



March 31, 2026

SENT VIA ELECTRONIC FILING

Michelle L. Phillips
Secretary to the Commission
3 Empire State Plaza
Albany, NY 12223-1350

Re: Case 24-M-0239 – Proceeding on Motion of the Commission to Implement Utility Billing Requirements Pursuant to Public Service Law Sections 41, 44, and 66-w.

Dear Secretary Phillips:

Attached for filing in the above-referenced case is the full text of proposed changes to 16 NYCRR Part 11 (Home Energy Fair Practices Act and Energy Consumer Protection Act), Part 13 (Rules Governing the Provision of Service by Gas, Electric and Steam Corporation to Nonresidential Customers), Part 14 (Rules Governing the Provision of Service by Certain Water Corporations to Residential Customers), Part 140 (Bills for Service – Electric Corporations), Part 273 (Bills for Service – Gas Corporations), and Part 433 (Bills for Service – Steam Corporations). The proposed changes are intended to align 16 NYCRR Part 11, Part 13, and Part 14 with recent statutory amendments to Public Service Law Sections 41, 44, and 66-w, consolidate existing billing requirements, allow municipalities to include charges for other municipal services on the same bill with charges for gas or electric service, and to make other technical changes. Also attached for filing are the regulatory impact statement, job impact exemption, statement in lieu of the regulatory flexibility analysis, and statement in lieu of the rural area flexibility analysis associated with this proposed rulemaking. As required by State Administrative Procedure Act § 202(6-a)(b), this filing ensures that copies of these documents are available to the public.

Respectfully Submitted,

/s/

Kelly O'Donovan
Assistant Counsel
Department of Public Service

Enc.

CHAPTER I RULES OF PROCEDURE
SUBCHAPTER B PROCEDURES AND REQUIREMENTS CONCERNING CONSUMER PROTECTIONS
PART 11
HOME ENERGY FAIR PRACTICES ACT AND ENERGY CONSUMER PROTECTION ACT—RULES

The title of section 11.2 and subdivision (a) of section 11.2 are amended to read as follows:

§ 11.2 Applicability of rules and definitions.

(a) Notwithstanding any other commission rule or order to the contrary, this Part governs the rights, duties and obligations of every gas corporation, electric corporation, gas and electric corporation, steam corporation and municipality subject to the jurisdiction of the commission by virtue of articles 2, 4 and 4-A of the Public Service Law, their residential customers and applicants for residential service. The list of terms defined below is not an exhaustive list of terms used in this Part. Terms may also be defined in other sections of this Part. When used in this Part:

Subparagraph (iii) of paragraph (2) of subdivision (a) of section 11.2 is amended to read as follows:

(iii) the utility knows or reasonably should have known that any of such service is provided through a single meter to both units of a two-family dwelling[, **as defined in section 11.8 of this Part**]; or

Subparagraph (iii) of paragraph (3) of subdivision (a) of section 11.2 is amended to read as follows:

(iii) the utility knows or reasonably should know that any of such service will be provided through a single meter to both units of a two-family dwelling[, **as defined in section 11.8 of this Part**].

New paragraphs 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 are added to subdivision (a) of section 11.2 to read as follows:

(4) The term *elderly, blind, and disabled* shall mean a customer who is known or identified to the utility to be elderly, blind, or disabled:

(i) The term *elderly* shall mean a residential customer who is known to or identified to the utility to be 62 years of age or older.

(ii) The term *disabled* shall mean a person that has a disability, as that term is defined in the Human Rights Law (Executive Law § 292(21)).

(iii) A person shall be considered *blind* if the person has central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.

(5) The term *heat-related service* shall mean utility service provided under a rate classification applicable to residential space heating or utility service necessary to start or operate the primary heating system. Heat-related service shall also include a safe, supplemental electrical heating device, provided the residential customer has informed the utility within the last 12 months in writing that such device is needed because inadequate heat is provided by a third party who controls the primary heating system.

(6) The term *cold weather period* shall mean the period beginning November 1 of each year and ending April 15 of the following year.

(7) The term *two-family dwelling* shall mean a building designed and occupied pursuant to local building codes exclusively by two families living independently of each other, irrespective of whether the building receives a residential or commercial rate under the utility's tariff.

(8) The term *deferred payment agreement* or *payment agreement* shall mean a written agreement for the payment of outstanding charges over a specific period of time, signed by both the utility and the customer or applicant.

(9) The term *seasonal customer* shall mean a person who applies for and receives utility service periodically each year, intermittently during the year, or at other irregular intervals. A customer who receives continuous utility service for more than one year shall not be considered a seasonal customer.

(10) The term *short-term customer* shall mean a person who requires service for a specified period of time that does not exceed one year. A customer who receives continuous utility service for more than one year shall not be considered a short-term customer.

(11) Unless defined in a utility's effective tariff, the term *monthly billing period* shall mean the 25 to 35 day period for which monthly bills are rendered.

(12) The term *backbill* shall mean a bill that is either a late bill or an upwardly adjusted bill.

(13) The term *late bill* shall mean a bill for service used by the customer before the most recently concluded billing period and for which the customer was not previously billed.

(14) The term *upwardly adjusted bill* shall mean any bill, other than a levelized bill, that contains an upward adjustment of a charge for service that was previously billed to the customer.

Paragraphs (1) and (2) of subdivision (c) of section 11.5 are amended to read as follows:

(1) Every utility shall develop and maintain methods to identify all residential households in its service territory whose utility service is heat-related. [As used in this subdivision, heat-related service means utility service provided under a rate classification applicable to residential space heating or utility service necessary to start or operate the primary heating system. Heat-related service shall also include a safe, supplemental electrical heating device, provided the residential customer has informed the utility within the last 12 months in writing that such device is needed because inadequate heat is provided by a third party who controls the primary heating system.] In other respects, the residential households covered by this subdivision do not include the dwelling units covered by sections 33 and 34 of the Public Service Law and sections 11.7 and 11.8 of this Part

(i.e., multiple dwellings and residences, and two-family houses) where payment for heat-related service is not the responsibility of the residential customer.

(2) During the [period beginning November 1st of each year and ending April 15th of the following year] cold weather period, every utility shall observe, at a minimum, the following procedures with respect to residential customers receiving heat-related utility service:

Paragraph (4) of subdivision (a) of section 11.7 is amended to read as follows:

(4) During the cold weather period,[defined in section 11.5(c)(2) of this Part,] a utility intending to terminate, disconnect or suspend heat-related service[, as that term is defined in section 11.5(c)(1) of this Part,] to an entire multiple dwelling shall provide the written notices required under paragraphs (1)-(3) of this subdivision not less than 30 days before the intended termination, disconnection or suspension.

