STATE OF NEW YORK

8213

2025-2026 Regular Sessions

IN SENATE

May 21, 2025

Introduced by Sen. HINCHEY -- 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 consideration of capital expenditures in utility rate proceedings

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

Section 1. Subdivision 12 of section 66 of the public service law is amended by adding a new paragraph (m) to read as follows:

(m) Any proposed capital expenditure to be considered in any matter affecting a major change in rates must be described, which shall include but not be limited to, the: (i) purpose of the proposed project, (ii) total cost, (iii) expected period of usefulness, (iv) location in the service territory, (v) rationale for inclusion in the proceeding, and (vi) anticipated benefits to ratepayers, measured by lower costs to ratepayers and/or other benefits as determined by the commission. Such descriptions of projects shall be posted on the commission's website. Pursuant to paragraph (i) of this subdivision, the burden of proof to show that a change in rates related to each capital expenditure is just and reasonable shall be on the utility.

§ 2. This act shall take effect immediately; provided however, this act shall not apply to any matters involving a change in rates before the Public Service Commission which were initiated prior to such effective date.

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

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