

STATE OF NEW YORK

2224

2023-2024 Regular Sessions

IN SENATE

January 19, 2023

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

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

9 § 73-a. Prioritization of emergency services. 1. If, during a wide-
10 spread prolonged outage that affects at least twenty thousand customers
11 in the service territory of an electric corporation, and such corpo-
12 ration is not able to restore electric power services within twenty-four
13 hours to any affected police department, fire department, [~~ex~~] ambulance
14 service [~~which has a~~] or advanced life support first response service
15 facility that is prewired with an appropriate transfer switch for using
16 an alternate generated power source [~~within twenty-four hours of the~~
17 ~~loss or interruption of such electric power services~~], such electric
18 corporation shall notify the [~~local county office of emergency manage-~~
19 ~~ment 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.

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

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

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

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

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

33 § 1020-mm. Prioritization of emergency services. 1. If, during a wide-
34 spread prolonged outage that affects at least twenty thousand customers
35 in the service territory of the authority, and the service provider is
36 not able to restore electric power services within twenty-four hours to
37 any affected police department, fire department, [~~or~~] ambulance service
38 or advanced life support first response service [~~which has a~~] facility
39 that is prewired with an appropriate transfer switch for using an alter-
40 nate generated power source [~~within twenty-four hours of the loss or~~
41 ~~interruption of such electric power services~~], [~~the~~] such service
42 provider shall notify the [~~local county office of emergency management~~
43 ~~which shall provide for emergency deployment of alternate generated~~
44 ~~power sources through a program administered by the division of homeland~~
45 ~~security and emergency services to such police department, fire depart-~~
46 ~~ment, and/or ambulance service with an alternate generated power source]~~
47 village, town or city in which such facility is located.

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

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

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

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

13 § 3. Paragraph (v) of subdivision 2 of section 709 of the executive
14 law, as added by a chapter of the laws of 2022 amending the public
15 service law, the public authorities law and the executive law relating
16 to requiring electric corporations and the Long Island power authority
17 service provider to prioritize restoring services to police departments,
18 fire departments, and ambulance services, when electric services are
19 interrupted, as proposed in legislative bills numbers S. 926-C and A.
20 3318-C, is REPEALED.

21 § 4. Section 24 of the executive law is amended by adding a new subdi-
22 vision 9 to read as follows:

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

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

38 § 5. Section 4 of a chapter of the laws of 2022 amending the public
39 service law, the public authorities law and the executive law relating
40 to requiring electric corporations and the Long Island power authority
41 service provider to prioritize restoring services to police departments,
42 fire departments, and ambulance services, when electric services are
43 interrupted, as proposed in legislative bills numbers S. 926-C and A.
44 3318-C, is amended to read as follows:

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

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