

1 STATE OF NEW YORK
2 PUBLIC SERVICE COMMISSION

3
4 Case 06-E-0894 - Proceeding on Motion of the
5 Commission to Investigate the Electric Power
6 Outages in Consolidated Edison Company of
New York, Inc.'s Long Island City Network.

7
8 Public School 234
30-15 29th Street
9 Astoria, New York

10 Wednesday August 9, 2006
7:00 p.m.

11 BEFORE:

PATRICIA ACAMPORA, Commissioner

12
13 GERALD L. LYNCH,
Administrative Law Judge

1 JUDGE LYNCH: Call this hearing to order,
2 please. This is a hearing that's part of a
3 Department of Public Service staff investigation of
4 power outages that began July 17, 2006 in Con
5 Edison's Long Island City electric network.

6 The matter is captioned as PSC 60-E-0894.
7 I am an Administrative Law Judge and my name is
8 Gerald L. Lynch, and my day to day duties include
9 conducting hearings like this one. This is Public
10 Service Commissioner Patricia Acampora. Welcome.
11 Did you have anything that you wanted to say?

12 COMMISSIONER ACAMPORA: Yes. Thank you
13 very much, Judge.

14 It's my pleasure to be here this evening
15 under the unfortunate circumstances that are here
16 today. My name is Pat Acampora. I am a
17 Commissioner. I am one of five. I am just pleased
18 to be here tonight to cover this, to sit here and
19 listen about the experiences that occurred during the
20 eight days of power loss to the residents of this
21 area.

22 And just let me give you a little bit of
23 my background. First of all, I was on the phone with
24 my husband tonight getting directions to come here

1 because my husband was born and grew up in Astoria.
2 So, I finally did make it here even though I didn't
3 realize I was at the wrong school.

4 So, we are very familiar with this area.
5 There are wonderful restaurants that we often come
6 to. And prior to coming to the Public Service
7 Commission, which I am here just about a year, I
8 served in New York State Assembly for 13 years. And
9 I see one of my colleagues here from the New York
10 Senate, Senator Onorato.

11 For those many years, one of the
12 committees I served on for over ten years was the
13 Consumer Affairs Committee, so I am very attuned to
14 making sure consumers get their right and due justice
15 in the State of New York, and worked on a lot of
16 legislation.

17 Now I'm here as Commissioner, and this is
18 an important evening to come here and to listen to
19 all of you and to take back to the Commission--as you
20 know, we are doing a separate investigation. That
21 investigation will also look at errors within our
22 Commission, our Department of Public Service, that if
23 they were made they will be corrected.

24 I can tell you that as New Yorkers you

1 know you pay some of the highest utility rates in the
2 country. I think you are also aware, and I'm sure
3 that you feel the same way I do, if you are going to
4 pay a lot for something you want to make sure you get
5 your money's worth.

6 So, that's where I come from. I know that
7 today you heard--I don't know if some of you were
8 here previously. I know Senator Onorato has been at
9 Assembly hearings and he was here when the Chairman
10 made a statement.

11 There are five of us who serve on this
12 Commission. I can tell you that we are focused and
13 that we are going to do what needs to be done to make
14 sure that something like this doesn't happen again,
15 and it doesn't matter where it is. And I can only
16 say that during that heat spell I can only imagine
17 how horrendous it was.

18 My family grew up in Brooklyn and then
19 they moved out to Long Island, but I remember my
20 grandfather talking about the days when there were no
21 air conditioning and even fans weren't enough and
22 people used to sleep on the fire escapes. I am sure
23 that's what a lot of you were hoping, you had a fire
24 escape that you could go to sleep on to get relief

1 from the heat.

2 So, again, I am here to listen. This was
3 an extraordinary event that happened, but happened it
4 did, and I am here to tell you that Con Ed has said
5 that they are going to do all in their power to give
6 us the information so that we can investigate this,
7 and if they don't there are mechanisms within the law
8 that will make sure that they have to comply.

9 So, Judge.

10 JUDGE LYNCH: Thank you. Nobody
11 complained they couldn't hear me, right?

12 So, let me just take a minute to kind of
13 run through how the hearing will proceed, and then
14 right away we have already got close to 15 people
15 that signed up to speak and we will take you as
16 quickly as possible.

17 The Commissioner mentioned that there is
18 an ongoing investigation by the Department of Public
19 Service staff, and they are looking at a lot of
20 issues about the outage, how it was caused, what was
21 going on at the time, what needs to be done to avoid
22 occurrences like it in the future, and the costs
23 associated with it.

24 Now, for this hearing tonight there is an

1 investigation and part of the investigation is to
2 gather facts, and this is being done in a variety of
3 ways. One of the ways in which it's being done is we
4 are asking people like you who were affected to come
5 up and provide answers to specific questions that we
6 have given.

7 If you have other comments that you want
8 to make that are related to the outage certainly you
9 are welcome to make them. The questions are
10 available in print in the back of the room on a
11 flier, and there's also a form in the back of the
12 room where they are on and you can fill out the form.

13 But, how were you affected by the outage?
14 Did you get timely, accurate and adequate information
15 from Con Edison about what was happening before,
16 during and after the outage? Did you attempt to
17 contact the company during or after the outage and
18 did you get what you were requesting? What are your
19 overall impressions about how the company responded
20 to the outages and your reasons? What are your
21 recommendations about actions you believe Con Ed
22 should take or should have taken before, during and
23 after the outage? And what actions do you recommend
24 the Commission take in light of what you know about

1 these events?

2 Also, as you notice, Con Edison has people
3 available outside the hearing in the van to take
4 claims forms in connection with damages, lost food
5 during the outage.

6 Now, I want to say at the outset there are
7 a variety of ways in which you can comment. You can
8 comment in writing, you can comment by phone, you can
9 comment via e-mail. There is a list in the back that
10 mentions every specific means by which you can
11 comment.

12 You can also obviously comment here
13 tonight, and that's why we are here, but I want you
14 to realize that if you decide you don't want to get
15 up to speak there are a variety of other ways in
16 which you can comment. However you comment, they are
17 going to be looked at and evaluated and to the extent
18 you provide us with contact information, if we need
19 to follow up with you that will be done. Okay?

20 So, let me just say for the hearing it's
21 very simple. A number of you have already signed a
22 card. I'll call the speakers up. What we will do is
23 rotate back and forth between the two podiums so that
24 there is not much time in between and we can keep

1 moving.

2 The cards have been filled out. I will
3 state for the record your name and address. When I
4 call you, please come up to the microphone, speak
5 slowly and clearly. Many of you might be nervous,
6 you're not used to public speaking, don't worry, you
7 are welcome. Take whatever time you need. If you
8 say it slowly and clearly the court reporter that's
9 here will be able to get accurately what you said.
10 So, it's very important, if you speak, don't go very
11 quickly. I know I am speaking quickly now, but you
12 might even go quicker.

13 We will be here at least an hour and after
14 that we will stay as long as necessary to hear
15 everybody. If we don't get to you today and
16 everybody decides it's too late, or the school asks
17 us to leave, I expect we will be here several hours.
18 We also have hearings tomorrow at La Guardia
19 Community College starting at 1:00 p.m. and 7:00 p.m.
20 I may have to call a break for the reporter, and I
21 think that's pretty much it.

22 Does anybody have any questions about how
23 the hearing will be run? Please feel free to speak
24 up if you have any kind of question about that.

1 The question is when I state the names do
2 I also have to state the address. If you don't want
3 me to, I guess I won't. Let me just say to the
4 extent people can provide good contact information
5 when they fill out the form that's very helpful.

6 And let me just ask generally: Is there a
7 preference that I not use the address? I will just
8 call out the name and I have the addresses and the
9 cards. The reporter will use them and then she will
10 give them back to me.

11 COMMISSIONER ACAMPORA: There is a lot of
12 women here tonight.

13 JUDGE LYNCH: That's fine. Thank you for
14 bringing that up. I appreciate it.

15 With that, we are going to get started and
16 we have Senator George Onorato here. Sir, if you
17 would like to come up to the podium. And after him
18 will be Kevin Mullarkey.

19 SENATOR ONORATO: Good evening, ladies and
20 gentlemen. Commissioner, it's nice to see you again
21 in your new capacity, Pat.

22 I am State Senator George Onorato, and I
23 represent the 12th Senatorial District in Queens.
24 Among other areas, my district contains the

1 communities of Astoria, Long Island City, Woodside,
2 Sunnyside and Hunters Point, the neighborhoods most
3 severely devastated by the recent Con Edison black
4 out.

5 I was affected for five days. Some of you
6 were affected for nine days. Soon after the power
7 began to fail, I called for the State Public Service
8 Commission to conduct an investigation into the root
9 causes of the nine-day power failure that caused such
10 enormous distress and significant economic losses for
11 my constituents.

12 In this light, I appreciate the
13 opportunity to present these comments, in addition to
14 the testimony that I presented at last week's
15 hearing. If there is any one thing that is clear
16 about these blackouts, it is that someone, or a group
17 of someones, was asleep at the switch and failed to
18 heed previous warnings about deficiencies in the Long
19 Island City network.

20 I have seen a number of published reports
21 demonstrating that both Con Edison and the Public
22 Service Commission itself were aware of an unusually
23 high number of failures in this particular area. In
24 fact, the Long Island City network, which is one of

1 six in Queens and 57 citywide, experienced 227
2 failures between 2002 and 2005. This was the highest
3 failure rate in the entire city, and the Long Island
4 City network also won the dubious prize during that
5 timeframe for having the highest number of total
6 outage hours, almost 8,000.

7 These reports, of course, raise a number
8 of overriding questions: Why didn't these high
9 failure rates, combined with evidence of an aging
10 distribution system, raise any red flags? Or if they
11 were raised, why didn't Con Edison or the PSC respond
12 appropriately? There was 100,000 individuals and
13 business owners in Queens who need and deserve
14 truthful answers to these questions. Furthermore,
15 they need to know this: What are Con Edison and the
16 PSC going to do to make sure that this doesn't happen
17 in the future?

18 Obviously, we can predict future heat
19 waves and big loads on our electrical system, but
20 what we can't predict today, without answers from
21 this Commission and the utility, is how in the world
22 we're going to get through another spate of hot
23 weather without suffering and sweltering in the dark
24 for another nine days.

1 What steps will be taken to invest in a
2 badly deteriorated power distribution system without
3 overburdening ratepayers who are already struggling
4 with high electric bills and other expenses?

5 Beyond the long-term issue of desperately
6 needed investments in our power network, we need to
7 address a number of other problems that became
8 evident as the blackout lengthened.

9 It is clear, for example, that Con
10 Edison's ability to assess the extent of the problem
11 was highly inadequate. First heard that only about a
12 few thousand people were affected, as we would later
13 find out that number would grow to some 100,000.

14 At best, that was a major miscalculation
15 by Con Edison that must, under any circumstances, be
16 explained. These outages were not an inconvenience.
17 They were an unmitigated disaster. Had the vast
18 extent of the problem been made clearer to customers
19 and local authorities from the outset, perhaps the
20 response to the affected individuals, families and
21 businesses, would have been far more effective and
22 more timely.

23 In the aftermath of the blackout, there
24 have been some attempts made to assist northwestern

1 Queens' Con Edison customers who lost food and
2 medicine, and to help the many local businesses who
3 had to keep their doors shuttered even as they
4 struggled and most often failed to maintain
5 perishable items. Some of this relief is in the form
6 of low-interest loans for businesses; other is in the
7 form of cash reimbursement for losses.

8 Con Edison, for instance, is willing to
9 provide \$350 in reimbursement to residential
10 customers who lost food and medicine during the
11 blackout, as well as \$7,000 to businesses who lost
12 perishable items. However, given the extent of the
13 damage, which often goes far beyond the loss of
14 perishables, this reimbursement policy is very, very
15 inadequate.

16 Many individuals and businesses lost
17 appliances and other costly equipment as a result of
18 power surges and low voltage. I have written to Con
19 Edison CEO Kevin Burke to express these concerns.

20 And I do have to say this: The Con Ed
21 electric bill credit plan recently approved by the
22 PSC is, on its face, a bit like rubbing a fistful of
23 salt into a gaping wound. Under the plan,
24 residential customers will get three dollars off

1 their next electric bill, small businesses will get
2 six dollars, and large businesses will receive a
3 credit of \$250. Isn't it a bit ironic that three
4 dollars won't even pay for the postage of paying the
5 utility for the year? That's a lot of postage
6 stamps.

7 As the PSC and other entities continue to
8 investigate the Queens blackout, I hope that the
9 enormity of this devastating event will become
10 clearer to all, and that the people and businesses
11 who experienced it will receive compensation and
12 assistance more in line with what they have suffered.

13 My constituents and I are willing to do
14 what we can to conserve energy when demand is high,
15 but we are not willing to remain in the dark about
16 this abject failure of our power system.

17 There is clearly a lot of blame to go
18 around, and I believe that both Con Edison and the
19 Public Service Commission must be held accountable
20 for their failure to ensure a safe and reliable power
21 distribution network in Queens and, in light of other
22 recent power failures, throughout the rest of the
23 city and the entire Con Ed service region. You need
24 to tell us what went wrong, and what changes will be

1 made to respond to these deficiencies in both the
2 short and the long term.

3 Thank you for providing me with the
4 opportunity to add my comments to the record. I also
5 want to make clear that whatever fines are imposed
6 upon the utilities are not going to be paid for by
7 the ratepayers who suffered enough, because we don't
8 want them coming to the Public Service Commission
9 asking them for a rate hike to cover the loss of the
10 fines imposed upon them. Thank you.

11 (Applause)

12 JUDGE LYNCH: Again, this is Kevin
13 Mullarkey.

14 MR. MULLARKEY: Good evening, everybody.
15 This is one heck of a time, that blackout. The
16 reason why, the blackout caused a lot of stress and
17 undue hardship to a lot of people with disabilities.
18 A lot of senior citizens live in our community and
19 Con Edison didn't do the right thing to make sure
20 that the seniors and people with disabilities were
21 taken care of right away.

