

STATE OF NEW YORK

3258--A

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

Introduced by M. of A. SAYEGH, DICKENS, GRIFFIN, GALEF, SIMON, BUTTENS-
CHON, MONTESANO, SEAWRIGHT, DeSTEFANO, GOTTFRIED, THIELE, SANTABAR-
BARA, TAGUE, DURSO, LAWLER, RA -- Multi-Sponsored by -- M. of A.
B. MILLER -- read once and referred to the Committee on Corporations,
Authorities and Commissions -- committee discharged, bill amended,
ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law and the public authorities law,
in relation to requiring the emergency response plan of an electric
corporation to include plans for how the communication and coordi-
nation of efforts shall occur

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

1 Section 1. Paragraph (a) of subdivision 21 of section 66 of the public
2 service law, as added by section 4 of part X of chapter 57 of the laws
3 of 2013, is amended to read as follows:
4 (a) Each electric corporation subject to section twenty-five-a of this
5 chapter shall annually, on or before December fifteenth, submit to the
6 commission an emergency response plan for review and approval. The emer-
7 gency response plan shall be designed for the reasonably prompt restora-
8 tion of service in the case of an emergency event, defined for purposes
9 of this subdivision as an event where widespread outages have occurred
10 in the service territory of the company due to storms or other causes
11 beyond the control of the company. The emergency response plan shall
12 include, but need not be limited to, the following: (i) the identifica-
13 tion of management staff responsible for company operations during an
14 emergency; (ii) a communications system with customers during an emer-
15 gency that extends beyond normal business hours and business conditions;
16 (iii) identification of and outreach plans to customers who had docu-
17 mented their need for essential electricity for medical needs; (iv)
18 identification of and outreach plans to customers who had documented
19 their need for essential electricity to provide critical telecommuni-

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

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1 cations, critical transportation, critical fuel distribution services or
2 other large-load customers identified by the commission; (v) designation
3 of company staff to communicate with local officials and appropriate
4 regulatory agencies; (vi) provisions regarding how the company will
5 assure the safety of its employees and contractors; (vii) procedures for
6 deploying company and mutual aid crews to work assignment areas; (viii)
7 identification of additional supplies and equipment needed during an
8 emergency; (ix) the means of obtaining additional supplies and equip-
9 ment; (x) procedures to practice the emergency response plan; (xi)
10 appropriate safety precautions regarding electrical hazards, including
11 plans to promptly secure downed wires within thirty-six hours of notifi-
12 cation of the location of such downed wires from a municipal emergency
13 official; (xii) plans setting forth how the communication and coordi-
14 nation of efforts between the electric corporation, electric corporation
15 employees, electric corporation company crews, mutual aid crews, other
16 utilities, local governments and any other entity performing services to
17 assist such electric corporation shall occur; and [~~(xii)~~] (xiii) such
18 other additional information as the commission may require. Each such
19 corporation shall, on an annual basis, undertake drills implementing
20 procedures to practice its emergency management plan. The commission may
21 adopt additional requirements consistent with ensuring the reasonably
22 prompt restoration of service in the case of an emergency event.

23 § 2. Paragraph 1 of subdivision (cc) of section 1020-f of the public
24 authorities law, as added by section 7 of part A of chapter 173 of the
25 laws of 2013, is amended to read as follows:

26 1. The service provider shall, in consultation with the authority,
27 prepare and maintain an emergency response plan (i) to assure the
28 reasonably prompt restoration of service in the case of an emergency
29 event, defined for purposes of this subdivision as an event where wide-
30 spread outages have occurred in the authority's service territory due to
31 a storm or other causes beyond the control of the authority and the
32 service provider, (ii) consistent with the requirements of paragraph (a)
33 of subdivision twenty-one of section sixty-six of the public service law
34 and any regulations and orders adopted thereto, and (iii) establishing
35 the separate responsibilities of the authority and service provider.
36 Such emergency response plan shall include plans setting forth how the
37 communication and coordination of efforts between the authority, service
38 provider, authority employees, service provider employees, authority
39 company crews, service provider company crews, mutual aid crews, other
40 utilities, local governments and any service provider or other entity
41 performing services to assist the authority shall occur.

42 § 3. This act shall take effect immediately.