STATE OF NEW YORK

11206

IN ASSEMBLY

May 1, 2026

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

AN ACT to amend the public service law, in relation to termination of service, deferred payment plans and quarterly billing

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

Section 1. Paragraph (d) of subdivision 2 of section 32 of the public service law, as added by chapter 713 of the laws of 1981, is amended to read as follows:

(d) is sent a final notice of termination no less than [~~fifteen~~] thirty days before the termination date shown on the notice. Any such notice shall, at a minimum, clearly state the reason for termination of service; how termination may be avoided; that the utility corporation or municipality has available procedures for handling complaints; a summary of the protections available under this article; that any customer eligible for such protections should contact the utility corporation or municipality; and such other provisions as the commission may require. A utility corporation or municipality may not issue a final notice of termination unless at least [~~twenty~~] forty-five days have elapsed from the date payment was due. The commission may increase the number of days before which a final notice of termination may be sent.

§ 2. Paragraph (b) of subdivision 3 of section 32 of the public service law, as added by chapter 713 of the laws of 1981, is amended to read as follows:

(b) Customers who are elderly, blind, or disabled. The commission shall provide special procedures to be followed by a utility or municipality with respect to the termination or restoration of service to a residence where the customer is known to or identified to the utility to be blind, disabled, or sixty-two years of age or older; provided that all the remaining residents of the household are sixty-two years of age or older, [~~eighteen~~] twenty-one years of age or under, or blind or disabled. The commission shall afford reasonable protections to elderly, blind or disabled customers, including a requirement that the utility corporation or municipality make a diligent effort to contact by tele-

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

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phone or in person an adult resident at the customer's premises at least seventy-two hours prior to termination of service. The commission shall also establish reasonable procedures for identifying customers eligible for the protections of this section.

§ 3. Subdivision 1 of section 37 of the public service law, as amended by chapter 686 of the laws of 2002, is amended to read as follows:

1. No utility corporation or municipality shall terminate or refuse to take all actions within such corporation or municipality's control and, where applicable, consistent with the provisions of the agreement for commodity service, if any, between the corporation and the customer, provided such provisions are consistent with this article, to restore service to a residential customer, because of arrears owed the utility corporation or municipality, unless the utility or municipality offers such customer a deferred payment agreement for such arrears; provided, however, that a deferred payment agreement under this article shall not be available to any customer who the commission determines has the resources available to pay [~~his~~] **the customer's** bill, and provided further, however, that any such agreement may provide for the customer to make a downpayment of the arrears, provided that no such downpayment shall exceed [~~one-half~~] **one-third** of the amount of arrears or [~~three~~] **six** months average billing, whichever is less. In addition, the commission shall provide by regulation that (a) all deferred payment agreements authorized by this article be fair and equitable, considering the customer's financial circumstances; (b) that such agreements obligate customers to make timely payment of current charges for service together with payment of arrears during the pendency of the agreements; that such agreements may be renegotiated and amended where the customer can demonstrate that there have been significant changes in [~~his or her~~] **the customer's** financial circumstances which have arisen due to conditions beyond the customer's control, and that, if the customer receives a utility service by the receipt of portions of such service from each of two or more utility corporations and is billed for such service through a single bill, the payments pursuant to the deferred payment agreement for current charges shall be allocated to each such utility corporation based on the current charges owing to each and the payments for arrears shall be allocated equitably on a pro-rata basis between such utility corporations based on the amount of arrears owing to each.

§ 4. Subdivision 2 of section 38 of the public service law, as added by chapter 716 of the laws of 1985, is amended to read as follows:

2. Every utility corporation or municipality shall offer residential customers who are [~~sixty-two~~] **fifty-five** years of age or older, as an alternative to monthly billing, a plan for payment on a quarterly basis of charges for gas and electric service rendered by such corporation or municipality, provided that such customer's average annual billing is not more than one hundred fifty dollars.

§ 5. This act shall take effect on the first of January next succeeding the date upon which 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.