

SENATE, No. 2859

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED AUGUST 27, 2020

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

SYNOPSIS

Requires electric public utility to reimburse customer for cost of spoiled food and prescription medicine resulting from service outage more than 48 hours after end of storm.

CURRENT VERSION OF TEXT

As introduced.



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 P.L. , c.
9 (C.) (pending before the Legislature as this bill), an electric
10 public utility shall reimburse a customer who experiences a
11 sustained interruption in electric service for the actual cost of food
12 or prescription medicine, or both, that spoils due to lack of
13 refrigeration caused by the sustained interruption.

14 b. A customer whose food or prescription medicine has spoiled
15 due to a lack of refrigeration caused by a sustained interruption
16 shall be entitled to a reimbursement for the actual cost of the
17 spoiled food or prescription medicine, or both. A customer who
18 requests a reimbursement, pursuant to subsection c. of this section,
19 shall provide to the electric public utility an itemized list of the
20 spoiled food or prescription medicine, or both, and proof of loss
21 including, but not limited to, a cash register tape, store or credit
22 card receipt, cancelled check, or photograph of the spoiled food
23 item or prescription medicine. For prescription medicine, the
24 residential customer shall provide to the utility a copy of a
25 pharmacy prescription label or pharmacy receipt identifying the
26 medicine.

27 c. No later than 90 days after the effective date of P.L. , c.
28 (C.) (pending before the Legislature as this bill), each electric
29 public utility in the State shall develop and implement a system for
30 customers of the utility to apply for a reimbursement online via the
31 utility's Internet website. Applications for a reimbursement shall be
32 made in a form and manner as determined by the board.

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

36 e. As used in this section:

37 "Board" means the Board of Public Utilities or any successor
38 agency.

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

42 "Major event" means an occurrence arising from conditions
43 beyond the control of an electric public utility that affect the
44 operation of an electric public utility's distribution system,
45 including, but not limited to, a thunderstorm, tornado, hurricane,
46 flood, heat wave, snow storm, ice storm, earthquake, terrorist
47 attack, or any other condition that the board determines, which
48 results in a sustained interruption of utility service.

1 “Sustained interruption” means the cessation of electric public
2 utility service to one or more customers lasting more than 48
3 consecutive hours after the conclusion of a major event where the
4 electric public utility service cessation was caused by that major
5 event.

6
7 2. This act shall take effect immediately.

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10 STATEMENT

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12 This bill requires an electric public utility (utility) to reimburse a
13 utility customer for the cost of food or prescription medicine, or
14 both, that spoils as a result of a sustained power outage. Under the
15 bill, a customer whose food or prescription medicine spoils due to a
16 lack of refrigeration caused by a sustained power outage would be
17 entitled to a reimbursement for the actual cost of the spoiled food or
18 prescription medicine. A utility customer would be required to
19 submit to the utility an itemized list of losses, and proof of loss, as
20 specified in the bill.

21 No later than 90 days after the effective date of the bill, each
22 utility in the State is required to develop and implement a system
23 for customers of the utility to apply for a reimbursement online via
24 the utility’s Internet website. Applications for a reimbursement is
25 to be made in a form and manner as determined by the Board of
26 Public Utilities.