

SENATE, No. 3739

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 11, 2021

Sponsored by:

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

SYNOPSIS

Requires electric public utility to reimburse customers for cost of certain spoiled products resulting from service outage more than 72 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:*

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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 residential customer who
11 experienced a sustained interruption for the full cost of spoiled food
12 or prescription medicine, or both, due to the lack of refrigeration
13 during the sustained interruption, upon filing a claim for the loss in
14 a form and manner established by the board. A residential customer
15 shall provide to the utility an itemized list of the spoiled food or
16 prescription medicine and proof of loss that shall include a copy of
17 a cash register tape receipt, store or credit card receipt, cancelled
18 check, or photograph of a spoiled food item or prescription
19 medicine. For prescription medicine, the residential customer shall
20 provide to the utility a copy of a pharmacy prescription label or
21 pharmacy receipt identifying the medicine.

22 b. Beginning 90 days after the effective date of P.L. , c.
23 (C.) (pending before the Legislature as this bill), an electric
24 public utility shall reimburse a business customer who experienced
25 a sustained interruption for the full cost of spoiled perishable
26 commercial products, due to the lack of refrigeration during the
27 sustained interruption, upon filing a claim for the loss in a form and
28 manner established by the board. A business customer shall provide
29 to the utility an itemized list of the spoiled perishable commercial
30 products and proof of loss that shall include a copy of a purchase
31 invoice, cash register tape receipt, store or credit card receipt,
32 cancelled check, or photograph of spoiled perishable commercial
33 products.

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

40 d. The board shall, 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 P.L. , c. (C.) (pending before the
44 Legislature as this bill):

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

1 “Electric public utility” or “utility” means a public utility, as that
2 term is defined in R.S.48:2-13, that provides electric distribution
3 service in this State.

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

11 “Sustained interruption” means the cessation of electric public
12 utility service to one or more customers lasting more than 72
13 consecutive hours after the conclusion of a major event where the
14 electric public utility service cessation was caused by that major
15 event.

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17 2. This act shall take effect immediately.

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STATEMENT

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22 This bill requires an electric public utility (utility) to reimburse
23 its customers who experienced a “sustained interruption” caused by
24 a “major event,” as those terms are defined in the bill, for the actual
25 cost of spoiled food, prescription medicine, or perishable
26 commercial products, due to the lack of refrigeration during the
27 sustained interruption, upon filing a claim for the loss in a form and
28 manner established by the Board of Public Utilities (BPU). Under
29 the bill, a residential customer that experiences a sustained
30 interruption may be reimbursed for the actual cost of spoiled food
31 or prescription medicine under conditions stated in the bill.
32 Further, a business customer that experiences the same sustained
33 interruption may be reimbursed for the actual cost of spoiled
34 perishable commercial products under conditions stated in the bill.

35 No later than 90 days after the effective date of the bill, each
36 utility in the State is required to develop and implement a system
37 for customers of the utility to apply for a reimbursement online via
38 the utility’s Internet website. Applications for a reimbursement is to
39 be made in a form and manner as determined by the BPU.