22 They waited four days before helping and
23 put power generators around. They did not do a lot
24 of different things that they should have did to make

1 sure. The seniors called them up. A lot of seniors
2 live alone, a lot of people with disabilities live
3 alone. And especially people with motorized
4 wheelchairs, they have electric wheelchairs. After
5 the third day the power is gone. No one put their
6 cause on the front burner. No one thought about the
7 several options for the people with disabilities in
8 the community in Astoria. They were totally
9 neglected.

10 Also, as far as things being damaged,
11 broken down due to the electricity going out, it
12 caused damage to the effect when the power surges it
13 blows fan motors, computers are shot.

14 Also, they are destroying backups, causing
15 flooding in my basement. The sump pump motor went
16 out temporarily through the heavy storm we had. We
17 had a power surge. The sump pump motor didn't kick
18 in so it flooded out my basement and ruined all my
19 carpeting and it cost to have that cleaned up.

20 Con Edison, they are not going to
21 reimburse for that. My insurance company isn't going
22 to reimburse for that either. It's a sad situation
23 Astoria had to suffer, after eight days, nine days.
24 We had blackouts before and things were taken care of

1 right away.

2 Con Edison, first of all, they were
3 checking out the stray voltage before the blackout
4 occurred. They're supposed to have gone into every
5 single manhole and checked out where the problems
6 lie. Why didn't they do that? Why didn't they
7 notice that there was problems before this black out?
8 They should have known the wires on the ground, give
9 notice, cut back on the power.

10 Nobody ran around saying power should be
11 reduced because there was electric malfunction.
12 Everybody knew the weather forecast, they knew what
13 the weather was going to be like. Con Edison knew it
14 as well.

15 It's a shame we got to come to this type
16 of situation. The whole community is in great need.
17 The community was hit hard with the water main break
18 at Ditmars. People suffered through that. This is a
19 double whammy on the people that lived in that
20 community.

21 (Applause)

22 JUDGE LYNCH: We have Assemblyman Michael
23 Gianaris.

24 (Applause)

1 ASSEMBLYMAN GIANARIS: I am going to
2 actually be very, very brief because this is actually
3 my third time presenting testimony to the Public
4 Service Commission, but as long as I feel that there
5 are people who didn't know about this or couldn't get
6 here I feel the need to speak for those who aren't
7 here.

8 And I reiterate to the Public Service
9 Commission, which is the entity with the power to do
10 something about this, that Con Edison's behavior is
11 about as disgusting as I have ever seen in my time in
12 public office by any corporation toward the people
13 it's supposed to serve.

14 They screwed up in the beginning and lost
15 power. They screwed up when they made a decision to
16 try and keep the network going instead of shutting it
17 down, and then deciding it was better to have 100,000
18 people out of power for nine days than maybe taking
19 out 300,000 for one day and to continue to stick by
20 the decision.

21 It's obviously much more dangerous the
22 longer a blackout goes on. We know this was the
23 longest blackout in the history of New York City and
24 the decision put peoples' lives at risk. They are

1 sticking by it to protect themselves from liability.

2 We know about the fact that they lied about
3 how many were affected by this in the first day of
4 the blackout. Kevin Burke himself said that the data
5 was available and should have indicated how bad the
6 problem was, the drop in megawatts that was being
7 used by the Long Island City network in the first
8 days of the crisis. They had that information and
9 hid it from the public or the people who knew it
10 didn't convey it to the people who should have known.

11 Con Edison deserves to be punished. We
12 cannot go through this cycle year after year where
13 Con Ed screws up, people get mad at them, and then
14 back to business as usual because Public Service
15 Commission doesn't bring down the hammer on them.

16 (Applause)

17 That power is in your hands. We are going
18 to be looking, the Senator and I, at what changes in
19 law we can make. In terms of this incident, the
20 investigation, the penalties must come from you. So,
21 please do whatever you can to send the message to Con
22 Edison that this cannot continue. Thank you.

23 (Applause)

24 JUDGE LYNCH: Thank you. The next speaker

1 at this podium is Bob Moratti, and then we will take
2 Harry Rygor on this side next, so if he could come
3 down and be available. Thank you.

4 Mr. Moratti, welcome.

5 MR. MORATTI: Thank you. Good evening.
6 My name is Bob and I am a resident of Astoria for the
7 last 38 years. I promise not to be too loud because
8 the mayor has said that those people in western
9 Queens have been voicing their opinions too
10 vehemently.

11 Upon receiving my Con Edison bill
12 yesterday, Kevin Burke has finally found the problem
13 for the blackout. After City Council hearings,
14 legislative hearings, countless "I don't knows" and
15 indirect answers from him, his cause of the blackout
16 is it was too hot. In fact, it starts off with the
17 words "the July heat wave". Mr. Burke, every July is
18 hot.

19 Mayor Bloomberg has said the cause is the
20 people are not conserving energy, which was blasted
21 in today's paper. We can now close these hearings
22 and come back next summer.

23 But we here today know this is the
24 farthest thing from the truth. Both Kevin Burke and

1 Mayor Bloomberg are in complete denial. Their
2 reasonings are only a smokescreen for the real
3 causes. If the heat and the lack of conservation are
4 their only defense, now they have none.

5 In my apartment there were no
6 interruptions, not even a flicker, not in my
7 building, not in my block, not on the other side of
8 the block or around the block. This involved a
9 couple of thousand people. Is Kevin Burke going to
10 say that we had no heat wave on my block or that we
11 are more conservative in my area?

12 The only difference is that in our area
13 Con Edison updated our streets a few years ago
14 compared to the areas that went down that have been
15 neglected, some for 20 years or more. This is
16 complete negligence. This proves that the system did
17 not fail but that Kevin Burke failed the system. It
18 was not the car, but the driver. It was not the
19 message, but the messenger.

20 He is responsible for the blackout and
21 nobody else. Kevin Burke and the mayor want us to
22 believe that this was a technical problem when it
23 definitely was an economic problem. Part of our
24 monthly bill is to go to the attaining and

1 maintaining of the service to its customers. All
2 businesses are required to do this, but Kevin Burke
3 decided to cut corners and shift our money from
4 preventive maintenance to profits.

5 Con Ed pays a very high five percent
6 dividend with Kevin Burke being one of the largest
7 individual shareholders of that company. It was his
8 decision to choose shareholders over the people of
9 western Queens. Assemblyman Richard Brodsky at the
10 legislative hearings also confirmed this with the
11 words "what happened in Astoria was inevitable".

12 In closing, I would like to give special
13 thanks to the media for their support and
14 understanding. They listened to many people of all
15 countries in our community concerning their hardships
16 and difficulties during this ordeal, but there were
17 two names that they did not interview and never will
18 in western Queens, and they are the first name of
19 Goldman and the second name of Sachs, or any other
20 large, negligent, out of touch corporate monopoly.

21 That's what this interruption and blackout
22 was all about. Please support us and thank you so
23 much. Thank you.

24 (Applause)

1 JUDGE LYNCH: Harry Rygor, and after that
2 we will be taking Kiki Panos at this podium.

3 Mr. Rygor, welcome.

4 MR. RYGOR: Good evening. My name is
5 Harry Rygor. I have been a resident of Astoria,
6 Queens since the day I was born. My family is
7 probably one of the oldest families in Astoria,
8 Queens for over a hundred years.

9 What happened around July 17th when the
10 electricity went out was a disgrace. Kevin Burke had
11 to do with it. A lot of other people had to do with
12 it. The problem that we have over here, over the
13 last 15 years Astoria has been rejuvenated, zoning
14 laws have been changed to go to commercial.
15 Restaurants have been opening and closing.

16 Since the time of the bridge that
17 collapsed on Astoria Boulevard and Steinway Street
18 the merchants are still hurting and that bridge is
19 still unrepaired. Let's get behind that part.

20 Since nine days of this electricity
21 blackout what happened over here is that they keep on
22 opening new businesses--and they should have new
23 businesses and they should revitalize the
24 neighborhood because it was for a long time a dead

1 neighborhood. Merchants are opening stores, cafes,
2 clubs, but they forgot one thing. They forgot to
3 check the electricity.

4 You put more juice on those cables, it's
5 bound to happen. It's going to be 105 degrees every
6 summer, but the problem is that we get blamed from
7 Kevin Burke, but we also have to talk about the
8 people that are directly in Astoria that have to
9 prevent these things, not wait until like someone
10 gets killed and then you put a street light up. It
11 doesn't work like this.

12 So, that is my sharing about this whole
13 thing. It was disgraceful. For eight, nine days
14 everyone suffered, the business suffered, and we're
15 still suffering even though electricity is up. You
16 can't get customers over there on the other side of
17 Astoria Boulevard.

18 So, I share my thoughts. Thank you.
19 Thank you very much.

20 (Applause)

21 JUDGE LYNCH: Thank you. As I mentioned,
22 the next speaker is Kiki Panos and after that we will
23 have Louise Marchini at the other side. Thank you.

24 MS. PANOS: Thank you. I am a resident of

1 Astoria. I am of course angry, as everyone else here
2 is, at Con Ed for being incompetent and I'm angry
3 that I'm only getting back \$350. I'm angry that I
4 received my bill last night and it was a hundred
5 dollars more than I paid last month, and I'm only
6 getting back three dollars.

7 My anger tonight, I want to shift some of
8 that anger over to the Public Service Commission.
9 The reason I am going to shift it over to the PSC is
10 because back in 1999 there was a blackout in
11 Washington Heights. Attorney General Eliot Spitzer
12 put together a 72 page report. I didn't read the
13 whole report but I read part of it. In it he found
14 all the weaknesses of Con Ed. In it he made
15 recommendations, suggestions.

16 I am assuming the Commission received a
17 copy of this report. What the PSC did with this
18 report, I am not sure. I have a feeling it must have
19 went in the to do box back in 1999 and no one
20 bothered to look at it, because if they did we would
21 not be suffering the way we have suffered.

22 You stated that you do not want another
23 blackout. Guess what? There was a blackout. It
24 happened. And you want to know something? It's

1 going to happen again. I believe New York City is
2 going to go through many, many blackouts because Con
3 Ed is incompetent and the PSC is obviously not a
4 strong company as I felt you were. You did not look
5 out for us and I am very upset that you are here
6 tonight and you stated that you did not want to see
7 another blackout, but we did have another blackout.

8 So, I am hoping the PSC, Commissioner, you
9 go back, you discuss it with your departments,
10 whoever works there, that you have to be more
11 conscientious of any reports that come in that hurt
12 the public.

13 We suffered. The elderly suffered the
14 most. And I also want to thank Assemblyman Gianaris.
15 I believe if it wasn't for him going out for the
16 public, embarrassing our mayor, that he finally came
17 Thursday.

18 (Applause)

19 To say to us we have a problem for days, I
20 kept walking on Ditmars, there was no traffic lights.
21 I was surprised no one was killed. No one was killed
22 because we are good citizens here in Astoria.

23 Thank you, again, Mike. If it wasn't for
24 you I don't believe anything would have been done for

1 us. Thank you.

2 (Applause)

3 JUDGE LYNCH: This is Louise Marchini, and
4 she will be followed by Martha Weinman.

5 MS. MARCHINI: Good afternoon. My name is
6 Louise Marchini. I am a resident of Astoria for my
7 whole life.

8 I lived without power and electricity and
9 hot water for nine days, like many of us here, but I
10 am here--I was able because I'm young to shower at
11 friends' houses, live out of my car, bring my
12 essentials wherever I was, which was ridiculous, but
13 my grandmother is 92-years-old.

14 We were lucky enough to have my parents
15 come from another state and whisk her out of New York
16 State, and she had to go to Pennsylvania in order to
17 have adequate supplies for 92 years. It was a
18 disgrace.

19 I called on Tuesday when the blackout
20 first occurred, mine occurred on Monday, and they did
21 not take my name. They said that they were aware of
22 the outages in the area and in Westchester. There
23 was a big storm in Westchester that they were very
24 concerned about, but they said they would not take my

1 name. It was unnecessary.

2 I later called on Friday when actually the
3 fourth day happened, and then it became a media
4 sensation. I was wondering when it was ever going to
5 be publicized. Then I called the 1-800 75ConEd and
6 they took my information, was very happy to do it.

7 I don't believe that we were given
8 accurate information given that we had no T.V. and
9 radio, the newspapers didn't address it. And the
10 fourth day of the outage finally then they started
11 increasing the numbers to more adequate or realistic
12 numbers.

13 The first days I believe were wasted and
14 the company did little to nothing. When the media
15 and the mayor and the officials got involved then the
16 workers were increased and the job was patched up.
17 It was still not corrected, not fixed. There are
18 many generators on each of the corners.

19 I live by Garden Bay Condominiums.
20 There's a generator on 71st, 72nd, 73rd, 74th. So
21 obviously we are still running on generator power.
22 It's not fixed.

23 They should have been canvassing the areas
24 from day one. When you take a phone conversation

1 from someone at day one, you should dispatch a crew
2 to the area and surmise the number of people
3 affected.

4 If I pay my bill I expect to get
5 uninterrupted service, and three dollars off is an
6 unacceptable amount. My condominium has 800
7 apartments. We are considered one customer. That is
8 ridiculous. And I don't understand how they can keep
9 billing us, but they don't know if we were out. I
10 can't understand how in this computerized day and age
11 that this can continuously occur.

12 Reimbursement of lost appliances, my
13 parents' refrigerator is not working. How do they
14 get a new refrigerator? What about accommodations?
15 People leaving the country, going to hotels, to be
16 able to go to work every day or even to live. Why
17 were they not updating the system all along?

18 I work in a school and we work with crisis
19 all the time, but we really need to have some type of
20 prevention approach and then deal with the problem.
21 So I believe that Con Edison should do more
22 preventive and updating the system all along. That's
23 why we pay our bill.

