

8082--A

Cal. No. 277

2011-2012 Regular Sessions

I N A S S E M B L Y

May 31, 2011

Introduced by M. of A. CAHILL, SIMOTAS, LINARES, PALMESANO, AMEDORE --
Multi-Sponsored by -- M. of A. BARCLAY -- read once and referred to
the Committee on Energy -- passed by Assembly and delivered to the
Senate, recalled from the Senate, vote reconsidered, bill amended,
ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the public service law, in relation to certain criteria
used to determine safe and adequate service

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

1 Section 1. Section 65 of the public service law is amended by adding a
2 new subdivision 14 to read as follows:
3 14. NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW, IN DETERMINING OR
4 CALCULATING THE DEMAND CHARGES FOR A VOLUNTEER FIRE COMPANY AS DEFINED
5 IN SECTION ONE HUNDRED OF THE GENERAL MUNICIPAL LAW, NO GAS OR ELECTRIC
6 CORPORATION FURNISHING UTILITY SERVICE SHALL CONSIDER THE DEMAND FOR
7 SERVICE ASSOCIATED WITH A VOLUNTEER FIRE COMPANY'S RESPONSES TO EMERGEN-
8 CIES. THE DEPARTMENT IS AUTHORIZED AND DIRECTED TO PROMULGATE REGU-
9 LATIONS NECESSARY TO IMPLEMENT THIS SUBDIVISION WHICH MAY INCLUDE REGU-
10 LATIONS RELATING TO (A) RECORD-KEEPING REQUIRED BY THE VOLUNTEER FIRE
11 COMPANY TO DOCUMENT AN EMERGENCY RESPONSE INCLUDING BUT NOT LIMITED TO
12 THE DATE, TIME, AND DURATION OF SUCH A RESPONSE, (B) DISCLOSURE OF SUCH
13 RECORDS TO THE DEPARTMENT, THE COMMISSION, OR OTHER NECESSARY PARTIES
14 FOR THE PURPOSES OF VERIFYING THE EMERGENCY RESPONSE AND CALCULATING
15 DEMAND CHARGES, (C) THE METHODS PERMITTED FOR MAKING ADJUSTMENTS TO THE
16 DEMAND CHARGES OF A VOLUNTEER FIRE COMPANY BASED ON ACTUAL OR PROJECTED
17 EMERGENCY RESPONSES WHICH MAY INCLUDE A CREDIT, CASH REIMBURSEMENT,
18 REBATE, SPECIAL RATE, DISCOUNT, NEGOTIATED AGREEMENT, RECONCILIATION, OR
19 OTHER METHOD, (D) THE FREQUENCY OF ANY ADJUSTMENTS TO THE CHARGES WHICH
20 SHALL OCCUR AT LEAST ONCE PER CALENDAR YEAR, AND (E) RESOLUTION OF
21 DISPUTES BETWEEN A VOLUNTEER FIRE COMPANY AND A GAS OR ELECTRIC CORPO-
22 RATION.

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

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