

# STATE OF NEW YORK

5906

2017-2018 Regular Sessions

## IN SENATE

May 5, 2017

Introduced by Sen. GALLIVAN -- 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 limiting increases in the amount of the surcharge of the system benefit charge or the surcharge for the renewable portfolio standard

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "Energy  
2 assessment cap and consumer cost relief act of 2017".

3 § 2. The public service law is amended by adding a new section 18 to  
4 read as follows:

5 § 18. Limit on surcharge increases. Notwithstanding any law, rule,  
6 regulation or order to the contrary, the commission shall not increase  
7 the amount of the surcharge of the system benefit charge or the  
8 surcharge for the renewable portfolio standard or the surcharge for the  
9 energy efficiency portfolio standard as established by order of the  
10 commission for any year in excess of the total amount collected in two  
11 thousand sixteen for each surcharge.

12 § 3. Moratorium on new energy taxes and fees. Notwithstanding any law,  
13 rule, regulation or order to the contrary, the public service commission  
14 shall not establish any new surcharge assessment, tax or fee on energy  
15 consumers, excepting those fees which may arise from an electric gener-  
16 ating facility that provides notice of closure to such commission and a  
17 reliability need is identified by the bulk system operator.

18 § 4. This act shall take effect immediately.

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

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