24 I was just in Cosco today in Long Island

1 City and they were asked to shut down the ACs today,
2 so I know the problem is in existence. We could go
3 into blackout tomorrow for all we know. Thank you.

4 (Applause)

5 JUDGE LYNCH: Thank you very much. Again,
6 this is Martha Weinman and Susan Addonisio will be
7 the next speaker on the other side.

8 MS. WEINMAN: I want to say I am very,
9 very, I am very happy to be here and understanding
10 that I am not the only one with a lot of questions.
11 How come I am being billed more money than what I am
12 supposed to be billed especially when I didn't have
13 electricity and so on?

14 I lived two weeks because actually in my
15 neighborhood the problem is still going on. I lived
16 on 30th Avenue off 42nd Street. I am sure nobody is
17 aware of that issue because it was nowhere publicized
18 and twice the manhole exploded. Twice there were
19 fires, twice houses, one local delicatessen actually
20 Monday.

21 JUDGE LYNCH: I just want to make sure.
22 You are from Manhattan; is that right?

23 MS. WEINMAN: No. 30th Avenue and 42nd
24 Street.

1 JUDGE LYNCH: Okay, sorry.

2 MS. WEINMAN: Finally, the power came up
3 quite to the correct power on Monday, but Monday
4 night we had another explosion at the local deli is
5 done, basically.

6 It is disappointing and very upsetting to
7 know that basically they lied to us. Knowing that we
8 are in danger, knowing that the workers that were
9 doing this particular job were supposed to know
10 anything and everything to do with the electricity,
11 wiring, cables and so on. We trust that they were
12 doing the right thing. Nevertheless, they put the
13 plug in and the whole street blew up basically. It
14 could have killed everybody.

15 I spoke to the guys that was working
16 outside on two Fridays before last, and they say to
17 me we were going to have two hours ready. I said to
18 them that's great, fabulous, congratulations. The
19 guy that was working in the manhole says I am not
20 going to do it because the juice is at 28,000 watts.
21 If I do it tomorrow morning it will explode. He
22 called his supervisor to get permission to open the
23 street and rewire because there were not enough
24 wiring for that amount of wire. He refused to do it.

1 Didn't do it.

2 The next shift came in one o'clock in the
3 morning, the whole block exploded. It was the
4 scariest, most stressful time. We didn't know if it
5 was an explosion, the street was going to explode.
6 It was hot. The fire department took 20 minutes to
7 come to that corner.

8 We had no idea whether to step outside of
9 the building. We didn't know the street was with
10 electricity. We didn't know whether to step outside
11 back. 20 minutes later the fire department came in
12 and they clear out the area and say it's okay. Two
13 hours later they were making holes through our walls.
14 Rewire and still electricity is still not okay.

15 The lack of caring for the rest of the
16 people is what disappoints me the most because we are
17 human beings. They get paid. We pay them. It gives
18 you a sense of not caring about other human beings.
19 You work 20 hours, 40 hours, 300 hours and get \$5
20 million a year and they still don't care about the
21 people they may kill if they pull the switch.

22 My question is: Where do they hire these
23 people from?

24 (Applause)

1 You know, really, I go to work.

2 SPEAKER: You are blaming the workers.

3 They follow orders.

4 JUDGE LYNCH: Ma'am, ma'am.

5 SPEAKER: I'm sorry.

6 JUDGE LYNCH: That's all right.

7 MS. WEINMAN: They have to follow orders.

8 That's why I appreciate the fact that the guy prior
9 in the shift refused to do the wiring like they told
10 him because he said 28,000 watts, he was not going to
11 do it. It was the next shift that did it. Why?

12 Because they follow orders.

13 So, somebody made a huge mistake and I
14 almost die, and that was not right.

15 (Applause)

16 JUDGE LYNCH: Ma'am, I am sorry that I cut
17 you off. It's really good that we get whatever
18 comments up here where the reporter can hear it.

19 Next speaker is Susan and after that Jimmy
20 Lanza over here. Welcome. Sorry to keep you.

21 MS. ADDONISIO: That's all right. I would
22 like to welcome everybody to Con Edison's dirty
23 little secret. I am as pissed off as everybody else.
24 I did not come with a prepared speech. I had to rush

1 my husband to the emergency room who is recovering
2 from cancer. I was just thrilled to spend the night
3 there, thrilled of having a heart attack or asthma
4 attack through all the heat. I was thrilled worrying
5 about my grandson also and 87-year-old nana who I
6 either had to leave her in the house suffering or
7 forcibly take her out of the house to my niece's
8 house where she could be cool, and then be upset
9 worrying about her house. You know when they get to
10 a certain age that's all they care about.

11 It's disgusting. We were lied to from
12 beginning to end. Con Edison knew exactly what was
13 going on and the only thing they cared about was the
14 bottom line and their god damn stockholders. Well,
15 screw the stockholders. If Con Edison can't do the
16 job get the hell out and let the government do it. I
17 am done.

18 (Applause)

19 JUDGE LYNCH: This is Jimmy Lanza, and the
20 next speaker on the other side will be Joshua Irving.

21 MR. LANZA: I do agree with the woman in
22 the audience. I lost my power for a day and a half,
23 people a block away from me lost it for five or six
24 days. We fortunate enough to get generators from Con

1 Edison.

2 I see the guys working the street. They
3 were working 16, 20 hours a day, hard working people.
4 I think the blame belongs at the top level. After
5 initial three days you had tremendous amount of help
6 from politicians and fire departments and mid level
7 and low level Con Ed management. The guys in the
8 street were great, they helped us, they did a lot of
9 things. I understand that they took certain abuse,
10 which I don't think any working person should have to
11 take when they just do a day's work.

12 But I think--not the people in the room--I
13 think a lot of people share the blame. Somebody
14 brought up rezoning before. On my block, my
15 grandparents lived there before me. For over
16 50 years we have been there. One family houses are
17 now three family houses. Every house has a basement
18 apartment or a legal basement apartment. Our house
19 is one of the few houses left with a garden next to
20 the driveway. Factories on the other side of the
21 tracks.

22 The place behind us went from one and two
23 stories to four and five story buildings. And the
24 gentleman said before I don't think consideration was

1 given to bringing new power in there. When I read
2 local papers I see areas like Bayside and Forest
3 Hills downzoning. They are going to keep their one
4 family homes and two family homes instead of putting
5 in four story or five story apartment houses. I
6 think that has to be taken into consideration for the
7 future.

8 But I observed and walked around and I was
9 watching what's going on on my block and other
10 blocks. And just to prevent this in the future, we
11 could beat everybody up like you guys and other guys.
12 I think Mike Gianaris and Senator Onorato did a good
13 job bringing it to peoples' attention.

14 I don't want to see this happen again. I
15 personally think it could happen in this week.
16 Manhole block went on the fly last night. I am not
17 an electrical engineer or even electrician, but to me
18 in your house when you buy an air conditioner you get
19 larger wires, you get a circuit breaker, it takes
20 more amperage.

21 I know this from walking around that the
22 manholes and splicing, but when they pulled out the
23 cable, cable looked pretty decent. If they replaced
24 that cable with the same size cable they took out,

1 again, I'm not a rocket scientist or nothing, but to
2 me if you put in a new cable the same size as the old
3 cable in August, early September, when we get a
4 demand again, the new cable probably will burn out.
5 I just want to know why Con Ed is not putting in
6 larger size cables to meet the demand or brought to
7 their attention by what happened.

8 And also I think some other things affect
9 this stuff, the salt in the winter and snowstorms.
10 They have to know when they go down to make a minor
11 repair that they had a checklist, they dismantle the
12 wires and splice what needs to be corrected. Is
13 there a criteria? The wires are terrible, they are
14 not so bad, do they need immediate replacement.

15 As somebody brought up before, they're
16 going around for these voltage checks. A woman got
17 electrocuted and a dog. Did they just check the
18 voltage and not the manhole? This is going to be an
19 ongoing problem because P.C. Ritchie's up on Steinway
20 Street, nobody is going to buy air conditioner,
21 computers and stuff like that. What's the sense of
22 selling stuff that you can't use?

23 This is a yearly thing. It could get to
24 be more than yearly, happen other times a year,

1 unless we upgrade our system. I just made notes on
2 one of the envelopes I was going to send you, but I
3 will use a clean envelop.

4 I brought up the zoning and everything. I
5 want to finish by saying middle level as well as the
6 hard working men and women in the street done a great
7 job. They worked long hours in a hard condition to
8 help us out, but I definitely think that upper level
9 and top level management has to be responsible and I
10 think the whole system has to be improved.

11 If Eliot Spitzer did a report years ago,
12 like the woman said and I believe, I want to know
13 what can be done to put that into effect sooner and
14 wait for new information and rely on some of the old
15 information. Thank you.

16 (Applause)

17 JUDGE LYNCH: Thank you very much. As
18 previously announced, we have Joshua Irving and then
19 Assembly member Cathy Nolan on this side.

20 MR. IRVING: Thank you very much.
21 Appreciate you guys holding this meeting. I am
22 echoing a lot of the sentiments already expressed
23 here tonight.

24 I was browned out for several days. I

1 basically had dim lights in my apartment. No
2 television, no hot water for about a week, so I was
3 not able to take a shower in my own apartment.

4 Through the kindness of some of my friends
5 who live in Manhattan I was fortunate enough to be
6 able to go into the city and stay with them for a few
7 days.

8 I received what I think to be an
9 abnormally high electric bill considering that there
10 was an entire week I did not have full power. So, I
11 called--I don't know if this is in the Public Service
12 Commission's realm, but spoke to a woman that says
13 she was going to send a person to reread my meter and
14 she asked me if I knew if the superintendent lived
15 downstairs. I said I didn't know, so she snidely
16 remarked you have been living in your apartment how
17 long, you don't know this? So, I simply replied, you
18 guys have been providing electricity to New York City
19 for how long and you don't know how long it takes to
20 turn the power back on?

21 So, I look at it--I don't know if this is
22 something in your control, but I tend to think if you
23 are speaking to customer service representative and
24 the company is not providing you service adequately

1 then they should be a little bit more respectful.

2 Also, I have some questions about the
3 deregulation of power companies over the last several
4 years, dating back to what I believe is around the
5 time of Ronald Reagan. But essentially what we have,
6 with my understanding, is a monopoly of the power
7 grid in New York City. There is no competition for
8 Con Edison. There are other companies that supply
9 power, but as far as the distribution we have one and
10 one choice alone, and that is Con Edison.

11 So, essentially we have a monopoly of
12 power distribution. So this is where the Public
13 Service Commission comes in, because as the people
14 have no opportunity to essentially fire Con Edison
15 and switch to a different carrier, what choice do we
16 really have?

17 We rely on the Public Service Commission
18 to enforce Con Edison to live up to their end of the
19 supply and demand situation. The people don't have
20 that option right now. We have to basically sit
21 there and take it, and if Con Edison fails they will
22 give us some run around and the answer will be we
23 don't know when it will be fixed if we're even lucky
24 enough to get through on the phones when we try

1 calling.

2 So, basically I put a large part of the
3 responsibility on the Public Service Commission to do
4 what we, the people, at this particular point are
5 unable to do. We cannot simply switch power
6 distributors. We can switch suppliers, we can't
7 switch distributors or we're essentially left
8 powerless.

9 So, if they say your bill's higher, we're
10 going to collect, we're going to come after you, we
11 have no choice. We will be harassed by them. That
12 we don't have these powers ourselves as consumers
13 seems undemocratic and against the ideals of
14 capitalism as I see them.

15 (Applause)

16 As far as what I think Con Edison should
17 have done during the power outage, again, I am no
18 electrician, but as they started noticing feeder
19 cables going on the idea of rolling blackouts to me
20 seemed a good idea. That way you eliminate the
21 overburden on the other feeder cables. It would have
22 allowed, you know, would have stopped the cascading
23 effect that took place.

24 Also, my understanding is, through some

1 research I have done, is lowering voltage actually
2 increases the load on feeder cables. When you lower
3 the voltage, day two, the feeder cables, there is a
4 greater burden on the system, which means they're at
5 a greater likelihood of brownouts and power outages
6 through failure of the grid.

7 So, again, to reiterate what some other
8 people said, I put this squarely on the executives of
9 Con Edison. People who are working on the street
10 were working their tails off, and I appreciate that
11 and I let them know that. But the executives, I want
12 to know why Con Edison has not been spending the
13 amount they have budgeted to maintain the
14 infrastructure in their grid. Where is this money
15 going?

16 (Applause)

17 Where is this money going? Who's
18 profiting from this? If you are budgeting a certain
19 amount and not spending that amount, where is the
20 money going?

21 SPEAKER: Shareholders.

22 MR. IRVING: Precisely. I am not making
23 \$1.5 million before stock options like the CEO of Con
24 Edison. That information can be found on the

1 Internet quite easily. You can find out the salaries
2 of all the executives for Con Edison on the Internet.
3 It's public information. I suggest you all look it
4 up and write to them. Don't be afraid to write to
5 Con Ed's executives.

6 And that's essentially it for me. So, I
7 would just like to see you guys really flex your
8 muscles in this situation because, again, the people
9 don't really have much of a say in this. We have one
10 provider to choose from, there's one grid, so it's
11 not going to have competition come into the area.

12 It's your responsibility at this point to
13 enforce Con Edison, to punish them essentially for
14 their lack of foresight and their incompetence and
15 ineptness. So, thank you.

16 (Applause)

17 ASSEMBLYWOMAN NOLAN: I testified at the
18 first hearing and I came to testify again. My name
19 is Catherine Nolan, I'm an Assemblywoman for the
20 Sunnyside/Woodside area, but I had to take that
21 privilege for a minute to say how pleased I am a
22 former colleague of mine, Assemblyman Pat Acampora,
23 is here. I think that I have a lot more confidence
24 that you are a member of the board now. I have a

1 higher level of confidence that you will get to the
2 bottom of this now that I see you there.

3 She has left us, but we have held her in
4 very high regard. A tough, down to earth lady, a lot
5 like Astoria and Sunnyside.

