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# New York Senate Majority Advances Legislation to Stand Up to Utility Corporations and Lower Utility Rates

(Albany, N.Y.) Today, the Senate Majority Conference is advancing legislation to ensure utility providers, through their Public Service Commission (PSC)-approved actions and practices, continue to act in the best interest of New York's ratepayers. The bills in today's package aim to equip the PSC with resources to better evaluate the impact of utility providers' actions on ratepayers, preventing utilities from profiting at the expense of the communities they serve.

This package includes legislation that would prohibit public utilities from recovering funds from ratepayers to support certain non-operational expenses like lobbying or entertainment; authorize the PSC to consider non-economic damages when determining penalties for utilities; require utilities to return excess revenue to ratepayers; and mandate that utility providers notify ratepayers of a proposed rate hike via text, email, and/or their monthly utility bill.

Senate Majority Leader Andrea Stewart-Cousins said, "Rising utility bills have only deepened the financial strain on New Yorkers, who already pay some of the highest utility rates in the country. The Senate Majority is continuing our fight to hold utility corporations accountable and to deliver relief to consumers. We believe utilities are a necessity that every New Yorker ought to be able to afford. Today's package includes measures that would bring transparency to the ratemaking process, call for utilities to return excess revenues to ratepayers, require the PSC to consider the effect of rate changes on consumers, and set minimum standards to help eligible families pay their utility bills. I thank the bill sponsors for putting ratepayers first, and for their steadfast commitment to affordability and accountability."

Chair of the Energy and Telecommunications Committee, Senator Kevin Parker said, "This ratepayer package is about restoring trust and bringing balance back to a system that too often asks working families to carry the weight. It sets real guardrails on utility practices, strengthens transparency, and recognizes the day-to-day realities New Yorkers face when rates rise without warning or explanation. At its core, this work is about affordability, accountability, and basic dignity making sure the essential services people rely on are governed with fairness and respect for those who pay the bills."

The legislation being passed by the Senate Democratic Majority includes:

- **Prohibiting Ratepayer Funded Expense Recovery for Political Activities:** This bill, [S.1012A](#), sponsored by Senator Brouk, would prevent public utilities from recovering funds from ratepayers to support certain activities such as expenses incurred from

lobbying public officials, donations to public charities, travel, entertainment and educational expenditures as well as public relations and advertising campaigns.

- **Enacting the Rate Hike Notice Act:** This bill, [S.5553C](#), sponsored by Senator Comrie, would enact the Rate Hike Notice Act, which directs the PSC to mandate electric and gas utilities to provide notice of a proposed rate hike to a customer via text, email, and to that customer's monthly utility bill.
- **Utility Hikes Economic Impact:** This bill, [S.1847](#), sponsored by Senator Comrie, would require the PSC to consider the economic impact of utility rates and charges when evaluating utilities' proposed rate changes.
- **Regulating Appointments to the PSC:** This bill, [S.7328A](#), sponsored by Senator Hinchey, would expand the number of PSC commissioners to eight; codify the PSC's mission to ensure affordable, reliable, and safe access to utility services for New Yorkers; and prohibit any employee of a utility regulated by the PSC from serving as a commissioner for two years after their employment.
- **Evaluating Non-Economic Damages for Utilities:** This bill, [S.7165A](#), sponsored by Senator Hinchey, would authorize the PSC to consider non-economic damages suffered by customers when determining penalties for utilities, including penalties negotiated in settlements. These non-economic damages may include, for example, any pain and suffering or mental anguish endured by a utility customer during an unplanned power outage.
- **Establishing a Fair Annual Ratemaking Process:** This bill, [S.1896](#), sponsored by Senator Mayer, would direct the PSC to reform the PSC's evaluation of utilities' return on equity (ROE) to ensure the ROE that electric, gas, steam, and water utilities receive is reasonable and transparent for ratepayers.
- **Extending the Suspension Period for Utility Rate Cases:** This bill, [S.5593](#), sponsored by Senator Mayer, would (1) permit the PSC to extend the suspension period for gas or electric utility rate cases up to fourteen months in order to mitigate financial strain on ratepayers and allow more time for the PSC and intervenors to scrutinize utility rate filings for potential savings to ratepayers, and (2) limit utilities' "make whole" ability to retroactively collect rate increase amounts.
- **Requiring Utilities to Return Excess Revenue to Ratepayers:** This bill, [S.7693](#), sponsored by Senator Mayer, would direct the PSC to require gas, electric, or combination gas and electric utilities to return to ratepayers all revenues in excess of their authorized rate of return on equity.
- **Mandating Minimum Standards for Utility Payment Plans:** This bill, [S.1327](#), sponsored by Senator Parker, would direct the PSC to set minimum standards for payment plans established by utility companies for eligible residential customers already enrolled in other assistance programs.
- **Adjusting Electric Residential Fixed Charges:** This bill, [S.1329](#), sponsored by Senator Parker, would direct the Department of Public Service to limit monthly fixed service charges: utility corporations would only be permitted to bill residential customers fixed charges for fixed operation and maintenance costs directly related to metering, billing, service connections, and the provision of customer service.

