

2708

2013-2014 Regular Sessions

I N   A S S E M B L Y

January 17, 2013

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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:

1     Section 1. The New York State public service commission shall under-  
2     take an immediate study of consumer protections adopted by electric  
3     corporations and municipalities ("utilities") pursuant to article 2 of  
4     the public service law and provide a report to the governor, the tempo-  
5     rary president of the senate, the speaker of the assembly, the chair of  
6     the senate committee on energy and telecommunications and the chair of  
7     the assembly committee on energy. Such report shall include an analysis  
8     of the effectiveness of current utility procedures for notifying custom-  
9     ers in arrears on utility charges of how they may avoid termination of  
10    electric, gas or steam service, including the availability of deferred  
11    payment agreements. In addition, such report shall review the adequacy  
12    of the commission's assistance to customers negotiating deferred payment  
13    agreements with utilities in lieu of disconnection of service including  
14    the number of deferred payment plans by utility service territory; the  
15    number of incidences, if any, in which utilities have required more than  
16    the lawfully allowed level of down payments or deferred payments from  
17    customers seeking to connect service or avoid disconnection; the effec-  
18    tiveness and availability of the commission's shutoff hotline in receiv-  
19    ing calls from customers facing termination of electric, gas and steam  
20    service; the call volume to such hotline in each utility service terri-  
21    tory; the monthly number of electric and natural gas customers who  
22    previously received utility bill assistance from the Home Energy Assist-  
23    ance 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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1 in each utility service area in the previous calendar year, provided  
2 further that the commission shall require each utility provide such  
3 information while maintaining customer confidentiality; and any proposed  
4 legislative remedies necessary to increase customer awareness of such  
5 hotline. The report shall be made available to the public on the commis-  
6 sion's website.

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

11 S 3. If the study pursuant to section one of this act is not received  
12 by November 15, 2014, the commission shall institute a moratorium  
13 preventing utility corporations from terminating electric, gas or steam  
14 service to any residential customer in arrears with whom it has entered  
15 into an agreement for the provision of such services. The moratorium  
16 shall last for the period beginning December 1, 2014 and ending on March  
17 31, 2015. Nothing in this act shall be construed to prevent a utility  
18 corporation from charging customers for electric, gas or steam service  
19 or from offering a deferred payment agreement for the period beginning  
20 December 1, 2014 and ending on March 31, 2015.

21 S 4. This act shall take effect immediately.