

STATE OF NEW YORK

4322--A

2021-2022 Regular Sessions

IN SENATE

February 3, 2021

Introduced by Sen. COMRIE -- 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

AN ACT to amend the public service law, in relation to providing a judicial remedy to resolve complaints related to utility bills

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

1 Section 1. Subdivision 5 of section 66 of the public service law, as
2 amended by chapter 134 of the laws of 1921, is amended to read as
3 follows:

4 5. Examine all persons, corporations and municipalities under its
5 supervision and keep informed as to the methods, practices, regulations
6 and property employed by them in the transaction of their business.
7 Whenever the commission shall be of opinion, after a hearing had upon
8 its own motion or upon complaint, that the rates, charges or classifica-
9 tions or the acts or regulations of any such person, corporation or
10 municipality are unjust, unreasonable, unjustly discriminatory or unduly
11 preferential or in anywise in violation of any provision of law, the
12 commission shall determine and prescribe in the manner provided by and
13 subject to the provisions of section seventy-two of this [~~chapter~~] arti-
14 cle the just and reasonable rates, charges and classifications thereaft-
15 er to be in force for the service to be furnished notwithstanding that a
16 higher or lower rate or charge has heretofore been prescribed by general
17 or special statute, contract, grant, franchise condition, consent or
18 other agreement, and the just and reasonable acts and regulations to be
19 done and observed; and whenever the commission shall be of opinion,
20 after a hearing had upon its own motion or upon complaint, that the
21 property, equipment or appliances of any such person, corporation or
22 municipality are unsafe, inefficient or inadequate, the commission shall
23 determine and prescribe the safe, efficient and adequate property,

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

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1 equipment and appliances thereafter to be used, maintained and operated
2 for the security and accommodation of the public and in compliance with
3 the provisions of law and of their franchises and charters. Notwith-
4 standing any other provision of this article, a customer of any gas
5 corporation, electric corporation or combination gas and electric corpo-
6 ration, or a customer of any other person, company, or corporation
7 providing electricity or gas service to customers may, prior to the
8 commencement of an informal hearing or informal review pursuant to 16
9 NYCRR 12.5, commence an action in any court of competent jurisdiction;
10 provided, such action shall only be commenced when the alleged amount of
11 damages in controversy exceeds twenty-five thousand dollars.

12 § 2. This act shall take effect on the thirtieth day after it shall
13 have become a law.