

# STATE OF NEW YORK

179

2023-2024 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 4, 2023

Introduced by M. of A. SANTABARBARA -- read once and referred to the  
Committee on Energy

AN ACT to amend the public service law, in relation to requiring legis-  
lative approval of increases in utility charges

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

1 Section 1. This act shall be known and may be cited as the "utility  
2 ratepayer protection act".

3 § 2. Subdivision 12 of section 66 of the public service law is  
4 amended by adding a new paragraph (b-1) to read as follows:

5 (b-1) No change shall be made in any rate or charge, which shall have  
6 been filed by a utility in compliance with an order of the commission,  
7 without the consent of both houses of the legislature by a majority vote  
8 in each house. The utility shall submit a written report to the legisla-  
9 ture at least one hundred eighty days prior to the date when any  
10 proposed increase in fees, rentals and charges for the provision of  
11 services by the utility is scheduled to take effect. Such report shall  
12 include justification for the proposed increase, and information setting  
13 forth the current financial condition of the utility. The legislature  
14 may require any additional data or information that it deems necessary.  
15 If the legislature, or the appropriate committees thereof, finds that  
16 the proposed increases are not necessary to produce sufficient revenue  
17 to meet the expense of the provision of services, including the mainte-  
18 nance and operation of infrastructure, then no proposed increase shall  
19 take effect until approved by a majority vote of each house of the  
20 legislature.

21 § 3. This act shall take effect immediately.

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

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