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

3649--A

2013-2014 Regular Sessions

I N S E N A T E

February 8, 2013

Introduced by Sens. MAZIARZ, DeFRANCISCO, MARTINS, SEWARD, YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to a rate classification for volunteer emergency response organizations

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

Section 1. Legislative findings and intent. Volunteer emergency response organizations provide a public benefit to the state of New York and lessen the burdens of government. Further, members of these not-for-profit organizations risk their lives to ensure the safety, health and general welfare of our citizens. In the past, the state of New York recognized the value of similar organizations and the sacrifices of their members when it established a reduced utility rate for veterans' organizations. Therefore, the legislature hereby finds and declares that volunteer emergency response organizations and veterans' organizations are similarly situated in their structures, practices and actions, and further finds and declares that a reduced utility rate is justified for volunteer emergency response organizations to help ensure their continued operation.

S 2. Subdivision 14 of section 66 of the public service law, as amended by chapter 696 of the laws of 1936, is amended to read as follows:

14. (A) The commission shall have power to require each gas corporation and electric corporation to establish classifications of service based upon the quantity used, the time when used, the purpose for which used, the duration of use and upon any other reasonable consideration, and to establish in connection therewith just and reasonable graduated

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

LBD06184-02-4

rates and charges; and it shall have power, either upon complaint or upon its own motion, to require such changes in such classifications, rates and charges as it shall determine to be just and reasonable. Neither the scheduled rates nor the minimum charge for residential customers shall, after July first, nineteen hundred thirty-seven, be based in any manner on the number of outlets, number of rooms, cubic or square foot area or other such standards.

(B) IN ACCORDANCE WITH PARAGRAPH (A) OF THIS SUBDIVISION, THE COMMISSION SHALL REQUIRE EACH GAS CORPORATION AND ELECTRIC CORPORATION TO ESTABLISH BY JANUARY 1, 2015 A CLASSIFICATION OF SERVICE FOR VOLUNTEER EMERGENCY RESPONSE ORGANIZATIONS IN WHICH THE RATE FOR ANY GAS OR ELECTRIC SERVICE UTILIZED EXCLUSIVELY IN CONNECTION WITH SUCH VOLUNTEER EMERGENCY RESPONSE ORGANIZATION SHALL BE NO GREATER THAN THE RATE CHARGED TO VETERANS' ORGANIZATIONS PURSUANT TO SECTION SEVENTY-SIX OF THIS ARTICLE THAT ARE LOCATED WITHIN THE SAME VILLAGE, TOWN OR MUNICIPALITY. FOR THE PURPOSES OF THIS SUBDIVISION, THE TERM "VOLUNTEER EMERGENCY RESPONSE ORGANIZATION" SHALL MEAN A VOLUNTEER FIRE COMPANY AND/OR A VOLUNTARY AMBULANCE SERVICE AS SUCH TERMS ARE DEFINED IN SECTION ONE HUNDRED OF THE GENERAL MUNICIPAL LAW.

S 3. Subdivision 28 of section 66 of the public service law, as added by chapter 82 of the laws of 1998, is amended to read as follows:

28. (A) No revenues foregone by an electric corporation, as a result of subjecting certain veterans' organizations with rates or charges applicable to domestic consumers pursuant to section seventy-six of this article, shall be recovered from the customers of such corporation.

(B) NO REVENUES FOREGONE BY A GAS CORPORATION OR AN ELECTRIC CORPORATION, AS A RESULT OF THE ESTABLISHMENT OF A CLASSIFICATION OF SERVICE FOR VOLUNTEER EMERGENCY RESPONSE ORGANIZATIONS PURSUANT TO SUBDIVISION FOURTEEN OF THIS SECTION, SHALL BE RECOVERED FROM THE CUSTOMERS OF SUCH CORPORATION.

S 4. This act shall take effect immediately.