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

6094

I N S E N A T E

(PREFILED)

January 4, 2012

Introduced by Sen. PARKER -- 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 requiring the public service commission to establish standards of acceptable performance for electric corporations

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

Section 1. Section 66 of the public service law is amended by adding a new subdivision 2-b to read as follows:

2-B. HAVE POWER TO ESTABLISH STANDARDS OF ACCEPTABLE PERFORMANCE FOR GAS CORPORATIONS AND ELECTRIC CORPORATIONS IN THE EVENT OF A POWER OUTAGE AND SUBSEQUENT POWER RESTORATION.

(A) SUCH RULES AND REGULATIONS SHALL SET PERFORMANCE STANDARDS FOR THE RESTORATION OF POWER BASED ON THE FORESEEABLE NATURE OF THE OUTAGE AND THE NUMBER OF CUSTOMERS AFFECTED.

(B) AFTER AN INVESTIGATION AND HEARING HELD ON NOTICE AND UPON A FINDING OF UNACCEPTABLE PERFORMANCE, THE COMMISSION SHALL IMPOSE A PENALTY FOR EACH VIOLATION WHICH THE COMMISSION DEEMS JUST AND PROPER.

(C) SUCH PENALTIES SHALL INCLUDE BUT NOT BE LIMITED TO A CREDIT TO EACH CUSTOMER OF THE AMOUNT OF MONEY CHARGED FOR ONE KILOWATT HOUR FOR EACH KILOWATT HOUR OF SERVICE OUTAGE.

S 2. This act shall take effect immediately.

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

LBD13683-02-2