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I N   S E N A T E

January 22, 2016

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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.