



Department of Public Service

Public Service Commission
John B. Rhodes
Chair and
Chief Executive Officer

Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

Diane X. Burman
James S. Alesi
Tracey A. Edwards
John B. Howard
Commissioners

December 10, 2020

Dear Community Leader/Elected Official:

The New York State Department of Public Service (DPS) is hosting a series of virtual public forums regarding Tropical Storm Isaias and resulting power outages. Public comment is sought by DPS and the DPS Special Counsel for Ratepayer Protection regarding the storm preparation and response by the state's major electric utilities, including Central Hudson, Con Edison, Orange and Rockland Utilities and PSEG, Long Island.

To ensure full public participation, DPS will hold the virtual public forums to solicit input and comments from your community concerning the utilities' performance regarding the storm. The forums are open to members of the public who wish to participate and comment. Information received at the public forums will be transcribed and will be included in the record considered by the NY Public Service Commission in this matter.

The enclosed Press Release provides detailed information on how to participate at the public forums and how to submit comments. Information about the case can be found at www.dps.ny.gov. From the homepage, click on "Search," and enter the associated case number (20-E-0586) in the "Search by Case Number" field.

I would appreciate your assistance with informing your constituents about the public forums and encouraging them to provide comments. It is the Commission's intent to facilitate and encourage active and meaningful participation throughout all of its proceedings. I hope you will consider joining us.

Sincerely,

Bruce Alch
Deputy Director
Office of Consumer Services

Enc.

cc: Rory Lancman, DPS Special Counsel



For Immediate Release: 12/10/2020

GOVERNOR ANDREW M. CUOMO

GOVERNOR CUOMO ANNOUNCES VIRTUAL PUBLIC FORUMS ON TROPICAL STORM ISAIAS UTILITY PERFORMANCE

Customers Can Issue Statements for Public Service Commission Proceedings Seeking Record Penalties against Utilities

Long Island Residents, Businesses, and Localities Will Also Have a Public Forum to Issue Statements Concerning Any Alleged Harm Resulting from PSEG-LI's Performance

Governor Andrew M. Cuomo today announced that the Special Counsel for Ratepayer Protection at the New York State Department of Public Service will hold four virtual public forums in December and January to receive comments regarding potential damages and harm suffered by ratepayers as a result of electric service providers' performance in response to Tropical Storm Isaias.

"The response by utility companies to Tropical Storm Isaias was nothing short of unacceptable and New York is fully committed to doing everything we can to ensure this doesn't happen again," **Governor Cuomo said.** "If utility operations are mismanaged, the customers are the last people who should be forced to foot the bill -- we pay them for a service and clearly that service was not provided. These hearings play a critical role in helping hold these companies accountable and I encourage all New Yorkers who were impacted by their failures to take this opportunity to make their voice heard."

Following a comprehensive investigation at the direction of Governor Cuomo, the New York State Public Service Commission has completed its investigation into the apparent failure of New York's electric utilities to adequately prepare for and respond to Tropical Storm Isaias, which ravaged large swaths of New York State this summer. As a result of the investigation, the fastest ever conducted by New York's utility regulator, three of the state's largest utilities — Con Edison, Orange & Rockland (O&R) and Central Hudson — now face potential penalties totaling \$137.3 million, with Con Edison and O&R also facing potential license revocation. All three will now be required to explain why penalties should not be imposed by the PSC for such apparent violations of the laws, regulations and orders that are designed to ensure the safety and reliability of the electric system. PSEG LI was also the subject of the investigation, and numerous failures were identified by DPS. The Department recommended enforcement actions to the Long Island Power Authority (LIPA) Board of Trustees and LIPA has since filed a claim against the utility.

The alleged violations include, among other things, alleged failures to properly track the storm and secure adequate staffing to promptly restore power; properly communicate with, and receive complaints from the public; and properly ensure the safety of life support equipment customers. Separately, DPS and the Special Counsel have urged LIPA to similarly take appropriate action in connection with PSEG-LI's alleged failures to properly prepare for and respond to the storm.

The hearing schedule is as follows:

Central Hudson Customers

Thursday, December 17, 2020, at 4 p.m.

Orange and Rockland Customers

Tuesday, December 22, 2020, at 4 p.m.

Con Edison Customers

Tuesday, January 5, 2021, at 4 p.m.