6 I do think that you're going to be hearing
7 from people who experienced outages. I did not. My
8 district lost a lot of power, I did not personally,
9 but I want to reiterate that there has to be effort
10 to compensate people for electrical answering
11 machines and other small electrics that burnt out
12 because the low voltage situation was a very
13 different type of blackout.

14 I also want to stress, as I did in the
15 first hearing, that this is the longest power outage,
16 longest blackout, brownout, whatever you want to call
17 it, the longest power outage in the history of the
18 city of New York. So, the PSC has to make sure
19 people are treated differently.

20 This was not a 24-hour interruption of
21 service. This was six, seven, eight, nine, ten days.
22 Sometimes power did come back at a very low level.
23 That's one of the reasons why people had surges and
24 lost equipment that was valuable for both small

1 businesses and residents. So, I want to stress that.

2 We also want to point out that a whole
3 bunch of large apartment buildings in my Assembly
4 district are reporting they are powered by
5 generators, and these generators of course do not
6 hold to the high environmental standards that we
7 expect in the emergency situations.

8 They are very loud. We've been getting
9 all kinds of complaints from people about that.
10 There seems to be no timetable to remove them and no
11 information forthcoming from the utility as to why
12 they feel they need to keep some large buildings in
13 northwest Queens continuing with generator power, not
14 back on the system.

15 Then I also wanted to stress we recommend
16 that these hearings be on public access cable. I
17 think we need to do everything, all we can, to
18 encourage people to file with the PSC, so even if
19 people don't come to the hearings as much as we would
20 have liked because they are played out, they are
21 exhausted, they didn't know. I know that we have
22 been distributing to businesses and others the
23 fliers.

24 I would ask the PSC keep the comment

1 period open for as long as you can so people can get
2 back to you. We requested from Con Ed and we've
3 gotten a semi-satisfactory answer. It's normally a
4 30 day cutoff for people filing claims for spoiled
5 food and business losses. I understand that they
6 have waived that. That was announced earlier, but
7 they have not waived it on the website. If you look
8 at the website it's not clear and it's also not clear
9 what kind of clock is ticking.

10 The answer we received said normally
11 there's a Public Service Commission tariff of ten
12 million or can't go above, but that wasn't really my
13 question. My question was people should have longer
14 than 30 days because their losses have been so
15 extreme over six, seven, eight, nine days, and some
16 people did go away perhaps on vacation.

17 So, people really need a little time to
18 regroup and figure what medicine and other things
19 were lost. Medicine at local pharmacies was spoiled,
20 so the ramifications keep occurring.

21 I wanted to bring this to the Public
22 Service Commission's attention. I certainly want to
23 thank my colleagues, Councilman Gioia and Senator
24 Onorato and Assemblyman Gianaris have all tried to

1 kind of come up with ideas that were practical and
2 doable to help resolve this.

3 I will say that Con Ed certainly did try
4 to do ice and water and things like that. It was not
5 enough. It was not organized well. We had some
6 problems as to where things like that should go.

7 I also want to point out that there are a
8 number of sensitive locations. I know my colleagues
9 in the council talked about senior citizens a lot,
10 but I also want to point out--that's a key mistake
11 that was made. I also want to point out sensitive
12 locations like funeral parlors should have generators
13 almost immediately, we have grieving families, and it
14 was so hot and there was really no effort to do that.

15 So, I don't know what Con Ed's sensitive
16 location list includes. It didn't include senior
17 centers and it didn't include funeral parlors. What
18 did it include? We certainly haven't been able to
19 find out.

20 So, I think you heard people say the lack
21 of communication, the lack of coordination, but also
22 on the kinds of reimbursement issues, I think that
23 you need the Public Service Commission to take a lead
24 role in demanding that they get some satisfaction.

1 So, thank you. And Pat, it's very, very
2 good to see you. Thank you, everyone.

3 (Applause)

4 JUDGE LYNCH: The next speaker is someone
5 who was here this afternoon so I will ask him to be
6 very brief, please, Councilman Eric Gioia. We have
7 quite a few people we haven't heard from yet. The
8 next speaker after that on my left will be Doug
9 Blessinger.

10 COUNCILMAN GIOIA: Thank you very much. I
11 will try to be very brief. I'm happy to see a few
12 more people here this evening than were here earlier.

13 My name is Eric Gioia, I'm a member of the
14 City Council. I represent Woodside, Sunnyside and
15 part of Astoria, and first let me thank everyone for
16 coming out tonight. I know how busy everyone is with
17 work, family and all the other issues. It's very
18 important to come out not only to represent yourself,
19 but also represent our neighborhood.

20 And after going through what we have been
21 through in the past month I want to give a special
22 thanks for everyone who's come out tonight. What you
23 see tonight is really a very small fraction of the
24 people who were affected. I talked about that a

1 little bit today and I recommended that a mailing
2 take place to all the affected areas and other
3 efforts be taken to alert folks, but I want to touch
4 on a few things to help you frame your investigation.

5 In my view, there are three primary
6 questions, three areas to look at in this
7 investigation. One, why did the power go out? Whose
8 fault was it? What happened? Was it a lack of
9 maintenance? Was it poor maintenance? Was it just
10 someone doing a bad job? That needs to be figured
11 out.

12 Two, once the power went out, how did they
13 respond so poorly? Why did they respond so poorly?
14 They pretty clearly mislead the public, they mislead
15 the media, they mislead myself and Senator Onorato
16 and Assemblyman Vallone and everyone in this room.

17 Was that intentional? Is that part of the
18 Con Ed play book? In other words, when something
19 goes wrong and they made a mistake do they open up
20 page ten that says tell everyone a small glitch and
21 we're working on it? That's exactly what they said,
22 right? It's a small glitch and we're working on it.
23 Is that out of the Con Ed play book or were they
24 truly, truly out of touch and had no idea what was

1 going on and, in fact, five neighborhoods without
2 power?

3 Second, not only did they mislead the
4 public but they were extremely unprepared to help us
5 get out of the crisis. Assemblywoman Nolan mentioned
6 funeral homes and senior centers. The cooling
7 centers that New York City sends people to go to, in
8 other words, it's hot out, New York City puts on
9 televisions, puts in the newspapers to go to these
10 cooling centers, and there was no--Con Ed apparently
11 didn't know where their cooling centers were and they
12 were informing the cooling centers to turn their
13 power off.

14 In addition to that, Con Edison is--as
15 this dragged on day after day after day, at no point
16 did Con Edison send out a mailing to their customers
17 saying this is where you can get emergency ice, where
18 you get food.

19 So, one, they mislead. Two, there was no
20 plan to help. Three, this is I think something
21 everybody in the room is dealing with right now, it's
22 a level of compensation. Whether or not you are a
23 working family or you're a mom and pop shop that's
24 struggling to make ends meet, Con Ed's compensation

1 package is laughable. They don't even seem to grasp
2 how bad it is.

3 Now, when you tell the small business
4 owner, you know, I think everyone in this room will
5 agree folks in our neighborhoods, we don't want to
6 get rich off of this. We don't want to go bankrupt
7 because of what Con Ed did.

8 When a business owner can show a real
9 loss, whether it be perishable foods or whether it be
10 the air conditioning unit flowing out my dad's flower
11 shop, he lost two of his refrigeration units. It
12 costs a lot of money to get fixed. Con Ed at this
13 point feels they have absolutely no obligation to fix
14 those. They need to do that. There are small
15 businesses that will go out of business because of
16 what Con Edison did.

17 In addition to that, you talked to folks
18 who lost all the food in their refrigerator not once
19 but twice in some cases. And let me ask you this:
20 Has Con Edison thought to mail out a reimbursement
21 form to all the affected people? No. I know
22 Assemblyman Nolan mailed out a reimbursement form, I
23 know I mailed out a reimbursement form. Con Edison
24 never mailed out a reimbursement form.

1 Con Edison then says to some small
2 businesses officers--this I find really
3 incredible--they say, well, if you got a special
4 case, if you've got some guy really lost a lot of
5 money, if you got some special case send him to us
6 and we will see what we can do to work it out behind
7 the scenes.

8 Well, part of me says that's nice and I
9 appreciate that, that's a good thing, but then part
10 of me says wait a second. You want to work this out
11 behind the scenes? I'm going to figure out one or
12 two people who this affected really terribly and
13 we'll get them to you so then I will feel a little
14 better and that person will feel a little better?
15 What about everybody else?

16 What we need to fix the problem is not
17 cronyism. We don't need a solution in the back room.
18 We need Con Edison to come forward and Con Edison to
19 say, listen, we recognize your people have real
20 damage and we will pay for that.

21 I spoke to some of the business owners in
22 Woodside today. If you are a business owner where
23 English is not your first language, this puts you at
24 a distinct disadvantage. You shouldn't have to go

1 out and vociferously advocate yourself just to get
2 what's coming to you.

3 Con Ed needs to do a better job and you
4 guys need to make Con Edison come up with a fair
5 policy, a policy that reimburse people for actual
6 loss, real losses across the board.

7 And, again, let me just thank everyone for
8 being here. I know it's my intention and Senator
9 Onorato's intention and members of the Assembly as
10 well as Councilman Vallone to do everything we can to
11 hold their feet to the fire. What happened to our
12 neighborhoods is our obligation.

13 There are parts of New York who still
14 don't realize how bad we had it. We need to make
15 sure that this never happens to anybody else ever
16 again.

17 Thank you very much.

18 (Applause)

19 JUDGE LYNCH: As I said previously, we
20 have Doug Blessinger. He will be followed on my
21 right by Cathy Burch.

22 MR. BLESSINGER: I grew up in Long Island
23 City, I moved to Manhattan and then I live in Astoria
24 now. And I know of a medical procedure that because

1 of the power shortage there was a doctor,
2 gastroenterologist, was in the--halfway through
3 giving a colonoscopy and there was no more power.
4 Just making a joke.

5 So, I believe there was--I am just about
6 definite, if not definite, it was a Friday night at
7 30th Street off Broadway. Police were there and the
8 firemen, and I could smell the wires burning. And I
9 said to a policeman, do you think it's terrorists,
10 and he really had gave a hearty laugh. And the next
11 day on the radio, a Saturday, Monica Crowley on WABC
12 radio, the hostess, I mean just the way I
13 comprehended it she said that she thinks it was
14 terrorists. She said the idea was they want to get
15 everybody out together on the street. So, I hope
16 not.

17 And the 30th Street, off Broadway, the
18 manhole cover blew off and the wires were burning and
19 I said to the firemen working, that's a real strong
20 smell. He said, you shouldn't be breathing that. I
21 just left.

22 A woman in my building, 105-years-old, the
23 way I understand it the power shortage didn't affect
24 the two elevators, but the owners shut the power off

1 to conserve energy. So she walked up five stories,
2 105-years-old.

3 So, and then outside the building, I
4 noticed the same night that the manhole cover blew
5 off.

6 JUDGE LYNCH: Excuse me, sir. Could I ask
7 there be order in the room, please. Thank you. Go
8 right ahead, sir.

9 MR. BLESSINGER: The same night that the
10 manhole cover blew off, I noticed two lights went out
11 outside the building, and but other than that, I
12 didn't really experience any real problems. And but
13 I noticed on Broadway, like I say, 35th Street, the
14 traffic lights were out of sync and they weren't
15 working properly.

16 And so, and then I met a woman, sometimes
17 I think maybe it was an act of God or whatever, at
18 31st Street and Broadway outside the subway, she was
19 outside the elevated subway, and I got speaking with
20 her and I said, is it all right to take the train?
21 She said yeah, yeah, I think she said the N is all
22 right.

23 And I told her about the, you know, what I
24 was thinking about the statement about the terrorists

1 and what the WABC hostess said. She said, well,
2 terrorists, they can't control the weather. They
3 don't control the weather. So, and then she said
4 something about, you know, the antiquated system is
5 40, 50 years old and it can't really handle all the
6 people, which leads me to I hope not.

7 I hope things aren't really as worse in
8 the city than we are told because the idea is not to
9 frighten us, but personally I would rather be told so
10 it gives me an option maybe I will move somewhere
11 else.

12 Thanks, everybody, for listening.

13 (Applause)

14 JUDGE LYNCH: This is Cathy Burch and
15 following her will be Gilbert Vela.

16 MS. BURCH: Good evening. Thank you. I
17 went looking for you earlier today at junior high
18 school 141.

19 (Applause)

20 And we were directed to the Federation of
21 Hellenic Society, and that turned out to be a
22 meeting, but it was more for business, so I was there
23 a little out of place. I also feel that more people
24 would be here if it had not been printed in the paper

1 that you were going to be at junior high school 141
2 at 21st Avenue. That's number one.

3 (Applause)

4 Number two, the power outages have been
5 occurring long before July 17th. My power went out
6 on July 10th for the entire day and I had no
7 telephone. My daughter had power and she lives next
8 door to Mt. Sinai of Queens Hospital the week before
9 and a generator was provided for her for two
10 consecutive days.

11 We have been having ongoing problems for a
12 long time. Back in October of 2005, a 40 percent
13 increase was allotted to Con Edison's rates that I
14 have been paying for. At that time we were told that
15 it was to improve the infrastructure of the area.

16 Con Edison has been working in the manhole
17 on the corner of 20th Avenue and 45th Street six
18 different times. I was without power for nine
19 consecutive days. I was preparing food in my freezer
20 for my family and I lost it all. I resent having to
21 provide an itemized list to get \$350 back.

22 (Applause)

23 I did not get my bill yet, and this I am
24 really waiting for. This is a joy. If all Con

1 Edison is willing to give me is a \$3 rebate, which is
2 disgraceful, and we as a community are going to be
3 inflicted with a new power plant that does not
4 benefit us at all.

5 (Applause)

6 We have a 200 apartment unit, a converted
7 warehouse on Ditmars Boulevard between 45th and 46th
8 Street that hasn't even gone on line yet, yet they
9 closed local fire departments. Where are we going to
10 get more protection?

