

STATE OF NEW YORK

8879

IN SENATE

August 7, 2020

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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
27 the business owner within fourteen days of the receipt of the itemized

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

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

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

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