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## NEW YORK STATE SENATE DEMOCRATIC MAJORITY

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### **Senate Majority To Pass Legislation To Improve Utility Services Across New York State**

**(Albany, NY)** The Senate Democratic Majority today will pass legislation to ensure the utility services New Yorkers depend on meet added criteria for safety and regulation. This package will extend the COVID-19 moratorium for utility service disconnections, hold utilities accountable for failures in restoring service, ensure that utility companies do not pass on the cost of legislative lobbying to customers, and clarify the medical equipment that qualifies for essential electric service. These bills will also ensure customers are compensated for service interruptions, provide a voice for consumer advocacy within the Public Service Commission and strengthen the standards for utility service provider's emergency response plans. In addition to these measures, this package will require new gas infrastructure projects to be approved by a professional engineer and add public oversight to the pay rates of top utility executives.

“New Yorkers deserve to be able to depend on the utility services that they are paying for,” **Senate Majority Leader Andrea Stewart-Cousins** said. “Across New York State, we have seen serious issues with the services being provided by utility companies, especially following major weather events that have become increasingly common. I commend the sponsors for these bills.”

The legislation being passed by the Senate Majority, includes:

- **Utility Moratorium:** This bill, [S.1453A](#) sponsored by Senator Kevin Parker, will extend the moratorium on utility shut-offs until December 31<sup>st</sup>, 2021, or the COVID-19 state of emergency is lifted or expires.
- **Protecting Customers Lobbying Costs:** This bill, [S.1556](#) sponsored by Senator Kevin Parker, will protect utility customers from unknowingly paying for lobbying activity, including for political activity that may influence policies that go against the best interest of the customers.
- **Electricity Plan for Essential Medical Needs:** This bill, [S.931A](#) sponsored by Senator Anna Kaplan, identifies the specific medical equipment that qualifies for essential electricity and additional utility outreach during outages.

- **Utility Reimbursement:** This bill, [S.929B](#) sponsored by Senator Anna Kaplan, will provide consumers with a bill discount when a contracted service provider fails to provide the agreed upon service.
- **Utility Consumer Advocacy in the Public Service Commission :** This bill, [S.1199](#) sponsored by Senator Michael Gianaris, will require at least one commissioner of the public service commission to have experience in advocating in the interests of utility consumers.
- **Emergency Response Plan Requirement:** This bill, [S.968](#) sponsored by Senator James Gaughran, will establish the criteria for the Long Island Power Authority and its service provider's emergency response plans, and subject them to review, approval and enforcement by the Public Service Commission.
- **Stronger Utility Storm Response:** This bill, [S.4960](#) sponsored by Senator Shelley Mayer, will remove restrictions on the Public Service Commission's ability to penalize utility company violations and will enhance oversight of utilities to ensure improved storm planning and response.
- **Professional Engineer Approval Requirement:** This bill, [S.544](#) sponsored by Senator Todd Kaminsky, will require a professional engineer to review and approve a gas infrastructure project to prevent public utility accidents from occurring in New York.
- **Public Statements of Compensation:** This bill, [S.1544A](#) sponsored by Senator Todd Kaminsky, will require large utility companies to publicly report the annual pay of their top employees.
- **Reimbursement for Lost Food or Medicine:** This bill, [S.3784A](#), sponsored by Senator Leroy Comrie, will provide a customer reimbursement for lost food or medicine due to an extended power outage.

**Bill Sponsor, Senator Leroy Comrie** said, "Recent storms have shown us just how costly a power outage can be for families and small businesses. This legislation, S3784A, would help folks cover the cost of spoiled food and medicines in the aftermath of extended outages."

**Bill Sponsor, Senator Jim Gaughran** said, "Tropical Storm Isaias laid bare PSEG and LIPA's failures to provide Long Islanders with safe and reliable power. This legislation will provide State oversight to this rogue utility and make sure they are held accountable for their failures."

**Bill Sponsor, Senator Michael Gianaris** said, "The Public Service Commission must fairly weigh the interests of everyday New Yorkers when making decisions that affect their lives. This is a significant reform for ratepayers and I am glad we are passing my proposal."

**Bill Sponsor, Senator Todd Kaminsky** said, "Ratepayers deserve to know how much of their hard-earned money is being used to compensate executives instead of going toward critical infrastructure improvements," said Senator Todd Kaminsky. "Sunlight is the best disinfectant, and this bill will go a long way in holding utilities accountable to the New Yorkers they are bound to serve."

**Bill Sponsor, Senator Anna Kaplan** said, "In the aftermath of Tropical Storm Isaias, I received dozens of calls from constituents who needed electricity to power their life-sustaining medical equipment, but who apparently were not considered an urgent priority for help by PSEG-LI. We

can't leave people in the dark when their lives are on the line, and I'm proud to have introduced legislation that will ensure vulnerable New Yorkers are given priority, and treated with care during an emergency," said Senator Anna M. Kaplan. "Additionally, if a customer is dealing with an extended service outage through no fault of their own, the utility shouldn't be charging them for the time that they had no service. My 'no service, no charge' bill will ensure ratepayers don't foot the bill for their time in the dark, and it will incentivize utilities to restore service more quickly."

