S T A T E O F N E W Y O R K

3154

2009-2010 Regular Sessions

I N A S S E M B L Y

January 23, 2009

Introduced by M. of A. THIELE -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to requiring the Long Island Power Authority to require a municipal permit before providing service in certain instances

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 1020-ii of the public authorities law, as renumbered by chapter 234 of the laws of 2004, is renumbered 1020-jj and a new section 1020-ii is added to read as follows:

S 1020-II. ELECTRIC METER INSTALLATION; RESTRICTION. THE LONG ISLAND POWER AUTHORITY SHALL NOT SUPPLY ELECTRICITY TO A ONE, TWO, THREE OR FOUR FAMILY RESIDENCE BUILDING, NOR SHALL SUCH UTILITY ENERGIZE MORE ELECTRICAL METERS IN A BUILDING THAN THE NUMBER OF DISTINCT AND SEPARATE RESIDENCES IN SUCH BUILDING AS AUTHORIZED IN THE CERTIFICATE OF OCCUPANCY APPLICABLE THERETO, OR IF THERE IS NO CERTIFICATE OF OCCUPANCY, AS DETERMINED BY THE MUNICIPALITY, WITHOUT FIRST RECEIVING A CERTIFICATE OF ELECTRICAL INSPECTION OR OTHER AUTHORIZATION FROM THE MUNICIPALITY. IN THE EVENT THAT AN OWNER OF A ONE, TWO, THREE OR FOUR FAMILY BUILDING WANTS TO INSTALL AN ADDITIONAL ELECTRICAL METER OTHER THAN PROVIDED FOR IN THIS SECTION, APPROVAL SHALL BE OBTAINED IN WRITING FROM THE MUNICIPALITY. A PUBLIC UTILITY SHALL NOT INSTALL SUCH ADDITIONAL ELECTRICAL METER WITHOUT SUCH APPROVAL. A BUILDING IN WHICH TWO OR MORE DWELLING UNITS HAVE BEEN CONSTRUCTED IN ACCORDANCE WITH THE CERTIFICATE OF OCCUPANCY, OR IF THERE IS NO CERTIFICATE OF OCCUPANCY, AS DETERMINED BY THE MUNICIPALITY, MAY HAVE ONE METER FOR EACH DWELLING UNIT AND ONE ADDITIONAL METER FOR THE COMMON AREAS OF THE BUILDING, PROVIDED THAT SMOKE DETECTING DEVICES ARE INSTALLED IN ALL COMMON AREAS IN ACCORDANCE WITH MUNICIPAL REQUIREMENTS. SUCH COMMON AREAS MAY INCLUDE BOILER ROOMS, SHARED HALLWAY LIGHTING, SHARED STAIRWAY LIGHTING, AND OUTDOOR PERIMETER LIGHTING BUT SHALL NOT INCLUDE ANY HABITABLE SPACE. IN THE EVENT THAT A

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

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METER HAS BEEN FOUND TO HAVE BEEN INSTALLED OR TO EXIST IN VIOLATION OF THIS SECTION, THE UTILITY MUST REPORT SUCH FINDINGS TO THE MUNICIPALITY, WHICH MAY TAKE ACTION LEADING TO THE DISCONNECTING OF SUCH METER IN ACCORDANCE WITH NOTICE REQUIREMENTS PURSUANT TO SECTION ONE THOUSAND TWENTY-F OF THIS ARTICLE.

S 2. This act shall take effect immediately.