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:

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

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

(b) At least one commissioner shall have experience in utility consumer advocacy.

(c) When filling a vacancy or vacancies after the effective date of this paragraph, at least one commissioner shall have not less than ten years of demonstrated, operational experience in the utility industry. For the purposes of this subdivision, "operational experience in the utility industry" shall mean direct, hands-on employment or professional service in electric, gas, or steam utility operations, including, but not limited to, electric or gas generation, transmission, distribution, system operations, maintenance, engineering, or field services. Such experience shall be operational or technical in nature and shall not consist of executive management, senior supervisory, financial advisory, or legal advisory roles performed on behalf of a utility corporation or 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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give due consideration to candidates whose qualifying experience was acquired as a non-supervisory or non-management employee including as a journeyman, lineman, plant operator, field technician, or system operator or while serving as a representative of utility workers in matters of labor relations, workplace safety, or operational standards.

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

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

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

§ 3. This act shall take effect immediately.