

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

4504--B

2013-2014 Regular Sessions

I N S E N A T E

April 5, 2013

Introduced by Sen. LATIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to requiring the public service commission to conduct annual hearings regarding certain electric corporations

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

1 Section 1. The public service law is amended by adding a new section
2 66-n to read as follows:
3 S 66-N. HEARINGS. 1. THE COMMISSION, NOT LESS THAN ONCE ANNUALLY,
4 AFTER THE RECEIPT OF THE ANNUAL REPORT PROVIDED PURSUANT TO SUBDIVISION
5 SIX OF SECTION SIXTY-SIX OF THIS ARTICLE, SHALL PROMPTLY FIX A DATE FOR
6 THE COMMENCEMENT OF PUBLIC HEARINGS THEREON AND SAID PUBLIC HEARING
7 SHALL BE SCHEDULED AND CONDUCTED NOT LESS THAN FORTY-FIVE DAYS NOR MORE
8 THAN ONE HUNDRED EIGHTY DAYS OF RECEIPT OF SAID ANNUAL REPORT. THE
9 COMMISSION SHALL CONDUCT PUBLIC HEARINGS IN THE FOLLOWING LOCATIONS
10 WITHIN THE FOLLOWING ELECTRIC CORPORATIONS' RESPECTIVE SERVICE TERRITORIES:
11 RIES:
12 (A) CONSOLIDATED EDISON OR ANY SUCCESSOR CORPORATION: CITY OF NEW YORK
13 AND WESTCHESTER COUNTY. THE COMMISSION SHALL CONDUCT AT LEAST ONE HEARING
14 ANNUALLY IN THE CITY OF NEW YORK AND AT LEAST ONE HEARING ANNUALLY
15 IN WESTCHESTER COUNTY. THE HEARINGS HELD IN THE CITY OF NEW YORK SHALL
16 ALTERNATE COUNTIES SO THAT AT LEAST ONE HEARING SHALL BE HELD IN EACH
17 COUNTY EVERY FIVE YEARS.
18 (B) ORANGE AND ROCKLAND UTILITIES OR ANY SUCCESSOR CORPORATION:
19 ORANGE COUNTY AND ROCKLAND COUNTY. THE COMMISSION SHALL CONDUCT AT LEAST
20 ONE HEARING ANNUALLY IN ONE OF THE COUNTIES AND SHALL NOT CONDUCT A

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

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1 HEARING IN THE SAME COUNTY AS THE PREVIOUS YEAR'S HEARING HELD UNDER
2 THIS SECTION.

3 (C) CENTRAL HUDSON GAS AND ELECTRIC OR ANY SUCCESSOR CORPORATION:
4 ULSTER COUNTY AND DUTCHESS COUNTY. THE COMMISSION SHALL CONDUCT AT LEAST
5 ONE HEARING ANNUALLY IN ONE OF THE COUNTIES AND SHALL NOT CONDUCT A
6 HEARING IN THE SAME COUNTY AS THE PREVIOUS YEAR'S HEARING HELD UNDER
7 THIS SECTION.

8 (D) NIAGARA MOHAWK D/B/A NATIONAL GRID OR ANY SUCCESSOR CORPORATION:
9 ALBANY COUNTY, ONONDAGA COUNTY AND ERIE COUNTY. THE COMMISSION SHALL
10 CONDUCT AT LEAST ONE HEARING ANNUALLY IN ONE OF THE COUNTIES AND SHALL
11 CONDUCT AT LEAST ONE HEARING IN EACH COUNTY EVERY THREE YEARS.

12 (E) NEW YORK STATE ELECTRIC AND GAS OR ANY SUCCESSOR CORPORATION:
13 BROOME COUNTY AND PUTNAM COUNTY. THE COMMISSION SHALL CONDUCT AT LEAST
14 ONE HEARING ANNUALLY IN ONE OF THE COUNTIES AND SHALL NOT CONDUCT A
15 HEARING IN THE SAME COUNTY AS THE PREVIOUS YEAR'S HEARING HELD UNDER
16 THIS SECTION.

17 (F) ROCHESTER GAS AND ELECTRIC OR ANY SUCCESSOR CORPORATION: MONROE
18 COUNTY.

