

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

8441

2009-2010 Regular Sessions

I N A S S E M B L Y

May 20, 2009

Introduced by M. of A. SWEENEY, ALESSI, HOOPER, WEISENBERG, FIELDS,
LAVINE, SCHIMEL, RAMOS, ENGLEBRIGHT -- read once and referred to the
Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to the Long Island
power authority

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

1 Section 1. Subdivision 1 of section 5 of the public service law is
2 amended by adding a new paragraph i to read as follows:
3 I. TO THE LONG ISLAND POWER AUTHORITY AND/OR ITS SUBSIDIARIES WHEN
4 SUCH AUTHORITY SHALL PROPOSE IMPLEMENTATION OF AN INCREASE IN AVERAGE
5 CUSTOMER RATES EXCEEDING TWO AND ONE-HALF PERCENT OVER A TWELVE MONTH
6 PERIOD, OR TO EXTEND OR REESTABLISH ANY PORTION OF A TEMPORARY RATE
7 INCREASE OVER TWO AND ONE-HALF PERCENT; SUCH PROPOSED INCREASE, EXTEN-
8 SION OR REESTABLISHMENT SHALL NOT BE IMPLEMENTED WITHOUT APPROVAL OF THE
9 COMMISSION FOLLOWING A FULL EVIDENTIARY HEARING PURSUANT TO REGULATIONS.
10 S 2. The public service law is amended by adding a new section 24-c to
11 read as follows:
12 S 24-C. NOTICE BY LONG ISLAND POWER AUTHORITY PRIOR TO CERTAIN RATE
13 CHANGES. PURSUANT TO THE REQUIREMENTS OF PARAGRAPH I OF SUBDIVISION ONE
14 OF SECTION FIVE OF THIS ARTICLE, THE LONG ISLAND POWER AUTHORITY AND/OR
15 ANY OF ITS SUBSIDIARIES SHALL NOTIFY THE COMMISSION OF ANY PROPOSED RATE
16 INCREASE EXCEEDING TWO AND ONE-HALF PERCENT OVER A TWELVE MONTH PERIOD
17 OR THE EXTENSION OR REESTABLISHMENT OF ANY PORTION OF A TEMPORARY RATE
18 INCREASE OVER TWO AND ONE-HALF PERCENT, AND SHALL COMPLY WITH APPLICABLE
19 REGULATIONS OF THE COMMISSION FOR EVIDENTIARY HEARINGS PRIOR TO THE
20 IMPLEMENTATION OF ANY SUCH RATE CHANGE.
21 S 3. This act shall take effect on the one hundred eightieth day after
22 it shall have become a law; provided, that effective immediately the
23 public service commission shall institute the proceedings necessary to
24 review and/or amend the Long Island power authority's ongoing tariff

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

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1 filings to ensure charges for the furnishing or rendition of electric
2 power or of any related service at the lowest level consistent with
3 sound fiscal operating practices which provide for safe and adequate
4 service; such proceedings shall be completed on or before such effective
5 date; provided further, effective immediately the public service commis-
6 sion and the Long Island power authority shall amend and/or repeal any
7 rule or regulation necessary for the implementation of this act on its
8 effective date and are authorized and directed to be made and completed
9 on or before such effective date.