PSEG-LI Customers

Tuesday, January 12, 2021, at 4 p.m.

The complete hearing notice with sign-in details may be obtained by going to the Department's Documents section of at www.dps.ny.gov and entering Case Number 20-E-0586 in the input box labeled "Search for Case/Matter Number."

Special Counsel Rory I. Lancman said, "Collectively, these utilities face record fines and sanctions for their alleged failures, including for the harm they are alleged to have caused residents, businesses, and local governments alike. The public's testimony will be heard, and it will become an important part of the official record of this proceeding."

On the afternoon of Aug. 4, 2020, Tropical Storm Isaias struck New York, bringing strong winds and heavy rain that impacted the Mid-Hudson Valley, New York City, and Long Island regions. Tropical Storm Isaias caused extensive damage to electric distribution infrastructure that, in turn, led to lengthy outages for a substantial number of New York utility customers. Peak outages in New York State due to the tropical storm reached approximately one million customers, and roughly 1.5 million New York customers experienced power outages during this event.

###

Investigation into the Utilities' Preparation for and Response to Tropical Storm Isaias and Resulting Electric Power Outages (Case 20-E-0586).

Virtual public forums will be held to receive comments regarding potential damages and harm suffered by ratepayers, if any, as a result of electric service providers' performance in response to Tropical Storm Isaias (TSI). Please note that each forum will focus on the performance of a specific utility.

1. **CENTRAL HUDSON:**

Date/Time: Thursday, December 17, 2020 at 4:00 pm

Electronic Access: www.webex.com
Event number: 179 900 1523
Event password: Dec17-4pm

Phone-Only Access: 518-549-0500
Access Code: 179 900 1523

2. **O&R:**

Date/Time: Tuesday, December 22, 2020 at 4:00 pm

Electronic Access: www.webex.com
Event number: 179 774 9015
Event password: Dec22-4pm

Phone-Only Access: 518-549-0500
Access Code: 179 774 9015

3. **CON EDISON:**

Date/Time: Tuesday, January 5, 2021 at 4:00 pm

Electronic Access: www.webex.com
Event number: 179 182 5113
Event password: Jan5-4pm

Phone-Only Access: 518-549-0500
Access Code: 179 182 5113

4. **PSEG LI:**

Date/Time: Tuesday, January 12, 2021 at 4:00 pm

Electronic Access: www.webex.com
Event number: 179 605 5191
Event password: Jan12-4pm

Phone-Only Access: 518-549-0500
Access Code: 179 605 5191

Any person wishing to provide a public statement on the record at the forum **must pre-register** and is asked to do so by 12 p.m., on the day of the forum they wish to attend.

- **To register electronically:** Participants who would like to provide a statement and will login to a forum electronically may register to do so by going to www.webex.com and then clicking “Join” at the top right-hand corner of the screen, entering the appropriate event number listed above, and providing all requested information. When logging in on the appropriate date and time of the forum, participants will be asked to “select audio system.” It is recommended that participants select the “call me” or “call using computer” option. The “call me” option requires participants to enter their phone numbers.
- **To register by phone:** Any participant who is not able to log in to a forum electronically may participate by phone. Call-in participants wishing to provide a statement must register to do so in advance by calling **1-800-342-3330**, where they should follow prompts to the appropriate forum and provide the following information: first and last name, address, and phone number. On the appropriate date and time of the forum, all call-in users should dial **518-549-0500** and enter the relevant access code listed above.

All participants will be muted upon entry into the forum. Each forum will be held open until everyone who has registered to speak has been heard or other reasonable arrangements to submit comments into the record have been made. Time limits may be set for each speaker as necessary. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of the public forum will be made for inclusion in the record of this case.

To listen to the hearing: Any person who would like to listen to the hearing without making a statement may access the hearing without pre-registering. The hearings will be livestreamed on the internet and available for viewing on the Department of Public Service (DPS) YouTube channel on the date and times listed above. To access that YouTube channel, visit the Department’s website, www.dps.ny.gov, and click on the YouTube icon at the bottom of the homepage. In addition, any person without internet access may listen to the hearings by phone by calling 518-549-0500 and entering the applicable access code.

Persons with disabilities requiring special accommodations should call the DPS Human Resources Management Office at (518)474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call the Department at 1-800-342-3377 for free language assistance services regarding this notice.