19 2. FOR THE PURPOSES OF PROVIDING NOTICE AND SOLICITING PUBLIC
20 COMMENTS, AT LEAST THIRTY DAYS PRIOR TO THE PUBLIC HEARINGS REQUIRED IN
21 SUBDIVISION ONE OF THIS SECTION, THE COMMISSION SHALL PROVIDE NOTICE OR
22 ELECTRONIC NOTICE: (A) TO EACH COUNTY AND CITY SERVED BY SAID ELECTRIC
23 CORPORATION; (B) TO THE SPEAKER OF THE ASSEMBLY, THE TEMPORARY PRESIDENT
24 OF THE SENATE, EACH MEMBER OF THE STATE LEGISLATURE WHERE SERVICE IS
25 PROVIDED IN SUCH MEMBER'S LEGISLATIVE DISTRICT; (C) TO THE UTILITY
26 INTERVENTION UNIT OF THE DEPARTMENT OF STATE; (D) BY PUBLICATION ONCE IN
27 EACH WEEK FOR FOUR SUCCESSIVE WEEKS IN A NEWSPAPER AND ON THE WEB SITE
28 OF A NEWSPAPER THAT HAS GENERAL CIRCULATION IN THE SERVICE TERRITORY OF
29 SAID ELECTRIC CORPORATION; AND (E) BY PUBLICATION ON THE COMMISSION'S
30 WEB SITE.

31 3. (A) THE CHAIRMAN OR CHAIRWOMAN AND A MAJORITY OF THE DULY APPOINTED
32 COMMISSIONERS SHALL BE PRESENT AT THE HEARINGS REQUIRED BY SUBDIVISION
33 ONE OF THIS SECTION AND SHALL SOLICIT PUBLIC COMMENT FROM RESIDENTIAL
34 AND COMMERCIAL CUSTOMERS REGARDING AN ELECTRIC CORPORATION'S PERFORM-
35 ANCE, INCLUDING BUT NOT LIMITED TO:

36 (1) THE QUALITY OF ELECTRIC SERVICE;

37 (2) THE IMPACT OF ANY COMMISSION DECISIONS IN THE PREVIOUS YEAR
38 REGARDING RATES FOR SERVICE OR OTHER DECISIONS AFFECTING SERVICE;

39 (3) THE ADMINISTRATION OF ENERGY EFFICIENCY PROGRAMS AND SERVICES BY
40 THE UTILITY;

41 (4) COMMUNICATION PROTOCOLS BETWEEN A COMPANY AND CUSTOMERS IN ARREARS
42 ON UTILITY CHARGES REGARDING THE POTENTIAL FOR TERMINATION OF SERVICE;

43 (5) SERVICE RESTORATION PERFORMANCE AND CUSTOMER COMMUNICATION DURING
44 ANY OUTAGES OCCURRING IN THE PREVIOUS YEAR; AND

45 (6) ANY ADDITIONAL TOPICS OR INFORMATION THE COMMISSION DEEMS NECES-
46 SARY.

47 (B) NOT LESS THAN THIRTY DAYS PRIOR TO A PUBLIC HEARING UNDERTAKEN
48 PURSUANT TO THIS SECTION THE COMMISSION SHALL CREATE AND PUBLISH ON ITS
49 WEB SITE A REPORT REGARDING THE ELECTRIC CORPORATION AND ITS SERVICE
50 TERRITORY THAT IS THE SUBJECT OF SUCH HEARING, WHICH PROVIDES, IN DETAIL
51 FOR THE PREVIOUS YEAR, INFORMATION INCLUDING BUT NOT LIMITED TO:

52 (1) ANY COMMISSION ORDERS REGARDING RATES AND ALL OTHER DECISIONS
53 DETERMINED RELEVANT BY THE COMMISSION;

54 (2) A LIST OF ALL ENERGY EFFICIENCY PROGRAMS AND THE NUMBER OF CUSTOM-
55 ERS UTILIZING SAID PROGRAMS;

1 (3) THE NUMBER OF CUSTOMERS WHO HAVE FALLEN INTO ARREARS OVER THE LAST
2 YEAR AND THE NUMBER OF CUSTOMERS WHOSE SERVICE WAS SUSPENDED AND/OR
3 TERMINATED DUE TO ARREARS;

4 (4) THE NUMBER OF WIDESPREAD OUTAGES THAT HAVE OCCURRED IN THE SERVICE
5 TERRITORY OF THE ELECTRIC CORPORATION DUE TO STORMS OR OTHER CAUSES
6 BEYOND THE CONTROL OF THE ELECTRIC CORPORATION IN THE LAST YEAR, THE
7 NUMBER OF CUSTOMERS AFFECTED BY EACH OUTAGE, THE DURATION OF EACH OUTAGE
8 AND THE CAUSE OF EACH OUTAGE; AND

9 (5) ANY OTHER INFORMATION THE COMMISSION DETERMINES IS RELEVANT TO THE
10 SERVICE TERRITORY.

11 (C) THE COMMISSION SHALL ALSO PUBLISH THE ANNUAL REPORT SUBMITTED
12 PURSUANT TO SUBDIVISION SIX OF SECTION SIXTY-SIX OF THIS ARTICLE BY THE
13 RESPECTIVE ELECTRIC CORPORATION ON THE COMMISSION'S WEB SITE.

14 S 2. This act shall take effect January 1, 2014.