STATE OF NEW YORK

8523

IN SENATE

May 9, 2018

Introduced by Sen. CARLUCCI -- 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 requiring utility companies to reimburse consumers in the event of a prolonged power outage

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

Section 1. The public service law is amended by adding a new section 77-a to read as follows:

§ 77-a. Utility reimbursement requirements. 1. In the event that a residential home experiences a power outage lasting seventy-two consecutive hours or more without having been resolved by the utility company, the utility company shall be responsible for the following:

(a) Full reimbursement of any food spoiled due to lack of refrigeration. Customers shall provide the utility company an itemized list of all food spoiled or proof of purchase within fourteen days of the outage. The utility company shall reimburse the customer within fourteen days of the receipt of the itemized list or proof of purchase. The amount of the reimbursement shall not exceed a total of two hundred twenty-five dollars for customers who provide an itemized list. The amount of the reimbursement for customers who provide an itemized receipt may receive the full amount to cover food spoiled.

(b) Full reimbursement of any medication spoiled due to lack of refrigeration. Customers shall provide the utility company an itemized list and proof of medication lost due to lack of refrigeration within fourteen days of the outage. Proof may include pharmacy prescription label, pharmacy receipt or a letter from the prescribing physician. The utility company shall reimburse the customer within fourteen days of the receipt of the itemized list and proof of medication lost.

(c) Full reimbursement to local business owners for any food spoiled due to lack of refrigeration. Business owners will provide the utility company with an itemized list for all food spoiled or proof of purchase within fourteen days of the outage. The utility company shall reimburse

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

LBD15443-03-8

the business owner within fourteen days of the receipt of the itemized list or proof of purchase. The amount of the reimbursement shall total no more than five hundred dollars for business owners who provide an itemized list. The amount of the reimbursement for business owners who provide an itemized receipt may receive no more than ten thousand two hundred dollars.

2. Utility companies that fail to provide a reimbursement to a qualifying consumer within the fourteen-day window shall be subject to a fine to be issued by the commission of no less than one thousand dollars.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.