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NEW YORK STATE PUBLIC SERVICE COMMISSION

CASE 12-E-0201
12-G-0202

NATIONAL GRID ELECTRIC & GAS RATE CASE

DATE: January 24, 2013

TIME: 6:00 p.m. to 8:00 p.m.

LOCATION: Amherst Municipal Building
5583 Main Street
Williamsville, New York

BEFORE: A.L.J. RUDY STEGEMOELLER

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening

2 A.L.J. STEGEMOELLER: Okay. We are
3 reconvening the public statement hearing in cases
4 12E-0201 and 12-G-0202. Our next speaker is
5 Kathryn Lance. I think up there.

6 MS. LANCE: Are you sure? I remember
7 sitting there.

8 A.L.J. STEGEMOELLER: We're off the
9 record.

10 (A recess is taken.)

11 MS. LANCE: Right here?

12 A.L.J. STEGEMOELLER: Yeah. Okay.

13 MS. LANCE: Do I have to turn anything
14 or I'm all set?

15 A.L.J. STEGEMOELLER: You're set.

16 MS. LANCE: Good evening. My name is
17 Kathryn Lance and I'm speaking on behalf of the
18 Niagara County Legislature.

19 As chairperson of that legislative
20 body's economic development committee, I'm here to
21 express Niagara County support of National Grid's
22 rate-filing proposal which only affects electricity
23 customers in Niagara County.

24 It is our understanding that if
25 National Grid's proposal is approved, the total

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening
2 electrical bills for its customers will decrease by
3 one point seven percent.

4 We understand that the rate filing
5 calls for an increase in annual electricity
6 delivery rates but with a hundred and ninety
7 million dollar surcharge set to expire, customers
8 will be seeing a reduction in their electric bills.
9 Niagara County supports National Grid's proposal
10 which benefits the residents of Niagara County.

11 It is also our understanding that
12 National Grid is proposing to increase the funds
13 they make available in their economic development
14 programs from nine million to eleven million
15 dollars. National Grid's economic development
16 programs have had a profound and positive impact on
17 Niagara County's economy over the past decade.

18 For example, National Grid awarded
19 Greenpac Mill LLC of Niagara Falls a five hundred
20 thousand dollar grant to help fund the construction
21 of an electric substation at their new paper mill.

22 Greenpac Mill is investing four
23 hundred and seven million in the construction of
24 this new facility and will be creating one hundred
25 and ten new family supporting jobs over the next

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening
2 three years. This two hundred and fifty thousand
3 square foot facility is scheduled to go online in
4 July of this year and will help us retain many of
5 our young people who are looking for an opportunity
6 to stay home and raise their families here in
7 Niagara County.

8 Another example is National Grid's
9 awarding of a hundred and ninety thousand dollar
10 grant to the Lumber City Development Corporation of
11 North Tonawanda for electric infrastructure work at
12 the Buffalo Bolt Business Park. Buffalo Bolt will
13 soon be the home to an expanded Taylor Devices of
14 North Tonawanda as well as other manufacturing
15 facilities that will be creating new family
16 supporting jobs in our community.

17 Niagara County received a three
18 hundred thousand dollar grant from National Grid
19 for the development of the New York State certified
20 shovel-ready site which is now known as the Cambria
21 Tech Park in the Town of Cambria.

22 Because of this grant, this site will
23 jump right to the short list of site selectors who
24 are looking to cite high-tech projects in New York
25 State.

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening
2 These are just a few of Niagara County
3 projects National Grid supported through their
4 grant programs over the past several years. In
5 all, National Grid has awarded over three point one
6 million dollars in grants to various projects in
7 Niagara County, including a two hundred and fifty
8 thousand dollar grant for an electric substation at
9 Metalex in the Town of Wheatfield to support their
10 expansion project; fifty thousand dollars to
11 Niagara Falls Memorial Medical Center to support
12 their new state-of-the-art emergency room;
13 twenty-five thousand for the Historic Riviera
14 Theater in North Tonawanda to upgrade their
15 electrical system and much more.

16 I think it's clear National Grid is
17 investing in economic development in Niagara County
18 and throughout our western New York region.

19 National Grid will continue to invest
20 in its infrastructure which is critical, not only
21 for its residential customers but also its
22 industrial customers here in Niagara County that
23 rely on good reliable delivery of electric power to
24 their facilities.

