



Legislation Text

File #: Res 0794-2003, Version: *

Res. No. 794

Resolution calling upon the New York City Water Board to reestablish a six-year timeframe within which customers may challenge the fees, rates, rents and other service charges established by the New York City Water Board for water and wastewater services.

By Council Members Gennaro, Avella, Barron, Brewer, Clarke, Comrie, Fidler, Gentile, Jennings, Koppell, Liu, Lopez, Martinez, Monserrate, Nelson, Recchia, Stewart, Weprin, Yassky, Baez, Gallagher and Lanza

Whereas, The New York City Water Board ("Water Board") is authorized, pursuant to section 1045-g(4) of the New York State Public Authorities Law (the "Law"), to establish, in accordance with section 1045-j of the Law, fees, rates, rents or other charges for the use of, or services furnished, by the City's water and wastewater systems; and

Whereas, In April 1999, the Water Board proposed for Fiscal Year 2000 a period of eighteen months within which a customer could file a complaint that challenged a water or wastewater bill; and

Whereas, The practice at that time allowed a period of six years within which a customer could challenge a water or wastewater bill; and

Whereas, After public hearings were held on April 22, 23, 26 and 27, 1999, pursuant to section 1045-j(3) of the Law, the Water Board adopted a resolution on May 4, 1999, limiting the opportunity for a customer to challenge a water or wastewater bill to two years from the date of such bill for bills issued after July 1, 1999; and

Whereas, On October 23, 2001, Chapter 375 of the Laws of 2001 was adopted, which established a minimum six-year period within which a customer could challenge any fee, rate, rent or other service charges for the use of or services furnished by the City's water and/or wastewater systems; and

Whereas, On November 13, 2001, Chapter 467 of the Laws of 2001 was adopted, which changed the minimum period within which a customer could challenge any fee, rate, rent or other service charges for the use of or services furnished by the City's water and/or wastewater systems from six to four years; and

Whereas, A six-year period within which customers could file complaints regarding erroneous water or wastewater bills is consistent with the New York State Public Service Commission (PSC) practice regarding bill challenges for the utility companies it regulates; and

Whereas, Although the Water Board is not regulated by the PSC, the State Consumer Protection Board, in an April 21, 1999 letter to the Water Board, recommended that the Water Board adopt the PSC's practice of permitting a six-year period for consumer refunds; and

Whereas, Many of the City's water and wastewater customers do not necessarily have the knowledge and expertise to determine whether they are being overcharged, since these customers typically possess limited knowledge regarding Water Board rates and policies; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Water Board to reestablish a six-year timeframe within which customers may challenge the fees, rates, rents and other service charges established by the New York City Water Board for water and wastewater services.

DD LS#2221
4/3/03 1:58 p.m.

[1013]

[1013]