

STATE OF NEW YORK

10423

IN ASSEMBLY

March 5, 2026

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

AN ACT to amend the public service law and the public authorities law,
in relation to certain corporations and the Long Island power authori-
ty's failure to achieve annual customer service performance targets

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "utility penalty and customer bill relief act".

3 § 2. The public service law is amended by adding a new section 25-b to
4 read as follows:

5 § 25-b. Failure to achieve annual customer service performance
6 targets. 1. Any gas corporation, electric corporation and combination
7 gas and electric corporations that fail to achieve their annual customer
8 service performance targets in any particular year, which are subject to
9 financial penalties or negative revenue adjustments as established in
10 such corporation's rate plan, shall be returned to rate payers by means
11 of direct bill credit as soon as practically feasible. Every gas corpo-
12 ration, electric corporation or combination gas and electric corporation
13 shall provide any relevant information pertaining to such direct bill
14 credit to the commission.

15 2. The commission shall submit annually to the governor, the state
16 comptroller, the temporary president of the senate, and the speaker of
17 the assembly, a detailed report indicating how long it takes from the
18 assessment of the penalties or negative revenue adjustments for the gas
19 corporation, electric corporation or combination gas and electric corpo-
20 ration to return such funds to rate payers, as well as how much the rate
21 payer relief is based on service class.

22 § 3. Subdivision 14 of section 2 of the public service law, as added
23 by section 1 of part X of chapter 57 of the laws of 2013, is amended to
24 read as follows:

25 14. The term "combination gas and electric corporation," when used in
26 sections twenty-five-a, twenty-five-b, sixty-five and sixty-six of this
27 chapter, includes any gas corporation operating in New York under common

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

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1 ownership with an electric corporation operating in New York or any
2 electric corporation operating in New York under common ownership with a
3 gas corporation operating in New York, or any successor of either such
4 corporation; provided, however, that such term shall not include municipi-
5 pally-owned utilities, and shall not include any generating facilities
6 owned or operated by either such corporation or any common owner there-
7 of, or any subsidiary of such common owner.

8 § 4. Title 1-A of article 5 of the public authorities law as added by
9 chapter 517 of the laws of 1986, is amended by adding a new section
10 1020-aaa to read as follows:

11 § 1020-aaa. Failure to achieve annual customer service performance
12 targets. 1. If the authority fails to achieve annual customer service
13 performance targets in any particular year, which are subject to finan-
14 cial penalties or negative revenue adjustments as established in such
15 authority's rate plan, such funds shall be returned to rate payers by
16 means of direct bill credit as soon as practically feasible.

17 2. The authority shall submit annually to the governor, the state
18 comptroller, the temporary president of the senate, the speaker of the
19 assembly and the county executives and governing bodies of the counties
20 of Suffolk and Nassau, a detailed report indicating how long it takes
21 from the assessment of the penalties or negative revenue adjustments
22 for the authority to return such funds to rate payers, as well as how
23 much the rate payer relief is based on service class.

24 § 5. Section 89-c of the public service law is amended by adding a new
25 subdivision 18 to read as follows:

26 18. (a) If any water-works corporation fails to achieve annual custom-
27 er service performance targets in any particular year, which are subject
28 to financial penalties or negative revenue adjustments as established in
29 such water-work's rate plan, such funds shall be returned to rate payers
30 by means of direct bill credit as soon as practically feasible. Such
31 water-works corporation shall provide any relevant information pertain-
32 ing to such direct bill credit to the commission.

33 (b) The commission shall submit annually to the governor, the state
34 comptroller, the temporary president of the senate, and the speaker of
35 the assembly, a detailed report indicating how long it takes from the
36 assessment of the penalties or negative revenue adjustments for the
37 water-works corporation to return such funds to rate payers, as well as
38 how much the rate payer relief is based on service class.

39 § 6. Severability. If any clause, sentence, paragraph, section or part
40 of this act shall be adjudged by any court of competent jurisdiction to
41 be invalid and after exhaustion of all further judicial review, the
42 judgment shall not affect, impair or invalidate the remainder thereof,
43 but shall be confined in its operation to the clause, sentence, para-
44 graph, section or part of this act directly involved in the controversy
45 in which the judgment shall have been rendered.

46 § 7. This act shall take effect on the one hundred twentieth day after
47 it shall have become a law. Effective immediately, the addition, amend-
48 ment and/or repeal of any rule or regulation necessary for the implemen-
49 tation of this act on its effective date are authorized to be made and
50 completed on or before such effective date.