

# 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:

1 Section 1. The public service law is amended by adding a new section  
2 77-a to read as follows:

3 § 77-a. Utility reimbursement requirements. 1. In the event that a  
4 residential home experiences a power outage lasting seventy-two consec-  
5 utive hours or more without having been resolved by the utility company,  
6 the utility company shall be responsible for the following:

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

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

23 (c) Full reimbursement to local business owners for any food spoiled  
24 due to lack of refrigeration. Business owners will provide the utility  
25 company with an itemized list for all food spoiled or proof of purchase  
26 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.

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

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

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