



NEW YORK STATE SENATE DEMOCRATIC MAJORITY

For Immediate Release: March 19, 2024

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Senate Majority Passes Legislation Protecting Ratepayers

Includes NY HEAT Act to Meet CLCPA Standards

(Albany, NY) Today, the Senate Democratic Majority passed legislation to further protect ratepayers across New York State. This legislation continues the work of the Senate Majority to support working families and fight New York’s affordability crisis by prioritizing the interests of consumers and holding utility companies accountable. This package of bills works to address the failures of utilities and power producers.

Senate Majority Leader Andrea Stewart-Cousins said, “Citizens of New York often struggle to comprehend their utility bills, and the determination of rates remains unclear, leading to consumer frustration with utility companies. The current legislative package aims to address the outdated and inaccessible processes, safeguarding ratepayers across New York and holding utility companies accountable. Additionally, this bill package seeks to enhance utility affordability and expand payment plan options for consumers. I extend my gratitude to today’s bill sponsors for their commitment to consumer protection and alleviating the financial burden on families throughout New York.”

Chair of the Energy and Telecommunications Committee, Senator Kevin Parker said, “In these strapped economic times in which we live, it is imperative that we do all within our power as lawmakers to help struggling New Yorkers. One area where this is achievable and can bring much-needed relief is utility bill payments. Therefore, I am happy to support the bill package and sponsor several pieces of legislation that can achieve that. New Yorkers pay some of the highest fixed charges in the nation on their utility bills, and during a long period of inflation and extraordinarily high energy rates, payment plans should be more accessible and available to individuals who have demonstrated the need. I want to thank Senate Majority Leader Andrea Stewart-Cousins and my colleagues for this package of bills.”

The legislation passed by the Senate Democratic Majority includes:

- **Utility Hikes Economic Impact:** This bill, [S2432](#), sponsored by Senator Leroy Comrie, would require the Public Service Commission to consider the economic impact of utility rates and charges when evaluating utilities’ proposed rate changes.

- **Accurate Meter Readings:** This bill, [S1851B](#), sponsored by Senator Michelle Hinchey, directs utilities to file with the Public Service Commission a model procedure for calculating estimated utility bills and to use more actual meter readings.
- **Home Energy Assistance Re-enrollment:** This bill, [S2496](#), sponsored by Senator John Mannion, would require social services districts to automatically re-enroll eligible persons or households for the low-income home energy assistance program (LIHEAP) if they remain eligible.
- **Strengthen Utility Storm Response and Compliance:** This bill, [S4882](#), sponsored by Senator Shelley Mayer would incentivize better regulatory compliance by utilities through increased flexibility for the Public Service Commission to assess penalties on utilities for violations of the Public Service Law, and to expand emergency response plan requirements.
- **Utilities to Adopt the Common Equity Ratio:** This bill, [S6557A](#), sponsored by Senator Shelley Mayer would require electric corporations, gas corporations, steam corporations and water-works corporations to use standardized return on equity calculations set by the Public Service Commission to prevent unjustifiable rate increases.
- **Utility Late Payment Study:** This bill, [S2623A](#), sponsored by Senator Kevin Parker, directs the Department of State and Public Service Commission to study and report upon disclosure by utilities to credit reporting agencies regarding late payments.
- **Limits Fixed Charges:** This bill, [S1303B](#), sponsored by Senator Kevin Parker, would direct the Department of Public Service to adjust each utility corporation's residential fixed charge upon such corporation's filing with the Department regarding rate schedule amendments, to recover only the fixed costs and operation and maintenance expenses directly related to metering, billing, service connections and the provision of customer service.
- **NY HEAT Act:** This bill, [S2016B](#), sponsored by Senator Liz Krueger, aligns utility regulation with state climate justice and emission reduction targets; and repeals certain provisions of the Public Service Law relating to gas service and sale, including the 100-foot rule that obligates utilities to provide gas connections to residential ratepayers at no cost if the ratepayer lives within 100 feet of the main gas line.
- **Civil Penalties for False Statements:** This bill, [S6710](#), sponsored by Senator James Skoufis, would establish civil penalties for utilities that knowingly make false material statements to the Public Service Commission in relation to a rate-making proceeding.

