STATE OF NEW YORK

986

2023-2024 Regular Sessions

IN ASSEMBLY

January 11, 2023

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

AN ACT to amend the public service law, the public authorities law and the executive law, in relation to the restoration of electric power services during a widespread outage; to amend a chapter of the laws of 2022 amending the public service law, the public authorities law and the executive law relating to requiring electric corporations and the Long Island power authority service provider to prioritize restoring services to police departments, fire departments and ambulance services, when electric services are interrupted, as proposed in legislative bills numbers S. 926-C and A. 3318-C, in relation to the effectiveness thereof; and to repeal certain provisions of the executive law relating thereto

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

Section 1. Section 73-a of the public service law, as added by a chapter of the laws of 2022 amending the public service law, the public authorities law and the executive law relating to requiring electric corporations and the Long Island power authority service provider to prioritize restoring services to police departments, fire departments, and ambulance services, when electric services are interrupted, as proposed in legislative bills numbers S. 926-C and A. 3318-C, is amended to read as follows:

§ 73-a. Prioritization of emergency services. 1. If**, during a widespread prolonged outage that affects at least twenty thousand customers in the service territory of** an electric corporation**, and such corporation** is not able to restore electric power services **within twenty-four hours** to any **affected** police department, fire department, [~~or~~] ambulance service [~~which has a~~] **or advanced life support first response service** facility that is prewired with an appropriate transfer switch for using an alternate generated power source [~~within twenty-four hours of the loss or interruption of such electric power services~~], such electric corporation shall notify the [~~local county office of emergency management which shall provide for emergency deployment of alternate generated~~

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

LBD04194-01-3

~~power sources through a program administered by the division of homeland security and emergency services to such police department, fire department, and/or ambulance service with an alternate generated power source~~] village, town or city in which such facility is located.

2. [~~An electric corporation shall not increase charges to any rate payers to cover any extra costs incurred by such electric corporation as a result of compliance with subdivision one of this section~~] Towns, cities, and villages shall provide to counties, and counties shall, to the extent practicable, provide the electric corporations and the division of homeland security and emergency services with a list of such police departments, fire departments, ambulance services and advanced life support first response services located within such municipality's territorial boundaries within one year of the effective date of this section, and periodically thereafter as necessary to update such list.

3. For the purposes of this section, "alternate generated power source" shall mean electric generating equipment that is of the capacity that is capable of providing adequate electricity to operate all life safety systems and the basic operations of a police department, fire department, [~~or~~] ambulance service or advanced life support first response service.

[~~4. This section shall only apply to police departments, fire departments, or ambulance services who are registered with the division of homeland security and emergency services pursuant to article twenty-six of the executive law.~~]

§ 2. Section 1020-mm of the public authorities law, as added by a chapter of the laws of 2022 amending the public service law, the public authorities law and the executive law relating to requiring electric corporations and the Long Island power authority service provider to prioritize restoring services to police departments, fire departments, and ambulance services, when electric services are interrupted, as proposed in legislative bills numbers S. 926-C and A. 3318-C, is amended to read as follows:

§ 1020-mm. Prioritization of emergency services. 1. If, during a widespread prolonged outage that affects at least twenty thousand customers in the service territory of the authority, and the service provider is not able to restore electric power services within twenty-four hours to any affected police department, fire department, [~~or~~] ambulance service or advanced life support first response service [~~which has a~~] facility that is prewired with an appropriate transfer switch for using an alternate generated power source [~~within twenty-four hours of the loss or interruption of such electric power services~~], [~~the~~] such service provider shall notify the [~~local county office of emergency management which shall provide for emergency deployment of alternate generated power sources through a program administered by the division of homeland security and emergency services to such police department, fire department, and/or ambulance service with an alternate generated power source~~] village, town or city in which such facility is located.

2. [~~The~~] Towns, cities, and villages shall provide to counties, and counties shall to the extent practicable, provide the service provider [~~shall not increase charges to any rate payers to cover any extra costs incurred by the service provider as a result of compliance with subdivision one of this section~~] and the division of homeland security and emergency services with a list of such police departments, fire departments, ambulance services and advanced life support first response services located within such municipality's territorial boundaries with-

in one year of the effective date of this section, and periodically thereafter as necessary to update such list.

3. For the purposes of this section, "alternate generated power source" shall mean electric generating equipment that is of the capacity that is capable of providing adequate electricity to operate all life safety systems and the basic operations of a police department, fire department, [~~or~~] ambulance service or advanced life support first response service.

[~~4. This section shall only apply to police departments, fire departments, or ambulance services who are registered with the division of homeland security and emergency services pursuant to article twenty-six of the executive law.~~]

§ 3. Paragraph (v) of subdivision 2 of section 709 of the executive law, as added by a chapter of the laws of 2022 amending the public service law, the public authorities law and the executive law relating to requiring electric corporations and the Long Island power authority service provider to prioritize restoring services to police departments, fire departments, and ambulance services, when electric services are interrupted, as proposed in legislative bills numbers S. 926-C and A. 3318-C, is REPEALED.

§ 4. Section 24 of the executive law is amended by adding a new subdivision 9 to read as follows:

9. a. Whenever a local state of emergency is declared pursuant to this section and upon receipt of notification by an electric corporation or the service provider, pursuant to section seventy-three-a of the public service law or section one thousand twenty-mm of the public authorities law, the chief executive shall coordinate with affected police departments, fire departments, ambulance services and advanced life support first response services prewired with an appropriate transfer switch for using an alternate generated power source for the emergency deployment of alternate generated power sources.

b. For the purposes of this section, "alternate generated power source" shall mean electric generating equipment that is of the capacity that is capable of providing adequate electricity to operate all life safety systems and the basic operations of a police department, fire department, ambulance service or advanced life support first response service.

§ 5. Section 4 of a chapter of the laws of 2022 amending the public service law, the public authorities law and the executive law relating to requiring electric corporations and the Long Island power authority service provider to prioritize restoring services to police departments, fire departments, and ambulance services, when electric services are interrupted, as proposed in legislative bills numbers S. 926-C and A. 3318-C, is amended to read as follows:

§ 4. This act shall take effect [~~immediately~~] one year after it shall have become a law.

§ 6. This act shall take effect immediately; provided, however, that sections one, two, three and four of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2022 amending the public service law, the public authorities law and the executive law relating to requiring electric corporations and the Long Island power authority service provider to prioritize restoring services to police departments, fire departments, and ambulance services, when electric services are interrupted, as proposed in legislative bills numbers S. 926-C and A. 3318-C, takes effect.