Subparagraph (i) of paragraph (1) of subdivision (g) of section 11.7 is amended to read as follows:

(i) During the cold weather period,[defined in section 11.5(c)(2) of this Part,] a utility intending to terminate, disconnect or suspend heat-related service[, as that term is defined in section 11.5(c)(1) of this Part] to an entire multiple dwelling located in a city of more than one million people shall, not less than 10 days prior to the earliest date termination, disconnection or suspension may occur, provide each occupant with a written notice, prepared or approved as to substance by the Public Service Commission or its staff, advising that if any occupant in the apartment has a serious illness or medical condition that would result in a serious impairment to health or safety by the loss of heat service [he]the customer should immediately contact the New York City Heatline. The notice shall provide the address and telephone number of the heatline. An approved form of the notice is contained in Appendix A-4, infra.

Subparagraph (i) of paragraph (2) of subdivision (g) of section 11.7 is amended to read as follows:

(i) During the cold weather period, ~~[defined in section 11.5(c)(2) of this Part,]~~ a utility intending to terminate, disconnect or suspend heat-related service ~~[, as that term is defined in section 11.5(c)(1) of this Part,]~~ to an entire multiple dwelling located outside a city of more than one million people shall, not less than 10 days prior to the earliest date termination, disconnection or suspension may occur, provide each occupant with a written notice, prepared or approved as to substance by the ~~[Pubic]~~Public Service Commission or its staff, advising the occupant that if any occupant in ~~[his]~~the apartment has a serious illness or medical condition that is likely to result in a serious impairment to health or safety by the loss of heat service ~~[he]~~the customer should immediately contact the utility. The notice shall provide the name and telephone number of a utility contact person. An approved form of the notice is contained in Appendix A-5, infra. Whenever an occupant so notifies a utility, the utility shall forthwith conduct an on-site interview for the purpose of ascertaining whether the occupant is likely to suffer a serious impairment to health or safety. A utility shall refer cases of likely serious impairment to the local department of social services and request the agency to investigate the cases in accordance with established procedures.

Subdivision (a) of section 11.8 is amended to read as follows:

(a) ~~[For the purpose of this section, the term two-family dwelling shall mean a building designed and occupied pursuant to local building codes exclusively by two families living independently of each other, irrespective of whether the building receives a residential or commercial rate under the utility's tariff.]~~ If a utility knows that any utility service is provided to both units of a two-family dwelling through a single meter, the utility shall not terminate, disconnect or suspend such service unless the utility complies with the requirements of this section. A utility shall be deemed to know that a two-family building contains units that are not metered separately where it is notified by the customer, occupant or other person that the building is a two-family dwelling. Each utility shall keep a record of such two-family dwellings where service is not metered separately.

Subdivision (g) of section 11.8 is amended to read as follows:

(g) During the cold weather period, [defined in section 11.5(c)(2) of this Part,] a utility intending to terminate, disconnect or suspend heat-related service [as that term is defined in section 11.5(c)(1),] to a two-family dwelling shall provide the written notices required under subdivisions (b) and (c) of this section not less than 30 days before the intended termination, disconnection or suspension.

Subdivision (h) of section 11.8 is amended to read as follows:

(h) During the cold weather period [defined in section 11.5(c)(2) of this Part], a utility intending to terminate, disconnect or suspend service to a two-family dwelling shall comply with either the requirements set forth in section 11.5(c) or in section 11.7(g) of this Part.

Paragraph (3) of subdivision (a) of section 11.9 is amended to read as follows:

(3) Where any utility is required under these rules to reconnect service within 24 hours and fails or neglects to do so without good cause as determined by the commission or its designee, it shall forfeit to the customer the sum of \$50 per day for each day or portion thereof that service is not supplied after the date that service should have been supplied, in cases involving medical emergencies (section 11.5[[a]](a) of this Part), the elderly, blind or disabled [(section 11.5[b] of this Part)], heat-related service during cold weather periods [(section 11.5[c][1], [2] and [3] of this Part)], or in cases where the utility has notice that the failure to reconnect service is likely to result in a serious impairment to health or safety (subparagraph [[1][v]](1)(v) of this subdivision). In all other cases where the utility fails or neglects to reconnect service within 24 hours as required under these rules, it shall forfeit to the customer the sum of \$25 per day for each day or portion thereof that service is not supplied after the date that service should have been supplied. In any case, the burden of showing good cause for any failure to reestablish service within 24 hours shall be upon the utility.

Paragraph (2) of subdivision (b) of section 11.9 is amended to read as follows:

(2) Where any ESCO is required under these rules to restore service within 24 hours and fails or neglects to do so without good cause as determined by the commission or its designee, it shall forfeit to the customer the sum of \$50 per day for each day or portion thereof that service is not supplied after the date that service should have been supplied, in cases involving medical emergencies ~~[(section 11.5[a] of this Part)]~~, the elderly, blind or disabled ~~[(section 11.5[b] of this Part)]~~, heat-related service during cold weather periods ~~[(section 11.5[c][1], [2] and [3] of this Part)]~~, or in cases where the ESCO has notice that the failure to restore service is likely to result in a serious impairment to health or safety (~~[paragraph [a] [5]]~~ subparagraph (1)(v) of this ~~[section]~~subdivision). In all other cases where the ESCO fails or neglects to restore service within 24 hours as required under these rules, it shall forfeit to the customer the sum of \$25 per day for each day or portion thereof that service is not supplied after the date that service should have been supplied. In any case, the burden of showing good cause for any failure to reestablish service within 24 hours shall be upon the ESCO.

Paragraph (1) of subdivision (a) of section 11.10 is amended to read as follows:

(1) A distribution utility must make reasonable efforts to contact eligible customers or applicants by phone, mail or in person for the purpose of offering a deferred payment agreement and negotiating terms tailored to the customer's financial circumstances, prior to making the written offer of a deferred payment agreement required under paragraph (4) of this subdivision. Consistent with provisions of its agreement to supply commodity, if applicable, and provided such provisions are consistent with other requirements of the Public Service Law, a utility must make reasonable efforts to contact eligible customers or applicants for the purpose of offering a deferred payment agreement and negotiating terms tailored to the customer's financial circumstances, prior to making the written offer of a deferred payment agreement required under paragraph (4) of this subdivision. ~~[A deferred payment agreement or payment agreement (also referred to as the agreement in this section) is a written agreement for the payment of outstanding charges over a specific period of time, signed~~

by both the utility and the customer or applicant.] A deferred payment agreement or payment agreement is also referred to as the agreement in this section.

