STATE OF NEW YORK

2579

2025-2026 Regular Sessions

IN ASSEMBLY

January 17, 2025

Introduced by M. of A. CRUZ -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to call centers for gas and electric corporations; to amend a chapter of the laws of 2024 amending the public service law relating to call centers for gas and electric corporations, as proposed in legislative bills numbers S. 8626-A and A. 9444-A, in relation to the effectiveness thereof; and to repeal certain provisions of the public service law relating thereto

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

Section 1. Paragraphs (a) and (b) of subdivision 13 of section 65 of the public service law, as amended by a chapter of the laws of 2024 amending the public service law relating to call centers for gas and electric corporations, as proposed in legislative bills numbers S. 8626-A and A. 9444-A, are amended to read as follows:

(a) Every gas corporation or electric corporation furnishing utility services shall provide the following call center customer assistance receiving inquiries [~~and associated office tasks by phone, in writing, or any electronic communication, including but not limited to emails, texts, and chats~~] by phone or in writing on: customer financial responsibility; receiving [~~application~~] requests to initiate or terminate service; receiving requests for emergency services; shared metering; determining deposit required or billing rate; receiving meter and service orders and access to meter requests; explaining company rates, regulations, policies, procedures, and common practices; initiating trouble order forms and high bill investigations; inbound and/or outbound handling of payment and other credit arrangements such as obtaining deposits, financial statements and payment plans; collection assistance inquiries and referring customers to social service agencies and other assistance programs. [~~For purposes of this section, each individual phone call, writing, email, text, chat, or any other communi-~~

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

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~~cation shall count as an independent instance of customer assistance, and therefore each shall trigger a gas or electric corporation's duties under paragraph (b) of this subdivision.~~] This paragraph shall not apply to communications between departments to resolve a customer inquiry. For purposes of this section, "collection assistance inquiries" shall not include calls or activities related to the collection of debts that are referred to third-party collection agencies or those involving the direct pursuit of financial recovery on delinquent accounts.

(b) [~~(i)~~] No gas or electric corporation shall close a call center or other facility providing the customer assistance set forth in paragraph (a) of this subdivision or send such customer assistance outside such gas or electric corporation's New York state service territory or outside of New York state without notice, a hearing and approval before the commission. Upon receipt of the notice required pursuant to this paragraph, the commission shall provide notice of the proceeding to interested parties and the public; and shall promptly fix a date for the commencement of a public hearing thereon not less than sixty days after such receipt. The testimony presented at such hearing may be presented in writing or orally, provided that the commission may make rules designed to exclude repetitive, redundant or irrelevant testimony while giving all interested parties the opportunity to present their documentary and/or testimonial evidence. The commission shall make a record of all testimony in all contested hearings. [~~The commission within thirty days shall approve or deny the closure of a call center or other facility providing customer service or the relocation of customer service assistance inquiries.~~] For purposes of this section "public hearing" means a public forum at a physical location, attended by commission members or their designees, where oral testimony is accepted and written testimony may be submitted for inclusion in the record. Such forum shall be open to parties to the proceeding and the general public for the presentation of comments that shall be limited to relevant facts directly related to the proceeding in question. Such hearing shall be commenced upon proper notice to the parties to the proceeding and the public at least thirty days prior to the scheduled date. [~~Such hearing shall be closed after the commission approves or denies the closure of a call center or other facility providing customer service or the relocation of customer service assistance inquiries. In no event shall a gas or electric corporation's history of sending customer assistance outside the gas or electric corporation's New York state service territory or outside of New York state be used as justification for doing so after the effective date of the chapter of the laws of two thousand twenty-four that amended this paragraph takes effect.~~] It shall be permissible for a gas or electric corporation to send customer assistance requests outside of such corporation's New York state service territory or outside of New York state in the following circumstances: (i) when a call center or customer assistance facility is unable to adequately respond to customer assistance requests due to natural disaster, cyber attack, temporary loss of internet or phone connection or power, a state or local declared emergency that impacts the ability of a call center to manage customer assistance requests, or customer call volume that exceeds the capacity of the call center given normal staffing levels; (ii) for the purpose of workforce training; or (iii) to initiate work flexibility policies that allow call center employees to work from an approved alternative worksite other than a call center location[~~. Provided~~] provided, however, before a gas or electric corporation can establish policies for any call center employees that are

represented by a bona fide labor organization through a collective bargaining agreement, such policies must have been mutually agreed to by the corporation and the labor organization. Such **work flexibility** policies shall not [~~**violate**~~] **be considered a violation of** this section. **Any transfer of customer assistance requests outside of New York state or outside of the corporation's New York state service territory pursuant to subparagraph (i) of this paragraph shall be temporary and only for the duration of the emergency situation. A corporation must notify the commission of any transfers within ten business days following an exemption claimed pursuant to subparagraph (i) of this paragraph. For the purposes of this paragraph, "New York state service territory" shall be understood to refer to the designated geographic area served by the gas or electric corporation in accordance with its legal service obligations. The relocation of customer assistance calls to any of the corporation's call centers within New York state in existence prior to the effective date of the chapter of the laws of two thousand twenty-five that amended this paragraph, regardless of the specific service territory, shall not be considered a violation of this paragraph.**

[~~**(ii) The commission shall make available a form allowing an entity to take an action against a gas or electric corporation that knowingly failed or neglected to obey or comply with this section. Upon receipt of such form, it shall commence a proceeding to determine if a call center or other facility providing customer assistance was closed or customer service assistance inquiries were relocated outside New York state without notice, hearing, and approval before the commission. Pursuant to this paragraph, the commission shall provide notice of such proceeding to interested parties and the public and shall promptly fix a date for the commencement of a public hearing thereon not less than sixty days after such receipt. The testimony presented at such hearing may be presented in writing or orally, provided that the commission may make rules designed to exclude repetitive, redundant or irrelevant testimony while giving all parties the opportunity to present their documentary and/or testimonial evidence. The commission shall a make record of all testimony in all contested hearings. The commission shall within thirty days make a determination if such gas or electric corporation was in violation of this section.**~~]

§ 2. Subdivision 4-a of section 25 of the public service law, as added by a chapter of the laws of 2024 amending the public service law relating to call centers for gas and electric corporations, as proposed in legislative bills numbers S. 8626-A and A. 9444-A, is REPEALED.

§ 3. Section 4 of a chapter of the laws of 2024 amending the public service law relating to call centers for gas and electric corporations, as proposed in legislative bills numbers S. 8626-A and A. 9444-A, is amended to read as follows:

§ 4. This act shall take effect [~~**immediately**~~] **on the one hundred eightieth day after it shall have become a law** and shall apply to all actions or proceedings commenced on or after the effective date of this act.

§ 4. This act shall take effect immediately; provided, however, that sections one and two shall take effect on the same date and in the same manner as a chapter of the laws of 2024 amending the public service law relating to call centers for gas and electric corporations, as proposed in legislative bills numbers S. 8626-A and A. 9444-A, takes effect.