

STATE OF NEW YORK

2579

2025-2026 Regular Sessions

IN ASSEMBLY

January 17, 2025

Introduced by M. of A. CRUZ -- read once and referred to the Committee on Energy

AN ACT to amend the public service law, in relation to call centers for gas and electric corporations; to amend a chapter of the laws of 2024 amending the public service law relating to call centers for gas and electric corporations, as proposed in legislative bills numbers S. 8626-A and A. 9444-A, in relation to the effectiveness thereof; and to repeal certain provisions of the public service law relating thereto

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

1 Section 1. Paragraphs (a) and (b) of subdivision 13 of section 65 of
2 the public service law, as amended by a chapter of the laws of 2024
3 amending the public service law relating to call centers for gas and
4 electric corporations, as proposed in legislative bills numbers S.
5 8626-A and A. 9444-A, are amended to read as follows:

6 (a) Every gas corporation or electric corporation furnishing utility
7 services shall provide the following call center customer assistance
8 receiving inquiries [~~and associated office tasks by phone, in writing,~~
9 ~~or any electronic communication, including but not limited to emails,~~
10 ~~texts, and chats~~] by phone or in writing on: customer financial respon-
11 sibility; receiving [~~application~~] requests to initiate or terminate
12 service; receiving requests for emergency services; shared metering;
13 determining deposit required or billing rate; receiving meter and
14 service orders and access to meter requests; explaining company rates,
15 regulations, policies, procedures, and common practices; initiating
16 trouble order forms and high bill investigations; inbound and/or
17 outbound handling of payment and other credit arrangements such as
18 obtaining deposits, financial statements and payment plans; collection
19 assistance inquiries and referring customers to social service agencies
20 and other assistance programs. [~~For purposes of this section, each~~
21 ~~individual phone call, writing, email, text, chat, or any other communi-~~

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

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~~1 eation shall count as an independent instance of customer assistance,~~
~~2 and therefore each shall trigger a gas or electric corporation's duties~~
~~3 under paragraph (b) of this subdivision.] This paragraph shall not apply~~
~~4 to communications between departments to resolve a customer inquiry. For~~
~~5 purposes of this section, "collection assistance inquiries" shall not~~
~~6 include calls or activities related to the collection of debts that are~~
~~7 referred to third-party collection agencies or those involving the~~
~~8 direct pursuit of financial recovery on delinquent accounts.~~

9 (b) [~~(i)~~] No gas or electric corporation shall close a call center or
10 other facility providing the customer assistance set forth in paragraph
11 (a) of this subdivision or send such customer assistance outside such
12 gas or electric corporation's New York state service territory or
13 outside of New York state without notice, a hearing and approval before
14 the commission. Upon receipt of the notice required pursuant to this
15 paragraph, the commission shall provide notice of the proceeding to
16 interested parties and the public; and shall promptly fix a date for the
17 commencement of a public hearing thereon not less than sixty days after
18 such receipt. The testimony presented at such hearing may be presented
19 in writing or orally, provided that the commission may make rules
20 designed to exclude repetitive, redundant or irrelevant testimony while
21 giving all interested parties the opportunity to present their documen-
22 tary and/or testimonial evidence. The commission shall make a record of
23 all testimony in all contested hearings. [~~The commission within thirty~~
~~24 days shall approve or deny the closure of a call center or other facili-~~
~~25 ty providing customer service or the relocation of customer service~~
~~26 assistance inquiries.] For purposes of this section "public hearing"~~
27 means a public forum at a physical location, attended by commission
28 members or their designees, where oral testimony is accepted and written
29 testimony may be submitted for inclusion in the record. Such forum shall
30 be open to parties to the proceeding and the general public for the
31 presentation of comments that shall be limited to relevant facts direct-
32 ly related to the proceeding in question. Such hearing shall be
33 commenced upon proper notice to the parties to the proceeding and the
34 public at least thirty days prior to the scheduled date. [~~Such hearing~~
~~35 shall be closed after the commission approves or denies the closure of a~~
~~36 call center or other facility providing customer service or the relo-~~
~~37 cation of customer service assistance inquiries. In no event shall a~~
~~38 gas or electric corporation's history of sending customer assistance~~
~~39 outside the gas or electric corporation's New York state service terri-~~
~~40 tory or outside of New York state be used as justification for doing so~~
~~41 after the effective date of the chapter of the laws of two thousand~~
~~42 twenty four that amended this paragraph takes effect.] It shall be~~
43 permissible for a gas or electric corporation to send customer assist-
44 ance requests outside of such corporation's New York state service
45 territory or outside of New York state in the following circumstances:
46 (i) when a call center or customer assistance facility is unable to
47 adequately respond to customer assistance requests due to natural disas-
48 ter, cyber attack, temporary loss of internet or phone connection or
49 power, a state or local declared emergency that impacts the ability of a
50 call center to manage customer assistance requests, or customer call
51 volume that exceeds the capacity of the call center given normal staff-
52 ing levels; (ii) for the purpose of workforce training; or (iii) to
53 initiate work flexibility policies that allow call center employees to
54 work from an approved alternative worksite other than a call center
55 location[~~, Provided~~] provided, however, before a gas or electric corpo-
56 ration can establish policies for any call center employees that are

