STATE OF NEW YORK

928--A

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sens. KAPLAN, HARCKHAM -- 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 service law and the public authorities law, in relation to requiring electric companies to provide alternative measures to ensure customers are able to maintain their health and well-being during power outages

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

Section 1. Subparagraph (iii) of paragraph (a) of subdivision 21 of section 66 of the public service law, as added by section 4 of part X of chapter 57 of the laws of 2013, is amended to read as follows:

(iii) identification of and outreach plans to customers who had documented their need for essential electricity for medical needs**, including provisions regarding how such customers will be provided with alternative measures to ensure their health and well-being if power cannot adequately be provided. Such provisions shall include providing electric generators or lodging for the individual requiring such essential electricity for medical needs and shall also include transportation of medical devices, as needed. Such provisions shall also specify that any cost incurred by an electric company in providing such alternative measures shall not be borne by rate payers**;

§ 2. Paragraph 1 of subdivision (cc) of section 1020-f of the public authorities law, as added by section 7 of part A of chapter 173 of the laws of 2013, is amended to read as follows:

1. The service provider shall, in consultation with the authority, prepare and maintain an emergency response plan (i) to assure the reasonably prompt restoration of service in the case of an emergency event, defined for purposes of this subdivision as an event where wide-

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

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spread outages have occurred in the authority's service territory due to a storm or other causes beyond the control of the authority and the service provider, (ii) consistent with the requirements of paragraph (a) of subdivision twenty-one of section sixty-six of the public service law and any regulations and orders adopted thereto, and (iii) establishing the separate responsibilities of the authority and service provider. **Such emergency response plan shall include provisions regarding how customers will be provided with alternative measures to ensure their health and well-being if power cannot adequately be provided. Such provisions shall include providing electric generators or lodging for any individual requiring essential electricity for medical needs and shall also include transportation of medical devices, as needed.**

§ 3. This act shall take effect immediately.