

# STATE OF NEW YORK

8903

## IN ASSEMBLY

January 5, 2018

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to providing notice to local elected officials for any hearing related to a water rate increase

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

1 Section 1. Paragraph (f) of subdivision 10 of section 89-c of the  
2 public service law, as amended by chapter 154 of the laws of 1989, is  
3 amended to read as follows:  
4 (f) Whenever there shall be filed with the commission by any water-  
5 works corporation any schedule stating a new rate or charge, or any  
6 change in any form of contract or agreement or any rule or regulation  
7 relating to any rate, charge or service, or in any general privilege or  
8 facility, the commission may, at any time within sixty days from the  
9 date when such schedule would or has become effective, either upon  
10 complaint or upon its own initiative, and, if it so orders, without  
11 answer or other formal pleading by the interested corporation, but upon  
12 reasonable notice, hold a hearing concerning the propriety of a change  
13 proposed by the filing. If such change is a major change, the commission  
14 shall hold such a hearing. The commission shall give notice of such  
15 hearing to the local United States congressional representatives, state  
16 senators, state assembly members, and municipal elected officials. Pend-  
17 ing such hearing and decision thereon, the commission, upon filing with  
18 such schedule and delivering to the corporation affected thereby a  
19 statement in writing of its reasons therefor, may suspend the operation  
20 of such schedule, but not for a longer period than one hundred and twen-  
21 ty days beyond the time when it would otherwise go into effect. After a  
22 full hearing, whether completed before or after the schedule goes into  
23 effect, the commission may make such order in reference thereto as would  
24 be proper in a proceeding begun after the rate, charge, form of contract  
25 or agreement, rule, regulation, service, general privilege or facility  
26 had become effective. If any such hearing cannot be concluded within the

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

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1 period of suspension as above stated, the commission may extend the  
2 suspension for a further period not exceeding six months.  
3 § 2. This act shall take effect on the thirtieth day after it shall  
4 have become a law.