STATE OF NEW YORK

10718

IN ASSEMBLY

September 18, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Jacobson, Santabarbara) -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to requiring utility companies to report on utility poles and remove unused utility poles in the public right-of-way

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

Section 1. The public service law is amended by adding a new section 119-e to read as follows:

§ 119-e. Utility poles. 1. The commission shall require each regulated utility company to submit a utility pole location report that includes each utility pole owned by such utility that exists within a public right-of-way. The report shall specifically designate owned poles currently in use by a utility or utilities within a public right-of-way and specifically designate owned poles on such list that are no longer in use by such utility or any other utility within a public right-of-way. Such report shall also include information relating to any owned utility poles that have been removed from the public right-of-way by such utility since the previous year's utility pole location report and any owned utility poles that have not been removed by such utility from the public right-of-way since such previous year's report.

2. Such regulated utility company shall develop a plan for the removal of any utility pole that is no longer in use by any utility within the public right-of-way and such pole shall be removed no later than one year from the date from which it was identified as no longer in use by a utility pole location report. The commissioner shall be authorized to impose a fine for the failure of a utility to remove an owned utility pole no longer in use by such utility or any other utility of up to ten thousand dollars per pole per year. A utility company may appeal such fine in a form and manner determined by the commission.

3. Such reports shall be provided to the commission, the governor, the temporary president of the senate, the speaker of the assembly, the chairperson of the senate investigations and government operations

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

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committee, the chairperson of the energy and telecommunications commit-
tee, and the chairperson of the assembly energy committee on or before
December first of each year.

§ 2. This act shall take effect immediately.