STATE OF NEW YORK

5250

2025-2026 Regular Sessions

IN SENATE

February 20, 2025

Introduced by Sen. CANZONERI-FITZPATRICK -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to limits on surcharge increases; directing a study of the costs associated with recent environmental and energy related laws and the value of stranded utility assets resulting in discontinuance and/or abandonment of utility gas infrastructure; and imposing a moratorium on new energy taxes, fees and regulations

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

Section 1. This act shall be known and may be cited as the "energy assessment cap and consumer cost relief act".

§ 2. The public service law is amended by adding a new section 18 to read as follows:

§ 18. Limit on surcharge increases. Notwithstanding any law, rule, regulation or order to the contrary, the commission shall not increase the amount of the surcharge on the system benefit charge or the surcharge for the renewable portfolio standard or the surcharge for the energy efficiency portfolio standard or any similar fund that may be created by order of the commission before the effective date of this section, whether such fund is new or is a result of combining all or some of the surcharges referenced herein. Nothing in this section shall be construed as to prevent the commission from lowering the amount of any surcharge either individually or collectively from the amount collected in two thousand nineteen, except that under no circumstances shall the total cost of those charges exceed the total aggregate amounts collected in two thousand nineteen.

§ 3. The department of public service shall issue a request for proposals to choose an independent vendor who will perform a thorough analysis of the costs associated with environmental and energy related

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

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laws, regulations, rules and policies adopted since 2019. Such analysis shall establish not only the costs already incurred, but also those anticipated future costs and specific cost impacts on all classes of ratepayers. A request for proposal shall be issued within 90 days of the effective date of this act and such study and report shall be completed within 12 months of the award of the contract. Such report shall be published on the department's website and provided to the governor, the speaker of the assembly, the temporary president of the senate, the minority leader of the senate and the minority leader of the assembly.

§ 4. The department of public service shall issue a request for proposals and choose a qualified vendor to conduct a study as to any stranded utility assets resulting from legislative or regulatory actions that, whether intentional or unintentional, lead to the discontinuance and/or abandonment of utility gas infrastructure. Such study shall include, at a minimum, an analysis of the value and cost of said infrastructure, the number, type and value of jobs lost due to the discontinuance of its use and recommendations as to cost recovery for any investor owned utility that holds such infrastructure. In addition, the study shall measure the value of stranded assets of homeowners/businesses with gas equipment with remaining useful life when gas is discontinued. A request for proposal shall be issued within 90 days of the effective date of this act and such study and report shall be completed within 12 months of the award. Such report shall be published on the department's website and provided to the governor, the speaker of the assembly, the temporary president of the senate, the minority leader of the senate and the minority leader of the assembly.

§ 5. Notwithstanding any law, rule, regulation or order to the contrary, the public service commission and the legislature shall not establish any new surcharge assessment, tax or fee or cost bearing regulation based on the analyses performed under sections three and four of this act on energy consumers for a period of five years.

§ 6. This act shall take effect immediately.