

6534

2015-2016 Regular Sessions

I N   A S S E M B L Y

March 26, 2015

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Introduced by M. of A. THIELE -- read once and referred to the Committee  
on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to the general  
powers of the Long Island office of the department of public service  
to review the rates and charges of the Long Island Power Authority

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

1     Section 1. Paragraph (a) of subdivision 3 of section 3-b of the public  
2     service law, as added by section 1 of part A of chapter 173 of the laws  
3     of 2013, is amended to read as follows:  
4     (a) Review and make recommendations to the board of the Long Island  
5     power authority with respect to the rates and charges, including charges  
6     related to energy efficiency and renewable energy programs, to be estab-  
7     lished by the authority and become applicable on or after January first,  
8     two thousand sixteen pursuant to subdivision (u) of section one thousand  
9     twenty-f of the public authorities law.  
10    (i) The purpose of such review is to make recommendations designed to  
11    ensure that the authority and the service provider provide safe and  
12    adequate transmission and distribution service at rates set at the  
13    lowest level consistent with sound fiscal operating practices.  
14    (ii) The department's recommendations shall be designed to be consist-  
15    ent with ensuring that the revenue requirements related to such rate  
16    review are sufficient to satisfy the authority's obligations with  
17    respect to its bonds, notes and all other contracts.  
18    (iii) [In the context of such review, the department may not make any  
19    recommendation that would modify the compensation or fee structure  
20    included within the operations services agreement] IN THE CONTEXT OF  
21    SUCH REVIEW, THE DEPARTMENT MAY MAKE RECOMMENDATIONS WITH REGARD TO THE  
22    COMPENSATION OR FEE STRUCTURE INCLUDED WITHIN THE OPERATIONS SERVICES  
23    AGREEMENT.

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

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1 (iv) In undertaking such review and in making recommendations related  
2 to the proposed rates and charges, the department shall establish stand-  
3 ards, policies and procedures that, at a minimum, provide for public  
4 statement and evidentiary hearings and participation of intervenors and  
5 other parties, and ensure that any final recommendations related to the  
6 proposed rates and charges are provided to the authority within two  
7 hundred forty days of the filing with the department of such plan.  
8 (v) The parties to any such rate review proceeding shall include, but  
9 not be limited to, department staff, the authority, the service provider  
10 and, to the extent it deems necessary or appropriate, the utility inter-  
11 vention unit.  
12 S 2. This act shall take effect immediately.