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

2708

2013-2014 Regular Sessions

I N A S S E M B L Y

January 17, 2013

Introduced by M. of A. SIMOTAS, CAHILL, HEVESI, WEPRIN, STEVENSON, KELLNER, COLTON, ROSENTHAL, PERRY, JAFFEE, GABRYSZAK, HOOPER -- Multi-Sponsored by -- M. of A. BOYLAND, GLICK, LUPARDO, MARKEY -- read once and referred to the Committee on Energy

AN ACT to direct the public service commission to undertake a study of consumer protections adopted by electric corporations and utilities

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

Section 1. The New York State public service commission shall undertake an immediate study of consumer protections adopted by electric corporations and municipalities ("utilities") pursuant to article 2 of the public service law and provide a report to the governor, the temporary president of the senate, the speaker of the assembly, the chair of the senate committee on energy and telecommunications and the chair of the assembly committee on energy. Such report shall include an analysis of the effectiveness of current utility procedures for notifying customers in arrears on utility charges of how they may avoid termination of electric, gas or steam service, including the availability of deferred payment agreements. In addition, such report shall review the adequacy of the commission's assistance to customers negotiating deferred payment agreements with utilities in lieu of disconnection of service including the number of deferred payment plans by utility service territory; the number of incidences, if any, in which utilities have required more than the lawfully allowed level of down payments or deferred payments from customers seeking to connect service or avoid disconnection; the effectiveness and availability of the commission's shutoff hotline in receiving calls from customers facing termination of electric, gas and steam service; the call volume to such hotline in each utility service territory; the monthly number of electric and natural gas customers who previously received utility bill assistance from the Home Energy Assistance Program whose service was terminated for bill collection purposes

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

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in each utility service area in the previous calendar year, provided further that the commission shall require each utility provide such information while maintaining customer confidentiality; and any proposed legislative remedies necessary to increase customer awareness of such hotline. The report shall be made available to the public on the commission's website.

S 2. The New York State public service commission shall seek comments from utilities, municipalities, consumer advocates and the public and may include in the report recommendations to improve existing consumer protection policies.

S 3. If the study pursuant to section one of this act is not received by November 15, 2014, the commission shall institute a moratorium preventing utility corporations from terminating electric, gas or steam service to any residential customer in arrears with whom it has entered into an agreement for the provision of such services. The moratorium shall last for the period beginning December 1, 2014 and ending on March 31, 2015. Nothing in this act shall be construed to prevent a utility corporation from charging customers for electric, gas or steam service or from offering a deferred payment agreement for the period beginning December 1, 2014 and ending on March 31, 2015.

S 4. This act shall take effect immediately.