer generator being amended to include municipal landfills, wastewater treatment facilities, and waste-fueled electric generating equipment, the latter provisions have no force and effect. Hence NYWEA's recommendation is to amend the definition of customer generator.

- 2) Regarding remote net metering benefits, that section of the statute would also have to be amended to list municipal landfills, wastewater treatment facilities, and waste-fueled electric generating equipment as technologies eligible to receive such benefits. Similar to our first comment, while the bill was drafted with the intent that these three new categories would be able to participate in remote net metering, the remote net metering section of the statute, which confers eligibility of certain customer generators, was not amended to include municipal landfills, wastewater treatment facilities, and waste-fueled electric generating equipment as permitted to receive remote net metering benefits. Therefore, NYWEA's recommendation is to amend the remote net metering section of the statute accordingly.

Thank you for your consideration. Please feel free to contact our Executive Director Patricia Cerro-Reehil at 315-422-7811, or [pcr@nywea.org](mailto:pcr@nywea.org), if you would like to discuss our comments on this Bill further.

Respectfully,



Michael Garland  
President

cc: Commissioner Joe Martens, NYS DEC  
Assistant Commissioner James Tierney, NYS DEC  
Joseph DiMura, NYS DEC  
Julie Tighe, NYS DEC  
NYWEA Board and Utility Executives Committee  
NYWEA Government Affairs Committee