

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:

1 Section 1. The public service law is amended by adding a new section
2 119-e to read as follows:

3 § 119-e. Utility poles. 1. The commission shall require each regulated
4 utility company to submit a utility pole location report that includes
5 each utility pole owned by such utility that exists within a public
6 right-of-way. The report shall specifically designate owned poles
7 currently in use by a utility or utilities within a public right-of-way
8 and specifically designate owned poles on such list that are no longer
9 in use by such utility or any other utility within a public right-of-
10 way. Such report shall also include information relating to any owned
11 utility poles that have been removed from the public right-of-way by
12 such utility since the previous year's utility pole location report and
13 any owned utility poles that have not been removed by such utility from
14 the public right-of-way since such previous year's report.

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

24 3. Such reports shall be provided to the commission, the governor, the
25 temporary president of the senate, the speaker of the assembly, the
26 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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1 committee, the chairperson of the energy and telecommunications commit-
2 tee, and the chairperson of the assembly energy committee on or before
3 December first of each year.

4 § 2. This act shall take effect immediately.