

# STATE OF NEW YORK

5600--A

2023-2024 Regular Sessions

## IN SENATE

March 8, 2023

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to the contents of emergency response plans required to be submitted to the public service commission by electric corporations

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

1 Section 1. Paragraph (a) of subdivision 21 of section 66 of the public  
2 service law, as separately amended by chapters 395 and 743 of the laws  
3 of 2022, subparagraph (iii) of paragraph (a) as separately amended by  
4 chapter 38 of the laws of 2023 and subparagraph (xi) of paragraph (a) as  
5 separately amended by chapter 743 of the laws of 2022 and chapter 673 of  
6 the laws of 2023, is amended to read as follows:

7 (a) Each electric corporation subject to section twenty-five-a of this  
8 chapter shall annually, on or before December fifteenth, submit to the  
9 commission an emergency response plan for review and approval. The emer-  
10 gency response plan shall be designed for the reasonably prompt restora-  
11 tion of service in the case of an emergency event, defined for purposes  
12 of this subdivision as an event where widespread outages have occurred  
13 in the service territory of the company due to storms, cyber attack, or  
14 other causes beyond the control of the company. To support reasonably  
15 prompt restoration of service in the case of an emergency event, emer-  
16 gency response plans should include details of staffing, equipment and a  
17 performance schedule with the goal of achieving restoration of service  
18 based upon a time-based restoration schedule established by the commis-  
19 sion. In establishing such time-based restoration schedules, the commis-  
20 sion should utilize benchmarks for the restoration of service which

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

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1 include, but are not limited to, the percentage of customers restored  
2 within each twenty-four-hour interval following the storm and consider-  
3 ation of different kinds of storm events. The emergency response plan  
4 shall include, but need not be limited to, the following: (i) the iden-  
5 tification of management staff responsible for company operations during  
6 an emergency; (ii) a communications system with customers during an  
7 emergency that extends beyond normal business hours and business condi-  
8 tions; (iii) identification of and outreach plans to customers who had  
9 documented their need for essential electricity for medical needs, which  
10 shall include but not be limited to, apnea monitors for infants, cuirass  
11 respirators, hemodialysis machines, IV feeding machines, IV medical  
12 infusion machines, oxygen concentrators, positive pressure respirators,  
13 respirator/ventilators, rocking bed respirators, suction machines, and  
14 tank type respirators; (iv) identification of and outreach plans to  
15 customers who had documented their need for essential electricity to  
16 provide critical telecommunications, critical transportation, critical  
17 fuel distribution services or other large-load customers identified by  
18 the commission; (v) designation of company staff to communicate with  
19 local officials and appropriate regulatory agencies; (vi) provisions  
20 regarding how the company will assure the safety of its employees and  
21 contractors; (vii) procedures for deploying company and mutual aid crews  
22 to work assignment areas; (viii) identification of additional supplies  
23 and equipment needed during an emergency; (ix) the means of obtaining  
24 additional supplies and equipment; (x) procedures to practice the emer-  
25 gency response plan; (xi) appropriate safety precautions regarding elec-  
26 trical hazards, including plans to promptly secure downed wires within  
27 thirty-six hours of notification of the location of such downed wires  
28 from a municipal emergency official or individual; (xii) plans setting  
29 forth how the communication and coordination of efforts between the  
30 electric corporation, electric corporation employees, electric corpo-  
31 ration company crews, mutual aid crews, other utilities, local govern-  
32 ments and any other entity performing services to assist such electric  
33 corporation shall occur; and (xiii) such other additional information as  
34 the commission may require. Each such corporation shall, on an annual  
35 basis, undertake drills implementing procedures to practice its emergen-  
36 cy management plan. The commission may adopt additional requirements  
37 consistent with ensuring the reasonably prompt restoration of service in  
38 the case of an emergency event.

39 § 2. This act shall take effect immediately.