STATE OF NEW YORK

538

2023-2024 Regular Sessions

IN ASSEMBLY

January 9, 2023

Introduced by M. of A. SAYEGH, DICKENS, SEAWRIGHT, DeSTEFANO, THIELE, SANTABARBARA, TAGUE, DURSO, LEMONDES -- Multi-Sponsored by -- M. of A. MILLER -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law and the public authorities law, in relation to requiring electric companies to provide alternative measures to ensure customers are able to maintain their health and well-being during power outages

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

Section 1. Subparagraph (iii) of paragraph (a) of subdivision 21 of section 66 of the public service law, as separately amended by chapters 395 and 727 of the laws of 2022, is amended to read as follows:

(iii) identification of and outreach plans to customers who had documented their need for essential electricity for medical needs, which shall include but not be limited to, apnea monitors for infants, cuirass respirators, hemodialysis machines, IV feeding machines, IV medical infusion machines, oxygen concentrators, positive pressure respirators, respirator/ventilators, rocking bed respirators, suction machines, tank type respirators, as well as any medical equipment or equipment necessary for an individual whose diagnosis is likely to be significantly triggered or significantly exacerbated by a continued loss of power that will adversely impact that individual's health**. Such outreach plans shall include provisions regarding how such customers will be provided with alternative measures to ensure their health and well-being if power cannot adequately be provided. Such provisions shall include providing electric generators or lodging for the individual requiring such essential electricity for medical needs and shall also include transportation of medical devices, as needed. Such provisions shall also specify that any cost incurred by an electric company in providing such alternative measures shall not be borne by rate payers**;

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

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§ 2. Subparagraph (iii) of paragraph (a) of subdivision 21 of section 66 of the public service law, as separately amended by chapters 395, 727 and 743 of the laws of 2022, is amended to read as follows:

(iii) identification of and outreach plans to customers who had documented their need for essential electricity for medical needs, which shall include but not be limited to, apnea monitors for infants, cuirass respirators, hemodialysis machines, IV feeding machines, IV medical infusion machines, oxygen concentrators, positive pressure respirators, respirator/ventilators, rocking bed respirators, suction machines, tank type respirators, as well as any medical equipment or equipment necessary for an individual whose diagnosis is likely to be significantly triggered or significantly exacerbated by a continued loss of power that will adversely impact that individual's health**. Such outreach plans shall include provisions regarding how such customers will be provided with alternative measures to ensure their health and well-being if power cannot adequately be provided. Such provisions shall include providing electric generators or lodging for the individual requiring such essential electricity for medical needs and shall also include transportation of medical devices, as needed. Such provisions shall also specify that any cost incurred by an electric company in providing such alternative measures shall not be borne by rate payers**;

§ 3. Paragraph 1 of subdivision (cc) of section 1020-f of the public authorities law, as separately amended by chapters 395 and 727 of the laws of 2022, is amended to read as follows:

1. The service provider shall, in consultation with the authority, prepare and maintain an emergency response plan (i) to assure the reasonably prompt restoration of service in the case of an emergency event, defined for purposes of this subdivision as an event where widespread outages have occurred in the authority's service territory due to a storm or other causes beyond the control of the authority and the service provider, (ii) consistent with the requirements of paragraph (a) of subdivision twenty-one of section sixty-six of the public service law and any regulations and orders adopted thereto, and (iii) establishing the separate responsibilities of the authority and service provider. Such emergency response plan shall include plans setting forth how the communication and coordination of efforts between the authority, service provider, authority employees, service provider employees, authority company crews, service provider company crews, mutual aid crews, other utilities, local governments and any service provider or other entity performing services to assist the authority shall occur. Such emergency response plan shall include identification of and outreach plans for customers who have documented their need for essential electricity for medical needs, which shall include but not be limited to, apnea monitors for infants, cuirass respirators, hemodialysis machines, intravenous feeding machines, intravenous medical infusion machines, oxygen concentrators, positive pressure respirators, respirators/ventilators, rocking bed respirators, suction machines, tank type respirators, as well as any medical equipment or equipment necessary for an individual whose diagnosis is likely to be significantly triggered or significantly exacerbated by a continued loss of power that will adversely impact that individual's health. **Such outreach plans shall also include provisions regarding how customers will be provided with alternative measures to ensure their health and well-being if power cannot adequately be provided. Such provisions shall include providing electric generators or lodging for any individual requiring essential electricity for medical needs and shall also include transportation of medical devices, as needed.**

§ 4. This act shall take effect immediately; provided, however, that section two of this act shall take effect on the same date and in the same manner as section 6 of chapter 743 of the laws of 2022, takes effect.