

**ASSEMBLY, No. 4601**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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INTRODUCED SEPTEMBER 22, 2022

**Sponsored by:**

**Assemblyman KEVIN J. ROONEY**

**District 40 (Bergen, Essex, Morris and Passaic)**

**SYNOPSIS**

Requires electric public utilities to provide priority service restoration to age-restricted communities after major events.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the prioritization of electric public utility  
2 service restoration after a major event and supplementing Title  
3 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. As used in P.L. , c. (C. ) (pending before the  
9 Legislature as this bill):

10 "Age-restricted community" means a planned real estate  
11 development, as defined in section 3 of P.L.1977, c.419 (C.45:22A-  
12 23), consisting of dwelling units governed by a common set of  
13 rules, regulations, or restrictions intended and operated for persons  
14 55 years of age or older.

15 "Board" means the Board of Public Utilities or any successor  
16 agency.

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

20 "Major event" means an occurrence arising from conditions  
21 beyond the control of an electric public utility that affect the  
22 operation of a utility's distribution or transmission system,  
23 including, but not limited to, a thunderstorm, tornado, hurricane,  
24 flood, heat wave, snow storm, ice storm, earthquake, terrorist  
25 attack, or any other condition that the board determines, which  
26 results in:

27 a. a sustained interruption of electric public utility service to at  
28 least 10 percent of the customers in an operating area or 10 percent  
29 of a utility's customers within a municipality or county located in  
30 an operating area; or

31 b. the declaration of a state of emergency or disaster by the  
32 State or by the federal government.

33 "Sustained interruption" means the cessation of electric public  
34 utility service to one or more customers lasting more than 48  
35 consecutive hours after the conclusion of a major event where the  
36 utility service cessation was caused by that major event.

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38 2. a. The board shall adopt, pursuant to the "Administrative  
39 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and  
40 regulations requiring an electric public utility to give priority, when  
41 possible, to an age-restricted community for utility service  
42 restoration after a sustained interruption following a major event,  
43 except that utility service restoration efforts to an age-restricted  
44 community shall not divert efforts to restore utility service where  
45 needed to otherwise maintain overall public safety. The rules and  
46 regulations shall require a utility to request from every residential  
47 customer, on an annual basis, information as to whether the  
48 residential customer's address is located within an age-restricted

1 community. If a residential customer responds to the utility's  
2 request for that information in the affirmative, the utility shall  
3 designate that residential customer as eligible for priority utility  
4 service restoration.

5 b. The rules and regulations adopted by the board pursuant to  
6 subsection a. of this section shall allow an electric public utility to  
7 exercise its discretion to prioritize service restoration to an age-  
8 restricted community after a major event resulting in a sustained  
9 interruption in accordance with the an age-restricted community's  
10 needs and with the characteristics of the geographic area in which  
11 utility service shall be restored.

12  
13 3. This act shall take effect on the 60th day after the date of  
14 enactment, but the Board of Public Utilities may take any  
15 anticipatory administrative action in advance thereof as shall be  
16 necessary for the timely implementation of P.L. , c. (C. )  
17 (pending before the Legislature as this bill).

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20 STATEMENT

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22 This bill requires the Board of Public Utilities (BPU) to adopt  
23 rules and regulations requiring an electric public utility (utility) to  
24 provide priority utility service restoration, when possible, following  
25 a major event resulting in a sustained interruption of utility service  
26 to an age-restricted community. The bill requires the BPU to allow  
27 a utility to exercise its discretion to prioritize utility service  
28 restoration to an age-restricted community after a major event  
29 resulting in a sustained interruption of utility service in accordance  
30 with the an age-restricted community's needs and the characteristics  
31 of the geographic area in which that service is to be restored.

32 The bill requires a utility to request from every residential  
33 customer, on an annual basis, information as to whether the  
34 residential customer's address is located within an age-restricted  
35 community. If a residential customer responds to the utility's  
36 request for that information in the affirmative, the utility is to  
37 designate that residential customer as eligible for priority utility  
38 service restoration.

39 Any priority utility service restoration efforts to an age-restricted  
40 community is not to divert efforts to restore utility service where  
41 needed to otherwise maintain overall public safety.