STATE OF NEW YORK

3734--A

Cal. No. 409

2025-2026 Regular Sessions

IN SENATE

January 29, 2025

Introduced by Sens. MAYER, FERNANDEZ, MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public service law, in relation to prohibiting the public service commission from approving a rate increase which allows a utility to recover certain operating expenses

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

Section 1. Subdivision 12 of section 66 of the public service law is amended by adding a new paragraph (m) to read as follows:

(m) The commission shall not approve any rate increase which allows a utility to recover the following operating expenses:

(i) its direct or indirect costs in excess of one hundred thousand dollars associated with its attendance in, participation in, preparation for, or appeal of any rate proceeding conducted before the commission. Such costs shall include, but need not be limited to, attorneys' fees, fees to engage expert witnesses or consultants, the portion of employee salaries associated with such attendance, participation, preparation or appeal of a rate proceeding and related costs identified by the commission; or

(ii) any compensation for utility management employees in excess of the current salary of the governor of New York as provided for by a joint resolution of the legislature at the time of the utility's initial filing with the commission, unless such utility has proven by a preponderance of the evidence that such compensation is necessary for safe and reliable operation of the utility's system.

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

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

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