STATE OF NEW YORK

8062--B

Cal. No. 399

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

Introduced by Sens. WEBB, JACKSON, OBERACKER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, amended on second report, ordered to a third reading, and to be reprinted as amended, retaining its place in the order of third reading -- reported favorably from said committee to third reading, amended and ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public service law and the public authorities law, in relation to requiring certain utility corporations and the Long Island power authority to establish a meter usage monitoring program

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

Section 1. The public service law is amended by adding a new section 39-a to read as follows:

§ 39-a. Meter usage monitoring program. 1. The commission shall require any utility corporation utilizing advanced metering infrastructure to establish a usage monitoring program for the purposes of notifying residential customers when such utility usage exceeds a usage threshold, as determined by such residential customer, in a given billing period. The usage monitoring program shall notify residential customers electronically or by mail when half of their determined energy usage threshold is met, and when their usage threshold exceeds their determined threshold. Such notification shall include an estimate of their monthly bill.

2. The usage monitoring program shall be an elective program for residential customers and designed to provide such residential customers

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

LBD13114-05-6

with daily updates on their utility usage. Such usage information shall be accessible to the customer online within such customer's online account.

3. The usage monitoring program shall at a minimum include the following:

(a) the ability to select to enroll or disenroll from the usage monitoring program;

(b) the ability to set a monthly usage threshold that is measured in kilowatt hours (kWh), therms, hundred cubic feet (CCF), in gallons or in the measurement usage that is currently provided by such utility corporation on the customer's monthly billing statement; and

(c) the ability for a participating customer or enrolling customer to select the manner through which they will receive notification of their usage status pursuant to subdivision one of this section.

4. The commission shall, with respect to the protection of customer data, at a minimum ensure:

(a) any customer data collected pursuant to such usage monitoring program shall only include personal identifying information necessary to effectively administer this program;

(b) no customer data collected pursuant to the usage monitoring program may be sold or shared except as set forth in paragraph (c) of this subdivision;

(c) participating customer data may be shared with law enforcement only pursuant to a valid judicial warrant or judicial subpoena; and

(d) customer data shall be safely stored and securely encrpyted, be destroyed within thirty days after intended use unless retention is otherwise required to comply with federal, state, or local laws, rules, or regulations, and be subject to any other additional cybersecurity protections the commission deems necessary to protect customers and customer data.

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

§ 1020-nn. Meter usage monitoring program. The authority shall develop and implement a usage monitoring program for the purposes of notifying residential customers when such energy usage exceeds a usage threshold as determined by such residential customer, in a given billing period. Such program shall be implemented pursuant to section thirty-nine-a of the public service law.

§ 3. This act shall take effect one year after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.