25 In conclusion, once again, on behalf

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening
2 of the Niagara County Legislature, Chairman William
3 Ross and my colleagues of the Niagara County
4 Legislature, Niagara County is in full support of
5 National Grid's April 27, 2012 rate-filing
6 proposal.

7 Thank you for your opportunity to
8 speak this evening.

9 A.L.J. STEGEMOELLER: Thank you very
10 much. Oh, can I just -- I think you answered my
11 question at the end there. I was going to clarify
12 for the record whether you were speaking
13 individually as a member of the Legislature or
14 whether there was a resolution passed by the
15 Legislature or in what capacity are you
16 representing the entire Legislature?

17 MS. LANCE: At -- I'm sorry?

18 A.L.J. STEGEMOELLER: Let's go off the
19 record for a second.

20 MS. LANCE: Okay.

21 (A recess was taken.)

22 A.L.J. STEGEMOELLER: Okay. Why don't
23 we clear that up on the record.

24 MS. LANCE: Yes, there was. Yes, I am
25 speaking on behalf of the Niagara County

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening
2 Legislature, that we are in full, I'm sorry,
3 support of National Grid's rate proposal.

4 A.L.J. STEGEMOELLER: Thank you very
5 much.

6 MS. LANCE: You're welcome.

7 A.L.J. STEGEMOELLER: We're off the
8 record.

9 A.L.J. STEGEMOELLER: All set? Okay.
10 Our next speaker is Colleen DiPirro.

11 MS. DiPIRRO: This one? Good evening.
12 I guess I don't really need this. Everybody can
13 hear me.

14 My name is Colleen DiPirro. I am the
15 president of the Empress Chamber of Commerce. And
16 the Empress Chamber, representing over twenty-five
17 hundred businesses and well over a hundred thousand
18 ratepayers in the Buffalo Niagara region has a
19 strong working relationship with National Grid.

20 As an investor in the Chamber,
21 National Grid has identified business
22 collaboration, economic development and regional
23 sustainability as the primary focus of our
24 partnership. As a partner, National Grid shares
25 their expertise with us on energy issues, provides

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening
2 us with data to communicate to our residents and
3 our businesses and nurtures a dialog that helps us
4 to understand the regulatory process.

5 I'm sorry, it's cold out there. I'm
6 warming up.

7 On behalf of our community, the
8 Empress Chamber of Commerce provided input to
9 National Grid early in 2012 during the initial
10 stages of the rate case. While we represented the
11 interests of key constituents, we focused the
12 majority of our comments on feedback we received
13 from the small business sector.

14 We consistently heard that their
15 concerns revolved around cost and price stability
16 in our growing community. Non-energy charges on
17 their bills, such as 18-a, was also of great
18 concern.

19 We appreciate that the settlement
20 continues to emphasize electric infrastructure
21 investment and encourage that any future rate cases
22 continue to balance the investment in electric
23 systems that will meet the needs of our growing
24 residential and commercial base in our region,
25 while also providing energy bill relief to our

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening
2 members.

3 Our local regional economic
4 development council, of which I participate on,
5 recommended certain smart-growth practices aimed at
6 regional planning and it would appear that the
7 utilities remain engaged in that concept as well.

8 Further, the change from the
9 single-year rate filing to a multiple year
10 settlement will provide our members in the
11 community at large with a comfort level in terms of
12 pricing and allow us to continue to facilitate our
13 economic development strategy without the danger of
14 unexpected price increases. Many firms planning to
15 expand depend on stable pricing when making their
16 expansion plans and their decisions.

17 The Buffalo Niagara region's economy
18 has experienced a level setting, if you will,
19 having not experienced some of the economic
20 setbacks experienced by other sectors of the nation
21 in recent years.

22 This is after years of a very stagnant
23 economy. And emphasis by National Grid on
24 supporting this economic recovery with an increase
25 in economic development funding from nine million

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening
2 to eleven million will assist in these efforts and
3 runs parallel with the strategy of the regional
4 economic development council.

5 The Empress Chamber of Commerce is
6 proud to partner with National Grid and appreciates
7 the opportunity to engage in the electric-rate
8 process settlement -- settlement process.

