

STATE OF NEW YORK

932--A

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. KAPLAN -- 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 the emergency response plan of an electric corporation to include plans for how the communication and coordination of efforts shall occur

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

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

4 (a) Each electric corporation subject to section twenty-five-a of this
5 chapter shall annually, on or before December fifteenth, submit to the
6 commission an emergency response plan for review and approval. The emer-
7 gency response plan shall be designed for the reasonably prompt restora-
8 tion of service in the case of an emergency event, defined for purposes
9 of this subdivision as an event where widespread outages have occurred
10 in the service territory of the company due to storms or other causes
11 beyond the control of the company. The emergency response plan shall
12 include, but need not be limited to, the following: (i) the identifica-
13 tion of management staff responsible for company operations during an
14 emergency; (ii) a communications system with customers during an emer-
15 gency that extends beyond normal business hours and business conditions;
16 (iii) identification of and outreach plans to customers who had docu-
17 mented their need for essential electricity for medical needs; (iv)
18 identification of and outreach plans to customers who had documented
19 their need for essential electricity to provide critical telecommuni-
20 cations, critical transportation, critical fuel distribution services or

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

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1 other large-load customers identified by the commission; (v) designation
2 of company staff to communicate with local officials and appropriate
3 regulatory agencies; (vi) provisions regarding how the company will
4 assure the safety of its employees and contractors; (vii) procedures for
5 deploying company and mutual aid crews to work assignment areas; (viii)
6 identification of additional supplies and equipment needed during an
7 emergency; (ix) the means of obtaining additional supplies and equip-
8 ment; (x) procedures to practice the emergency response plan; (xi)
9 appropriate safety precautions regarding electrical hazards, including
10 plans to promptly secure downed wires within thirty-six hours of notifi-
11 cation of the location of such downed wires from a municipal emergency
12 official; (xii) plans setting forth how the communication and coordi-
13 nation of efforts between the electric corporation, electric corporation
14 employees, electric corporation company crews, mutual aid crews, other
15 utilities, local governments and any other entity performing services to
16 assist such electric corporation shall occur; and [~~(xii)~~] (xiii) such
17 other additional information as the commission may require. Each such
18 corporation shall, on an annual basis, undertake drills implementing
19 procedures to practice its emergency management plan. The commission may
20 adopt additional requirements consistent with ensuring the reasonably
21 prompt restoration of service in the case of an emergency event.

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

25 1. The service provider shall, in consultation with the authority,
26 prepare and maintain an emergency response plan (i) to assure the
27 reasonably prompt restoration of service in the case of an emergency
28 event, defined for purposes of this subdivision as an event where wide-
29 spread outages have occurred in the authority's service territory due to
30 a storm or other causes beyond the control of the authority and the
31 service provider, (ii) consistent with the requirements of paragraph (a)
32 of subdivision twenty-one of section sixty-six of the public service law
33 and any regulations and orders adopted thereto, and (iii) establishing
34 the separate responsibilities of the authority and service provider.
35 Such emergency response plan shall include plans setting forth how the
36 communication and coordination of efforts between the authority, service
37 provider, authority employees, service provider employees, authority
38 company crews, service provider company crews, mutual aid crews, other
39 utilities, local governments and any service provider or other entity
40 performing services to assist the authority shall occur.

41 § 3. This act shall take effect immediately.