1 represented by a bona fide labor organization through a collective
2 bargaining agreement, such policies must have been mutually agreed to by
3 the corporation and the labor organization. Such work flexibility poli-
4 cies shall not [~~violate~~] be considered a violation of this section. Any
5 transfer of customer assistance requests outside of New York state or
6 outside of the corporation's New York state service territory pursuant
7 to subparagraph (i) of this paragraph shall be temporary and only for
8 the duration of the emergency situation. A corporation must notify the
9 commission of any transfers within ten business days following an
10 exemption claimed pursuant to subparagraph (i) of this paragraph. For
11 the purposes of this paragraph, "New York state service territory" shall
12 be understood to refer to the designated geographic area served by the
13 gas or electric corporation in accordance with its legal service obli-
14 gations. The relocation of customer assistance calls to any of the
15 corporation's call centers within New York state in existence prior to
16 the effective date of the chapter of the laws of two thousand twenty-
17 five that amended this paragraph, regardless of the specific service
18 territory, shall not be considered a violation of this paragraph.

19 [~~(ii) The commission shall make available a form allowing an entity to~~
20 ~~take an action against a gas or electric corporation that knowingly~~
21 ~~failed or neglected to obey or comply with this section. Upon receipt of~~
22 ~~such form, it shall commence a proceeding to determine if a call center~~
23 ~~or other facility providing customer assistance was closed or customer~~
24 ~~service assistance inquiries were relocated outside New York state with-~~
25 ~~out notice, hearing, and approval before the commission. Pursuant to~~
26 ~~this paragraph, the commission shall provide notice of such proceeding~~
27 ~~to interested parties and the public and shall promptly fix a date for~~
28 ~~the commencement of a public hearing thereon not less than sixty days~~
29 ~~after such receipt. The testimony presented at such hearing may be~~
30 ~~presented in writing or orally, provided that the commission may make~~
31 ~~rules designed to exclude repetitive, redundant or irrelevant testimony~~
32 ~~while giving all parties the opportunity to present their documentary~~
33 ~~and/or testimonial evidence. The commission shall make a record of all~~
34 ~~testimony in all contested hearings. The commission shall within thirty~~
35 ~~days make a determination if such gas or electric corporation was in~~
36 ~~violation of this section.]~~

37 § 2. Subdivision 4-a of section 25 of the public service law, as added
38 by a chapter of the laws of 2024 amending the public service law relat-
39 ing to call centers for gas and electric corporations, as proposed in
40 legislative bills numbers S. 8626-A and A. 9444-A, is REPEALED.

41 § 3. Section 4 of a chapter of the laws of 2024 amending the public
42 service law relating to call centers for gas and electric corporations,
43 as proposed in legislative bills numbers S. 8626-A and A. 9444-A, is
44 amended to read as follows:

45 § 4. This act shall take effect [~~immediately~~] on the one hundred
46 eightieth day after it shall have become a law and shall apply to all
47 actions or proceedings commenced on or after the effective date of this
48 act.

49 § 4. This act shall take effect immediately; provided, however, that
50 sections one and two shall take effect on the same date and in the same
51 manner as a chapter of the laws of 2024 amending the public service law
52 relating to call centers for gas and electric corporations, as proposed
53 in legislative bills numbers S. 8626-A and A. 9444-A, takes effect.