Subdivision (a) of section 11.12 is amended to read as follows:

(a) For the purposes of this section, a *new residential customer* is an applicant. [A seasonal customer is a person who applies for and receives utility service periodically each year, intermittently during the year, or at other irregular intervals. A short-term customer is a person who requires service for a specified period of time that does not exceed one year. A customer who receives continuous utility service for more than one year shall not be considered a seasonal or short-term customer.]

Paragraph (6) of subdivision (a) of section 11.13 is amended to read as follows:

(6) the customer is a seasonal or short-term customer[, as those terms are defined in section 11.12(a) of this Part]. For such customers, an actual meter reading shall be taken upon disconnection or suspension of service.

The title of section 11.14 and subdivision (a) of section 11.14 are amended to read as follows:

§ 11.14 [Backbilling on] Adjusted bills and late bills for residential accounts.

(a) [No utility shall charge a residential customer for service rendered more than six months prior to the mailing of the first bill for service to the residential customer] A utility shall render to a residential customer, with the exception of a seasonal or short-term customer, a monthly bill for services used by such customer during that monthly billing period, or, in the case of bi-monthly meter reads, services used during that month and the prior month, within three months from the end date of the monthly billing period, unless the failure of the utility to bill at an earlier time was not due to the neglect of the utility or was due to the culpable conduct of the customer. If a utility does not render a timely bill in accordance with this subdivision, then such residential

customer shall not be charged for such service. If the customer remains liable for any such service and the delay in billing was not due to the culpable conduct of the customer, the utility shall explain the reason for the late bill[ing] and shall notify the customer in writing that payments may be made under an installment payment plan tailored to the customer's financial circumstances.

Subdivision (c) of section 11.14 is amended to read as follows:

(c) A utility issuing a billing adjustment increase of \$100 or more under paragraphs (b)(2), (3) and (4) of this section shall notify the customer in writing that [he or she]the customer has the right to pay the upwardly adjusted bill in regular monthly installments tailored to the customer's financial circumstances over a reasonable period. An adjustment to increase previously rendered bills more than 12 months after the time service was provided, pursuant to paragraphs (b)(2), (3) and (4) of this section, shall be made within four months of the final resolution of the billing dispute.

Subdivision (e) of section 11.14 is amended and a new subdivision (f) is added to read as follows:

(e) No utility may render a late bill [for previously unbilled service] or [adjust upward a]an upwardly adjusted bill [previously rendered to a residential customer] after the expiration of 24 months from the time the service to which the [new]late bill[ing] or upwardly [adjustment] adjusted bill pertains was provided unless the culpable conduct of the customer caused or contributed to the failure of the utility to render a timely or accurate billing.

(f) A utility shall not recover from any of its customers any foregone revenue that the utility is precluded from collecting from an individual customer by this section.

Section 11.16 is amended to read as follows:

§ 11.16 Contents of bills.

(a) Each utility bill to a residential customer shall provide, in clear and understandable form and language, the charges for service. Each distribution utility bill to a residential customer shall include:

([a]1) the name, address and account number of the customer, dates of the present and previous meter readings, whether estimated or actual, amount consumed between present and previous readings, the quantity of service billed, the unit of measurement used, except quantity need not be shown for interim budget billing, amount owed for the latest period, the gross amount of the bill, including any sales tax, the amount of discount and/or net amount of the bill, if applicable, the date when the discount period expires or late payment charge becomes effective, if applicable, which shall be shown on the front of the bill, the date by which payments for the latest period may be paid without penalty, the penalty charge for late paid bills, credits from past bills and any amounts owed and unpaid from previous bills;

([b]2) the customer's service classification, the billed demand, the meter-multiplier constant (if applicable), and any charges or credits which are adjustments to the base charges imposed by the distribution utility's tariff for the rate classification of that customer;

([c]3) if the bill is issued under a budget or levelized billing plan, an identification of the type of plan, the total of the year's budget or levelized amounts billed to the end of the period covered by the current bill, the dollar amount billed for tariff items during such period, and the debit or credit balances; [and]

([d]4) an explanation of how the bill may be paid, including one or more local distribution utility offices at which it may be paid, and a statement that bills may be paid at other authorized offices or payment agencies. Nothing in this section shall preclude a distribution utility from providing pertinent messages and information on the bill, provided such information does not interfere with the presentation of the information required by this section[.];

(5) the name of the utility that furnished the service; and if the service is furnished by a corporation that is owned or controlled by another company, or constitutes part of a system, the bill may so indicate by the use of a symbol or a statement to that effect;

(6) an explanation of any abbreviation or symbol used that is not in common English usage;

(7) for any utility, other than a municipality, that serves more than 15,000 customers in the State, each bill shall include the average daily usage per month or the monthly usage at the service address for the prior 13 months, inclusive of the month for which the bill was sent;

(8) each utility, other than a municipality, shall provide annually to its customers a list of all company offices at which utility bills may be paid, if such information is not shown on its bill; and

(9) bills for steam service must include meter constant, temperature, pressure, and pressure factor.

(b) Only service(s) performed, materials furnished, or other charges made by the utility, in accordance with its filed tariff, may be included and shall be itemized on the applicable bill. Nothing in this subdivision shall preclude a municipality from including on its bill separate and itemized charges for municipal services not included in the municipality's filed tariff.

Section 11.33 is renumbered Section 11.23.

Subparagraph (i) of paragraph (4) of subdivision (a) of section 11.23 is amended to read as follows:

(i) the utility, municipality, or energy service company (ESCO) by a residential customer relating to their electric, gas, or steam~~[, telephone, or water]~~ service, or;

Section 11.34 is renumbered Section 11.24.

The undesignated Subpart title Shared Meter Regulations and the explanatory caption are repealed.

The title of Section 11.30 is amended and an undesignated paragraph is added as follows:

§ 11.30 Shared meter d[D]efinitions.

The definitions in this section apply to the shared metering regulations set forth in sections 11.31 and 11.32 of this Part. When used in sections 11.31 and 11.32 of this Part:

Section 11.31 is amended to read as follows:

§ 11.31 Commission's designee for shared metering.

The commission's designee, for the purpose of this section and sections 11.30 and 11.32 of this part, and Public Service Law, section 52, is the director of the department's Office of Consumer Services.

Paragraphs (6) and (7) of subdivision (b) of section 11.32 are amended to read as follows:

(6) During the cold weather period, [defined in section 11.5(c)(2) of this Part,]a distribution utility intending to disconnect heat-related service[, as that term is defined in section 11.5(c)(1) of this Part,] to a shared meter account shall provide the written notices required under paragraphs (1) and (2) of this subdivision not less than 30 days before the intended disconnection.

