

STATE OF NEW YORK

6428--B

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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, as added by section 7 of part A of chapter 173 of the laws of 2 2013, is amended by adding a new paragraph 6 to read as follows:

3 6. (i) In the event that a residential utility customer or small business 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 service provider shall:

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

14 (B) Provide reimbursement of prescription medication spoiled due to
15 lack of refrigeration. Residential utility customers shall provide the
16 service provider with an itemized list and proof of loss of prescription
17 medication due to lack of refrigeration within fourteen days of the
18 outage. The service provider shall reimburse the customer within thirty
19

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

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1 days of the receipt of the itemized list and proof of loss of
2 prescription medication. The amount of the reimbursement shall total no
3 more than the actual loss of perishable prescription medicine.

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

12 (ii) The authority shall promulgate rules and regulations necessary to
13 implement the provisions of this section. Such rules and regulations
14 shall define the terms "widespread prolonged outage", "small business
15 customer" and "proof of loss".

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