

ASSEMBLY, No. 436

STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

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District 32 (Bergen and Hudson)

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Assemblywoman ANNETTE QUIJANO

District 20 (Union)

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Assemblywoman Handlin, Assemblyman McKeon, Assemblywoman Mosquera, Assemblymen Johnson, Chiaravalloti, Kennedy, Conaway, Eustace, Assemblywomen Pintor Marin, N.Munoz and Vainieri Huttle

SYNOPSIS

Requires electric public utilities to provide priority power restoration to certain medical facilities, assisted living facilities, and nursing homes.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 1/30/2018)

1 AN ACT concerning certain power restoration practices of electric
2 public utilities and supplementing Title 48 of the Revised
3 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. As used in P.L. , c. (C.) (pending before the
9 Legislature as this bill):

10 "Assisted living facility" means an assisted living residence or
11 comprehensive personal care home licensed pursuant to P.L.1971,
12 c.136 (C.26:2H-1 et seq.).

13 "Board" means the Board of Public Utilities or any successor
14 agency.

15 "DNA" means deoxyribonucleic acid.

16 "Electric public utility" means a public utility, as that term is
17 defined in R.S.48:2-13, that transmits and distributes electricity to
18 end users within this State.

19 "Extended power outage" means an electric power outage lasting
20 more than 24 hours.

21 "Facility" means an assisted living facility; hospital; chronic or
22 acute renal dialysis facility; clinical or research laboratory or
23 institute that stores human blood, other human tissue, or human
24 DNA; or nursing home.

25 "Hospital" means hospital licensed pursuant to P.L.1971 c.136
26 (C.26:2H-1 et seq.).

27 "Major event" means a natural or humanly caused occurrence
28 arising from conditions beyond the control of the utility, including,
29 but not limited to, a terrorist attack, thunderstorm, tornado,
30 hurricane, flood, heat wave, snow storm, ice storm, or earthquake,
31 which results in: a. a sustained interruption of electric public utility
32 service to at least 10 percent of the customers in an operating area
33 or 10 percent of a utility's customers within a municipality or
34 county located in an operating area; or b. the declaration of a state
35 of emergency or disaster by the State or by the federal government.

36 "Nursing home" means a nursing home licensed pursuant to
37 P.L.1971 c.136 (C.26:2H-1 et seq.).

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39 2. a. The board shall adopt, pursuant to the "Administrative
40 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and
41 regulations requiring an electric public utility to give priority to a
42 facility for electric public utility power restoration after an extended
43 power outage following a major event, except that power restoration
44 efforts to a facility shall not divert efforts to restore power where
45 needed to otherwise maintain overall public safety.

46 b. The rules and regulations adopted by the board pursuant to
47 subsection a. of this section shall allow an electric public utility to
48 exercise its discretion to prioritize power restoration to a facility

1 after an extended power outage in accordance with the facility's
2 needs and with the characteristics of the geographic area in which
3 power shall be restored.

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5 3. This act shall take effect 60 days following the date of
6 enactment.

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STATEMENT

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11 This bill requires the Board of Public Utilities (BPU) to adopt
12 rules and regulations requiring an electric public utility to provide
13 priority power restoration following an extended power outage to:
14 1) hospitals; 2) nursing homes; 3) assisted living facilities; 4)
15 chronic or acute renal dialysis facilities; and 5) clinical or research
16 laboratories or institutes that store human blood, other human
17 tissue, or human DNA. Any priority power restoration efforts to the
18 specified facilities are not to divert efforts to restore power where
19 needed to otherwise maintain overall public safety.

20

21 The bill requires BPU to allow a utility to exercise its discretion
22 to prioritize power restoration to any of the specified facilities after
23 an extended power outage in accordance with the facilities' needs
24 and the characteristics of the geographic area in which power is to
be restored.