

4775

2011-2012 Regular Sessions

I N S E N A T E

April 20, 2011

Introduced by Sens. MAZIARZ, ADDABBO, JOHNSON, O'MARA, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

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 ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Subdivision 5 of section 65 of the public service law, as
2 amended by chapter 134 of the laws of 1921, is amended to read as
3 follows:
4 5. Nothing in this chapter shall be taken to prohibit a gas corpo-
5 ration or electrical corporation from establishing classifications of
6 service based upon the quantity used, the time when used, the purpose
7 for which used, the duration of use or upon any other reasonable consid-
8 eration, and providing schedules of just and reasonable graduated rates
9 applicable thereto; PROVIDED HOWEVER THAT, IN DETERMINING OR CALCULATING
10 THE DEMAND CHARGES FOR A VOLUNTEER FIRE COMPANY AS DEFINED IN SECTION
11 ONE HUNDRED OF THE GENERAL MUNICIPAL LAW, NO GAS CORPORATION OR ELEC-
12 TRICAL CORPORATION SHALL CONSIDER THE DEMAND FOR SERVICE BY A VOLUNTEER
13 FIRE COMPANY WHEN SUCH VOLUNTEER FIRE COMPANY IS RESPONDING TO AN EMER-
14 GENCY. No such classification, schedule, rate or charge shall be lawful
15 unless it shall be filed with and approved by the commission, and every
16 such classification, rate or charge shall be subject to change, alter-
17 ation and modification by the commission.
18 S 2. This act shall take effect immediately.

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

LBD10799-01-1