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I N   A S S E M B L Y

January 17, 2014

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Introduced by M. of A. CRESPO -- read once and referred to the Committee  
on Energy

AN ACT to amend the public service law, in relation to eliminating  
certain utility surcharges for certain residential customers

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

1     Section 1. The public service law is amended by adding a new section  
2     54 to read as follows:  
3     S 54. ELIMINATION OF SURCHARGES FOR CERTAIN RESIDENTIAL CUSTOMERS.  
4     NOTWITHSTANDING ANY LAW, RULE, REGULATION OR ORDER TO THE CONTRARY,  
5     NEITHER THE SURCHARGE FOR THE SYSTEM BENEFIT CHARGE NOR THE SURCHARGE  
6     FOR THE RENEWABLE PORTFOLIO STANDARD NOR THE SURCHARGE FOR THE ENERGY  
7     EFFICIENCY PORTFOLIO STANDARD SHALL APPLY TO, OR BE APPLIED TO, ANY  
8     ELECTRIC OR GAS BILL FOR A RESIDENTIAL CUSTOMER THAT IS AT LEAST SIXTY-  
9     FIVE YEARS OF AGE WHOSE INCOME LEVEL WOULD QUALIFY SUCH CUSTOMER FOR THE  
10    HOME ENERGY ASSISTANCE PROGRAM AS DESCRIBED IN PART 393 OF TITLE 18 OF  
11    THE NEW YORK CODES, RULES AND REGULATIONS. NO REVENUES FOREGONE BY A GAS  
12    CORPORATION OR AN ELECTRIC CORPORATION OR ANY STATE ENTITY AS A RESULT  
13    OF THE IMPLEMENTATION OF THIS SECTION SHALL BE RECOVERED FROM ANY OTHER  
14    CUSTOMER OR CLASS OF CUSTOMERS. THE COMMISSION SHALL ADOPT RULES AND  
15    REGULATIONS RELATING TO AGE AND INCOME VERIFICATION AND ANY OTHER RULES  
16    AND REGULATIONS AS IT DEEMS NECESSARY AND PROPER TO IMPLEMENT THE  
17    PROVISIONS OF THIS SECTION.  
18    S 2. This act shall take effect on the ninetieth day after it shall  
19    have become a law; provided however, that effective immediately the  
20    public service commission is authorized to amend, revise and/or repeal  
21    any rule, regulation, order or policy necessary for the implementation  
22    of this act on or before such effective date.

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

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