9 Finally, we commend you for a process
10 that encourages input from local businesses and
11 stakeholders that will result in positive outcomes
12 for all parties. From our input early in the
13 process to what we have reviewed in the settlement
14 and stated at this public hearing, the Empress
15 Chamber of Commerce recommends approval of the
16 settlement agreement. Thank you.

17 A.L.J. STEGEMOELLER: Thank you. Our
18 next speaker is Matt Enstice, if I pronounced that
19 correctly.

20 MR. ENSTICE: You said it right. It's
21 a tough name to say, too. Good evening. Thanks
22 for having me.

23 My name is Matt Enstice. I'm the
24 president and C.E.O. of the Buffalo Niagara Medical
25 Campus. Representing the Medical Campus, what

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening
2 we -- what I stand here to represent are the jobs
3 that are happening on our campus.

4 In 2002, when we started the
5 development on the medical campus, we had seven
6 thousand jobs. Today we have twelve thousand jobs
7 and by the end of 2016, we will be having seventeen
8 thousand jobs down on our campus. As we look at
9 this as a campus, I spend about fifty percent of my
10 time on transportation and energy so we can
11 continue these jobs that are being developed on the
12 Medical Campus.

13 Back in 2010, we updated our master
14 plan and called it four neighborhoods, one
15 community and that was an urban master plan as we
16 grow out the campus on our hundred and twenty acres
17 plus the residential neighborhoods in and around
18 the campus.

19 That is about the time when we really
20 started to formalize a partnership with National
21 Grid because we realized with this growth we needed
22 the right energy infrastructure in place. And so,
23 having National Grid in at the early stages of that
24 planning has really been beneficial to us as we
25 build that out.

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening
2 So, we developed an overall energy
3 master plan on top of our urban master plan. And
4 the most important thing there is that we're
5 utilizing this opportunity to turn the campus and
6 our neighborhoods into a living lab for smart
7 alternative energies to make sure that we have the
8 right energy infrastructure in place to continue
9 the growth of our neighborhoods and the growth of
10 the jobs on our campus.

11 On top of that, we've also started to
12 deploy some new energy infrastructure technologies
13 on the campus as part of our growth there, but more
14 importantly, that was a big part of our economic
15 development partnership with National Grid. And
16 one of the unique aspects of that is that we're
17 actually starting to manufacture some of these
18 clean-tech technologies here in the western New
19 York region which are creating jobs outside of the
20 jobs that I mentioned here on the medical campus.

21 We firmly believe, on the Medical
22 Campus, that it is very important that National
23 Grid is capitalized in the appropriate way so they
24 continue to invest in this type of infrastructure.
25 We've had regular meetings with them where our

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening
2 doctors, physicians and administrative leaders have
3 talked about how the appropriate quality power and
4 reliability of power is going -- is going to help
5 us continue to grow companies and jobs in and
6 around the Buffalo Niagara Medical Campus.

7 The other thing that I guess I would
8 put out there is having the stable funding. But
9 more importantly, I think it is important if we
10 invite you to come visit us down on the Medical
11 Campus and see the growth that's there because I
12 think you've really got to see the growth that's
13 there, the job creation that's there and the
14 importance of energy infrastructure because of all
15 the growth there.

16 Thanks for doing this and I look
17 forward to working with you in the future.

18 A.L.J. STEGEMOELLER: Thank you very
19 much. Okay. We have no other speakers at this
20 time so we'll go off the record for a little while.

21 (Off the record)

22 A.L.J. STEGEMOELLER: Five more
23 minutes. I'm going to adjourn the hearing. So,
24 you guys can go. I'm just -- whenever you're ready
25 I'll go back on. Okay.

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening
2 Okay. It is seven p.m. and I'm going
3 to adjourn the hearing. I, myself, will stay
4 around for awhile in case -- in case somebody shows
5 up, in which case, I will devise a way for them to
6 get their statements into the record. But the
7 hearing is adjourned.

8 A.L.J. STEGEMOELLER: Okay. Steven
9 Fitzmaurice. Just let me know whenever you're
10 ready. You're the only person we have at the
11 moment, so.

12 MR. FITZMAURICE: Would you like a
13 copy of what I'm going to recite?

14 A.L.J. STEGEMOELLER: Sure, but if
15 you're going to read it verbatim, then it will be
16 in the transcript anyway --

17 MR. FITZMAURICE: Okay.

18 A.L.J. STEGEMOELLER: -- but you can
19 hand me one, sure. Thank you. Whenever you're
20 ready. Oh, okay. We are reconvening and our next
21 speaker is Steve Fitzmaurice.