(7) During the cold weather period[defined in section 11.5(c) of this Part], a distribution utility intending to disconnect service to a shared meter account shall comply with the requirements set forth in sections 11.5, 11.7 and 11.8 of this Part.

CHAPTER I RULES OF PROCEDURE
SUBCHAPTER B PROCEDURES AND REQUIREMENTS CONCERNING CONSUMER PROTECTIONS
PART 13
RULES GOVERNING THE PROVISION OF SERVICE BY GAS, ELECTRIC AND STEAM
CORPORATIONS TO NONRESIDENTIAL CUSTOMERS

Paragraph (17) of subdivision (b) of section 13.1 is amended to read as follows:

(17) A *backbill* is ~~[that portion of any bill, other than a levelized bill, which represents charges not previously billed for service that was actually delivered to the customer during a period before the current billing cycle.]~~a bill that is either a late bill or an upwardly adjusted bill. A bill based on an actual reading rendered after one or more bills based on estimated or customer readings (commonly called a catch-up bill), which exceeds by 50 percent or more the bill that would have been rendered under a utility's standard estimation program, is presumed to be ~~[a backbill]~~an upwardly adjusted bill.

New paragraphs (20), (21), (22), (23), and (24) are added to subdivision (b) of section 13.1 to read as follows:

(20) Unless defined in a utility's effective tariff, the term *monthly billing period* shall mean the 25 to 35 day period for which monthly bills are rendered.

(21) *Late bill* means a bill for service used by the customer before the most recently concluded billing period and for which the customer was not previously billed.

(22) *Upwardly adjusted bill* means any bill, other than a levelized bill, that contains an upward adjustment of a charge for service that was previously billed to the customer.

(23) *Small non-residential customer* means non-residential electric customers that are non-demand billed customers and non-residential gas customers that use less than or equal to 750 dekatherms per year. Such term shall not include street lighting accounts.

(24) Large non-residential customer means any non-residential customer that does not meet the definition of small non-residential customer.

Subparagraph (i) of paragraph (2) of subdivision (b) of section 13.2 is amended to read as follows:

(i) a conspicuous notice advising the customer that the questions in this section are designed to assist the utility in placing the customer on the proper and the most beneficial service classification; that the utility may rely on this information in classifying the service; that the cost of service may vary under different service classifications; that there are eligibility requirements for each service classification; that a customer may be eligible for service under more than one classification; that one classification may be more beneficial than another; that a description of the common nonresidential service classifications accompanies the application; that the utility's tariff, which describes each service classification in detail, may be examined in every utility business office; that questions about service classification may be discussed with a customer service representative; that if the customer's use of service or equipment changes in the future, the customer must notify the utility of these changes, in order to assure that the customer is being properly billed; and that if the information provided by the customer relevant to service classification is inaccurate or incomplete, the customer may be subject to ~~[back]~~upwardly adjusted billing on the correct service classification, or may be precluded from receiving a refund for overcharges based on the correct service classification; and

Paragraph (6) of subdivision (b) of section 13.2 is amended to read as follows:

(6) A service application shall contain, close to the place where the applicant signs, a notice that the applicant has the right to request that the utility inspect the metering device in order to assure its accuracy, along with a place for the applicant to indicate whether such inspection is requested; provided, however, that if a utility has a written policy of not ~~[backbilling previously unbilled]~~upwardly adjusting a bill for service when the

failure to charge for such service resulted from the faulty operation or ~~[inoperation]~~non-operation of a metering device, which faulty operation or ~~[inoperation]~~non-operation was not due to the culpable conduct of the customer or ~~[his]~~the customer's agent, the above notice is not required.

Subparagraph (ii) of paragraph (1) of subdivision (a) of section 13.5 is amended to read as follows:

(ii) when it renders ~~[a backbill]~~an upwardly adjusted bill, which exceeds the cost of twice the customer's average monthly usage or \$100, whichever is greater; provided, however, that a utility shall not be required to offer an agreement when the customer knew, or reasonably should have known, that the original billing was incorrect.

Clause (d) of subparagraph (ii) of paragraph (1) of subdivision (a) of section 13.7 is amended to read as follows:

(d) who has been rendered ~~[a backbill]~~an upwardly adjusted bill within the last 12 months ~~[for previously unbilled charges]~~ for service that came through tampered equipment.

Section 13.9 is amended to read as follows:

§ 13.9 ~~[Backbilling]~~Adjusted bills and late bills.

(a) *Notice.*

(1) Every ~~[backbill]~~ bill that upwardly adjusts charges for service that was previously billed to a customer shall contain a written explanation of the reason for the ~~[backbill]~~ upwardly adjusted bill that shall be sufficiently detailed to apprise the customer of the circumstances, error or condition that caused the underbilling, and, if the ~~[backbill]~~ upwardly adjusted bill covers more than a 24-month period, a statement

setting forth the reason(s) the utility did not limit the [backbill] upwardly adjusted bill under subdivision (c) of this section.

(2) Every [backbill] upwardly adjusted bill shall contain, or be accompanied by, all required information applicable under section 13.11 of this Part.

(3) Every [backbill] upwardly adjusted bill covering more than a one-month period, other than a catch-up [backbill] bill, shall contain a notice that the customer may obtain upon request a detailed billing statement showing how the charges were calculated, including any late payment charges. All catch-up bills [backbills] shall clearly indicate how the [backbill] bill was calculated, whether [as if] the service [were]was used during the current cycle, or as if redistributed back to the last actual reading.

(4) [A backbill] An upwardly adjusted bill shall be accompanied by an offer of a deferred payment agreement in accordance with section 13.5 of this Part, if applicable.

(b) *Limitations on [backbill] rendering an upwardly adjusted bill.*

(1) A utility shall not render [a backbill] an upwardly adjusted bill more than six months after the utility actually became aware of the circumstance, error or condition that [cause]caused the underbilling, unless a court extends the time to render [a backbill] an upwardly adjusted bill.

(2) A utility shall not further upwardly revise [a backbill] an upwardly adjusted bill unless the first [backbill] upwardly adjusted bill explicitly stated that the utility reserved the right to do so, the revised [backbill] upwardly adjusted bill is rendered within 12 months after the utility actually became aware of the circumstance, error or condition that caused the underbilling, and:

(i) the customer knew or reasonably should have known that the original billing or the first [backbill] upwardly adjusted bill was incorrect; or

(ii) new information shows that the first [backbill] upwardly adjusted bill was incorrect.

(3) A utility shall render a downwardly revised ~~[backbill]~~ bill as soon as reasonably possible and within two months after the utility becomes aware that the first ~~[backbill]~~ upwardly adjusted bill was excessive.

