

STATE OF NEW YORK

5237--A

2021-2022 Regular Sessions

IN SENATE

February 26, 2021

Introduced by Sen. GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to requiring service providers 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. Subdivision (cc) of section 1020-f of the public authori-
2 ties law, as added by section 7 of part A of chapter 173 of the laws of
3 2013, is amended by adding a new paragraph 6 to read as follows:

4 6. (i) In the event that a residential utility customer or small busi-
5 ness customer experiences a widespread prolonged outage lasting at least
6 seventy-two consecutive hours or more without having been resolved by
7 the service provider, the utility company shall:

8 (A) Provide reimbursement of any food spoiled due to lack of refriger-
9 ation. Residential utility customers shall provide the service provider
10 an itemized list of all food spoiled or proof of loss of food spoiled
11 within fourteen days of the outage. The service provider shall reimburse
12 the customer within thirty days of the receipt of the itemized list or
13 proof of loss. The amount of the reimbursement shall not exceed a total
14 of two hundred thirty-five dollars for customers who provide an itemized
15 list. The amount of the reimbursement for customers who provide proof of
16 loss shall not exceed five hundred forty dollars.

17 (B) Provide reimbursement of prescription medication spoiled due to
18 lack of refrigeration. Residential utility customers shall provide the
19 service provider with an itemized list and proof of loss of prescription
20 medication due to lack of refrigeration within fourteen days of the
21 outage. The service provider shall reimburse the customer within thirty
22 days of the receipt of the itemized list and proof of loss of

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

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1 prescription medication. The amount of the reimbursement shall total no
2 more than the actual loss of perishable prescription medicine.

3 (C) Provide reimbursement to small business customers for any food
4 spoiled due to lack of refrigeration. Small business customers shall
5 provide the service provider with an itemized list for all food spoiled
6 and proof of loss within fourteen days of the outage. The service
7 provider shall reimburse the small business customer within thirty days
8 of the receipt of the itemized list and proof of loss. The amount of the
9 reimbursement shall total no more than ten thousand seven hundred
10 dollars.

11 (ii) The department of public service shall promulgate rules and regu-
12 lations necessary to implement the provisions of this section. Such
13 rules and regulations shall define the terms "widespread prolonged
14 outage", "small business customer" and "proof of loss".

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