Bill Sponsor, Senator Leroy Comrie said, "The continued rise of utility costs often places heavy burdens on low and middle-income New Yorkers," said Senator Leroy Comrie. "By requiring the Public Service Commission to consider the economic impacts of additional rate increases, New York can help to ensure that future utility costs are more equitably aligned with what energy consumers are able to bear. I want to thank the Senate Majority Leader Stewart-Cousins for her dedication to addressing utility affordability, as shown by moving this legislative

package forward today. I am pleased to collaborate with my conference to advance this crucial legislation.”

Bill Sponsor, Senator Michelle Hinchey said, “Utility companies in New York are using proprietary estimation formulas to bill our residents, even though we know these formulas don't accurately reflect past usage. As a result, many families, especially in the Hudson Valley, are burdened with inaccurate and unaffordable bills that have been ‘estimated’ by their provider, which is an unacceptable practice that my legislation would ban. This change will bring much-needed transparency and accountability to the utility industry across the state. I thank Majority Leader Andrea Stewart-Cousins and my colleagues for prioritizing this bill within our wider legislative package advancing new ratepayer protections.”

Bill Sponsor, Senator Liz Krueger said, “I am proud that the Senate Majority is addressing the critical issue of ratepayer protection, including through passage of the NY HEAT Act. With gas utilities raising rates across the state in order to double down on outdated fossil gas infrastructure, it's never been clearer that the status quo is not only unsustainable, it's also unaffordable. Whether it's \$200 million per year that ratepayers are forced to pay to subsidize gas expansion, \$150 billion ratepayers will have to pay to fix leaky pipes, or the continually skyrocketing price of gas, the status quo is an albatross around New Yorkers' necks. New Yorkers deserve a break - and that's just what NY HEAT will deliver.”

Bill Sponsor, Senator John Mannion said, “Automatically re-enrolling eligible New Yorkers in the Home Energy Assistance Program (HEAP) removes a significant burden on families in need and ensures that the heat stays on in every household without interruption. I thank Majority Leader Andrea Stewart-Cousins for her partnership in supporting the health and safety of New Yorkers who struggle with home heating costs.”

Bill Sponsor, Senator Shelley B. Mayer said, “I am proud New York is taking a stand to increase ratepayer protections through this legislative package, including two bills I proudly carry. I have heard from many constituents who are justifiably angry about the unacceptably high gas and electric bills they have received. We must put the interests of New Yorkers before the interest of shareholders of utility companies. My bill, S.6557A, will protect ratepayers from unjustifiable rate increases by updating how the Public Service Commission determines rates, prioritizing New Yorker's right to have stable utility rates that are as low as possible. My other bill, S.4882, will ensure utility companies are held accountable for failure to prepare for and respond to storms by expanding oversight. New Yorkers are entitled to an affordable and reliable utility service, and this package affirms our commitment to that goal. Thank you to Senate Majority Leader Andrea Stewart-Cousins and my colleagues for this package of bills.”

Bill Sponsor, Senator James Skoufis said, “The passage of this package of bills marks a win for New York's ratepayers. The Public Service Commission sets the rates for New York State utilities based on the company's cost of providing the service to their customers. That might sound simple enough, but the PSC has been giving the utility companies' haphazard approach a

pass for too long. When information is inaccurate, rates to customers can be disastrously inflated, causing severe financial harm to residents and often leaving them without recourse. Instituting a significant fine for utility companies who knowingly submit false information, or those who discover false submitted information and fail to disclose it, will deter utilities from inflating rates and make them as careful in their billing as they expect their customers to be in their payments.”

Maria Alvarez, Executive Director, NY StateWide Senior Action Council, said, “NY StateWide Senior Action Council applauds the NYS Senate for passing a set of bills that will assist New Yorkers, and especially senior citizens, living on fixed incomes to take control of their utility expenses by ensuring that consumers can better understand their bills, have rights to affordable plans, and preventing excessive added fees and rates that make utilities one of the challenging items in their monthly budgets.”

Laurie Wheelock, Executive Director and Counsel of the Public Utility Law Project (“PULP”), said, “PULP thanks the Senate Majority for passing today’s legislative package of bills aimed to protect utility customers. At a time when electric and gas utility debt across New York State totals nearly \$1.6 billion and as many utility companies seek a double-digit rate increase, we commend the Senate’s efforts to reduce costs and strengthen consumer protections. PULP remains committed to working with the Legislature to help find ways to make energy services more affordable and accessible.”

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