STATE OF NEW YORK

9932

IN SENATE

April 16, 2026

Introduced by Sen. COMRIE -- 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 requiring an administrative law judge to oversee the process in policy proceedings before the public service commission

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

Section 1. Section 66 of the public service law is amended by adding a new subdivision 33 to read as follows:

33. (a) In regard to existing policy proceedings, and upon issuance of a commission order instituting a new policy proceeding, the department shall assign an administrative law judge or judges who have received training in mediation and facilitation from an organization certified to provide such training to oversee the procedural aspects of the proceeding. The process administrative law judge or judges shall preside over all activities within the proceeding for the purpose of ensuring an orderly, fair, and efficient process by establishing structure for meetings, technical conferences, discussions, and filings, reducing impediments to participation, and encouraging open communication. Among the tasks performed by the judge or judges are coordinating scheduling, resolving discovery disputes, and facilitating all meetings, technical conferences, and discussions. At the request of any party, the judge or judges may function as a mediator in regard to a particular topic unless another party that is concerned about the same topic objects.

(b) The department shall be considered a party in policy proceedings. All parties in policy proceedings shall be subject to discovery pursuant to the department's rules and regulations.

(c) As used in this subdivision, the following terms shall have the following meanings:

(i) "Process administrative law judge" or "judge" shall mean an administrative law judge assigned by the department to oversee procedural activities in policy proceedings.

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

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(ii) "Policy proceeding" shall mean any proceeding other than utility rate proceedings assigned a case number or matter number involving electricity, gas, steam, or water system planning, industry-wide aspects of the provision or furnishing of electricity, gas, steam, or water, or that may have an impact on industry-wide customer service or affordability. Notwithstanding anything to the contrary, the term "policy proceeding" shall not include commission inquiries triggered by an individual customer complaint filed pursuant to section forty-three of this article.

(iii) "Party" shall mean any party to a commission policy proceeding.

§ 2. This act shall take effect on the one hundred twentieth day 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.