STATE OF NEW YORK

1784

2019-2020 Regular Sessions

IN ASSEMBLY

January 17, 2019

Introduced by M. of A. LAVINE, MONTESANO -- 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:

Section 1. Paragraph (f) of subdivision 10 of section 89-c of the public service law, as amended by chapter 154 of the laws of 1989, is amended to read as follows:

(f) Whenever there shall be filed with the commission by any waterworks corporation any schedule stating a new rate or charge, or any change in any form of contract or agreement or any rule or regulation relating to any rate, charge or service, or in any general privilege or facility, the commission may, at any time within sixty days from the date when such schedule would or has become effective, either upon complaint or upon its own initiative, and, if it so orders, without answer or other formal pleading by the interested corporation, but upon reasonable notice, hold a hearing concerning the propriety of a change proposed by the filing. If such change is a major change, the commission shall hold such a hearing. **The commission shall give notice of such hearing to the local United States congressional representatives, state senators, state assembly members, and municipal elected officials.** Pending such hearing and decision thereon, the commission, upon filing with such schedule and delivering to the corporation affected thereby a statement in writing of its reasons therefor, may suspend the operation of such schedule, but not for a longer period than one hundred and twenty days beyond the time when it would otherwise go into effect. After a full hearing, whether completed before or after the schedule goes into effect, the commission may make such order in reference thereto as would be proper in a proceeding begun after the rate, charge, form of contract

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

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or agreement, rule, regulation, service, general privilege or facility had become effective. If any such hearing cannot be concluded within the period of suspension as above stated, the commission may extend the suspension for a further period not exceeding six months.

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