

STATE OF NEW YORK

9023

IN SENATE

January 22, 2026

Introduced by Sen. OBERACKER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to complaint handling procedures

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

1 Section 1. Subdivisions 1 and 2 of section 43 of the public service
2 law, as added by chapter 713 of the laws of 1981, are amended to read as
3 follows;
4 1. The commission shall maintain regulations for the handling of resi-
5 dential customer complaints, which at a minimum shall require that each
6 utility or municipality: (a) maintain procedures for [~~prompt~~] investi-
7 gation of any complaint on a bill for gas or electric service rendered
8 or a deposit required and [~~for prompt~~] reporting to the complainant of
9 the result of such investigation within thirty days from the receipt of
10 such complaint. If such report is made orally, the utility corporation
11 or municipality shall [~~offer~~] additionally provide the complainant [~~upon~~
12 ~~a written request the opportunity to receive~~] a copy of the report in
13 writing in plain and simple language; (b) inform any complainant whose
14 complaint is resolved in favor of the utility corporation or munici-
15 pality, in whole or in part, of the availability of the commission's
16 complaint handling procedures; (c) refrain from terminating service for
17 nonpayment so long as a complaint is pending before a utility, munici-
18 pality or the commission and for fifteen days thereafter, or for such
19 period as the commission for good cause shall establish; provided howev-
20 er, that as a condition of continued service during the pendency of any
21 such dispute, a customer shall pay the undisputed portions of any bill
22 for service including bills for current usage, or such amounts as the
23 commission determines reasonably reflect the cost of usage to such
24 customer, the utility, municipality or commission, as applicable shall
25 provide written notice in plain and simple language to the customer
26 regarding which portions of a bill are considered contested and what is
27 required to be paid to prevent termination of service during the penden-

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

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1 cy of a dispute; and (d) refrain from treating the disputed portion of
2 any bill as late during the pendency of any complaint before the utility
3 or municipality.

4 2. The commission shall maintain regulations for complaint handling
5 procedures including complaints with respect to the negotiation of a
6 deferred payment agreement which shall include, at a minimum: (a)
7 provision for investigation and informal review and for appeal to the
8 commission in its discretion; (b) that the burden of proof in all
9 proceedings shall be on the utility corporation or municipality, except
10 as otherwise provided by the commission for good cause; and (c)
11 provision for parties to receive a written determination of any
12 complaint, [~~upon request,~~] in plain and simple English, which determi-
13 nation shall set forth the relevant facts established, the reasons for
14 the determination, what actions must be taken and what further proce-
15 dures are available to a complainant.

16 § 2. This act shall take effect on the first of January next succeed-
17 ing the date on which it shall have become a law.