11 We need to trust you. We need to trust
12 our elected officials. You are our voice, and I
13 don't have a great deal of faith anymore. I do have
14 a copy of the letter that I wrote to Mayor Bloomberg,
15 that I also sent to our elected officials.

16 And yes, I am Cathy Burch, and thank you
17 for the Gazette for printing it. I sat out outside
18 in front of my house because I had no electricity.
19 My computer didn't work. My alarm system is flukey.
20 My refrigerator is on the fritz. The medicine that I
21 was holding in my refrigerator for my daughter's MS,
22 I can kiss goodbye.

23 We need your help. We ask for your help.
24 We plead for your help. And if Con Ed increases my

1 bill by a hundred dollars, they are not getting it.

2 Thank you.

3 (Applause)

4 MR. VELA: Hi, everybody. My name is

5 Gilbert Vela.

6 JUDGE LYNCH: Excuse me one second.

7 Before you get started, Bill Griffin is going to be

8 next over at this microphone. Go ahead, sir.

9 MR. VELA: My name is Gilbert Vela. I am
10 a very happy fella because yesterday I received my
11 Con Edison bill and they decided--well, here's, I
12 wanted to bring this fabulous speech. I got all
13 kinds of things to say.

14 But they didn't respond to the needs of
15 the people in my building in a timely manner. The
16 workers that were in our neighborhood working on
17 Steinway Street, working on 30th Avenue, working at
18 various other locations, they were not on 37th Street
19 during the week of the blackout. We wrote a letter,
20 a three page letter outlining what happened.

21 My super and I had a Tiananmen Square
22 moment where we stood in front of the Con Ed truck
23 that was coming down the street so that we could get
24 him to stop at our street and fix the damn problem.

1 I am going to read--I also want to read to
2 you the newspapers. I got the Daily News, I got
3 Newsday, and our good friend Kevin Burke, here he is.
4 And these are both from August 1st and, wow, shocker,
5 power firm gave \$13 million to New York politicians.
6 Interesting.

7 I am not going to say--I am not making
8 accusations here, just telling you some information.
9 Did you know that Pataki, Governor Pataki, received,
10 let's see, the report found that the utility business
11 donated a total of \$315,850 since 1999 to Governor
12 Pataki, who appoints the PSC, and whose chairman
13 under Pataki had twice left to work as a paid
14 lobbyist for the energy industry. This is August 1st
15 of the Daily News, David Salvinsol, Daily News
16 reporter. Also in the Newsday.

17 Similar information from the Associated
18 Press. However, people from--PSC spokesman David
19 Flannagan said that the blackout, "the blackout had
20 nothing to do with deregulation". I am just reading
21 you the newspapers. I am not on my soapbox here. I
22 am just reading you the newspapers.

23 The only people that got more money from
24 Con Ed was the state Republican party with \$416,751

1 in donations.

2 Now, you got to, I don't know, I am just
3 wondering could there be a connection between that,
4 the facts that I just told you, and the fact that our
5 Democratic representatives, Senator Clinton, Senator
6 Chuck Schumer, City Councilman Gioia, State
7 Assemblyman Gianaris, City Councilman Vallone,
8 everybody is calling for let's name northwest Queens,
9 Astoria, a federal disaster area. Right? All the
10 Democrats are saying, hey, this is a federal disaster
11 area, but who is saying no to this? Who? Bloomberg,
12 Pataki, the Republicans.

13 Pataki has it in his power to make
14 northwest Queens, Astoria, Long Island City,
15 Sunnyside, Woodside, a federal disaster area. It is
16 shameful. It is disgusting that people are going out
17 in the street to get food and water and dry ice.
18 This is bullshit.

19 (Applause)

20 Let me tell you something. I am from
21 Texas originally, I've lived in New York City six
22 years. I have lived mostly in Manhattan. I am a
23 gypsy. I lived all over Manhattan, lived in Astoria
24 once before, lived in Rego Park, been all over the

1 place. I lived in Astoria recently, like about nine
2 months or so, about a year in Astoria.

3 I am proud when last year what was going
4 on at this time last year? Katrina, right? Yes.
5 Bloomberg had a lovely FEMA moment the day of the
6 blackout. I mean he was at a service. Please don't
7 get me wrong. My heartfelt condolences to the FDNY.

8 There was an accident during the blackout
9 Tuesday night I believe in which two FDNY firemen
10 were hit by a cab near where I was staying. I stayed
11 in Manhattan with my friend on the upper west side,
12 but they had an accident and they were--there was a
13 memorial service for these firemen.

14 Reporters immediately asked the mayor what
15 are you going to do about the blackout in Queens?
16 Well, I don't know if this is the appropriate venue
17 for these questions. Very, very reminiscent of
18 President Bush's response to Katrina when it first
19 happened.

20 I was in shock when I read it on my phone
21 on the internet. When people were rioting in the
22 Superdome because they were starving and hungry and
23 didn't have water, President Bush said, I think it's
24 very inappropriate for these people to be rioting on

1 VJ Day when they should be--whatever it was, the
2 50th, I guess it would be the 50th anniversary of VJ
3 Day, when they should be celebrating America's
4 heroes. Now, granted, we wouldn't be here if it
5 wasn't for the World War II veterans, but the
6 cluelessness that Bloomberg exhibited in the initial
7 days of this.

8 The cluelessness of President Bush, we
9 don't have to talk about Bush and Katrina. We all
10 know. It's like--attacking President Bush is like
11 kicking a dead dog. Anyway, I need water
12 desperately. I want to say--I will wrap it up. I
13 mean I am going on and on kind of filibustering.

14 We tried, we tried desperately hard to get
15 Con Ed people to 37th Street. We wrote a three page
16 letter. We sent it to everybody. We sent it to
17 Kevin Burke. We sent it to the PSC. We have sent it
18 to Hillary Clinton, Chuck Schumer, Mike Gianaris,
19 everybody. We got a long laundry list of people that
20 we are sending it to. I don't know. Will it help?
21 I don't know.

22 I was one of the fortunate people. I had
23 a friend in Manhattan who put me up for most of the
24 week. I went out to Manhattan, I come back Friday,

1 hey, miraculously the heat wave didn't affect my
2 apartment. All the electricity in my apartment
3 works, but the heat wave affected my next door
4 neighbor. Maybe the temperature in my apartment was
5 85 degrees. You can only speculate. Just nonsense.

6 But anyway, we tried. Tuesday evening the
7 manhole cover exploded, there was a fire, the fire
8 department came, fire was restored at 6:30 a.m.
9 Wednesday morning. The power was restored, it was
10 considerably weaker, etc., etc.

11 We all had this kind of same--we had a
12 brownout, we had the power back, went out again
13 Wednesday to Thursday, we got it back Thursday but
14 then it rained, and of course the power--it's like
15 the wicked witch, oh, the rain. You know, so it
16 rained on Thursday night, so, people lost power.

17 I come in Friday to see what's going on in
18 my apartment. I got power, but my next door neighbor
19 and a lot of people including the elderly people and
20 sick people don't have power.

21 So, I am calling Con Ed and I'm telling
22 them, when the hell are we going to get the power
23 back? You know, I got my power but my neighbors
24 don't. When are we getting the power back? If

1 somebody dies are you going to be held responsible, I
2 mean are you going to--are you responsible for this?
3 Do you take any accountability for this?

4 So, they said we will have a crew here
5 tomorrow morning, Sunday morning. And when I walked
6 out of my place there was a crew there and they were
7 wearing orange Con Ed T-shirts. And I asked them are
8 you here to fix the power? They said, yes, we are.
9 We will get on it. Yeah, yeah, don't worry.

10 Well, it turns out, I found out later in
11 the day from my neighbors, they are just there to
12 cover the wire that--the hole that was previously
13 left by the prior crew that was there before a few
14 days earlier.

15 Anyway, to sum it up, I am just--to sum it
16 up we got--luckily we got a bunch of people to sign
17 the letter. You know, I guess what we, you know, I
18 guess I will sum up by saying, look, we are not--
19 well, my neighbor wrote we are prepared to accept the
20 loss of power. I don't know if I agree with her on
21 that one, but we're not prepared to be ignored, lied
22 to, mishandled and mistreated. We deserve to be
23 spoken to like human beings and treated like human
24 beings. We pay a lot for their service and what are

1 we getting in return? A lot of disrespect.

2 Yesterday I got my Con Ed bill. They were
3 very slow to respond to fixing 37th Street but they
4 very quick to come and read my meter and tell me that
5 they adjusted my rates for June, July and August.
6 And so now, hey, guess what? You got to pay \$83
7 instead of \$62 or whatever, so I owed \$20 more than I
8 thought I would. Isn't that great?

9 Anyway, so, I wrap up by saying I hope
10 this letter does some good. I hope my comments have
11 cheered you up. And have a nice evening. Thank you
12 very much.

13 (Applause)

14 JUDGE LYNCH: Ladies and gentlemen, the
15 next speaker is Bill Griffin. Following Mr. Griffin
16 the court reporter needs a short recess to rest and
17 we will take a five-minute break and we will come
18 back.

19 After Mr. Griffin, at this point in time I
20 have 11 people signed up to speak and we will take
21 them in order. So, after Mr. Griffin speaks we will
22 be taking a short break and then we will continue and
23 we will hear from everybody that signed up to speak.
24 Thank you very much. Mr. Griffin.

1 MR. GRIFFIN: I am Bill Griffin and my
2 family's been in Astoria for almost a hundred years.
3 And I am happy to be at this meeting and surprised at
4 the few people that are here, but very articulate
5 people. I'm really proud of them.

6 I am also pleased to see a Public Service
7 Commission member who is attentive and participating
8 in this. They just are not very passive and they are
9 sort of in cahoots with Con Edison. I think things
10 will change perhaps.

11 Communication is a major problem, deficit.
12 Senator Onorato covered so many parameters, I was
13 very pleased to hear him, not only what's wrong but
14 what we need to be concerned about in the future,
15 primarily why I am here.

16 I did not suffer as others did in the
17 major blackout. I had some low wattage and stuff
18 like that, but my concern, and I have spoken other
19 times with Con Edison and with the Public Service
20 Commission, that we do not have a master plan in this
21 city. They build things and they build things
22 relatively willy-nilly.

23 We have got 17 new buildings going up here
24 on the Queens side. They have building going on as

1 well in Manhattan. All these new buildings have been
2 brought up by somebody else.

3 Our neighbors had a hundred watt amperage,
4 put in three 100 watt lines into a one family house.
5 Obviously you are going to need a greater source of
6 power than we actually have and are even considering
7 having.

8 We knew that the grid broke down on two
9 separate occasions before, and although we put in
10 some power plants here they cause problems to
11 children's health so we have to be concerned about
12 that.

13 But unless there is foresight, most of the
14 people were complaining about reactive response. My
15 concern is proactive response. To make sure that,
16 like I said, you get Con Edison to do what they
17 should do and I have no qualms about what you will
18 do.

19 It's the organization that's up in Albany
20 which seems to be divorced of New York in a sense.
21 So, I guess many things have been said and I prefer
22 not to perhaps repeat them, be very succinct in what
23 I say. I'm happy to have been here and share in the
24 knowledge people have expressed and hopefully be a

1 help to the future, not just the thing that just
2 happened. Thank you very much.

3 JUDGE LYNCH: At this point take a
4 five-minute recess.

5 (Recess.)

6 JUDGE LYNCH: Ladies and gentlemen, we are
7 going to come back on the record, please. We have
8 many more people who want to speak tonight. I have
9 also just been reminded that we are supposed to leave
10 the school at ten. So, I am hoping that people while
11 they are speaking, I certainly want you to be able to
12 say everything you want, but please keep in mind, as
13 I said, there are about 11 people. It's quarter to
14 nine now. We shouldn't have any problem if everyone
15 cooperates.

16 First speaker over here will be Holly
17 Horne, and the second speaker will be Melanie
18 Squillante on this side, please.

19 SPEAKER: Some people speaking are very
20 emotional and very involved. Why are we telling you
21 this? What's going to happen?

22 JUDGE LYNCH: Let me orient you.

23 SPEAKER: The politicians left now, too.
24 Where's the politicians?

1 JUDGE LYNCH: Let me just say that--

2 SPEAKER: It seems futile now.

3 JUDGE LYNCH: I think if you listen to me,
4 I hope you will agree that it's not futile to speak.

5 SPEAKER: I worked for Con Edison.

6 JUDGE LYNCH: Certainly, when I call you,
7 you are certainly welcome to come up.

8 SPEAKER: The politicians, you remember
9 Grammercy Park.

10 JUDGE LYNCH: Let me try to answer this
11 gentleman's question. Sir, the reason you are here
12 tonight is that, as you know, there was an outage.
13 The Commission has ordered that there be an
14 investigation. It's assigned a number of
15 professional people to do the investigation. Part of
16 the investigation, not all the investigation, but
17 part of it is to gather some information about how
18 people were impacted.

19 There are a variety of means available for
20 people to provide information about that on the
21 telephone, with a 1-800 number, through e-mail or to
22 come and make a statement at a hearing like this.

23 The information will all be analyzed by
24 the team, along with other information that they are

1 looking at.

2 SPEAKER: How are you picking this up?

3 JUDGE LYNCH: We have a court reporter
4 here who's taking--who's recording everything that's
5 said. Okay?

6 Now, we have Holly Horne. Welcome.

7 MS. HORNE: Thank you very much for those
8 statements. Thank you for listening to me. I have
9 been a resident of Astoria since 1984 and the outage
10 was July 17th. Of course we all know what happened,
11 and it did affect me and of course many other people.
12 I am well aware that others have suffered more than
13 me and others suffered less, but I would like to
14 state, first of all, how the outage affected me
15 personally.

16 I went out of my apartment about 9:15 p.m.
17 on Monday, July 17th, and I had no electricity until
18 about 6:00 a.m., Friday, July 21st. The weather was
19 sweltering and it was the beginning of the heat wave
20 that abated last Friday, August 4th.

