

# A.10008-B (Budget), Part RR

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<p><b>BILL</b></p> <p>A.10008-B (Budget), Part RR, - see also S.9199 (Scarcella-Spanton)/ A.9548 (Dinowitz)</p>
<p><b>SUBJECT</b></p> <p>Office of Utility Consumer Advocate</p>
<p><b>DATE</b></p> <p>March 19, 2026</p>
<p><b>OPPOSE</b></p>

The Business Council of New York State opposes this legislation which would create a new office of utility consumer advocate within the Department of Public Service, as it is unnecessary, and will add to the state regulatory costs borne by utilities and ultimately by utility customers.

Ironically, the bill would repeal subdivision 4 of §94-a of the Executive Law, which establishes the utility intervention unit with the State Department’s consumer protection division. The UIU is directed to participate in any PSC proceeding to represent the interests of consumers, to investigate complaints, to hold customer forums within utility’s service territories – basically, the duties that would be recreated under this legislation.

Moreover, the State Department’s Consumer Division has broad statutory powers to “initiate and encourage consumer education programs,” “conduct investigations, research, studies and analyses of matters affecting the interests of consumers,” and “**represent the interests of consumers** of the state before federal, state and local administrative and regulatory agencies,” including the PSC.

The legislative sponsors of similar legislation say, within the PSC’s role in mediating the competing interests, “there is a glaring lack of input from any parties representing consumers.” In reality, there is currently no shortage of advocates for residential customers. As mentioned above, the Utility Intervention Unit (UIU) of the Department of State looks after residential and small commercial and industrial customers in rate cases. There is also the (state supported) Public Utility Law Project, which, when it participates, only represents low-income residential customers. In addition, numerous other groups and organizations participate in PSC proceedings on behalf of residential customers, such as AARP, which has ample resources.

These customers are protected more than adequately under current PSC rate cases.

Instead of creating duplicative state administrative functions, New York needs to

recognize the impact that other state policies are having on the state's energy markets, including those that add additional mandates, restrictions and assessments on energy providers.

However, this proposal – at best – fails to address the root problems of high energy cost in the state and – at worst – is a veiled attempt to divert attention from the true drivers of energy costs in New York.

For these reasons, The Business Council of New York State, Inc. opposes A.10008-B, Part RR.