(4) A utility shall not render ~~[a backbill]~~ an upwardly adjusted bill for any underbilling when the reason for the underbilling is apparent from the customer's service application, or could have been revealed in a service application and the utility failed to obtain and retain one.

(c) *Limitations on ~~[backbilling]~~ upwardly adjusted billing period.*

(1) When the failure to bill at an earlier time was due to utility deficiency, a utility shall not render an upwardly adjusted bill to a customer for service rendered more than 12 months before the utility actually became aware of the circumstance, error or condition that caused the underbilling, unless the utility can demonstrate that the customer knew or reasonably should have known that the original billing was incorrect.

(2) A utility shall not render an upwardly adjusted bill to a customer for service rendered more than 24 months before the utility actually became aware of the circumstance, error or condition that ~~[cause]~~ caused the underbilling, unless the utility can demonstrate that the customer knew or reasonably should have known that the original billing was incorrect.

(d) *Rebilling of estimated demands.*

(1) A utility shall not upwardly ~~[revise]~~ adjust an estimated demand unless it can demonstrate that, for the period during which the demand was estimated, it complied with the meter-reading requirements and the no-access procedures of section 13.8 of this Part.

(2) All ~~[revised]~~ adjusted demands shall be based on the best available information, including the customer's present and historical energy consumption and load factor.

(3) No ~~[revised]~~ adjusted demand shall exceed 95 percent of the subsequent actual demand, unless the utility has, along with the estimated demand bill, offered a special appointment to read the meter, and the

customer failed to arrange and keep such appointment, in which case the estimated demand may be ~~[revised]~~ adjusted up to the level of the subsequent actual demand.

(4) A utility shall downwardly ~~[revise]~~ adjust any estimated demand that exceeds the subsequent actual demand, which 30 calendar days after such actual demand was obtained.

(5) A utility may only upwardly ~~[revise]~~ adjust an estimated demand within 60 calendar days after the subsequent actual demand was obtained.

(e) ~~[Utilities shall comply with this section no later than March 18, 1988.]~~ Late bills for small non-residential customers.

(1) Except for a seasonal or short-term customer as defined in this Part, a utility must render a bill for service to a small non-residential customer within three months from the end date of each monthly billing period, unless the failure of the utility to bill sooner was not due to the neglect of the utility or was due to the culpable conduct of the customer.

(2) A utility shall not render a late bill to a small non-residential customer after the expiration of 24 months from the time service to which the bill pertains was provided, unless the failure to bill sooner was due to the culpable conduct of the customer.

(3) If a utility does not render a timely bill in accordance with this subdivision, then such small non-residential customer shall not be charged for such service.

(4) If an initial bill was timely rendered to a small non-residential customer, a utility may upwardly or downwardly adjust the charges subject to the rules in this part.

(f) Late bills for large non-residential customers.

(1) A utility shall not render a late bill to a large non-residential customer more than six months after the utility actually became aware of the circumstance, error or condition that caused the late billing, unless a court extends the time to render a late bill.

(2) A utility shall not render a late bill to a large non-residential customer after the expiration of 24 months from the time service to which the bill pertains was provided, unless the failure to bill sooner was due to the culpable conduct of the customer.

(3) If a utility does not render a timely bill in accordance with this subdivision, then such large non-residential customer shall not be charged for such service.

(4) If an initial bill was timely rendered to a large non-residential customer, a utility may upwardly or downwardly adjust the charges subject to the rules in this part.

(g) A utility shall not recover from any of its customers any foregone revenue that the utility is precluded from collecting from an individual customer by this section.

Paragraph (1) of subdivision (a) of section 13.11 is amended to read as follows:

(1) Only service(s) performed, materials furnished or other charges made by the utility, in accordance with its filed tariff, may be included and shall be itemized on the applicable bill [form. Whenever the bill form, by reason of size limitations, does not permit itemization, totals may be utilized, provided the charges making up such totals are itemized and sent with the bill]. Nothing in this paragraph shall preclude a municipality from including on its bill separate and itemized charges for municipal services not included in the municipality's filed tariff.

Paragraph (1) of subdivision (b) of section 13.11 is amended to read as follows:

(1) the name of the [~~corporation, partnership or person~~utility] that furnished the service; and if the service is furnished by a corporation that is owned or controlled by another company, or constitutes part of a system, the bill may so indicate by the use of a symbol or a statement to that effect;

Paragraph (6) of subdivision (b) of section 13.11 is amended to read as follows:

(6) the quantity of service billed, the unit of measurement used, except quantity need not be shown for interim budget billing, an explanation of any calculations or factors used to determine the cost of service, a description and the cost of any other tariff charges, [and] the total of the current charges, the gross amount of the bill, including any sales tax, the amount of discount and/or net amount of the bill, if applicable, and the date when the discount period expires, which shall be shown on the front of the bill;

Paragraphs (9) and (10) of subdivision (b) of section 13.11 are renumbered to be paragraphs (10) and (11). New subdivision (9) is added to read as follows:

(9) debit or credit balance still outstanding from prior bill, if any;

Paragraphs (1) and (2) of subdivision (d) of section 13.11 are amended and new paragraphs (3) and (4) are added to read as follows:

(1) for every cumulative energy and demand meter, the indices being used to calculate the bill, whether they are based on an actual reading of the meter, a remote register, a customer-provided reading, or an estimated; and if estimated, the reason therefor; [and]

(2) the meter multiplier or constant for each meter[.];

(3) the present meter reading, actual or estimated (indicate if estimated) and date thereof; and

(4) the previous meter reading, actual or estimated (indicate if estimated), and date thereof, or the number of days or the prorated period from the previous meter reading, actual or estimated, to the present meter reading, actual or estimated.

Subdivision (g) of section 13.11 is amended and a new subdivision (h) is added to read as follows:

(g) [Utilities shall comply with this section no later than March 18, 1988.] Company offices. Each utility, other than a municipality, shall provide annually to its customers a list of all company offices at which utility bills may be paid, if such information is not shown on its bill.

(h) Steam service. Bills for steam service must include meter constant, temperature, pressure, and pressure factor.

CHAPTER I RULES OF PROCEDURE
SUBCHAPTER B PROCEDURES AND REQUIREMENTS CONCERNING CONSUMER PROTECTIONS
PART 14
RULES GOVERNING THE PROVISION OF SERVICE BY CERTAIN WATER CORPORATIONS TO
RESIDENTIAL CUSTOMERS

Paragraph (5) of subdivision (b) of section 14.2 is amended to read as follows:

(5) A *backbill* is ~~[any bill or any portion of a bill, other than a levelized bill, which represents charges for service that was actually delivered to the customer's premises during a period before the current billing cycle, which was not previously billed.]~~a bill that is either a late bill or an upwardly adjusted bill.