**Bill Sponsor, Senator Shelley Mayer** said, "The widespread damage caused by Tropical Storm Isaias combined with the utilities' failed storm responses was a turning point for legislative colleagues and constituents. Repeatedly, storm after storm, the utilities failed to prepare, respond, and communicate with their customers. Despite tremendous hardship for residents, each storm brought negligible consequences for utilities, and little change to the unacceptable status quo in terms of service. We are committed to improving outcomes for customers by taking bold action to hold utilities fully accountable for failures in storm preparation and response, and by expanding regulatory oversight to ensure utilities are taking necessary steps to prepare for the next storm. I am pleased that my bill, S.4960, is a part of this package of legislation to do just that. The bill eliminates restrictions on the ability of the Public Service Commission to respond proportionately to violations by utilities, thereby empowering it to impose penalties that are both in concert with the magnitude of the violations and significant enough to incentivize improved future compliance. In addition, the bill requires cable and phone companies, who failed to adequately communicate with officials and customers following Tropical Storm Isaias, to submit an emergency response plan to the PSC for review and approval, which will improve oversight of these industries and help prevent the kind of service outage debacle we lived through this past August. We will continue to monitor utility storm response and look for additional areas of improvement."

**Bill Sponsor, Senator Kevin S. Parker** said, "As The Chair Of the Energy and Telecommunications Committee, I understand how imperative it is to advance legislation that directly provides relief for all New Yorkers. As the Legislature works to provide relief for tenants against evictions, it is equally important that we extended the moratorium on the utility shut-offs while families continue to navigate the pandemic. My colleagues and I will continue to create commonsense legislation to move our state forward."

The Senate Majority held a joint legislative hearing on [utility failures](#) following the aftermath of Tropical Storm Isaias. The testimony revealed the need for utility companies to provide more timely communication and expedient response plans to respond to unexpected natural disasters in New York State.

**Senator Jamaal Bailey** said, "Access to working utilities is a basic necessity for all New Yorkers. There have been far too many instances when utility companies have failed residents and have caused significant hardships for families. This package of legislation aims to address these issues, increase transparency, and hold these companies accountable when they fail to deliver the services our families deserve. I would like to thank Majority Leader Andrea Stewart-Cousins, Energy Committee Chair Senator Kevin Parker, and my fellow colleagues that sponsored legislation for this package."

**Senator John Brooks** said, “No one should have to worry about having basic necessities like electricity and water during this ongoing crisis. Long Islanders know all-too-well the pain and frustration that comes with a failure to properly secure public utility services. The shortcomings of PSE&G, LIPA, and others have put the need to strengthen our laws regarding utilities on full-display and I believe this legislative package will go a long way in addressing these crucial issues.”

**Senator Andrew Gounardes** said, “When Tropical Storm Isaias hit last year, the high winds led to the second most power outages in ConEd’s history, trailing only behind Super Storm Sandy. I’m proud to vote on this legislative package because we need power companies and local infrastructure that is accountable to their customers and can reliably handle the challenges of the future.”

**Senator Pete Harckham** said, “Protecting the rights of utility customers is essential as the increasing number of severe storms continues to cause outages across the state. These bills will provide greater oversight and accountability, while also making utility companies financially liable to customers when laggard storm responses cause spoiled food and medicines.”

**Senator Brad Hoylman** said, “Two years ago, a summer blackout left the stages of Broadway, countless small businesses and more than 500 hospital beds in my district without power during a hot summer night. A utility company’s failure to do its job could’ve had catastrophic consequences for those hospital patients, reminding us of the crucial need for reform and accountability in this sector. This package of legislation will protect consumers and those reliant on medical services by increasing oversight of utilities to ensure storm planning, identifying medical equipment that qualifies for essential electricity during outages, and, for those currently struggling, extending the moratorium on utility shut-offs until the end of the COVID-19 state of emergency. I’m grateful that Majority Leader Andrea Stewart-Cousins prioritizes protecting consumers.”

**Senator Robert Jackson** said, “In the past two years alone, utility companies have failed New Yorkers on too many occasions. This package of legislation responds to these failures with some important reforms, and I thank the bill sponsors for their work. This is a time of transition for utilities as our infrastructure continues to age and we make the necessary shifts to decarbonize in response to the climate crisis. During this time, we must continue to hold utility companies accountable, even as we build the case for municipalization of public utilities so they can truly serve the public good.”

**Senator John Liu** said, “Hurricanes and other extreme weather - like Isaias last summer - will happen again, so public utilities like Con Ed must do better to be properly prepared. Too many constituents endured hardships that could have been prevented had these monopoly companies related more to the human needs they are charged with serving. These bills are necessary to ensure that storm damage and power outages are viewed as more than just cost of business.”

**Senator John Mannion** said, “When utility companies are not closely monitored and regulated you end up with the devastating situation that occurred in Texas. The steps the senate took today will ensure the power stays on and customers are protected during and beyond the pandemic.”

**Senator Luis Sepulveda** said, “New Yorkers are facing many economic challenges as a result of the COVID-19 pandemic. Thousands of New Yorkers may not be able to pay their monthly utility bill. The last thing they need is for utility companies to take advantage of this unprecedented time. This legislation package will safeguard utility customers' protections by extending the moratorium on utility shut-offs, protecting all individuals who lose power to their medical equipment, and providing utility reimbursements. It will also enhance oversight of utilities to ensure improved storm planning and response and create a more transparent and public oversight of salaries. Utility services are essential to many New Yorkers, and we must continue to protect the health and safety of all.”

**Senator Kevin Thomas** said, “For far too long, utility companies have abused the trust that ratepayers and the state have put in them, particularly on Long Island. I'll never forget what PSEG put my constituents through during Tropical Storm Isaias. As Chairman of the Consumer Protection Committee, I have fought hard to ensure utility companies are held accountable when they fail to uphold their responsibility to deliver safe and reliable service to ratepayers. I want to thank Leader Andrea Stewart-Cousins and my colleagues for stepping up to defend New York consumers by advancing this crucial package of legislation, which ensures that our utility companies put people over profits.”

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