

# STATE OF NEW YORK

8489

## IN SENATE

March 7, 2022

Introduced by Sen. MARTUCCI -- 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 eliminating certain utility surcharges for certain residential customers

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 54 to read as follows:

3 § 54. Elimination of surcharges for certain residential customers.  
4 Notwithstanding any law, rule, regulation or order to the contrary,  
5 neither the surcharge for the system benefit charge nor the surcharge  
6 for the renewable portfolio standard nor the surcharge for the energy  
7 efficiency portfolio standard shall apply to, or be applied to, any  
8 electric or gas bill for a residential customer that is at least sixty-  
9 five years of age whose income level would qualify such customer for the  
10 home energy assistance program as described in Part 393 of Title 18 of  
11 the New York Codes, Rules and Regulations. No revenues foregone by a gas  
12 corporation or an electric corporation or any state entity as a result  
13 of the implementation of this section shall be recovered from any other  
14 customer or class of customers. The commission shall adopt rules and  
15 regulations relating to age and income verification and any other rules  
16 and regulations as it deems necessary and proper to implement the  
17 provisions of this section.

18 § 2. This act shall take effect on the ninetieth day after it shall  
19 have become a law. Effective immediately the public service commission  
20 is authorized to amend, revise and/or repeal any rule, regulation, order  
21 or policy necessary for the implementation of this act on or before such  
22 effective date.

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

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