

STATE OF NEW YORK

6428

2021-2022 Regular Sessions

IN ASSEMBLY

March 17, 2021

Introduced by M. of A. THIELE -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to requiring service providers to reimburse consumers in the event of a prolonged power outage

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision (cc) of section 1020-f of the public authorities law is amended by adding a new paragraph 6 to read as follows:

2 6. In the event that a residential utility customer or small business
3 customer experiences a widespread prolonged outage lasting at least
4 seventy-two consecutive hours or more without having been resolved by
5 the service provider, the utility company shall:

6 (a) Provide reimbursement of any food spoiled due to lack of refriger-
7 ation. Residential utility customers shall provide the service provider
8 an itemized list of all food spoiled or proof of loss of food spoiled
9 within fourteen days of the outage. The service provider shall reimburse
10 the customer within thirty days of the receipt of the itemized list or
11 proof of loss. The amount of the reimbursement shall not exceed a total
12 of two hundred thirty-five dollars for customers who provide an itemized
13 list. The amount of the reimbursement for customers who provide proof of
14 loss shall not exceed five hundred forty dollars.

15 (b) Provide reimbursement of prescription medication spoiled due to
16 lack of refrigeration. Residential utility customers shall provide the
17 service provider with an itemized list and proof of loss of prescription
18 medication due to lack of refrigeration within fourteen days of the
19 outage. The service provider shall reimburse the customer within thirty
20 days of the receipt of the itemized list and proof of loss of
21 prescription medication. The amount of the reimbursement shall total no
22 more than the actual loss of perishable prescription medicine.
23

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

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1 (c) Provide reimbursement to small business customers for any food
2 spoiled due to lack of refrigeration. Small business customers shall
3 provide the service provider with an itemized list for all food spoiled
4 and proof of loss within fourteen days of the outage. The service
5 provider shall reimburse the small business customer within thirty days
6 of the receipt of the itemized list and proof of loss. The amount of the
7 reimbursement shall total no more than ten thousand seven hundred
8 dollars.

9 2. The department of public service shall promulgate rules and regu-
10 lations necessary to implement the provisions of this section. Such
11 rules and regulations shall define the terms "widespread prolonged
12 outage", "small business customer" and "proof of loss".

13 § 2. This act shall take effect on the one hundred twentieth day after
14 it shall have become a law.