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

4370

2013-2014 Regular Sessions

I N S E N A T E

March 24, 2013

Introduced by Sens. MAZIARZ, RITCHIE -- (at request of the Department of Public Service) -- 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 electronic service of orders

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

Section 1. Subdivision 1 of section 23 of the public service law, as amended by chapter 310 of the laws of 1974, is amended to read as follows:

1. Every order of the commission shall be served upon every person or corporation to be affected thereby BY ELECTRONIC SERVICE IN A MANNER AND FORMAT PROVIDED FOR IN REGULATIONS ESTABLISHED BY THE COMMISSION OR ALTERNATIVELY, IF NON-ELECTRONIC SERVICE IS REQUESTED BY SUCH PERSON OR CORPORATION, either by personal delivery of a copy thereof[;], or by THE mailing OF a copy thereof, in a sealed package with postage prepaid, to the person to be affected thereby or, in the case of a corporation, to any officer or agent thereof upon whom a summons may be served in accordance with the provisions of the civil practice law and rules. The commission shall provide, upon request, a certified copy thereof or a copy thereof bearing the seal of the commission. Within a time specified in the order of the commission every person and corporation upon whom it is served must if so required in the order notify the commission, in writing, whether the terms of the order are accepted and will be obeyed and in the case of a corporation such notification shall be signed and acknowledged by a person or officer duly authorized by the corporation to execute such acceptance and agreement. Every order of the commission shall take effect at a time therein specified and shall continue in force either for a period which may be designated therein or until changed or abrogated by the commission, unless such order be unauthorized by this chapter or any other act or be in violation of a provision of the constitution of the state or of the United States.

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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