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

5436

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. GIANARIS, LANCMAN, GREENE, MILLMAN, FIELDS, DINOWITZ, EDDINGTON, ROSENTHAL, ROBINSON, PERALTA, KAVANAGH -- Multi-Sponsored by -- M. of A. BOYLAND, BRENNAN, CLARK, COOK, DIAZ, GLICK, GOTTFRIED, HYER-SPENCER, KELLNER, V. LOPEZ, MAISEL, MARKEY, MAYERSOHN, PHEFFER, SCHIMEL, WRIGHT -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to requiring the public service commission to provide the appropriate local community board in a city with a population of one million or more with notice of and opportunity to comment and make recommendations on any proposed sale or acquisition of real property by a gas corporation or electric corporation furnishing utility service

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

Section 1. Section 107 of the public service law is amended by adding a new subdivision 3 to read as follows:

3. WITH REGARD TO THE PROPOSED SALE OR ACQUISITION OF REAL PROPERTY BY ANY GAS CORPORATION OR ELECTRIC CORPORATION FURNISHING UTILITY SERVICE IN A CITY HAVING A POPULATION OF ONE MILLION OR MORE, THE COMMISSION SHALL PROVIDE THE LOCAL COMMUNITY BOARD HAVING JURISDICTION OVER SUCH REAL PROPERTY WITH NOTICE OF SUCH PROPOSED TRANSACTION, BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, WITHIN TEN DAYS OF RECEIVING AN APPLICATION FOR APPROVAL OF THE TRANSACTION. WITHIN THIRTY DAYS OF RECEIVING SUCH NOTICE, A LOCAL COMMUNITY BOARD SHALL SUBMIT TO THE COMMISSION WRITTEN COMMENTS AND RECOMMENDATIONS ON SUCH PROPOSED TRANSACTION. THE COMMISSION SHALL ADDRESS AND RESPOND TO ALL COMMENTS AND RECOMMENDATIONS SUBMITTED BY A LOCAL COMMUNITY BOARD PRIOR TO MAKING ITS DETERMINATION OF THE APPLICATION OF THE PUBLIC UTILITY.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.

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

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