

# STATE OF NEW YORK

10433

## IN SENATE

May 15, 2026

Introduced by Sen. MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to increasing the number of commissioners on the public service commission and making additional requirements relating thereto

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

1 Section 1. Subdivision 1 of section 4 of the public service law, as  
2 amended by chapter 594 of the laws of 2021, is amended to read as  
3 follows:

4 1. (a) There shall be in the department of public service a public  
5 service commission, which shall possess the powers and duties hereinaft-  
6 er specified, and also all powers necessary or proper to enable it to  
7 carry out the purposes of this chapter. The commission shall consist of  
8 [~~five~~] seven members, to be appointed by the governor, by and with the  
9 advice and consent of the senate. A commissioner shall be designated as  
10 [~~chairman~~] chairperson of the commission by the governor to serve in  
11 such capacity at the pleasure of the governor or until [~~his~~] such chair-  
12 person's term as commissioner expires, whichever first occurs.

13 (b) At least one commissioner shall have experience in utility consum-  
14 er advocacy.

15 (c) When filling a vacancy or vacancies after the effective date of  
16 this paragraph, at least one commissioner shall have not less than ten  
17 years of demonstrated, operational experience in the utility industry.  
18 For the purposes of this subdivision, "operational experience in the  
19 utility industry" shall mean direct, hands-on employment or professional  
20 service in electric, gas, or steam utility operations, including, but  
21 not limited to, electric or gas generation, transmission, distribution,  
22 system operations, maintenance, engineering, or field services. Such  
23 experience shall be operational or technical in nature and shall not  
24 consist of executive management, senior supervisory, financial advisory,  
25 or legal advisory roles performed on behalf of a utility corporation or  
26 holding company. In fulfilling this requirement, the governor shall

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

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1 give due consideration to candidates whose qualifying experience was  
2 acquired as a non-supervisory or non-management employee including as a  
3 journeyman, lineman, plant operator, field technician, or system opera-  
4 tor or while serving as a representative of utility workers in matters  
5 of labor relations, workplace safety, or operational standards.

6 (d) No more than [~~three~~] four commissioners may be members of the same  
7 political party unless, pursuant to action taken under subdivision two  
8 of this section, the number of commissioners shall exceed [~~five~~] seven,  
9 and in such event no more than [~~four~~] five commissioners may be members  
10 of the same political party.

11 § 2. Subdivision 2 of section 4 of the public service law, as amended  
12 by chapter 155 of the laws of 1970, is amended to read as follows:

13 2. Notwithstanding subdivision one of this section, whenever the  
14 commission shall certify to the governor that additional commissioners  
15 are needed for the proper disposition of the business before it, the  
16 governor may increase the membership of the commission to [~~seven~~] nine  
17 members by appointing two additional commissioners by and with the  
18 advice and consent of the senate. The terms of office of such additional  
19 commissioners and the filling of vacancies during such terms shall be  
20 governed by subdivision three of this section, except that upon the  
21 expiration of the terms of such additional commissioners, no further  
22 appointments or reappointments shall be made to such additional offices,  
23 unless the commission shall first certify to the governor that the need  
24 for additional commissioners continues to exist.

25 § 3. This act shall take effect immediately.