

STATE OF NEW YORK

9195

IN SENATE

February 13, 2026

Introduced by Sen. CHAN -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to establishing a rate counsel in the utility intervention unit

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

Section 1. Paragraphs (a) and (b) of subdivision 4 of section 94-a of the executive law, paragraph (a) as added by section 21 of part A of chapter 62 of the laws of 2011 and paragraph (b) as amended by section 12 of part A of chapter 173 of the laws of 2013, are amended to read as follows:

(a) There is established within the division [~~a~~] an independent state utility intervention unit which shall be headed by a rate counsel, who shall be appointed by the governor by and with the advice and consent of the senate. The rate counsel may appoint staff and perform such functions for the efficient operation with the amounts made available therefor by appropriation.

(b) The utility intervention unit shall have the power and duty to:

(i) [~~on behalf of the secretary,~~] initiate, intervene in, or participate in any proceedings before the public service commission or the department of public service, to the extent authorized by sections three-b, twenty-four-a, seventy-one, eighty-four or ninety-six of the public service law or any other applicable provision of law, where [~~he or she~~] such unit deems such initiation, intervention or participation to be necessary or appropriate to protect safe and reliable service at rates which are within market norms;

(ii) represent the interests of consumers of the state before federal, state and local administrative and regulatory agencies engaged in the regulation of energy services;

(iii) accept and investigate complaints of any kind from Long Island power authority consumers, attempt to mediate such complaints where appropriate directly with such authority and refer complaints to the appropriate state or local agency authorized by law to take action with respect to such complaints; and

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

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(iv) hold regular forums in each of the service territories of the combination gas and electric corporations, as defined under section two of the public service law, and the Long Island power authority to educate consumers about utility-related matters and the regulatory process, opportunities to lower energy costs, including through energy efficiency and distributed generation, and other matters affecting consumers, which shall include the examination of the apportionment of costs with respect to rates for capital expenditures among utility customers to determine that such charges are equitably distributed among ratepayers.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.