

# STATE OF NEW YORK

6278

2021-2022 Regular Sessions

## IN SENATE

April 20, 2021

Introduced by Sen. KAPLAN -- 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, the general business law and the public authorities law, in relation to requiring utility service providers to disclose planned rate increases to consumers within a certain amount of time

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 28 to read as follows:

3 § 28. Notice of planned rate increase for services. 1. Any gas corpo-  
4 ration, electric corporation, water corporation or municipality, steam  
5 corporation or telephone corporation shall be required to disclose to a  
6 consumer any planned rate increase for services being rendered to such  
7 consumer, within thirty but no less than seven days before such planned  
8 rate increase takes effect.

9 2. (a) Any notification of a planned rate increase pursuant to this  
10 section shall be communicated to the consumer in a clear and conspicuous  
11 method which is sufficient to alert such consumer that such planned rate  
12 increase is occurring.

13 (b) A consumer shall be notified in a separate communication outside  
14 of any billing statement via phone, electronic mail, letter, text  
15 message or any combination thereof that includes the following statement  
16 "This is a notification of a planned rate increase for the services  
17 currently being rendered". Inclusion of such notification as part of  
18 any billing statement shall not constitute compliance with this section.

19 3. Any gas corporation, electric corporation, water corporation or  
20 municipality, steam corporation or telephone corporation shall provide  
21 with any notification of a planned rate increase information on how a

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

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1 consumer can contact the service provider and shall also include a mech-  
2 anism to allow for a consumer to cancel their service altogether.

3 § 2. The general business law is amended by adding a new section 399-  
4 yyyy to read as follows:

5 § 399-yyyy. Notice of planned rate increases for cable and internet  
6 services. 1. Any cable television company or internet service provider  
7 shall be required to disclose to a consumer any planned rate increase  
8 for services being rendered to such consumer, within thirty but no less  
9 than seven days before such planned rate increase takes effect.

10 2. (a) Any notification of a planned rate increase pursuant to this  
11 section shall be communicated to the consumer in a clear and conspicuous  
12 method which is sufficient to alert such consumer that such planned rate  
13 increase is occurring.

14 (b) A consumer shall be notified in a separate communication outside  
15 of any billing statement via phone, electronic mail, letter, text  
16 message or any combination thereof that includes the following statement  
17 "This is a notification of a planned rate increase for the services  
18 currently being rendered". Inclusion of such notification as part of any  
19 billing statement shall not constitute compliance with this section.

20 3. Any cable television company or internet service provider shall  
21 provide with any notification of a planned rate increase information on  
22 how a consumer can contact the service provider and shall also include a  
23 mechanism to allow for a consumer to cancel their service altogether.

24 § 3. Section 1020-cc of the public authorities law is amended by  
25 adding a new subdivision 3 to read as follows:

26 3. Service providers shall be subject to the provisions of section  
27 twenty-eight of the public service law.

28 § 4. This act shall take effect on the one hundred eightieth day after  
29 it shall have become a law.