

# STATE OF NEW YORK

7515--B

2023-2024 Regular Sessions

## IN ASSEMBLY

May 25, 2023

Introduced by M. of A. LEVENBERG -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Corporations, Authorities and Commissions in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to requiring corporations and municipalities to notify property owners prior to beginning certain services

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. Notification to property owners. 1. Prior to beginning any  
4 scheduled service that may interfere with a property owner's ability to  
5 use, or access such owner's property, a gas corporation, an electric  
6 corporation, a gas and electric corporation, a water corporation, a  
7 steam corporation, a telegraph corporation, a telephone corporation or a  
8 municipality rendering equivalent utility services shall provide notice  
9 to such property owner that such service is to be performed. Such notice  
10 shall include, but not be limited to, the service to be performed, the  
11 expected duration of such service, the location of such service, any  
12 road closures or detours that shall occur due to such service, any  
13 necessary equipment, including service vehicles, that may intrude upon  
14 the property owner's property or interfere with such property owner's  
15 ability to use, or access such property owner's property, and the  
16 contact information for the corporation or municipality performing such  
17 service. Notice shall be given as far in advance as circumstances may  
18 allow, but shall be given no more than thirty days in advance of the  
19 start date of such service and no less than five days in advance of the

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

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1 start of such service. Notice shall be provided to property owners  
2 whose property boundaries are adjacent to such work to be performed, and  
3 any other property owner such as a gas corporation, an electric corpo-  
4 ration, a gas and electric corporation, a water corporation, a steam  
5 corporation, a telegraph corporation, a telephone corporation or a muni-  
6 cipality rendering equivalent utility services believes will be directly  
7 impacted by such service to be performed.

8 2. A gas corporation, an electric corporation, a gas and electric  
9 corporation, a water corporation, a steam corporation, a telegraph  
10 corporation, a telephone corporation or a municipality rendering equiv-  
11 alent utility services subject to the provisions of this section shall  
12 provide notice to property owners, in writing or, when appropriate, via  
13 electronic transmission and shall further make reasonable efforts to  
14 contact property owners prior to beginning any scheduled service that  
15 may interfere with a property owner's ability to use, or access such  
16 property owner's property.

17 3. A gas corporation, an electric corporation, a gas and electric  
18 corporation, a water corporation, a steam corporation, a telegraph  
19 corporation, a telephone corporation or a municipality rendering equiv-  
20 alent utility services subject to the provisions of this section shall  
21 provide to property owners, as part of any notice required pursuant to  
22 subdivision one or two of this section, direct contact information for  
23 any subcontractor being used for such service.

24 4. The provisions of this section shall not apply in the case of a  
25 natural or man-made disaster or state of emergency pursuant to article  
26 two-B of the executive law, or where the need to provide such notice  
27 would prevent the timely installation, restoration or repair of a utili-  
28 ty customer's service. Additionally, the provisions of this section  
29 shall not apply to work scheduled at the request of the customer if the  
30 utility has provided the customer written notice of the scheduled date.

31 § 2. This act shall take effect on the ninetieth day after it shall  
32 have become a law. Effective immediately, the addition, amendment  
33 and/or repeal of any rule or regulation necessary for the implementation  
34 of this act on its effective date are authorized to be made and  
35 completed on or before such effective date.