

9104--A

I N A S S E M B L Y

March 17, 2014

Introduced by M. of A. CAHILL -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to public hearing requirements before a gas or electric corporation closes a call center

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

1 Section 1. Paragraph (b) of subdivision 13 of section 65 of the public  
2 service law, as added by chapter 330 of the laws of 2010, is amended to  
3 read as follows:

4 (b) No gas or electric corporation shall close a call center or other  
5 facility providing the customer assistance set forth in paragraph (a) of  
6 this subdivision or relocate such customer assistance to another area of  
7 New York state or outside of New York state without notice and hearing  
8 before the commission. UPON RECEIPT OF THE NOTICE REQUIRED PURSUANT TO  
9 THIS PARAGRAPH, THE COMMISSION SHALL PROVIDE NOTICE OF THE PROCEEDING TO  
10 INTERESTED PARTIES AND THE PUBLIC; AND SHALL PROMPTLY FIX A DATE FOR THE  
11 COMMENCEMENT OF A PUBLIC HEARING THEREON NOT LESS THAN SIXTY DAYS AFTER  
12 SUCH RECEIPT. THE TESTIMONY PRESENTED AT SUCH HEARING MAY BE PRESENTED  
13 IN WRITING OR ORALLY, PROVIDED THAT THE COMMISSION MAY MAKE RULES  
14 DESIGNED TO EXCLUDE REPETITIVE, REDUNDANT OR IRRELEVANT TESTIMONY WHILE  
15 GIVING ALL INTERESTED PARTIES THE OPPORTUNITY TO PRESENT THEIR DOCUMEN-  
16 TARY AND/OR TESTIMONIAL EVIDENCE. THE COMMISSION SHALL MAKE A RECORD OF  
17 ALL TESTIMONY IN ALL CONTESTED HEARINGS. FOR PURPOSES OF THIS SECTION  
18 "PUBLIC HEARING" MEANS A PUBLIC FORUM AT A PHYSICAL LOCATION, ATTENDED  
19 BY COMMISSION MEMBERS OR THEIR DESIGNEES, WHERE ORAL TESTIMONY IS  
20 ACCEPTED AND WRITTEN TESTIMONY MAY BE SUBMITTED FOR INCLUSION IN THE  
21 RECORD. SUCH FORUM SHALL BE OPEN TO PARTIES TO THE PROCEEDING AND THE  
22 GENERAL PUBLIC FOR THE PRESENTATION OF COMMENTS THAT SHALL BE LIMITED TO  
23 RELEVANT FACTS DIRECTLY RELATED TO THE PROCEEDING IN QUESTION. SUCH  
24 HEARING SHALL BE COMMENCED UPON PROPER NOTICE TO THE PARTIES TO THE  
25 PROCEEDING AND THE PUBLIC AT LEAST THIRTY DAYS PRIOR TO THE SCHEDULED  
26 DATE.

27 S 2. This act shall take effect immediately.

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

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