

STATE OF NEW YORK

9195

IN SENATE

February 13, 2026

Introduced by Sen. CHAN -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to establishing a rate counsel in the utility intervention unit

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

1 Section 1. Paragraphs (a) and (b) of subdivision 4 of section 94-a of
2 the executive law, paragraph (a) as added by section 21 of part A of
3 chapter 62 of the laws of 2011 and paragraph (b) as amended by section
4 12 of part A of chapter 173 of the laws of 2013, are amended to read as
5 follows:

6 (a) There is established within the division [~~a~~] an independent state
7 utility intervention unit which shall be headed by a rate counsel, who
8 shall be appointed by the governor by and with the advice and consent of
9 the senate. The rate counsel may appoint staff and perform such func-
10 tions for the efficient operation with the amounts made available there-
11 for by appropriation.

12 (b) The utility intervention unit shall have the power and duty to:

13 (i) [~~on behalf of the secretary,~~] initiate, intervene in, or partic-
14 ipate in any proceedings before the public service commission or the
15 department of public service, to the extent authorized by sections
16 three-b, twenty-four-a, seventy-one, eighty-four or ninety-six of the
17 public service law or any other applicable provision of law, where [~~he~~
18 ~~or she~~] such unit deems such initiation, intervention or participation
19 to be necessary or appropriate to protect safe and reliable service at
20 rates which are within market norms;

21 (ii) represent the interests of consumers of the state before federal,
22 state and local administrative and regulatory agencies engaged in the
23 regulation of energy services;

24 (iii) accept and investigate complaints of any kind from Long Island
25 power authority consumers, attempt to mediate such complaints where
26 appropriate directly with such authority and refer complaints to the
27 appropriate state or local agency authorized by law to take action with
28 respect to such complaints; and

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

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1 (iv) hold regular forums in each of the service territories of the
2 combination gas and electric corporations, as defined under section two
3 of the public service law, and the Long Island power authority to
4 educate consumers about utility-related matters and the regulatory proc-
5 ess, opportunities to lower energy costs, including through energy effi-
6 ciency and distributed generation, and other matters affecting
7 consumers, which shall include the examination of the apportionment of
8 costs with respect to rates for capital expenditures among utility
9 customers to determine that such charges are equitably distributed among
10 ratepayers.

11 § 2. This act shall take effect on the ninetieth day after it shall
12 have become a law.