STATE OF NEW YORK

8584

IN SENATE

May 10, 2018

Introduced by Sen. MAYER -- 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 hearings following major power outages

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 66-p to read as follows:

§ 66-p. Hearings. 1. Following any major power outage, the commission shall, within ninety days, schedule at least one public statement hearing in each affected county or in each affected city with a population of one hundred fifty thousand or more or in each affected borough in the city of New York, provided that such hearing has been requested via a formal resolution adopted by the county legislature or board of supervisors in such affected county or by the city council in such affected cities with a population of one hundred fifty thousand or more and that such resolution has been transmitted to the chairperson of the public service commission by electronic or written communication. The affected counties may agree amongst themselves to fewer public statement hearings provided that the location or locations of such hearing or hearings are conveniently located within the geographic area affected by the major power outage and easily accessible for customers. Such an agreement among the affected counties must be transmitted to the chairperson of the commission.

2. "Major power outage" shall be defined as any outage within a utility service territory that leaves five percent or more of customers without power for at least seventy-two consecutive hours following the event that caused the outage.

3. For the purposes of providing notice and soliciting public comments, at least thirty days prior to the public statement hearing or hearings required in subdivision one of this section, the commission shall provide notice or electronic notice: (a) to each county and municipality served by said electric corporation located in the area

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

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affected by the major power outage; (b) to the speaker of the assembly, the temporary president of the senate, the chairperson of the senate energy and telecommunications committee, the chairperson of the assembly energy committee, and each member of the state legislature that represents an area where service was affected by the major power outage; (c) by publication once in each week for four successive weeks in a newspaper and on the web site of a newspaper that has general circulation in the geographic area affected by the major power outage located within the service territory of said electric corporation; and (d) by publication on the commission's website.

4. A member or members of the commission or department of public service senior staff, designated by the chairperson of the commission, shall be present in person at the public statement hearings required by subdivision one of this section and shall begin with a presentation on data collected during the recent outage, including information on restoration times in the affected county or city, customer complaints and other data which the commission or its designee may deem appropriate. The commission members or their designees shall then solicit public comment from residential and commercial customers from the affected county or city with a population of one hundred fifty thousand or more or borough in the city of New York. Such testimony shall be limited to:

(a) Customer feedback on their experience during the recent outage, including issues related to power restoration, restoration times and service quality;

(b) Suggestions for changes in commission policy in the affected service territory which, in the customer's view would lead to better service quality;

(c) Communication protocols between a company and customers during an outage and how such protocols may be improved; and

(d) Any additional topics of information that the commission may determine are necessary and appropriate.

5. Within one hundred twenty days of the conclusion of such public statement hearing, the commission shall publish on its website a report summarizing the events of the public statement hearing and any recommended policy changes that it may have initiated. Such report shall also be transmitted to the temporary president of the senate, the speaker of the assembly, the chairperson of the senate energy and telecommunications committee, the chairperson of the assembly energy committee, each member of the legislature whose district lies in whole or in part in the affected county, the county executive or administrator and the chairperson of the county legislature or board of supervisors and the mayor of any city with a population of one hundred fifty thousand or more that was the subject of such hearing.

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