

STATE OF NEW YORK

7051

2017-2018 Regular Sessions

IN ASSEMBLY

March 29, 2017

Introduced by M. of A. THIELE, ENGLEBRIGHT, LUPINACCI, MONTESANO, McDONOUGH, MURRAY, RA, McKEVITT, GRAF, CURRAN, HOOPER, GARBARINO -- Multi-Sponsored by -- M. of A. RAIA, SOLAGES -- 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 Assembly, 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

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

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1 compensation or fee structure included within the operations services
2 agreement.

3 (iv) In undertaking such review and in making recommendations related
4 to the proposed rates and charges, the department shall establish stand-
5 ards, policies and procedures that, at a minimum, provide for public
6 statement and evidentiary hearings and participation of intervenors and
7 other parties, and ensure that any final recommendations related to the
8 proposed rates and charges are provided to the authority within two
9 hundred forty days of the filing with the department of such plan.

10 (v) The parties to any such rate review proceeding shall include, but
11 not be limited to, department staff, the authority, the service provider
12 and, to the extent it deems necessary or appropriate, the utility inter-
13 vention unit.

14 § 2. This act shall take effect immediately.