

STATE OF NEW YORK

6285

2025-2026 Regular Sessions

IN ASSEMBLY

March 3, 2025

Introduced by M. of A. OTIS, BURDICK, PAULIN, ROZIC, SAYEGH, SEAWRIGHT, SIMON, JACOBSON, SHIMSKY -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to the contents of emergency response plans required to be submitted to the public service commission by electric corporations

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

1 Section 1. Paragraph (a) of subdivision 21 of section 66 of the public
2 service law, as separately amended by chapters 395 and 743 of the laws
3 of 2022, subparagraph (iii) as separately amended by chapter 38 of the
4 laws of 2023, subparagraph (xi) as separately amended by chapter 743 of
5 the laws of 2022 and chapter 38 of the laws of 2024, subparagraphs
6 (xii), (xiii) and (xiv) as amended by chapter 38 of the laws of 2024, is
7 amended to read as follows:

8 (a) Each electric corporation subject to section twenty-five-a of this
9 chapter shall annually, on or before December fifteenth, submit to the
10 commission an emergency response plan for review and approval. The emer-
11 gency response plan shall be designed for the reasonably prompt restora-
12 tion of service in the case of an emergency event, defined for purposes
13 of this subdivision as an event where widespread outages have occurred
14 in the service territory of the company due to storms, cyber attack, or
15 other causes beyond the control of the company. To support reasonably
16 prompt restoration of service in the case of an emergency event, emer-
17 gency response plans should include details of staffing, equipment and a
18 performance schedule with the goal of achieving restoration of service
19 based upon a time-based restoration schedule established by the commis-
20 sion. In establishing such time-based restoration schedule, the commis-
21 sion should utilize benchmarks for the restoration of service which
22 include, but are not limited to, the percentage of customers restored
23 within each twenty-four-hour interval following the emergency event

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

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1 including, but not limited to, consideration of different kinds of storm
2 events. The emergency response plan shall include, but need not be
3 limited to, the following: (i) the identification of management staff
4 responsible for company operations during an emergency; (ii) a communi-
5 cations system with customers during an emergency that extends beyond
6 normal business hours and business conditions; (iii) identification of
7 and outreach plans to customers who had documented their need for essen-
8 tial electricity for medical needs, which shall include but not be
9 limited to, apnea monitors for infants, cuirass respirators, hemodialy-
10 sis machines, IV feeding machines, IV medical infusion machines, oxygen
11 concentrators, positive pressure respirators, respirator/ventilators,
12 rocking bed respirators, suction machines, and tank type respirators;
13 (iv) identification of and outreach plans to customers who had docu-
14 mented their need for essential electricity to provide critical telecom-
15 munications, critical transportation, critical fuel distribution
16 services or other large-load customers identified by the commission; (v)
17 designation of company staff to communicate with local officials and
18 appropriate regulatory agencies; (vi) provisions regarding how the
19 company will assure the safety of its employees and contractors; (vii)
20 procedures for deploying company and mutual aid crews to work assignment
21 areas; (viii) identification of additional supplies and equipment needed
22 during an emergency; (ix) the means of obtaining additional supplies and
23 equipment; (x) procedures to practice the emergency response plan; (xi)
24 appropriate safety precautions regarding electrical hazards, including
25 plans to promptly secure downed wires within thirty-six hours of notifi-
26 cation of the location of such downed wires from a municipal emergency
27 official; (xii) plans to prioritize the securing of downed wires over
28 routine maintenance or other work unrelated to a response to an emergen-
29 cy event after notification by an individual of the location of such
30 downed wires and where such notification includes information indicating
31 wire burning, arcing/sparking, or the restriction of ingress and egress
32 from a building or vehicle, or other immediate hazards. Such plans
33 shall, at minimum, include procedures to identify, locate, and assess
34 the reported wire no later than seventy-two hours after the response to
35 an emergency event ends; (xiii) plans setting forth how the communi-
36 cation and coordination of efforts between the electric corporation,
37 electric corporation employees, electric corporation company crews,
38 mutual aid crews, other utilities, local governments and any other enti-
39 ty performing services to assist such electric corporation shall occur;
40 and (xiv) such other additional information as the commission may
41 require. Each such corporation shall, on an annual basis, undertake
42 drills implementing procedures to practice its emergency management
43 plan. The commission may adopt additional requirements consistent with
44 ensuring the reasonably prompt restoration of service in the case of an
45 emergency event.

46 § 2. This act shall take effect immediately.