Paragraphs (24), (25), and (26) are added to subdivision (b) of section 14.2 to read as follows:

(24) Unless defined in a utility's effective tariff, the term *monthly billing period* shall mean the 25 to 35 day period for which monthly bills are rendered.

(25) A *late bill* is a bill for service used by the customer before the most recently concluded billing period and for which the customer was not previously billed.

(26) An *upwardly adjusted bill* is any bill, other than a levelized bill, that contains an upward adjustment of a charge for service that was previously billed to the customer.

Subparagraph (iii) of paragraph (1) of subdivision (a) of section 14.10 is amended to read as follows:

(iii) when it renders ~~[a backbill which is]~~an upwardly adjusted bill with an upward adjustment of more than \$100; provided, however, that a utility is not required to offer an agreement under this subparagraph where the customer's culpable conduct caused or contributed to the underbilling.

Paragraph (4) of subdivision (d) of section 14.10 is amended to read as follows:

(4) A payment agreement offered [for backbilling,] under subparagraph (a)(1)(iii) of this section, may require the customer to pay the outstanding charges in three or more monthly installments of up to the cost of one month's average usage or one twenty-fourth of such charges, whichever is greater.

Section 14.13 is repealed and a new section 14.13 is adopted to read as follows:

§ 14.13 Adjusted bills and late bills.

(a) A utility shall render to a residential customer, with the exception of a seasonal, short-term or temporary customer, a monthly bill for services used by such customer during that monthly billing period, or, in the case of bi-monthly meter reads, services used during that month and the prior month, within three months from the end date of the monthly billing period, unless the failure of the utility to bill at an earlier time was not due to utility deficiency or was due to the culpable conduct of the customer. If a utility does not render a timely bill in accordance with this subdivision, then such residential customer shall not be charged for such service. If the customer remains liable for any such service and the delay in billing was not due to the culpable conduct of the customer, the utility shall explain the reason for the late bill and shall notify the customer in writing that payments may be made under an installment payment plan tailored to the customer's financial circumstances.

(b) A utility may not adjust upward a bill previously rendered to a residential customer after 12 months from the time the service to which the adjustment pertains was provided unless:

(1) failure to bill correctly was caused by the customer's culpable conduct;

(2) failure to bill correctly was not due to utility deficiency;

(3) there was a dispute between the utility and the customer concerning the charges for service during the 12-month period.

(c) A utility issuing a billing adjustment increase of \$100 or more under paragraphs (b)(2) and (3) of this section shall notify the customer in writing that the customer has the right to pay the upwardly adjusted bill in

regular monthly installments tailored to the customer's financial circumstances over a reasonable period. An adjustment to increase previously rendered bills more than 12 months after the time service was provided, pursuant to paragraphs (b)(2) and (3) of this section, shall be made within four months of the final resolution of the billing dispute.

(d) A utility adjusting any charge for service rendered 12 or more months prior to the date of issuance shall include with the bill a notice giving the reason for the adjustment.

(e) No utility may render a late bill or an upwardly adjusted bill after the expiration of 24 months from the time the service to which the late billing or adjustment pertains was provided unless the culpable conduct of the customer caused or contributed to the failure of the utility to render a timely or accurate billing.

(f) A utility shall not recover from any of its customers any foregone revenue that the utility is precluded from collecting from an individual customer by this section.

Paragraph (1) of subdivision (a) of section 14.14 is amended to read as follows:

(1) A utility may ~~[charge for late payment[s], consistent with its tariff, on the balance of any bill for service,]~~ impose late payment charges not in excess of one and one-half (1 1/2) percent per month on the unpaid balance of any bill for service, including any interest thereon, which has not been paid in full within 20 calendar days of the date payment was due.

Subdivision (b) of section 14.14 is amended to read as follows:

(b) Other charges. Except as provided in this section, a utility may not charge any customer a late payment charge, penalty, fee, interest or other charge of any kind for any late payment, ~~[or]collection effort,~~ service termination, disconnection or suspension or deferred payment agreement because the customer has

failed to pay on time. Nothing in this section prevents a utility from imposing a reasonable charge for other lawful purposes, consistent with its tariff.

Paragraph (1) of subdivision (a) of section 14.15 is amended to read as follows:

(1) the name and address of the ~~[corporation, partnership or person]~~utility responsible for supplying the service and if the service is furnished by a corporation that is owned or controlled by another company, or constitutes part of a system, the bill may so indicate by the use of a symbol or a statement to that effect;

Paragraph (6) of subdivision (a) of section 14.15 is amended to read as follows:

(6) the amount of service billed and unit of measurement with a separate itemization for minimum charges and usage, a statement of the cost of any other tariff charges and applicable taxes, ~~[and]~~ the total of the current charges, and the gross amount of the bill, including any sales tax, displayed in a vertical format;

Paragraphs 7, 8, 9, 10, 11, 12, and 13 of subdivision (a) of section 14.15 are renumbered as paragraphs 9, 10, 11, 12, 13, 14, and 15. New paragraphs (7) and (8) are added and the renumbered paragraph (11) is amended to read as follows:

(7) the amount of discount and/or net amount of the bill, if applicable, and the date when the discount period expires, which shall be shown on the front of the bill;

(8) the debit or credit balance still outstanding from a prior bill, if any;

(11) whether any charge will be imposed for late payment, if applicable, and the date payment must be received by the utility, in order to avoid a late payment charge, which shall be shown on the front of the bill;

New subdivisions (c) and (d) are added to section 14.15 to read as follows:

(c) For any utility that serves more than 15,000 customers in the State, each bill shall include the average daily usage per month or the monthly usage at the service address for the prior 13 months, inclusive of the month for which the bill was sent.

(d) Each utility shall provide annually to its customers a list of all company offices at which utility bills may be paid if such information is not shown on its bill.

Paragraph (2) of subdivision (a) of section 14.18 is renumbered paragraph (4). Paragraph 1 is amended and new paragraphs (2) and (3) are added to read as follows:

(1) An agent of a utility may enter[, at all reasonable times,] any location supplied with service by the utility for inspection and examination of its equipment related to the provision of such service on a non-holiday work day between 8 a.m. and 6 p.m. or such other reasonable time requested by the customer. At such time, the agent shall exhibit a photo-identification badge and a written authority signed by the president or vice-president and secretary or assistant secretary of the utility.

