

STATE OF NEW YORK

10423

IN ASSEMBLY

March 5, 2026

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

AN ACT to amend the public service law and the public authorities law, in relation to certain corporations and the Long Island power authority's failure to achieve annual customer service performance targets

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "utility penalty and customer bill relief act".

3 § 2. The public service law is amended by adding a new section 25-b to
4 read as follows:

5 § 25-b. Failure to achieve annual customer service performance
6 targets. 1. Any gas corporation, electric corporation and combination
7 gas and electric corporations that fail to achieve their annual customer
8 service performance targets in any particular year, which are subject to
9 financial penalties or negative revenue adjustments as established in
10 such corporation's rate plan, shall be returned to rate payers by means
11 of direct bill credit as soon as practically feasible. Every gas corpo-
12 ration, electric corporation or combination gas and electric corporation
13 shall provide any relevant information pertaining to such direct bill
14 credit to the commission.

15 2. The commission shall submit annually to the governor, the state
16 comptroller, the temporary president of the senate, and the speaker of
17 the assembly, a detailed report indicating how long it takes from the
18 assessment of the penalties or negative revenue adjustments for the gas
19 corporation, electric corporation or combination gas and electric corpo-
20 ration to return such funds to rate payers, as well as how much the rate
21 payer relief is based on service class.

22 § 3. Subdivision 14 of section 2 of the public service law, as added
23 by section 1 of part X of chapter 57 of the laws of 2013, is amended to
24 read as follows:

25 14. The term "combination gas and electric corporation," when used in
26 sections twenty-five-a, twenty-five-b, sixty-five and sixty-six of this
27 chapter, includes any gas corporation operating in New York under common

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

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ownership with an electric corporation operating in New York or any electric corporation operating in New York under common ownership with a gas corporation operating in New York, or any successor of either such corporation; provided, however, that such term shall not include municipally-owned utilities, and shall not include any generating facilities owned or operated by either such corporation or any common owner thereof, or any subsidiary of such common owner.

§ 4. Title 1-A of article 5 of the public authorities law as added by chapter 517 of the laws of 1986, is amended by adding a new section 1020-aaa to read as follows:

§ 1020-aaa. Failure to achieve annual customer service performance targets. 1. If the authority fails to achieve annual customer service performance targets in any particular year, which are subject to financial penalties or negative revenue adjustments as established in such authority's rate plan, such funds shall be returned to rate payers by means of direct bill credit as soon as practically feasible.

2. The authority shall submit annually to the governor, the state comptroller, the temporary president of the senate, the speaker of the assembly and the county executives and governing bodies of the counties of Suffolk and Nassau, a detailed report indicating how long it takes from the assessment of the penalties or negative revenue adjustments for the authority to return such funds to rate payers, as well as how much the rate payer relief is based on service class.

§ 5. Section 89-c of the public service law is amended by adding a new subdivision 18 to read as follows:

18. (a) If any water-works corporation fails to achieve annual customer service performance targets in any particular year, which are subject to financial penalties or negative revenue adjustments as established in such water-work's rate plan, such funds shall be returned to rate payers by means of direct bill credit as soon as practically feasible. Such water-works corporation shall provide any relevant information pertaining to such direct bill credit to the commission.

(b) The commission shall submit annually to the governor, the state comptroller, the temporary president of the senate, and the speaker of the assembly, a detailed report indicating how long it takes from the assessment of the penalties or negative revenue adjustments for the water-works corporation to return such funds to rate payers, as well as how much the rate payer relief is based on service class.

§ 6. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, the judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this act directly involved in the controversy in which the judgment shall have been rendered.

§ 7. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.