STATE OF NEW YORK

1851--A

Cal. No. 231

2023-2024 Regular Sessions

IN SENATE

January 17, 2023

Introduced by Sens. HINCHEY, LIU, MURRAY -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public service law, in relation to permitting the rendering of an estimated bill from a utility corporation or municipality under certain circumstances

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

Section 1. Subdivision 1 of section 39 of the public service law, as amended by chapter 686 of the laws of 2002, is amended and a new subdivision 1-a is added to read as follows:

1. A utility corporation or municipality may, in accordance with such requirements as the commission may impose by regulation, render an estimated bill for any billing period if: (a) the procedure used by such utility or municipality for calculating estimated bills has been approved by the commission, and the bill clearly indicates that it is based on an estimated reading and (b) the utility owning the meter and providing the meter reading data on which the estimated bill will be based or the municipality has made reasonable effort to obtain an actual meter reading or (c) circumstances beyond the control of the utility or municipality made an actual reading of the meter extremely difficult or (d) circumstances indicate a reported reading is likely to be erroneous, or (e) an estimated reading is prescribed or authorized by the commission for a billing period between periods when actual meter readings are scheduled or for seasonal or short term customers. **Outside of the aforementioned criteria for estimated billing pursuant to this section, all other bills shall use actual meter readings, however such readings**

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

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may be obtained, provided that such readings are taken in accordance with the provisions of this section. To the extent practicable, any additional costs required to achieve actual meter readings pursuant to this subdivision shall not be passed onto the customer.

1-a. The commission shall require each utility corporation and municipality within six months to submit to the commission a model procedure for the calculation of estimated bills that incorporates best practices and technology and accounts for any barriers to the use of actual meter readings. On or before November first, two thousand twenty-four, the commission shall promulgate rules and regulations to incorporate and adopt such model procedures for utility corporations and municipalities.

§ 2. This act shall take effect immediately.