

# STATE OF NEW YORK

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7579

2021-2022 Regular Sessions

## IN SENATE

December 8, 2021

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Introduced by Sen. HINCHEY -- 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 permitting the rendering of an estimated bill from a utility corporation or municipality under certain circumstances

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

1 Section 1. Subdivision 1 of section 39 of the public service law, as  
2 amended by chapter 686 of the laws of 2002, is amended and a new subdi-  
3 vision 1-a is added to read as follows:

4 1. A utility corporation or municipality may, in accordance with such  
5 requirements as the commission may impose by regulation, render an esti-  
6 mated bill for any billing period if: (a) the procedure used by such  
7 utility or municipality for calculating estimated bills has been  
8 approved by the commission, and the bill clearly indicates that it is  
9 based on an estimated reading and (b) the utility owning the meter and  
10 providing the meter reading data on which the estimated bill will be  
11 based or the municipality has made reasonable effort to obtain an actual  
12 meter reading or (c) circumstances beyond the control of the utility or  
13 municipality made an actual reading of the meter extremely difficult or  
14 (d) circumstances indicate a reported reading is likely to be erroneous,  
15 or (e) an estimated reading is prescribed or authorized by the commis-  
16 sion for a billing period between periods when actual meter readings are  
17 scheduled or for seasonal or short term customers, or (f) the aforemen-  
18 tioned commission approved estimation procedure can only be used for  
19 three billing cycles in a calendar year.

20 1-a. The commission shall review all procedures used by utility corpo-  
21 rations and municipalities in this state to calculate estimated bills,  
22 and shall create and distribute to such utility corporations and munici-  
23 palities a model procedure for the calculation of such estimated bills.  
24 Upon receipt of such model procedure for the calculation of estimated

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

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1 bills, a utility corporation or municipality shall use such model proce-  
2 dure for the calculation of all estimated bills estimated on and after  
3 such receipt. On or before November first, two thousand twenty-two, the  
4 public service commission shall issue an order creating a new procedure  
5 for the calculation of such estimated bills and a utility corporation or  
6 municipality shall adopt such procedure immediately.

7 § 2. This act shall take effect immediately.