

S. 2581

A. 3614

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

January 26, 2011

IN SENATE -- Introduced by Sens. LAVALLE, FUSCHILLO, MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

IN ASSEMBLY -- Introduced by M. of A. SWEENEY, HOOPER, WEISENBERG, 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 ASSEMBLY, 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.

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

LBD02907-01-1

1 S 3. This act shall take effect on the one hundred eightieth day after
2 it shall have become a law; provided, that effective immediately the
3 public service commission shall institute the proceedings necessary to
4 review and/or amend the Long Island power authority's ongoing tariff
5 filings to ensure charges for the furnishing or rendition of electric
6 power or of any related service at the lowest level consistent with
7 sound fiscal operating practices which provide for safe and adequate
8 service; such proceedings shall be completed on or before such effective
9 date; provided further, effective immediately the public service commis-
10 sion and the Long Island power authority shall amend and/or repeal any
11 rule or regulation necessary for the implementation of this act on its
12 effective date and are authorized and directed to make and complete such
13 rules or regulations on or before such effective date.