21 Due to the outage, the landlord that--I
22 know nobody mentioned this and I know everybody knows
23 this, the landlord was unable to meet his legal
24 obligation to provide hot water 24 hours a day, seven

1 days a week, 365 days a year, because the hot water
2 in our building uses electricity.

3 Since Friday, July 21st, there was another
4 power outage in my building on Tuesday, August 1st,
5 and another one on Friday, August 4th. The outage of
6 August 1st occurred at about 10:30 and on August 4th
7 was about 5:00 a.m. At that time the outage was
8 partial, but power went on completely.

9 From my experience, communications to the
10 public was poor. Politicians and Con Ed officials
11 really did not have any idea what was happening or
12 the magnitude what was happening. Elected officials
13 took three days to formulate any kind of response to
14 the emergency. The governor, the mayor, the Assembly
15 members, city council members and the borough
16 president were all invisible until Thursday, three
17 days after the outage, if not later.

18 There was already a public safety and
19 health issue such as heat stress, shut-ins,
20 homebound, disabled people and so on. There were no
21 fliers, there were no sound trucks, there were no
22 announcements or updates of any kind.

23 I had no idea an outage would occur.
24 Nobody knew. The electricity in my apartment was

1 fine and it went out suddenly. Con Ed seemed to be
2 skeptical of the calls reporting the outage in my
3 area, and perhaps the situation was so severe it was
4 no wonder the crews could not restore power until
5 Friday morning.

6 During the outage I myself tried to stay
7 hydrated and cool by drinking water and splashing
8 myself with water and, in fact, since most of the
9 businesses in my area had no electricity and I had no
10 refrigerator, so obtaining food was a problem.

11 There were no trucks with water or food
12 close to my building. They were all on the other
13 side of Astoria Boulevard.

14 JUDGE LYNCH: Ma'am, can you slow down,
15 please.

16 MS. HORNE: Yes. That's where everybody
17 got the ice and water and there were no trucks, as I
18 said, water or close to my building. Walking in the
19 heat was difficult, and I am relatively healthy. The
20 only way people knew where food, water, or ice were
21 available was through word of mouth.

22 For those who listened to the radio, of
23 course battery powered, there was no announcements to
24 the media.

1 When my power went out I did call Con Ed
2 to report it and at that time the representatives
3 seemed to think it was an internal building problem
4 since lights were on in the common areas of the
5 building; however, I understood that the agent was
6 behind a telephone and couldn't see how the entire
7 building had no power, not to mention the entire
8 area.

9 Now, I really do have to praise the field
10 crews who were working against tremendous odds and
11 extreme conditions. They were courteous and
12 professional.

13 What I think is I think Con Ed should do a
14 block by block survey of the distribution lines, the
15 wiring and customer usage. This will assist in
16 locating and replacing problematic and antiquated
17 equipment. The greatest need is to allocate funds to
18 maintain and upgrade the networks, the transmission
19 system and the distribution system.

20 As another speaker mentioned, the Attorney
21 General did a report in 1999 after the Washington
22 Heights, Inwood outage, and the power company still
23 needed to take into account now they could make
24 components for greater amounts of heat. There is

1 need to restore failed feeder cables and distribution
2 lines as soon as possible to avoid the risk of
3 further outages.

4 As Gerald Norlander of the Public Utility
5 Law Project said, despite the growing need for the
6 service the company was spending less and less each
7 year on maintenance. The companies must also perhaps
8 coordinate research of alternate sources to generate
9 electricity. The cost of electricity has risen over
10 the years and outages should occur rarely, if at all.

11 Customers wonder what service they are
12 receiving for their money. The Commission needs to
13 exercise stringent oversight of power and utility
14 companies and networks. The Commission needs to
15 sanction companies that act too slowly or fail to
16 respond in an effective, timely manner.

17 Monetary sanctions or not allowing a
18 company to bid for capacity for a length of time,
19 perhaps years, might be good measure. The New York
20 State Assembly Energy Committee must also investigate
21 thoroughly what lead to the blackout, including
22 market manipulation, and make those responsible and
23 accountable, Assembly Energy Committee Chair Tonko
24 suggested. There should be a public education

1 campaign also to help people in their effort to
2 conserve energy and reduce demand.

3 I would personally like to see a flat rate
4 refund and provision of free utility service for
5 three to six months. That's all I have to say.
6 Thank you.

7 (Applause)

8 JUDGE LYNCH: This is Melanie Squillante
9 and she will be followed by Evangelos Alevrontas.
10 Welcome to our hearing.

11 MS. SQUILLANTE: Thank you. I appreciate
12 you providing the court reporter and her efforts to
13 take down all our words. In the essence of time I'm
14 going to cut to the chase of what I would like the
15 Commission to do.

16 I'm requesting that PSC subpoena all of
17 the projections that Con Edison made prior to this
18 blackout of how many customer outages they would have
19 expected based on possible feeder cable outages.

20 In their August 2nd report, they refer to
21 the outages as contingencies. I would anticipate
22 using such language they would have already made
23 projections about when they had one feeder cable out
24 they called it one contingency. Nine feeders out

1 they would call it nine contingencies.

2 I cannot imagine that with five out of 22
3 feeder cables out of service that it would be
4 approximately 19 percent of the capacity out of
5 service, that a number of less than 2/10ths of one
6 percent of customers reported out of service would be
7 statistically probable.

8 The statistical improbability for the
9 numbers presented for July 18th are even worse. With
10 nearly 45 percent of the feeder cable network out of
11 service, they report less than two percent or 222 out
12 of 115,000 network customers with out of service.

13 I was a history major, not a math major.
14 It took me less than half an hour to get all the
15 percentages for all the days. It is incomprehensible
16 to think that Con Ed management could not see the
17 statistical improbability and move more quickly to
18 mitigate it.

19 I want to tell you that the field crews
20 were superb. They were the only source of real
21 information that I had during this. In fact, when I
22 called a Con Edison representative initially to
23 report the blackout, I waited until sometime between
24 the overnight period of Tuesday to Wednesday, because

1 even though I came out Monday night to a brownout
2 condition, thinking I would be a good, patient
3 customer with the Con Ed working in front of my
4 house, I was told we are asking people in your
5 neighborhood to curtail use. Goal accomplished,
6 because I don't have any.

7 She said, no. We are just asking you to
8 curtail use. I said, I don't have any. And then her
9 response was to me was, why didn't you call sooner?
10 Now, if TIVO knows what programs I am watching, why
11 doesn't Con Ed know whether I have power or not?

12 I also ask the Con Ed statement of
13 reliability be amended. If they don't know who's out
14 of service until they receive a customer's call they
15 do not know how reliable they are, they should not be
16 allowed to continue to publish a reliability
17 statement that is not true.

18 We continue to live with reduced voltage.
19 I ask for an independent, definitive statement on any
20 impact, either immediate or long term, on our
21 electrical equipment and appliances. It makes no
22 sense to reduce voltage for equipment.

23 I ask Con Edison be required to compensate
24 anyone for damaged equipment from this blackout or

1 any future outage. It is unreasonable, the current
2 practice of denying responsibility. That way we
3 should only use equipment we can either repair or
4 replace or live without if it is damaged by Con Ed.

5 I ask that we be compensated for a full
6 range of expenses. There were no services on my side
7 of Astoria Boulevard. All of the food and all of the
8 water I had to purchase, in addition to the
9 approximately \$318 claim that I have submitted to Con
10 Ed.

11 I think that waiting four days before
12 alerting police with information about people living
13 on life support, life sustaining equipment, is beyond
14 neglect. A protocol with much shorter time frame
15 must be required.

16 Finally, I ask that a federal monitor to
17 oversee all Con Ed operations for a period of no less
18 than five years renewable be instituted. I don't
19 think that we can trust the people that are currently
20 in management. And I ask that the results of your
21 investigation be referred to the office of the
22 District Attorney for the consideration of violent
23 criminal charges. Thank you.

24 (Applause)

1 JUDGE LYNCH: This is Evangelos Alevrontas
2 and he will be followed by Bonaventura Valerio.

3 MR. ALEVRONTAS: Thank you. A lot of
4 things I had to say were already spoken to by others,
5 so let me go down a few things that was not
6 mentioned.

7 First of all, this questionnaire is
8 wonderful. Could you please make a mailing to every
9 single Con Ed customer that was affected because
10 people didn't know about this meeting. I am sure you
11 will get a lot of responses if you mail it out to
12 everyone with the return envelop, you will get a lot
13 more information as well.

14 I had a very interesting meeting on the
15 Friday, the fifth day of the blackout. I was without
16 power since Tuesday so that was the fifth day for me,
17 I know it was the sixth day for a lot of other
18 people.

19 Walking down to my mom's, who did have
20 power, walking down to my mom's house I met a friend
21 who works for a federal agency, and they were sent to
22 Astoria with the police department to do different, I
23 don't know, just an investigation of what was going
24 on exactly. And we had an interesting conversation

1 in so far as he told me--well, we talked about his
2 child, because his child was in my classroom and
3 stuff before that.

4 And he told me that, did you know what
5 happened to La Guardia? I am like, yes, on Monday La
6 Guardia lost power and Tuesday it was restored. He
7 went on telling me about how, instead of getting
8 generators for La Guardia, they took the power out of
9 our grids to give the power to La Guardia, and that's
10 where the problem started. And no one has spoken
11 about this, not even the politicians.

12 When I went to one of the politicians this
13 morning to ask about where this meeting was because I
14 heard it wasn't at 141, it was somewhere else, so I
15 went to his office myself and spoke to him and told
16 him about La Guardia. He told me that La Guardia is
17 one of the few airports that does not have a
18 generator system and they get their power from our
19 grids. They actually got it from the Jackson Heights
20 grid that day, and that's how we lost our power in
21 the first place.

22 If La Guardia--from what I understand, I
23 am not sure how many grids are from that substation
24 in Astoria, but I know quite a few of them supply the

1 upper east side. If La Guardia is connected to the
2 upper east side grids, I am sure the upper east side
3 grids will be fixed within an hour.

4 So, as a public commission, could you tell
5 them to get La Guardia off our grids and put them on
6 the upper east side's grids or something because in
7 Manhattan they will get their power right away back.
8 Kips Bay was out of power, what, for five, six hours,
9 and a lot of the buildings got generators right away.
10 We were shocked.

11 I was looking at the news. How come these
12 people are getting generators right away? They could
13 have easily gotten generators on each one of our
14 blocks to supply us all with electric while they were
15 fixing the problem, but they won't. I think that's
16 all I have to say about La Guardia, but I have not
17 heard politicians or anyone speak about this
18 publically. There is an ongoing federal
19 investigation, but I won't say anything else, but
20 anyway.

21 Another thing, oh, about Mr. Burke. Will
22 he be getting a bonus this year? How is his bonus, I
23 mean, was this a way of covering up? I mean will Con
24 Edison's--how does he get a bonus? If we find out he

1 gets a bonus, what can we do about it? That's, you
2 know, because I will be very upset if he gets a bonus
3 this year.

4 SPEAKER: He already got a bonus.

5 MR. ALEVRONTAS: He got \$600,000 last year
6 from what I understand, and his stock went up again
7 so he's going to get a bonus again. How can that be?
8 How can he get away with this? I know we pay for it,
9 yeah. What else did I need to say?

10 Oh, well, I want just to reiterate
11 something a man just said before about since we have
12 so many different phone companies providing different
13 services we should have at least five or six
14 companies so we can pick and choose if we are not
15 happy with the one utility company that provides
16 electric.

17 I think that was it. Oh, the media was
18 amazing I must say. I mean, yes, it took them four
19 days to figure out the story was serious enough to
20 warrant their attention, but once they got there,
21 especially CBS, they got in Bloomberg's face.

22 Actually, the question was not asked at
23 the memorial service for the fire fighters, it was
24 asked where he was giving out some awards to cadets

1 or something. So, that's when the first question was
2 asked. And he said that he's too busy, he will get
3 back to us, but then he came that evening, he came to
4 Astoria anyway. So, it was like they needed to
5 embarrass him and they did, which was nice.

6 So, the media did their job I must say,
7 but I am not happy with the politicians regardless of
8 what anyone else says. Yes, they did get to it after
9 the fact. Yes, some of them were affected
10 personally, like Mr. Gianaris was affected
11 personally, his apartment was affected, but most of
12 them, well, they got into it afterwards, probably for
13 political gain, nothing else.

14 But please send these out to every single
15 Con Ed customer who was affected. This would be
16 great for your investigation. Thank you.

17 (Applause)

18 MR. VALERIO: Thank you. I want to touch
19 on what he just said.

20 JUDGE LYNCH: One second, sir. This is
21 Bonaventura Valerio, and the next speaker on my right
22 will be Francis Lloyd.

23 MR. VALERIO: You know, what he said about
24 La Guardia was the first one to go down. It was

1 early Monday morning. Our power didn't go down until
2 Tuesday. When their power went back up we went down.

3 I was talking to a Con Edison person, I
4 says, so who did you hook up La Guardia to? He says,
5 well, we hooked them up to Corona. They hooked it up
6 to Corona. My mother lives in Corona and they were
7 given less power in Corona. Some of their lights
8 were out. They were starting to have trouble because
9 they hooked up La Guardia to Corona.

10 I believe this started when La Guardia
11 went down because if I hook up too many elements on
12 one circuit it's going to burn out, right? That's
13 what I believe happened in this case. They hooked up
14 La Guardia to us and that blew out because they had
15 to give La Guardia their power in eight hours because
16 they needed it to run their equipment. So they said,
17 you know what? Hell with the people. We'll give it
18 to La Guardia, so they gave La Guardia all that
19 power.

20 Now, I called up Con Ed. I went to one of
21 the banks they were at, I said, you know what? I
22 lost my fishtank. I have an aquarium. You know what
23 they said? So? That was their response. So what?
24 That doesn't mean anything you lost your fish. I had

1 them for three years. They really didn't care. They
2 said big deal.

