STATE OF NEW YORK

4823

2021-2022 Regular Sessions

IN SENATE

February 12, 2021

Introduced by Sen. COMRIE -- 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 prohibiting utility companies from harassing, oppressing or abusing any residential customer in connection with the handling of a complaint or unpaid balance

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 53-a to read as follows:

§ 53-a. Prohibition of utilities engaging in detrimental conduct towards a residential customer. 1. A utility corporation or municipality, or energy services companies subject to the department's uniform business practices and section three hundred forty-nine and three hundred forty-nine-d of the general business law, also known as ESCOs, shall not engage in any conduct the natural consequence of which is to harass, oppress, or abuse any residential customer in connection with the handling of a residential customer complaint, the offering and/or negotiating of a deferred payment agreement, or the collection of an unpaid balance or any other obligation owed by such customer.

2. All utilities or municipal utilities or ESCOs in violation of this section shall be subject to fines, penalties and enforcement by the department pursuant to sections twenty-four, twenty-five, twenty-five-a, and twenty-six of this chapter, and all such other legal or equitable remedies as may be necessary or convenient for protection of consumers against the prohibited behaviors described in subdivision one of this section.

3. The commission shall promulgate rules and regulations necessary to implement and enforce the provisions of this section.

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

LBD08935-01-1

§ 2. This act shall take effect on the thirtieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.