

STATE OF NEW YORK

2429

2025-2026 Regular Sessions

IN ASSEMBLY

January 16, 2025

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

AN ACT directing the department of public service to prepare a written report on the affordability of water services for commercial and residential customers

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

- 1 Section 1. 1. As used in this act:
- 2 a. "Assistance program" shall mean any program offered to eligible
- 3 low-income customers to assist with the costs of electricity, gas, and
- 4 water, including but not limited to the low-income home energy assist-
- 5 ance program, any low-income affordability plans as provided by public
- 6 service commission case number 14-M-0565, and/or any other financial
- 7 assistance program provided through or by New York state or individual
- 8 utilities, counties or municipalities.
- 9 b. "Commission" shall mean the public service commission.
- 10 c. "Municipality" shall mean potable water districts and potable water
- 11 systems owned and/or operated by a city, town, village, authority or
- 12 other governmental subdivision.
- 13 d. "Water-works corporation" shall have the same meaning as subdivi-
- 14 sion 27 of section 2 of the public service law, or a municipality.
- 15 2. a. Every water-work corporation shall be subject to the jurisdic-
- 16 tion of the public service commission for the purposes of enforcing the
- 17 provisions of this act pursuant to sections 24, 25 and 26 of the public
- 18 service law. The commission shall adjudicate complaints and conduct
- 19 investigations for violation of this act in the manner provided by the
- 20 provisions of article 2 of the public service law.
- 21 b. Within 180 days after the effective date of this act, the commis-
- 22 sion shall prepare and submit to the governor and the legislature a
- 23 written report that shall make findings and recommendations concerning
- 24 the affordability of water services to commercial and residential

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

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1 customers in this state. An updated report shall be submitted one year
2 after the commission has submitted such initial report to the governor
3 and legislature. Without unreasonably exposing consumer personally
4 identifiable information in a manner that violates public service law
5 and public service commission practice or federal law, the reports shall
6 include but not be limited to the following, with all information to be
7 broken down by water-work corporation, type of service provided, month,
8 customer class, and county:

9 (1) the number of disconnection notices sent due to non-payment,
10 disconnections due to non-payment, and reconnections of customers that
11 were disconnected for non-payment;

12 (2) the number of liens on real property placed, sold, or enforced due
13 to non-payment, and how those numbers compare to the previous year on
14 the same month and day, if applicable;

15 (3) the number of customers in arrears greater than 60 days at the end
16 of each month, and the total dollar amount of arrears;

17 (4) the number of customers enrolled in deferred payment agreements at
18 the end of each month;

19 (5) the number of customers that entered into, successfully completed,
20 or defaulted from a deferred payment agreement, and how those numbers
21 compare to the previous year on the same month and day;

22 (6) the number of customers receiving assistance under each assistance
23 program at the end of each month, the total dollar amount of assistance
24 provided for arrears, the total dollar amount of assistance provided for
25 current or future bills and the average amount per customer, and how
26 those numbers compare to the previous year on the same month and day;
27 and

28 (7) the commission's assessment of whether existing customer assist-
29 ance programs are presently and will in the future be sufficient to meet
30 the financial needs of customer accounts in arrears who are unable to
31 pay those arrears in full, as well as the needs of customer accounts who
32 may be unable to pay bills for current service.

33 c. Following the commission's submission of the reports to the gover-
34 nor and legislature such reports shall be posted on the commission's
35 website and be subject to 30 days of public comment on affordability
36 from the date of the submission to the governor and the legislature. The
37 commission shall provide meaningful opportunities for public comment
38 from all persons who will be impacted by findings of the commission,
39 including persons living in disadvantaged communities and in rural
40 communities across the state in entirety. Within 90 days of the
41 submission of the initial report, the commission shall conduct at least
42 five public hearings in different regions of the state, as defined
43 by the empire state development corporation, and provide meaningful
44 opportunity for comment. The public hearings may be held virtually.

45 d. Each water-work corporation shall, within 90 days of the effective
46 date of this act, submit to the commission, in a form and manner deter-
47 mined by the commission, the information required pursuant to paragraph
48 b of this subdivision. Six months after the submission of the initial
49 report to the governor and legislature, each water-work corporation
50 shall submit to the commission, in a form and manner determined by the
51 commission, the information required pursuant to paragraph b of this
52 subdivision. Each water-work corporation shall publish on its website
53 the data it reports pursuant to this paragraph, simultaneously with
54 submission of the data to the commission.

55 3. If the data required by this act cannot reasonably be obtained from
56 an existing water-work corporation's information technology system with-

1 out an increase in customer utility bills, a water-work corporation or
2 municipality may petition the commission, in a form and manner to be
3 determined by the commission, to provide the required data in an alter-
4 native format.

5 4. The commission shall publish on its website the reports required
6 pursuant to subdivision two of this section, simultaneously with the
7 submission of each report. The reports shall include the information
8 required pursuant to this section in a spreadsheet format.

9 § 2. If any clause, sentence, paragraph, subdivision, section or
10 part of this act shall be adjudged by any court of competent jurisdic-
11 tion to be invalid, such judgment shall not affect, impair, or inval-
12 idate the remainder thereof, but shall be confined in its operation to
13 the clause, sentence, paragraph, subdivision, section or part thereof
14 directly involved in the controversy in which such judgment shall have
15 been rendered. It is hereby declared to be the intent of the legislature
16 that this act would have been enacted even if such invalid provisions
17 had not been included herein.

18 § 3. This act shall take effect immediately.