STATE OF NEW YORK

4980

2023-2024 Regular Sessions

IN ASSEMBLY

February 27, 2023

Introduced by M. of A. BEEPHAN -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to refunds by public utility companies to overcharged customers

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

Section 1. Section 23 of the public service law is amended by adding a new subdivision 4 to read as follows:

4. (a) Whenever any residential customer of a public utility company, whose rates are subject to the jurisdiction of the commission alleges that the public utility company has overcharged the customer for service provided by or through the public utility company, for any reason, including mistake, negligence or fraud, the commission shall review the accuracy of the alleged over-charge. Such review shall be conducted within fifteen days of receipt of the customer's complaint against the public utility company. If the allegation is determined by the commission to be correct, upon completion of the review, the commission, by order shall require the interested company to send a check or issue a credit to the overcharged customer or customers, on or before a day fixed in the order. The interested company shall issue a credit or a check to the customer based upon the customer's preference. If the company fails to send a check or issue a credit within thirty days, the commission is authorized to impose a fine on the public utility company in an amount to be determined by the commission in accordance with the provisions of section twenty-five of this article.

(b) An action under this section shall be commenced in accordance with the provisions of subdivision two of section two hundred thirteen of the civil practice law and rules.

(c) The commission shall issue rules and regulations implementing this section.

§ 2. 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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