

STATE OF NEW YORK

11152

IN ASSEMBLY

April 28, 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, in relation to requiring an administrative law judge to oversee the process in policy proceedings before the public service commission

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

1 Section 1. Section 66 of the public service law is amended by adding a
2 new subdivision 33 to read as follows:

3 33. (a) In regard to existing policy proceedings, and upon issuance of
4 a commission order instituting a new policy proceeding, the department
5 shall assign an administrative law judge or judges who have received
6 training in mediation and facilitation from an organization certified to
7 provide such training to oversee the procedural aspects of the proceed-
8 ing. The process administrative law judge or judges shall preside over
9 all activities within the proceeding for the purpose of ensuring an
10 orderly, fair, and efficient process by establishing structure for meet-
11 ings, technical conferences, discussions, and filings, reducing imped-
12 iments to participation, and encouraging open communication. Among the
13 tasks performed by the judge or judges are coordinating scheduling,
14 resolving discovery disputes, and facilitating all meetings, technical
15 conferences, and discussions. At the request of any party, the judge or
16 judges may function as a mediator in regard to a particular topic unless
17 another party that is concerned about the same topic objects.

18 (b) The department shall be considered a party in policy proceedings.
19 All parties in policy proceedings shall be subject to discovery pursuant
20 to the department's rules and regulations.

21 (c) As used in this subdivision, the following terms shall have the
22 following meanings:

23 (i) "Process administrative law judge" or "judge" shall mean an admin-
24 istrative law judge assigned by the department to oversee procedural
25 activities in policy proceedings.

26 (ii) "Policy proceeding" shall mean any proceeding other than utility
27 rate proceedings assigned a case number or matter number involving elec-

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

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1 tricity, gas, steam, or water system planning, industry-wide aspects of
2 the provision or furnishing of electricity, gas, steam, or water, or
3 that may have an impact on industry-wide customer service or affordabil-
4 ity. Notwithstanding anything to the contrary, the term "policy proceed-
5 ing" shall not include commission inquiries triggered by an individual
6 customer complaint filed pursuant to section forty-three of this arti-
7 cle.

8 (iii) "Party" shall mean any party to a commission policy proceeding.

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