STATE OF NEW YORK

8697

IN SENATE

March 1, 2024

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law and the public authorities law, in relation to providing a reimbursement to small business and residential consumers of certain utilities for failure to provide contracted services

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

Section 1. The public service law is amended by adding a new section 119-e to read as follows:

§ 119-e. Failure to provide contracted services. 1. A residential consumer or small business who has a contract for service with a gas corporation, electric corporation, gas and electric corporation, water corporation, steam corporation or a municipality rendering equivalent utility services shall be entitled to a discount when the service such residential consumer or small business has contracted for is not provided for by such gas corporation, electric corporation, gas and electric corporation, water corporation, steam corporation or a municipality rendering equivalent utility services for a period of at least forty-eight hours after the end of a failure of equipment, weather event, natural disaster or any other disruption in the providing of service. The department shall promulgate rules and regulations, within one hundred eighty days from the effective date of this section, to calculate how a utility shall reimburse a residential consumer or small business pursuant to this section. Such reimbursement shall be applied to the monthly charges assessed by such gas corporation, electric corporation, gas and electric corporation, water corporation, steam corporation or a municipality rendering equivalent utility services.

2. For purposes of this section, "small business" shall mean a business which is resident in this state, independently owned and operated, not dominant in its field and employs fifty or less persons.

3. No cost created pursuant to this section shall be the responsibility of a ratepayer.

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

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§ 2. Section 1020-f of the public authorities law, as added by chapter 517 of the laws of 1986, is amended by adding a new subdivision (ll) to read as follows:

(ll) Failure to provide contracted services. 1. A residential consumer or small business who has a contract for service with a service provider or the authority shall be entitled to a discount when the service such residential consumer or small business has contracted for is not provided for by such service provider or the authority for a period of at least forty-eight hours after the end of a failure of equipment, weather event, natural disaster or any other disruption in the providing of service. The board shall promulgate rules and regulations, within one hundred eighty days from the effective date of this subdivision, to calculate how a service provider or the authority shall reimburse a residential consumer or small business pursuant to this subdivision. Such reimbursement shall be applied to the monthly charges assessed by such service provider or the authority.

2. For purposes of this subdivision, "small business" shall mean a business which is resident in this state, independently owned and operated, not dominant in its field and employs fifty or less persons.

§ 3. This act shall take effect immediately.