3 My wife put a claim in on the sheet. She
4 put down \$150 because she mailed it in the first day
5 because that's when she mailed it in and she put \$150
6 plus. They told her oh, no. We are giving \$150 out.
7 She wrote down plus because there was more than \$150.
8 So what? Everything I did was so what.

9 If I walked to a block, I mean there is
10 blocks and blocks and blocks that are out of lights,
11 it tells me that there's more than two thousand
12 people without lights. It's not like--common sense.
13 A baby could walk from La Guardia to 31st Street.
14 That's way more than two thousand people. You don't
15 even need a computer to figure that out.

16 They were saying two thousand people. I
17 am telling my wife, where are they seeing two
18 thousand people? I am walking and there is hundreds
19 of blocks out and they are saying two thousand
20 people.

21 On the radio all they were saying, they
22 were trying to put the blame on the storm that was
23 happening in Connecticut. All they were saying on
24 the radio, it's due to the storm. We didn't have a

1 storm that day. They were putting that on the radio
2 that it was all due to the storm.

3 Now, I would like to know what's going to
4 happen to all the people that lost really things and
5 Con Edison's response is so what, big deal. That's
6 not our problem. Whose problem is it? That's all I
7 have to say.

8 You know what? The crews that worked
9 there, they work hard. They have families. I will
10 not ask them to work fast because you work with
11 electricity, you get bit. You get bit the hard way.
12 They got families to go up home to. They are going
13 to take their time and I don't blame them because
14 they are going home, they got kids and they got
15 wives.

16 That's all I have to say.

17 (Applause)

18 JUDGE LYNCH: This is Francis Lloyd and he
19 will be followed by Suzanne Hengl. Welcome, sir.

20 MR. LLOYD: I started working for Con
21 Edison in 1975. They always had a policy to cover up
22 the paperwork. As the years went on they had
23 Chairman Lewis, they were becoming deregulated, maybe
24 private deregulation. And the last one there--the

1 biggest maintenance--when I worked in the service was
2 when Jimmy Carter was elected '76 and 1980 he was in
3 New York Madison Square Garden.

4 Con Edison does not maintain their
5 equipment. Con Edison works with one principal, they
6 fix what's broken. They know Astoria was out. Con
7 Edison just in 1991, Grammercy Park, they were
8 indicted. My cousin was indicted. One employee died
9 and one attendant died. Another vice president died.

10 It was dropped for the reasons that the
11 vice president had a nervous breakdown. My cousin
12 had a stroke. I mean then after that they were
13 indicted twice in Astoria for dumping oil. At the
14 substation in Staten Island, they had a fire in
15 there.

16 PCBs very dangerous when it's over 50.
17 They told the fire department it was under 50. Later
18 on the fire department did their own test and it was
19 over 50.

20 Con Edison's history is one way, to make
21 money. They work like whores. Just like the last
22 blackout, Bloomberg is coming in, a whole crew work
23 in an elevator. Con Ed does not have portable
24 generators. Con Ed is a front for one thing: Making

1 money.

2 That's the truth. That's the reason why
3 the system is not maintained. That's the reason why
4 Indian Point wasn't maintained. Con Ed was blest.
5 They sold Indian Point a week before 9/11. That
6 leaked. No one ever questioned why it leaked.
7 Ravenswood, they sold it, they were being
8 deregulated.

9 Con Edison is a billion dollar outfit. I
10 believe Con Edison is the largest utility in the
11 world. Like I said, I am 50 years of age. I am
12 receiving money from Con Ed at 39. I received a
13 settlement. In 1991 they tried to cover up
14 something. Con Ed plays a game in a sense, pay off.
15 Why me at 50 years of age am I receiving money from
16 Con Edison? I don't work, but they pay me.

17 I am just saying Con Edison has a problem
18 because they have the politicians, the union local
19 1-2 is owned by the company. That's a fact. In an
20 arbitration case, had the tape recorder open, left
21 the room and something in the arbitrator's case. The
22 arbitrator owns them. The unions own them. Anybody
23 wants to hear the tape, I have the tape, the tape May
24 20th of 2003.

1 I'm just saying Con Edison, ever since
2 Chairman Lewis they run very loose, and they worry
3 about one thing, every quarter, and don't kid
4 yourself. Con Ed is very hot on their executives
5 about the quarters. They worry about money.

6 Like I said, explain to me why am I
7 receiving something from Con Edison since I'm 39
8 years of age? Like I said, Con Ed covers up. That's
9 all I have to say.

10 (Applause)

11 JUDGE LYNCH: Thank you. This is Suzanne
12 Hengl, and she will be followed by Rachael Blair on
13 this side. Thank you very much.

14 MS. HENGL: I will keep this short and
15 sweet. I would like to thank everyone who has spoken
16 out tonight. It's a pleasure to see despite the
17 communications mix up.

18 I would just like to talk about a few
19 things briefly. Councilman Gioia spoke earlier about
20 the need to have an investigation. That's critical.
21 Con Ed is preparing a memo, a report that's heavy on
22 facts and light on analysis. The mayor's office does
23 none of us any good. What you guys are doing tonight
24 is great. I thought the suggestion earlier to send

1 out the questionnaire to all the Con Ed customers was
2 a fabulous idea. I hope you guys follow up and send
3 out not just the envelops but stamped return address
4 courtesy of Con Ed, please, and not the public.

5 Also, just a further point. Con Ed
6 continues to mislead us, you know, one slap in the
7 face after another. My parents received \$350
8 reimbursement. My favorite sentence in this
9 wonderful letter from Senior Vice President Ms.
10 Caselli, reads as follows: "From the first moment of
11 the situation Con Edison engineers, field crews,
12 customer advocates and support personnel worked
13 around the clock to correct the problems". Did you
14 guys see this? I didn't see this. None of us saw
15 this.

16 Con Ed swears that there was a minimum
17 outage up through Thursday. They lied through their
18 teeth to us. It's not being covered on the news and
19 not on 1010 WINS. We finally started getting the
20 story increments piece by piece. We're never going
21 to get the whole story.

22 We are leaving it up to you guys. We're
23 trusting you. Please, get the story for us. I
24 eagerly anticipate what you find out when the

1 analysis is done and what Con Edison is going to have
2 to do to remedy the situation.

3 This has been atrocious, it's been
4 abysmal. I don't know if you guys have driven around
5 the neighborhood at all but if you look you see a
6 handful of Con Ed trucks, you see lots of PSE&G, you
7 see trucks from Maryland, from DC, still from Ohio,
8 from Long Island, you see Wellsback, different
9 electrical contractor.

10 Con Ed doesn't have the manpower to handle
11 this small area. How does it handle all five
12 boroughs? It's ridiculous. It's ridiculous. How
13 far are we after the fact and all these different
14 energy companies from eastern seaboard up and down
15 are here. That's nuts, ludicrous.

16 SPEAKER: They have heavy damage in the
17 neighborhood, serious problems in Astoria.

18 MS. HENGL: What I would like to see is
19 not just a report but I'd like to see some action. I
20 think we all want to see some action, I think we all
21 deserve some action, and I think we deserve some
22 answers and we deserve them quickly.

23 So, I leave it up to you guys. Hopefully
24 you still have some faith in us and please, let us

1 know, keep us abreast of what's going on, we need
2 some answers from someone.

3 SPEAKER: They would have meetings in the
4 past and nothing happens. The politicians left here.

5 JUDGE LYNCH: Sir.

6 SPEAKER: It is annoying.

7 JUDGE LYNCH: I understand that, but we
8 have got other people who want to speak, but let me
9 call to your attention, while you are here and
10 everybody is here, there are two handouts up at the
11 back table there. One of them has questions on it
12 and on the back it says how to stay informed. If you
13 want to read the Commission Order which initiated the
14 investigation, or other documents, log on to--and
15 there is the web address. Click on what's new and
16 Queens power outage, all the documents that are being
17 prepared in the case, there's probably 15 or 20
18 things on there already. That will continue to grow.

19 MS. HENGL: I appreciate what you are
20 saying, sir, but this neighborhood is full of a lot
21 of senior citizens and English is not their first
22 language. You need to find some other way to get
23 information besides internet.

24 JUDGE LYNCH: That's a point well taken

1 but I did want you to just be aware of what's gone on
2 so far.

3 MS. HENGL: Just one final, my favorite.
4 Con Ed, I called them on Monday when I had brownout
5 in my apartment. I called them on Tuesday when the
6 power went down. I called them on Wednesday. On
7 Thursday I listened to the radio, called 311. I
8 called Con Ed. After waiting on the phone for over
9 15 minutes, I spoke to a woman.

10 I called up. I gave her account number
11 and address, told her my power is still out, I'm just
12 calling to let you know. Her exact comment to me:
13 What would you want me to do about it?

14 Now, I am kind of a nice person so I
15 didn't want to respond with obscenities, but this is
16 just typical of the attitude. The way that Con
17 Edison jerked us around and treated us exemplified by
18 the letters with the reimbursements, it's
19 unacceptable, bottom line.

20 JUDGE LYNCH: Thank you.

21 (Applause)

22 This is Rachael Blair and the next speaker
23 after her will be Allyson Marin, over here on my
24 right.

1 MS. BLAIR: Hi, my name is Rachael. I
2 have lived here about two years, I'm not a lifelong
3 resident, but I love Astoria. I am going to give you
4 first my personal effects and then my suggestions.

5 We noticed the power was flickering on
6 Monday, July 17th. We lost power early morning
7 Tuesday, July 18th, until it was restored late Friday
8 night, July 21st. I lost \$150 worth of groceries and
9 had to buy lunch and dinner every day that week which
10 was a major financial burden.

11 I also averaged about three to four hours
12 of sleep per night, which made me less productive and
13 less effective at work all week. This was all a
14 minor inconvenience, according to the CEO and our
15 mayor, but to the working families the blackout was a
16 major disruption, and in some cases a life
17 threatening one.

18 I am here tonight to speak as a young
19 professional struggling to get by, and this blackout
20 was a major disruption. I and many other young
21 people who come to the city don't have family in the
22 area, so I had to bear the financial and physical
23 stress of the blackout myself. In this case with my
24 friends we weren't able to help each other out

1 because we were all affected.

2 During the blackout I was not aware of any
3 support network in the city. I didn't even know we
4 had cooling centers. I didn't see any Red Cross or
5 other related relief presence. I am okay, I am
6 young, I can get around, but there is a lot of
7 retirees and all week we were all wondering where
8 they are and who is helping them out.

9 And for a lot of them English is not their
10 first language so not only are they not seeing a
11 visible presence, maybe they are not finding out
12 about these cooling centers.

13 I don't own a car so I wasn't able to
14 drive to an unaffected area. My commute jumped from
15 35 minutes to an hour and 15 minutes because the
16 trains were also at one point experiencing delays and
17 they told me that was because of low voltage.

18 When I called Con Edison on Tuesday,
19 July 18th, the automated message played, one we all
20 heard and there was only a few thousand people
21 affected, I was told the crews were fixing the
22 problem but we were not given any sort of schedule as
23 to what to expect and they said no adjustment would
24 be made to my bill.

1 At that time nothing was said about
2 reimbursement for lost food. I called again on
3 Thursday, July 20th, and no one knew what was going
4 on. There was no emergency plan at all.

5 My overall impression was that Con Ed has
6 been allowed to exist as a monopoly with little to no
7 oversight, no offense, and it's focused on huge
8 profits rather than maintaining the network, as we
9 all said this evening.

10 We were all talking about the 1999 report
11 that Eliot Spitzer wrote, said the same thing. The
12 New York Times reported in March of 2006 that from
13 December 2004 to November of 2005, 1,214 sites of
14 stray current were detected by Con Edison. During
15 that time a woman, as we also heard, was electrocuted
16 and she died.

17 Here we are again in 2006 facing yet
18 another crisis from Con Ed's failure to maintain the
19 system. I would also like to point out that between
20 1988 and 1998 Con Ed slashed investments to its
21 infrastructure by nearly \$200 million, yet this is a
22 company who in 2005 reported a net profit of \$719
23 million. Their own website boasts that "As a result
24 of our strong financial performance we have been able

1 to increase our dividends each of the past 32 years".

2 Do I have to be a stockholder? Do we have to be

3 stockholders?

4 My solutions and recommendations are as

5 follows: I feel that the residents of Queens deserve

6 an independent criminal investigation into the Con Ed

7 induced blackout. I want an expansion of the

8 oversight provided by this Commission into Con Ed and

9 all other New York State utilities. Deregulation has

10 affected more than just Con Ed.

11 I also would like the State Assembly to

12 make tougher state anti-trust laws to break up

13 companies like Con Ed, who are monopolies. We don't

14 have another choice. The only choice we have if we

15 decide we don't like their service and we're not

16 going to pay it is talk to their collections people.

17 It's not a choice. They are going to get us. We are

18 stuck.

19 In addition, and these are not completely

20 my ideas, these are from the 1999 report, they wanted

21 to--in order to, well, in 1999, develop a test for

22 testing equipment vulnerable to heat stress,

23 mandatory reporting to local and state officials.

24 I think this is an important one. I think

1 Con Ed needs to be on probation and you guys need to
2 put them on probation so this doesn't continue to
3 happen every year, because the world is not getting
4 any cooler and people aren't going to turn off their
5 air conditioners every summer.

6 I also agree with the suggestion of the
7 1999 report that they need to improve communications
8 with consumers, the government and the public. Con
9 Ed lied to each and every one of us. Also, they need
10 to increase the amount they are paying for
11 perishables, especially for small businesses.

12 We are lucky to be in New York where we
13 have such great small businesses. They keep our
14 communities vibrant and going, not the big box
15 stores. We are dependent on those small businesses.

16 Lastly, I would just like to bring up one
17 more point. Because we only have one choice of power
18 that supplies the entire city of New York and all
19 five boroughs, it's becoming a security issue. Is
20 this something that Homeland Security can look into
21 because we are extremely vulnerable when we put all
22 our eggs in one basket.

