

6517

I N S E N A T E

January 22, 2016

Introduced by Sen. AKSHAR -- 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 costs associated with the department of public service

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

1 Section 1. Paragraph (b) of subdivision 6 of section 18-a of the
2 public service law, as amended by section 1 of part S of chapter 57 of
3 the laws of 2014, is amended to read as follows:
4 (b) The temporary state energy and utility service conservation
5 assessment shall be based upon the following percentum of the utility
6 entity's gross operating revenues derived from intrastate utility oper-
7 ations in the last preceding calendar year, minus the amount, if any,
8 that such utility entity is assessed pursuant to subdivisions one and
9 two of this section for the corresponding state fiscal year period: (1)
10 two percentum for the state fiscal year beginning April first, two thou-
11 sand thirteen; (2) 1.63 percentum for the state fiscal year beginning
12 April first, two thousand fourteen; AND (3) 1.00 percentum for the state
13 fiscal year beginning April first, two thousand fifteen[; and (4) .73
14 percentum for the state fiscal year beginning April first, two thousand
15 sixteen]. With respect to the temporary state energy and utility service
16 conservation assessment to be paid for the state fiscal year beginning
17 April first, two thousand [seventeen] SIXTEEN and notwithstanding
18 [clause] SUBPARAGRAPH (i) of paragraph (d) of this subdivision, on or
19 before March tenth, two thousand [seventeen] SIXTEEN, utility entities
20 shall make a payment equal to [one-half] SIXTY-ONE HUNDREDTHS of the
21 assessment paid by such entities pursuant to this paragraph for the
22 state fiscal year beginning on April first, two thousand [sixteen]
23 FIFTEEN; provided, further that such assessment for state fiscal year
24 beginning April first, two thousand [seventeen] SIXTEEN shall not be
25 reflected in a customer's rate after December thirty-first, two thousand
26 [seventeen] SIXTEEN. With respect to the Long Island power authority,
27 the temporary state energy and utility service conservation assessment

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

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1 shall be based upon the following percentum of such authority's gross
2 operating revenues derived from intrastate utility operations in the
3 last preceding calendar year, minus the amount, if any, that such
4 authority is assessed pursuant to subdivisions one-a and two of this
5 section for the corresponding state fiscal year period: (1) one percen-
6 tum for the state fiscal year beginning April first, two thousand thir-
7 teen; (2) .84 percentum for the state fiscal year beginning April first,
8 two thousand fourteen; AND (3) .50 percentum for the state fiscal year
9 beginning April first, two thousand fifteen[; and (4) .34 percentum for
10 the state fiscal year beginning April first, two thousand sixteen];
11 provided, however, that should the amount assessed by the department for
12 costs and expenses pursuant to such subdivisions equal or exceed such
13 authority's temporary state energy and utility service conservation
14 assessment for a particular fiscal year, the amount to be paid under
15 this subdivision by such authority shall be zero. With respect to the
16 temporary state energy and utility service conservation assessment to be
17 paid for the state fiscal year beginning April first, two thousand
18 [seventeen] SIXTEEN and notwithstanding [clause] SUBPARAGRAPH (i) of
19 paragraph (d) of this subdivision, on or before March tenth, two thou-
20 sand [seventeen] SIXTEEN, the Long Island power authority shall make a
21 payment equal to [one-half] SIX-TENTHS of the assessment it paid for the
22 state fiscal year beginning on April first, two thousand [sixteen]
23 FIFTEEN; provided, further that such assessment for state fiscal year
24 beginning April first, two thousand [seventeen] SIXTEEN shall not be
25 reflected in a customer's rate after December thirty-first, two thousand
26 [seventeen] SIXTEEN. No corporation or person subject to the jurisdic-
27 tion of the commission only with respect to safety, or the power author-
28 ity of the state of New York, shall be subject to the temporary state
29 energy and utility service conservation assessment provided for under
30 this subdivision. Utility entities whose gross operating revenues from
31 intrastate utility operations are five hundred thousand dollars or less
32 in the preceding calendar year shall not be subject to the temporary
33 state energy and utility service conservation assessment. The minimum
34 temporary state energy and utility service conservation assessment to be
35 billed to any utility entity whose gross revenues from intrastate utili-
36 ty operations are in excess of five hundred thousand dollars in the
37 preceding calendar year shall be two hundred dollars.

38 S 2. This act shall take effect immediately, provided, however, that
39 the amendments to paragraph (b) of subdivision 6 of section 18-a of the
40 public service law made by section one of this act shall not affect the
41 repeal of such subdivision and shall be deemed repealed therewith.