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'Bill of Rights' Is Adopted For NY Utility Consumers

Newsday Albany Bureau

Albany—Accused by a key assemblyman of trying to undermine consumer legislation passed last year, the Public Service Commission adopted final regulations on the "utility consumers bill of rights" yesterday, but only after amending some of the regulations to meet the objections and putting two others aside for further study.

The regulations put into effect a law passed last year that Gov. Hugh L. Carey called "landmark legislation" designed to protect the poor, elderly and sick from having their heat and electric service cut off.

The PSC's original proposals drew the wrath of Assemb. G. Oliver Koppell (D-Bronx), the prime sponsor of the law, who said in a letter to the commission last month that in some instance its regulations "actually contradict the intention expressed and implied in the law."

Koppell said that while the law calls for the commission to protect persons who would suffer health and safety problems from any service cutoff during winter, the commission only intended to give such protection to residents of one-family homes, not those in multiple dwellings. Yesterday the commission voted to study this matter further. It also agreed to study further a regulation that would require all adults in a household to sign an application for utility service. "If it is the intention to charge an adult resident for the

arrears for another adult resident before service is provided to the new customer, this is clearly contradictory to legislative intent," Koppell wrote.

The rules the PSC approved include measures to prevent a utility from cutting off service to a resident delinquent in his bills without first offering a deferred payment plan; restrict the circumstances under which someone can be asked to make a down payment for service and allow the deposit to be made in installments over a year, and provide at least 15 days' notice before any shutoff.

Lisa Rosenblum, the director of the PSC's consumer services division, said the commission had made sure that a down payment could be requested only when a customer is two full months in arrears and then can't pay 50 per cent of the bill due. Commissioner Anne Mead, who joined with Rosemary Pooler to oppose the new regulations, questioned whether the new law allowed any deposit to be required.

Koppell said he was largely satisfied with the commission's final action. "Two key parts are still out and hopefully we'll be able to get what we want," he said. But B. Robert Piller, director of the Public Utility Law Project, a consumer group, said, "On every vital issue they've either taken the utility position or delayed a decision until it won't be newsworthy. No one will care what they do about [service cutoffs under] winter weather conditions in July." —Mitchell