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

7593

2009-2010 Regular Sessions

I N A S S E M B L Y

April 16, 2009

Introduced by M. of A. CAHILL, JOHN, CHRISTENSEN, GLICK, GUNTHER, FIELDS, PHEFFER, JACOBS, BOYLAND, ROSENTHAL -- Multi-Sponsored by -- M. of A. BENJAMIN, BRODSKY, COLTON, DESTITO, DINOWITZ, EDDINGTON, FARRELL, HEVESI, LIFTON, LUPARDO, MAGEE, MAGNARELLI, McDONOUGH, ORTIZ, PERALTA, QUINN, TOWNS, WALKER -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to utility service call centers

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

Section 1. Subdivision 11 of section 65 of the public service law, as added by chapter 693 of the laws of 1985, is renumbered subdivision 12 and a new subdivision 13 is added to read as follows:

13. (A) EVERY GAS CORPORATION, ELECTRIC CORPORATION OR MUNICIPALITY AND THEIR SUBSIDIARIES FURNISHING UTILITY SERVICES SHALL PROVIDE CALL CENTER SERVICE ASSISTANCE FOR THE FOLLOWING SERVICES: DETERMINING CUSTOMER FINANCIAL RESPONSIBILITY; TAKING REQUESTS FOR NEW OR ADDITIONAL SERVICES, INCLUDING, BUT NOT LIMITED TO, EMERGENCY SERVICE; DETERMINING DEPOSIT REQUIRED OR BILLING RATE; PREPARING METER AND SERVICE ORDERS AND OBTAINING ACCESS TO METERS; EXPLAINING COMPANY RATES, REGULATIONS, POLICIES, PROCEDURES, EQUIPMENT AND COMMON PRACTICES; INVESTIGATING TROUBLE ORDER FORMS AND INITIATING HIGH BILL INVESTIGATIONS; HANDLING PAYMENT AND OTHER CREDIT ARRANGEMENTS SUCH AS OBTAINING DEPOSITS, FINANCIAL STATEMENTS AND PAYMENT PLANS; AND REFERRING CUSTOMERS TO SOCIAL SERVICE AGENCIES AND OTHER ASSISTANCE PROGRAMS.

(B) (I) THE COMMISSION SHALL PRESCRIBE, AFTER PUBLIC COMMENT AND EVIDENTIARY HEARINGS, GUIDELINES, RULES AND REGULATIONS ESTABLISHING SERVICE QUALITY PERFORMANCE STANDARDS AND THRESHOLDS. METRICS USED TO MEASURE CALL CENTER SERVICE QUALITY PERFORMANCE SHALL INCLUDE BUT NOT BE LIMITED TO CALL LOAD, PEAK HOUR TRAFFIC, BUSY HOUR TRAFFIC, AVERAGE HANDLING TIME, AVERAGE SPEED OF ANSWER AND GRADE OF SERVICE.

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

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(II) THE COMMISSION SHALL ESTABLISH PENALTIES FOR FAILURE TO MEET PERFORMANCE THRESHOLDS.

(III) THE COMMISSION SHALL ASSESS CALL CENTER SERVICE QUALITY PERFORMANCE OF EVERY GAS CORPORATION, ELECTRIC CORPORATION OR MUNICIPALITY FURNISHING UTILITY SERVICES AT LEAST ONCE ANNUALLY.

(C) CALL CENTERS OR OTHER FACILITIES SHALL BE LOCATED WITHIN THE BOUNDARIES OF NEW YORK STATE, THE UTILITIES SERVICE TERRITORY, AND THE GEOGRAPHIC AREA WHERE SUCH UTILITY SERVICES ARE PROVIDED.

(D) THIS SECTION SHALL NOT APPLY DURING A STATE OF EMERGENCY DECLARED BY THE GOVERNOR IF SUCH EMERGENCY RESULTS IN WIDESPREAD LOSS OF UTILITY SERVICE AND ENDANGERS THE HEALTH AND WELFARE OF THE PEOPLE OF NEW YORK STATE.

(E) DURING INSTANCES WHEN CALL CENTER PERFORMANCE DROPS BELOW SERVICE QUALITY THRESHOLDS REQUIRING CALLS TO BE HANDLED BY OTHER FACILITIES SUCH CALLS SHALL FIRST BE HANDLED BY AGENTS OUTSIDE OF THE GEOGRAPHIC AREA AFFECTED BUT WITHIN THE BOUNDARIES OF NEW YORK STATE.

(F) THIS SECTION SHALL NOT APPLY TO THE COLLECTION OF DEBT WHERE BY UTILITY COMPANY POLICY SUCH DEBT IS DIRECTED TO A COLLECTION AGENCY.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. The public service commission is immediately authorized and directed to take any and all actions, including but not limited to the promulgation of any rules or regulations necessary to implement the provisions of this act on such effective date.