STATE OF NEW YORK

7579--A

2021-2022 Regular Sessions

IN SENATE

December 8, 2021

Introduced by Sen. HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

1. A utility corporation or municipality may, in accordance with such requirements as the commission may impose by regulation, render an estimated bill for any billing period if: (a) the procedure used by such utility or municipality for calculating estimated bills has been approved by the commission, and the bill clearly indicates that it is based on an estimated reading and (b) the utility owning the meter and providing the meter reading data on which the estimated bill will be based or the municipality has made reasonable effort to obtain an actual meter reading or (c) circumstances beyond the control of the utility or municipality made an actual reading of the meter extremely difficult or (d) circumstances indicate a reported reading is likely to be erroneous, or (e) an estimated reading is prescribed or authorized by the commission for a billing period between periods when actual meter readings are scheduled or for seasonal or short term customers. **Outside of the aforementioned criteria for estimated billing pursuant to this section, all other bills shall use actual meter readings, however such readings may be obtained.**

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

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1-a. The commission shall review all procedures used by utility corporations and municipalities in this state to calculate estimated bills, and shall create and distribute to such utility corporations and municipalities a model procedure for the calculation of such estimated bills. Upon receipt of such model procedure for the calculation of estimated bills, a utility corporation or municipality shall use such model procedure for the calculation of all estimated bills estimated on and after such receipt. On or before November first, two thousand twenty-three, the public service commission shall issue an order creating a new procedure for the calculation of such estimated bills and a utility corporation or municipality shall adopt such procedure immediately.

§ 2. This act shall take effect immediately.