(2) The provisions of paragraph (1) of this subdivision shall not apply to the inspection and examination of any such equipment where an emergency may threaten the health and safety of a person, the surrounding area, or the utility's distribution system.

(3) Inspection and examination of any such equipment may be conducted between the hours of 8 a.m. and 9 p.m. on any day when there is evidence of meter tampering or theft of services.

A new section 14.22 is added to read as follows:

§ 14.22 Prohibition of utilities engaging in detrimental conduct towards a residential customer.

(a) Definitions:

(1) *Consumer reporting agency* means any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of intrastate or interstate commerce for the purpose of preparing or furnishing consumer reports.

(2) *Deferred payment agreement or payment agreement* (also referred to as the agreement in this section) means a written agreement for the payment of outstanding charges over a specific period of time, signed by both the utility and the applicant or customer and compliant with Article 2 of the Public Service Law and section 14.10 of this Part.

(3) *Detrimental conduct* means any conduct by a utility, the natural consequence of which is to harass, oppress, or abuse a residential applicant or customer in connection with the establishment of water service, handling of a residential customer complaint, the offering or negotiating of a deferred payment agreement, the collection of an unpaid balance, or any other obligation owed by such customer.

(4) *Residential customer complaint* means a complaint, which may involve bills for service by regulated entities, deposit requests, negotiations for deferred payment agreements, service problems or other matters relating to utility service, filed with:

(i) the utility by a residential customer relating to their water service; or,

(ii) the department or commission when the residential customer believes they have not obtained a satisfactory resolution of a dispute with a utility regulated by the commission.

(5) *Unpaid balance or any other obligation owed* means the charges owed by a residential applicant or customer that are due and owing to their utility for utility service to such applicant or customer. The utility may assess late payment charges, taxes, and State mandated assessments to a residential customer's bill as otherwise provided by law or regulation.

(b) Harass, oppress, or abuse.

(1) *harass, oppress, or abuse* shall mean and include, but not be limited to, when the utility knowingly fails or neglects to comply with the provisions of Article 2 of the Public Service Law. The following conduct shall be deemed a violation of this section:

(i) The use or threat of use of violence or other criminal means to harm physical persons, their reputation, or the property of any person.

(ii) The use of obscene or profane language or language, the natural consequence of which is to intimidate or otherwise insult or mistreat the listener or reader.

(iii) The publication of a list of customers who allegedly refuse to pay debts, except to a consumer reporting agency.

(iv) The advertisement for sale of any debt to coerce payment of the debt.

(v) Causing a telephone to ring or engaging any person in telephone conversation or other means of electronic communication repeatedly or continuously, the natural consequence of which is to annoy, abuse, or harass any person at the called number or point of electronic communication.

(vi) The placement of telephone calls or other means of electronic communication without meaningful disclosure of the purpose of the call or electronic communication and/or the identity of the utility.

(vii) The use of false, deceptive, or misleading representation in connection with the collection of a debt.

(2) The following conduct shall not be deemed harassment, oppression, or abuse by a utility:

(i) Communications by an employee or agent of a utility in the regular course of business when collecting or attempting to collect any debt owed or due to the utility.

(ii) Communication to a residential customer upon their express consent to receive autodialed and prerecorded or automated calls or other means of electronic communication related to utility service. The customer consent to contact includes communications related to utility service and is limited to communications

that warn or inform the customer about planned or unplanned service outages, updates about service outages or restoration, confirmation of service restoration or information about lack of service, notification of meter work or other field work, notification of possible eligibility for subsidized or lower cost services, or that relate to servicing and billing the customer's account.

(iii) Communications by an employee or agent of a utility when negotiating the terms and conditions of a deferred payment agreement consistent with Article 2 of the Public Service Law and section 14.10 of this Part.

(iv) Communications by an employee or agent of a utility when providing advice, information, or the position of that entity to a residential applicant or customer in relation to a complaint or the establishment of water service.

(c) No utility shall engage in any conduct the natural consequence of which is to harass, oppress, or abuse any residential applicant or customer in connection with the establishment of gas and/or electric service, handling of a residential customer complaint, the offering and/or negotiating of a deferred payment agreement, or the collection of an unpaid balance or any other obligation owed by such customer.

(d) Investigation of complaints under these provisions shall be conducted through the Consumer Complaint Procedures set forth in Part 12 of this Title. The utility shall maintain records related to any complaint received pursuant to this section for a minimum of six years from the date of the complaint.

(e) Any utility found in violation of this section shall also be subject to fines, penalties, and enforcement pursuant to Public Service Law sections 24, 25, 25-a, and 26.

CHAPTER II ELECTRIC UTILITIES
SUBCHAPTER D RATES AND CHARGES
PART 140
BILLS FOR SERVICE—ELECTRIC CORPORATIONS

Part 140 is repealed.

CHAPTER III GAS UTILITIES
SUBCHAPTER D RATES AND CHARGES
PART 273
BILLS FOR SERVICE—GAS CORPORATIONS

Part 273 is repealed.

CHAPTER IV STEAM UTILITIES
SUBCHAPTER D RATES AND CHARGES
PART 433
BILLS FOR SERVICE—STEAM CORPORATIONS

Part 433 is repealed.

REGULATORY IMPACT STATEMENT FOR 24-M-0239SP1

Statutory Authority:

Public Service Law (PSL) Sections 5, 65, 66, 79, 80, 89-b, and 89-c assign to the Public Service Commission (Commission) jurisdiction, supervision, powers, and duties over all gas corporations, electric corporations, steam corporations, water-works corporations, and municipalities providing gas or electric service in the State and the power to ensure the provision of such services is safe and adequate and in all respects just and reasonable.

PSL Section 41(1) prohibits a utility corporation or municipality from charging a residential customer for gas or electric service if the utility corporation or municipality does not render a monthly bill for services used by the customer during that monthly period, or in the case of bi-monthly meter reads, during that month and the prior month, within three months from the end date of such billing period unless failure to bill sooner was not due to the neglect of the utility corporation or municipality or was due to the culpable conduct of the customer.

PSL Section 42 allows utility corporations or municipalities to impose late payment charges not in excess of 1.5% per month on the unpaid balance of any bill including any interest thereon.

PSL Section 44(7) provides that, as part of every billing statement, any utility corporation that serves more than 15,000 customers in New York shall provide the average daily usage per month or the monthly usage at the customer's address for the prior thirteen months. Additionally, upon request by the customer, such utility corporation is required to provide monthly billing charge amounts at such customer's address for the thirteen months prior to the current billing period, no later than thirty days after such request is made.

PSL Section 47 sets forth the conditions under which an authorized agent of a utility corporation or municipality may enter a location supplied with gas or electricity by the utility corporation or municipality to inspect and examine utility apparatus.