**Bill Sponsor Senator Samra Brouk** said, “Working families continue to be exploited by utility companies in New York State. For years, I have fought to protect consumers from rate hikes and now I am committed to ensuring that utility companies are not able to use money from ratepayers to further their own interests. My bill, S.1012A, will prevent utility companies from using funds from customers for political activities and lobbying. Ratepayers deserve transparency, and it is high time for utility companies to stop using consumers to subsidize their political interests.”

**Bill Sponsor Senator Leroy Comrie** said, “Utility costs hit families where it hurts and New Yorkers deserve transparency and accountability when those costs go up. No one should be surprised by a higher bill without advance notice or a real understanding of the impact on their household. The Rate Hike Notice Act and the Utility Hikes Economic Impact bill put ratepayers first by requiring communication, fairness and common sense in the rate-setting process. This package makes clear that affordability and accountability must be central to how utilities do business in New York.”

**Bill Sponsor Senator Michelle Hinchey** said, "Ensuring energy is reliable and affordable must be our top priority, and I'm proud to have two bills in the Senate's ratepayer protection package. The first refocuses the Public Service Commission on what should be its most fundamental obligation: ensuring everyone has reliable access to energy, while keeping utility service affordable. It also expands representation on the Commission, so ratepayers have a stronger voice at the table. Our second bill would let the PSC hold utilities accountable for the emotional hardships they inflict on ratepayers when the Commission sets penalties during investigations or settlements. I thank Majority Leader Stewart-Cousins for bringing this package to the floor, and I look forward to passing these and more protections to make utility service more affordable and accountable to New Yorkers.”

**Bill Sponsor Senator Shelley Mayer** said, “I am pleased that three of my bills are included in the Utility Affordability package being passed by the Senate today that will put ratepayers first – which is so important now more than ever. In January, the PSC approved a rate hike for Con Edison that will be devastating to so many I represent in Westchester County. First, S.1896, will prioritize New Yorkers’ right to have stable utility rates that are as low as possible by requiring the PSC to determine rates in a fairer, more transparent manner. The bill targets key elements of the rate setting process – the rate of return on equity and common equity ratio – to rein in the profits utility companies earn at the expense of ratepayers. Next, S.7693 will require utility companies to return every penny in excess profit, above what is approved by the PSC to ratepayers. Lastly, S.5593 aims to address a phenomenon known as ‘rate compression’ where utilities are allowed to retroactively recover rate increases from consumers when rate cases run long. I deeply appreciate the advocacy of the tens of thousands of Con Edison ratepayers, and I thank Senate Majority Leader Andrea Stewart-Cousins and my colleagues for prioritizing the crisis of unaffordable utility rates. In the Senate, we will keep fighting to lower utility rates and hold the PSC and utilities accountable.”

**Executive Director of NY Statewide Senior Action Council Maria Alvarez** said, “Affordable utility services are crucial for the ability for New York's older population, who largely live on

fixed incomes, to remain living in their homes. This Utility Accountability Package will help ensure that utility companies serve the public interest in a responsible manner.”

**Executive Director and Counsel of the Public Utility Law Project (PULP) Laurie Wheelock** said, “PULP applauds the Senate’s efforts to pass a commonsense package of bills aimed at lowering utility rates and strengthening consumer protections in New York. At a time when over 1.3 million households owe over \$1.8 billion in unpaid bills, the state needs to get creative to cut energy costs and ensure customers are not left in the dark this winter.”

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