23 (Applause)

24 JUDGE LYNCH: Thank you very much. The

1 next speaker is Allyson Marin, and she will be
2 followed by what I believe is, unless someone tells
3 me otherwise, the last speaker, and that's Eric Shaw.

4 Welcome, Ms. Marin.

5 MS. MARIN: Thank you everybody that hung
6 out. I feel like it's still the blackout. Nobody is
7 out.

8 The reason I am here is I normally
9 wouldn't do something like this. I grew up in
10 Astoria, born and raised here. Like everybody else,
11 my quality of life meant the most to me. I have had
12 a good one here. For five days I didn't have quality
13 of life. Most of you I think will agree.

14 We're so used to getting up, flicking a
15 switch, opening the refrigerator, putting on the TV.
16 It's a mindless exercise that most of us do. It took
17 a disaster of this proportion to allow us to realize
18 that resources are just that. If we keep abusing
19 them we will run out sooner or later.

20 We have to work together. My message
21 tonight is to be mindful. We need to work together.
22 Get beyond the anger, be part of a solution not a
23 problem. Con Ed has the control, we all know this.
24 We can choose the supplier.

1 This Commission here, this is great.

2 Let's keep going. Let's keep the pressure up, but
3 it's not out of anger, out of a sense of community,
4 and all be on the same page.

5 We all have a terrible story. Some
6 people's were worse than other people's. I had a
7 woman with a heart condition. You know who came
8 around to help her out? Con Ed. I couldn't get 311.

9 There is a lot of breakdown in our entire
10 system, our infrastructure, our politicians. Where
11 are they right now? They didn't stay the course
12 tonight, but you all did. This is important to all
13 of us and we need to continue to not let up. Stay
14 the course, keep it up, and don't wait for
15 politicians to do it for you.

16 Your voice is what you have got so keep
17 speaking. They will hear you. Keep up the pressure.
18 Thank you.

19 (Applause)

20 JUDGE LYNCH: This is Eric Shaw.

21 MR. SHAW: I moved to Astoria back in
22 January and I started noticing about three months
23 before the blackout that like every evening if it was
24 even sort of warm outside from about the time I got

1 home until around midnight the voltage would be
2 dropping to 90 volts.

3 I think the idea of the Con Ed hasn't
4 realized this for months before the blackout is
5 preposterous. Also, I know that from the UPS on my
6 computer telling me. And I am sure that there is
7 like data centers in the area from Metlife and other
8 companies that would be keeping, also keeping records
9 of that.

10 And seeing that this has been going on for
11 months that we have been having brownouts every day.
12 I was one of the lucky ones who had somewhere else to
13 stay during the blackout. I went to my girlfriend's
14 in Manhattan. I actually went before the power
15 actually went out on my place because the brownout
16 was severe enough on Sunday that the air conditioner
17 wasn't keeping up.

18 And I had to get new clothes because my
19 laundry was stuck at the cleaners for the week when
20 they lost power. I also had two cell phones that got
21 damaged from the brownouts while they were charging.

22 I want to know: Is Con Ed going to cover
23 any of the equipment damage? Only covering \$350
24 worth of food seems rather ridiculous. That's it.

1 (Applause)

2 JUDGE LYNCH: As far as I know at this
3 point, those are all the speakers. Is there anyone
4 else here tonight who would like to make a statement?
5 Let me remind people that if you are here and didn't
6 make a statement and you still want to comment, there
7 are forms available in the back that can be mailed.
8 There is information about the 1-800 number, how you
9 can e-mail the agency if you want to comment in those
10 ways.

11 We will also be here tomorrow at La
12 Guardia Community College. The first session is
13 tomorrow afternoon at 1:00 p.m., and that will go for
14 at least one hour and as long as necessary thereafter
15 until we hear everyone, subject to breaks and subject
16 to we will have to have a meal break somewhere in
17 between there and the other hearing that starts at
18 7 o'clock p.m. tomorrow night at the La Guardia
19 Community College. And that's in the main theater,
20 the main stage theater, and it's in building eight.

21 So, I see a lot of you that are here did
22 speak tonight. If you did speak, we have your
23 comments. There is no need for you to make them
24 again. We have got them. The reporter is going to

1 transcribe them and they will be available to those
2 doing the investigation.

3 Are there any other questions? Yes, sir.

4 SPEAKER: How long is the investigation
5 going to go take?

6 JUDGE LYNCH: I don't know. I know a
7 couple things. One is the Chairman said that it's a
8 very high priority in the agency. The other thing
9 that I know is that he wants it done thoroughly and
10 properly and professionally.

11 SPEAKER: Is there going to be an outside
12 investigation separate from --

13 JUDGE LYNCH: The only investigation I am
14 familiar with at all is the one conducted by the
15 department. I am aware of others going on but we,
16 frankly, the people doing this one, this
17 investigation, don't have responsibility for those
18 other investigations.

19 So, I also believe, and someone can
20 correct me if I am wrong, that under our rules Con
21 Edison itself has already done a preliminary report
22 and it has to do a further report by the end of
23 September, I believe it is. And my guess is, and I
24 will just say it's a qualified guess, that report has

1 to be completed before the investigation could be
2 completed, but I think--I am not directly involved in
3 doing the investigation. I am part of the group of
4 people that's out trying to gather information for
5 those doing the work.

6 And, as I said, there's this web page
7 that's going to be providing updated information on
8 the Queens power outage. That's available on one of
9 the handouts, and there have been suggestions that we
10 do other things to keep the public informed about
11 progress, and those will be taken under advisement.

12 SPEAKER: How come there is not a Con
13 Edison representative?

14 JUDGE LYNCH: This is the department's
15 investigation of how the public is affected and
16 looking at other things. We are not asking anything
17 of Con Ed at the meetings. We have asked Con Ed to
18 be available with its van to take claims forms and
19 they did that this afternoon and this evening and
20 they will be there tomorrow.

21 SPEAKER: You two did a good job tonight.
22 You are not as strong as the federal, and the
23 government investigated Con Ed four times and here
24 today we are still a third world country. It's

1 ridiculous. Con Ed is not maintaining. That's the
2 bottom line. Mayor Bloomberg doesn't care. He's at
3 peace with Burke.

4 MR. MAGUIRE: I want to ask if anyone has
5 invited representatives from local 1-2 and local 3 to
6 come down and testify from a hands on perspective of
7 what this network looks like when you are down there
8 face to face with it. You know, I heard a lot of
9 comments earlier and I didn't get an opportunity to
10 say that I was very impressed with the local 1-2
11 people and the job that they did out there under the
12 most adverse and dangerous conditions. And that they
13 really need to be recommended because they took a lot
14 of this on the chin.

15 JUDGE LYNCH: Let me ask you, sir. I know
16 I have the information from this afternoon but just
17 for the reporter could you repeat your name.

18 MR. MAGUIRE: Thomas Maguire.

19 The other comment I wanted to add, if I
20 could, is that we lost cable T.V. We lost voice over
21 IP phone. We lost DSL service. We lost a whole
22 variety of new technologies that are all directly
23 dependent on picking up Con Ed's service along the
24 way. In particular, Time Warner Cable is using Con

1 Ed, the power, its repeater amplifiers out in the
2 field, and don't have uninterruptible power supplies.
3 When Con Ed goes down you lose all access to
4 television, access to telephone through Time Warner,
5 lose access to Road Runner through Time Warner.

6 A lot of people don't realize if you
7 started to bring in a battery power computer and I
8 don't have connectivity and anyone who transferred
9 over to Vonage or voice over IP had no way to reach
10 the police, no way to call an ambulance.

11 If Mayor Guliani had his way there
12 wouldn't even be a fire box for them to pull. We
13 lost our cell sites. Now, that's an amazing thing.
14 We actually lost our cell sites in Astoria.

15 This is all PSC regulated stuff and you
16 need to take a look at this on a global basis, the
17 fact that all of the utilities are dependent upon Con
18 Edison and don't expect Con Edison to be out for nine
19 days. UPS systems don't have large enough batteries
20 to accommodate or generators to back it up.

21 We really dodged the bullet in Astoria.
22 The things that could have happened didn't, and we
23 are very lucky, but to look at all the various things
24 that didn't work because of Con Edison that we rely

1 on Con Edison for, it was scary.

2 To walk down Ditmars Boulevard and see
3 that literally no one was open, you couldn't get a
4 pizza if you wanted to go out and get something to
5 eat. You couldn't go to the hardware store and buy
6 an extension cord if you needed that. Had to go
7 practically to Northern Boulevard to find any
8 businesses that were open.

9 And my family didn't do that badly. I
10 mean I have a 93-year-old grandmother who's got
11 congestive heart failure. She did not fair well in
12 the heat. My son is autistic. He takes medication
13 that makes him vulnerable in the heat. I have
14 issues.

15 I saw old ladies with shopping carts
16 waiting on line for Con Edison's ice. Con Ed saying
17 we don't have a procedure to dispense dry ice. We
18 can't give this to you yet.

19 An entire series of unbelievable
20 statements by the company. Just the gall of
21 unchartered proportions. I have definitely taken up
22 too much of your time.

23 SPEAKER: Along --

24 JUDGE LYNCH: Wait a second, sir. Could

1 you state your name.

2 MR. SHAW: Eric Shaw. About the loss of
3 cable during the blackout, I got my cable and
4 internet service back just this Saturday because the
5 power lines melted onto the cable lines and cable
6 lines on our block were pitching fire, so the fire
7 department came door to door and cut everyone's cable
8 lines so they were actually a fire hazard.

9 JUDGE LYNCH: That's Mr. Mullarkey in the
10 back.

11 MR. MULLARKEY: One of the things I
12 neglected to mention. What about people with
13 exposure to the heat who went to the emergency rooms
14 and had to go by ambulance or something? They are
15 going to be billed an ambulance charge. Who is going
16 to pay for that? Emergency room visits your
17 insurance is covering, but the insurance company
18 doesn't cover the ambulance ride, you get a separate
19 bill for that and the emergency rooms if you don't
20 stay in the hospital.

21 JUDGE LYNCH: All right.

22 SPEAKER: Shows you one company could ruin
23 a whole city within minutes, hours and how much this
24 city is dependent on one company to supply all of us

1 with electricity. That shouldn't be. Should be
2 competitive companies here.

3 JUDGE LYNCH: All right.

4 MR. VALERIO: Cripples the whole city.
5 Never seen it crippled as severe. No food, no
6 nothing. It was like a war zone out there. I
7 applaud the people that live in Astoria, how calmly
8 they were. No fights, nothing. Just going about
9 their own business.

10 MS. BURCH: Cathy Burch. We read in some
11 of the articles in some of the newspapers that after
12 9/11 Con Edison received nearly a billion dollars in
13 federal funds to upgrade their infrastructure at that
14 time. Is there any way for you to investigate
15 whether or not that really did happen and what
16 location did the infrastructure get upgraded back in
17 2001?

18 JUDGE LYNCH: Okay. Your comment is on
19 the record so the people looking at this will have
20 that available to them.

21 MS. BURCH: Thank you.

22 MS. BLAIR: This is personal. Where do
23 you guys live?

24 JUDGE LYNCH: I live in a town right

1 outside of Albany.

2 MS. BLAIR: Do you suppose your Commission
3 will take a foot survey of the area? There is still
4 lines on the sidewalks and there is still asphalt
5 torn up even now. Again, like the people mentioned,
6 there's generators. You see Con Ed going up and down
7 the street slinking in and out of the shadows. Do
8 you think you would want to take a foot tour?

9 JUDGE LYNCH: I will pass that comment
10 along. I am not in a position to say whether these
11 things will be done or not tonight, but thank you for
12 asking.

13 COMMISSIONER ACAMPORA: I also come from
14 eastern Long Island.

15 MS. BLAIR: You should also see the piles
16 of cable and tar that's everywhere not fixed. And I
17 tried to buy frozen food.

18 Is it okay to speak in numbers and deduct
19 say from my telephone bill like maybe \$40 and just
20 give them less and refer you to the rest of your
21 payment to Con Edison. May I also deduct--I am not
22 being facetious. May I deduct it legally? I will
23 deduct what I think is a fair amount. Maybe somebody
24 could come up with a tally and list of things.

1 We can speak in numbers, not as an
2 individual. If I can pay less because I did not have
3 my computer, I did not have my telephone. I am not
4 asking for something that I don't deserve, but I'd
5 rather deal with it from my end. If every one of us
6 would do this instead of allowing them to, say,
7 deduct three dollars.

8 It's so insulting to even take the time to
9 make that statement as if they were being generous.
10 So I would like to know what are my legal rights,
11 please.

12 JUDGE LYNCH: I am not in a position, but
13 if it wasn't a rhetorical question I am not in a
14 position to give you legal advice.

15 SPEAKER: I need to know what to do. I am
16 in the dark. My fear with all the generators
17 attached to the neighbors and security guards sitting
18 24 hours around, I am thinking this is frightening,
19 just a bandaid on something so serious. So, we don't
20 know whether tonight we will go and then because the
21 politicians have left, that's the statements. The
22 photo ops have taken place and now everybody goes
23 back and we are still here facing the problem.

24 Up until September we have our heat and

1 every summer in New York this is what we are dealing
2 with. And that billion dollars, who spent it? Whose
3 pocket did it go into? What did they do with the
4 money? Didn't anybody want a tally for heaven sakes?
5 We have to produce a tally for the mayonnaise that
6 went bad, the meat thrown into the garbage.

7 I appreciate everyone spoke clearly and
8 calmly for something so frightening.

9 (Applause)

10 JUDGE LYNCH: Ladies and gentlemen, I have
11 been advised the building is closing. Let me thank
12 you all very much for coming and thank you very much.
13 This hearing is adjourned until 1 o'clock p.m.
14 tomorrow at the La Guardia Community College. Thank
15 you very much.

16 (Hearing adjourned.)

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