

ASSEMBLY, No. 4573

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED AUGUST 25, 2020

Sponsored by:

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District 10 (Ocean)

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District 37 (Bergen)

SYNOPSIS

Requires electric public utility to reimburse residential customer for cost of food and prescription medicine spoiled or compromised as a result of sustained electric service outage.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/27/2020)

1 **AN ACT** concerning reimbursement for certain costs resulting from
2 a sustained electric public utility service outage and
3 supplementing Title 48 of the Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. Beginning 90 days after the effective date of this act, an
9 electric public utility shall reimburse a residential customer who
10 experienced a sustained interruption in electric service for the
11 amount the customer paid for any food and prescription medicine
12 that spoiled or was compromised due to lack of refrigeration caused
13 by the sustained interruption.

14 b. The reimbursement amount to a residential customer
15 pursuant to subsection a. of this section shall be as follows:

16 (1) a customer whose food has spoiled due to a lack of
17 refrigeration caused by a sustained interruption shall be entitled to a
18 reimbursement of up to \$500 for the amount paid for the food that
19 spoiled. A customer who requests a reimbursement pursuant to this
20 paragraph shall provide to the utility an itemized list of the spoiled
21 food and proof of loss including, but not limited to, a cash register
22 tape, store or credit card receipt, cancelled check, or photograph of
23 the spoiled food item; and

24 (2) a customer whose prescription medicine has been
25 compromised due to a lack of refrigeration caused by the sustained
26 interruption shall be entitled to a reimbursement of up to \$1,000 for
27 the amount paid for the prescription medicine that was
28 compromised. A customer who requests reimbursement pursuant to
29 this paragraph shall provide to the utility an itemized list of the
30 compromised prescription medicine and proof of loss, including,
31 but not limited to, a pharmacy prescription label or pharmacy
32 receipt identifying the medicine.

33 c. No later than 90 days after the effective date of this act, each
34 electric public utility in the State shall develop and implement a
35 system for customers of the utility to apply for a reimbursement
36 online through the utility's Internet website. Applications for
37 reimbursement shall be made in a form and manner as determined
38 by the board. An electric public utility shall make a reimbursement
39 to a customer no later 30 days after receipt of a customer's request.

40 d. The board may, pursuant to the "Administrative Procedure
41 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules and
42 regulations necessary for the implementation of this section.

43 e. As used in this section:

44 "Board" means the Board of Public Utilities or any successor
45 agency.

46 "Electric public utility" or "utility" means a public utility, as that
47 term is defined in R.S.48:2-13, that provides electric distribution
48 service in this State.

1 “Major event” means an occurrence arising from conditions
2 beyond the control of an electric public utility that affect the
3 operation of an electric public utility’s distribution system,
4 including, but not limited to, a thunderstorm, tornado, hurricane,
5 flood, heat wave, snow storm, ice storm, earthquake, terrorist
6 attack, or any other condition that the board determines, which
7 results in a sustained interruption of electric public utility service.

8 “Sustained interruption” means the cessation of electric public
9 utility service to one or more customers lasting more than 48
10 consecutive hours after the conclusion of a major event where the
11 electric public utility service cessation was caused by that major
12 event.

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14 2. This act shall take effect immediately.

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STATEMENT

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19 This bill would require an electric public utility to reimburse a
20 residential customer for the cost of food and prescription medicine
21 that spoils or is compromised as a result of a sustained power
22 outage.

23 Under the bill, a customer whose food spoils due to a lack of
24 refrigeration caused by a sustained power outage would be entitled
25 to a reimbursement of up to \$500 for the amount paid for the food
26 that spoiled. A customer whose prescription medicine is
27 compromised due to a lack of refrigeration caused by a sustained
28 power outage would be entitled to a reimbursement of up to \$1,000
29 for the amount paid for the prescription medicine that is
30 compromised. In both cases, a customer would be required to
31 submit to the electric public utility an itemized list of losses and
32 proof of loss, as specified in the bill.

33 No later than 90 days after the effective date of the bill, each
34 electric public utility in the State would be required to develop and
35 implement a system for customers of the electric public utility to
36 apply for a reimbursement online via the electric public utility’s
37 Internet website. Applications for a reimbursement would be made
38 in a form and manner as determined by the Board of Public
39 Utilities. The board would be authorized to adopt rules and
40 regulations necessary to implement the bill.