PSL Section 50 requires every water-works corporation with gross revenues in excess of \$250,000 to provide residential service in accordance with all relevant provisions of Article 2 of the PSL.

PSL Section 53-a prohibits utility corporations, municipalities, and energy services companies from engaging in detrimental conduct towards a residential customer.

PSL Section 66-w prohibits a utility corporation or municipality from charging a small non-residential customer for gas or electric service if the utility does not render a monthly bill for services used by the customer during that monthly period, or in the case of bi-monthly meter reads, during that month and the prior month, within three months from the end date of such billing period unless failure to bill sooner was not due to the neglect of the utility corporation or municipality or was due to the culpable conduct of the customer.

Legislative Objectives:

The legislative intent in enacting PSL Sections 41(1), 44, and 66-w was to ensure that utility corporations and municipalities provide transparent and timely bills for the services provided to customers.

Through PSL Section 50, the legislature intended the consumer protections set forth in PSL Article 2, including those provided in PSL Sections 41, 42, 44, 47, and 53-a, to apply to customers of certain waterworks corporations.

Needs and Benefits:

Chapter 763 of the Laws of 2023 and Chapter 62 of the Laws of 2024 enacted statutory amendments that require utilities to bill residential customers within three months of the end date of the billing period for electric, gas, steam, and water service, bill small non-residential customers within three months of the end date of the billing period for electric and gas service, and provide residential customers with historical information regarding their usage and billing for any utilities with more than 15,000 customers. Amendments to Part 11, Part 13, and Part 14 of Title 16 of the NYCRR are necessary to reflect these statutory changes.

Additionally, other amendments consolidate sections that contain redundant requirements for the contents of utility bills, better align Title 16 of the NYCRR with the PSL, and make technical changes. These additional changes ensure Title 16 accurately reflects the requirements set forth in the PSL and provide a more organized structure for these rules.

Finally, pursuant to Sections 13.11, 140.1, 273.1, and 433.1 of Title 16 of the NYCRR, only services performed, materials furnished, or other charges made by a utility in accordance with its tariff on file with the Commission may be included on the bill issued by the utility. However, some municipalities that provide gas and/or electric service issue bills to their customers that also include charges for other services provided by the municipality but not set forth in a tariff on file with the Commission, such as charges for water, wastewater, or solid waste services. This rulemaking would clarify that municipalities can include charges for other such municipal services on the same bill as charges for gas and/or electric service provided the charges for other municipal services are separate and itemized. This amendment would ensure customers continue to receive transparent billing and also allow municipalities to pursue what could be a more efficient method of billing for municipal services.

COSTS: Costs to Private Regulated Parties:

The proposed amendments should not impose increased costs on private regulated entities because the proposed amendments would not impose any requirements on these entities beyond the requirements currently set forth in the PSL

Costs to Local Government:

There are no anticipated added costs to local governments.

Costs to the Public Service Commission or the Department of Public Service:

There are no anticipated added costs to the Commission or Department of Public Service.

Costs to Other State Agencies:

There are no known or identifiable costs to other State agencies or offices of State government.

Paperwork:

The proposed rule does not require any paperwork for regulated parties.

Local Government Mandates:

The proposed rule does not impose any mandates on local government.

Duplication:

The purpose of these proposed changes is to align Title 16 of the NYCRR with the PSL. The proposed changes would also consolidate existing duplicative requirements within Title 16 of the NYCRR regarding utility billing. There are no other relevant State or Federal rules that duplicate, overlap, or conflict with the proposed revisions.

Alternatives:

No alternatives to this rule were considered. These proposed changes would ensure Title 16 of the NYCRR is aligned with the PSL.

Federal Standards:

There are no relevant Federal standards.

Compliance Schedule:

The proposed revisions would be effective upon publication of a Notice of Adoption filed in the New York State Register. Regulated entities should already be in compliance with the requirements set forth in these proposed amendments as these proposed amendments simply align Title 16 of the NYCRR with the PSL.

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**STATEMENT IN LIEU OF RURAL AREA FLEXIBILITY ANALYSIS
FOR 24-M-0239SP1**

A Rural Area Flexibility Analysis for the amendments to 16 NYCRR Part 11, Part 13, and Part 14 and the repeal of 16 NYCRR Part 140, Part 273, and Part 433 is not being submitted because the amendments will not impose any adverse impact or significant reporting, record keeping, or other compliance requirements on public or private entities in rural areas. There are no professional services, capital, or other compliance costs imposed on public or private entities in rural areas as a result of the proposed amendments. The proposed amendments to 16 NYCRR Part 11, Part 13, and Part 14, and the repeal of 16 NYCRR Part 140, Part 273, and Part 433 are intended to update regulations to conform to recent changes to Public Service Law Sections 41, 44, and 66-w, address redundant provisions, and make technical changes. Additionally, the proposed changes would clarify that municipalities providing gas and/or electric service may include charges for other municipal services on the same bill with charges for gas and/or electric service. This may allow for more efficient billing for municipal services.

STATEMENT IN LIEU OF REGULATORY FLEXIBILITY ANALYSIS
FOR 24-M-0239SP1

No Regulatory Flexibility Analysis is required pursuant to section 202-b(3)(a) of the State Administrative Procedure Act. The proposed amendments would not impose an adverse economic impact on small businesses or local governments, and would not impose reporting, recordkeeping or other compliance requirements on small businesses or local governments. The proposed amendments to 16 NYCRR Part 11, Part 13, and Part 14, and the repeal of 16 NYCRR Part 140, Part 273, and Part 433 are intended to update regulations to conform to recent changes to Public Service Law Sections 41, 44, and 66-w, address redundant provisions, and make technical changes. Additionally, the proposed changes would clarify that municipalities providing gas and/or electric service may include charges for other municipal services on the same bill with charges for gas and/or electric service. This may allow for more efficient billing for municipal services.

JOB IMPACT STATEMENT FOR 24-M-0239SP1

The Department of Public Service projects that there will be no adverse impact on jobs or employment opportunities in the State of New York because of this proposed rule change. The proposed amendments to 16 NYCRR Part 11, Part 13, and Part 14, and the repeal of 16 NYCRR Part 140, Part 273, and Part 433 are intended to update regulations to conform to recent changes to Public Service Law Sections 41, 44, and 66-w, address redundant provisions, allow municipalities to include charges for other municipal services on the same bill with charges for gas or electric service, and make other technical changes. No further steps were needed to ascertain these facts, and none were taken. As apparent from the nature and purpose of this proposed rule change, a full Job Impact Statement is not required and therefore one has not been prepared.