S T A T E O F N E W Y O R K

4775--A

2011-2012 Regular Sessions

I N S E N A T E

April 20, 2011

Introduced by Sens. MAZIARZ, ADDABBO, BONACIC, JOHNSON, LARKIN, O'MARA, OPPENHEIMER, PARKER, RITCHIE, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to certain criteria used to determine safe and adequate service

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 65 of the public service law is amended by adding a new subdivision 14 to read as follows:

14. NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW, IN DETERMINING OR CALCULATING THE DEMAND CHARGES FOR A VOLUNTEER FIRE COMPANY AS DEFINED IN SECTION ONE HUNDRED OF THE GENERAL MUNICIPAL LAW, NO GAS OR ELECTRIC CORPORATION FURNISHING UTILITY SERVICE SHALL CONSIDER THE DEMAND FOR SERVICE ASSOCIATED WITH A VOLUNTEER FIRE COMPANY'S RESPONSES TO EMERGENCIES. THE DEPARTMENT IS AUTHORIZED AND DIRECTED TO PROMULGATE REGULATIONS NECESSARY TO IMPLEMENT THIS SUBDIVISION WHICH MAY INCLUDE REGULATIONS RELATING TO (A) RECORD-KEEPING REQUIRED BY THE VOLUNTEER FIRE COMPANY TO DOCUMENT AN EMERGENCY RESPONSE INCLUDING BUT NOT LIMITED TO THE DATE, TIME, AND DURATION OF SUCH A RESPONSE, (B) DISCLOSURE OF SUCH RECORDS TO THE DEPARTMENT, THE COMMISSION, OR OTHER NECESSARY PARTIES FOR THE PURPOSES OF VERIFYING THE EMERGENCY RESPONSE AND CALCULATING DEMAND CHARGES, (C) THE METHODS PERMITTED FOR MAKING ADJUSTMENTS TO THE DEMAND CHARGES OF A VOLUNTEER FIRE COMPANY BASED ON ACTUAL OR PROJECTED EMERGENCY RESPONSES WHICH MAY INCLUDE A CREDIT, CASH REIMBURSEMENT, REBATE, SPECIAL RATE, DISCOUNT, NEGOTIATED AGREEMENT, RECONCILIATION, OR OTHER METHOD, (D) THE FREQUENCY OF ANY ADJUSTMENTS TO THE CHARGES WHICH SHALL OCCUR AT LEAST ONCE PER CALENDAR YEAR, AND (E) RESOLUTION OF

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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DISPUTES BETWEEN A VOLUNTEER FIRE COMPANY AND A GAS OR ELECTRIC CORPORATION.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.