

5278

2013-2014 Regular Sessions

I N   S E N A T E

May 15, 2013

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Introduced by Sen. STEWART-COUSINS -- read twice and ordered printed,  
and when printed to be committed to the Committee on Energy and Tele-  
communications

AN ACT in relation to authorizing the public service commission, upon  
application by a municipality, to order costs for infrastructure main-  
tenance and access to be charged to all customer classes located in  
such municipality

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

1     Section 1. 1. Notwithstanding any law to the contrary, a municipality  
2     may apply to the public service commission to have any costs for infras-  
3     tructure maintenance and access it is charged by a water-works corpo-  
4     ration to instead be charged to all customers across all customer class-  
5     es located in the municipality provided the municipality adopts a local  
6     law to have such costs charged to all customers across all customer  
7     classes. Any savings achieved as a result of this action shall be  
8     applied to the property tax levy of the municipality which has adopted  
9     such a resolution in an amount equal to such savings in the following  
10    fiscal year. Within 120 days after receiving an application pursuant to  
11    this act, the public service commission is empowered and directed to  
12    issue an order requiring that costs for infrastructure maintenance and  
13    access be included in the rates charged to all customer classes and  
14    apportioned among all customers located in the municipality and that  
15    such municipality shall not be charged separately or additionally for  
16    costs for infrastructure maintenance and access. The public service  
17    commission shall have the power to request any information that it may  
18    deem necessary from the water-works corporation or municipality so that  
19    it may issue an order as required by this section and may require that  
20    such information or application be in the form and manner as the commis-  
21    sion may request.  
22    2. Definitions. For purposes of this act:

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

LBD10876-01-3

- 1 a. "costs for infrastructure maintenance and access" means all costs  
2 associated with maintenance and operation of infrastructure and equip-  
3 ment used in connection with the sale, furnishing, transmission and  
4 distribution of water for domestic, commercial, public and emergency  
5 purposes and shall also mean costs or charges associated with municipal  
6 access to infrastructure or equipment.
- 7 b. "municipality" shall mean the city of New Rochelle, the village of  
8 Bronxville, the town of Pelham, the village of Pelham Manor, the village  
9 of Hastings-on-Hudson, the town of Eastchester, the village of Tuckahoe,  
10 the village of Dobbs Ferry and the village of Ardsley, in the county of  
11 Westchester.
- 12 c. "water-works corporation" shall have the same meaning as that term  
13 is defined in section 2 of the public service law.
- 14 S 2. This act shall take effect immediately.