

6517--A

I N S E N A T E

January 22, 2016

Introduced by Sens. AKSHAR, FUNKE -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to the temporary state energy and utility service conservation assessment

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 clause
18 (i) of paragraph (d) of this subdivision, on or before March tenth, two
19 thousand [seventeen] SIXTEEN, utility entities shall make a payment
20 equal to [one-half] THREE HUNDRED SIXTY-FIVE THOUSANDTHS (.365) 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

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

LBD13583-02-6

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

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