22 MR. FITZMAURICE: Okay. Thank you. I
23 appreciate the opportunity to speak about this. As
24 you mentioned, my name is Steve Fitzmaurice. I'm
25 the chief operating officer for One HSBC Center. I

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2 represent the owner and the tenants occupying the
3 forty-story office building, one of the largest
4 commercial customers in the region.

5 Seven or eight years ago I never
6 thought I'd be here saying nice things about
7 National Grid. Electricity is traditionally our
8 single most expensive line-item expense. At that
9 time, our electric rates were seventy percent above
10 the national average and yet we're twenty-two miles
11 from one of the most successful hydroelectric
12 plants in the world. Fortunately, things change.

13 Our electrical rates have steadily
14 decreased. In 2010 we were paying ten point two
15 five cents per kilowatt hour. In 2011, it dropped
16 to nine point six two cents a kilowatt hour and in
17 2012, that further dropped to eight point three six
18 cents per kilowatt hour.

19 There are a couple of reasons for
20 this. First, we purchase electricity on the open
21 market. The availability and low cost of natural
22 gas keeps our purchase cost of the commodity low on
23 the delivery side.

24 National Grid listened to their
25 customers and did what was necessary to ensure that

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening
2 competitive transition charge went away. This cost
3 alone saved us two hundred and one thousand dollars
4 in 2012.

5 We also told National Grid that it was
6 critical that no other charges filled the void
7 created by the ending of the C.T.C. charge.
8 Fortunately, nothing has backfilled those savings.

9 In regards to the current rate filing,
10 the delivery demand charge. This is the single
11 biggest line item on our National Grid delivery
12 invoice.

13 In 2012, the monthly charge ranged
14 anywhere from twenty-eight thousand to forty-two
15 thousand dollars a month for us. The current rate
16 filing will see rates drop by approximately eight
17 point five percent in 2013, for a savings of
18 approximately thirty-six thousand dollars annually.
19 Rates would increase incrementally in 2014 and 15.

20 However, the 2015 rate would still
21 remain two and a half percent lower than 2012.
22 This really translates to rate stability under the
23 current rate filing.

24 Statewide infrastructure investment,
25 National Grid will invest four hundred and

1 Cases 12-E-0201/12-G-0202 - 1-24-13 - Evening
2 fifty-four million dollars per year for the next
3 three years in the replacement of aging
4 transmission and distribution lines. This
5 preventive maintenance will increase reliability.

6 Local infrastructure improvement,
7 National Grid will commit three million dollars
8 annually for the next ten years to upgrade their
9 power distribution for the City of Buffalo street
10 lighting grid.

11 As a local property owner, we feel
12 proper lighting is critical to the security of our
13 tenants. This investment will also increase
14 reliability.

15 Increased economic development
16 funding, National Grid will increase its economic
17 development funding from nine million to twelve
18 million dollars annually. Recently, this resulted
19 in a twenty-thousand-dollar grant towards the urban
20 lands -- land institute panel to work on developing
21 a plan for the future of our building. The
22 proposed rate filing will result in increased
23 economic development funds.

24 Lastly, this wasn't -- wouldn't be a
25 rate hearing if I didn't criticize somebody. So,

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2 taxes are passed through on our electrical bill.
3 National Grid, like other utilities, is a tax
4 collector for New York State. Rather than increase
5 property or sales tax, additional taxes are
6 collected on utility bills where they don't seem as
7 obvious. There's a line item on our monthly
8 invoice called Incremental State Assessment. This
9 is actually tariff surcharge 18-a. This tax is a
10 forty-five thousand dollar increase to our invoice
11 annually. This is supposed to end on March 31st of
12 2014.

13 We will be watching with other
14 commercial customers. We expect this to cease at
15 this time and I would just like to say that New
16 York State needs to find a more efficient way of
17 operating, rather than saddling businesses with
18 hidden taxes like this.

19 That's my statement for this evening.

20 A.L.J. STEGEMOELLER: Thank you very
21 much.

22 MR. FITZMAURICE: Okay.

23 A.L.J. STEGEMOELLER: We'll go back
24 off the record.

25 (A recess is taken.)

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2 A.L.J. STEGEMOELLER: All right.

3 We'll close it down now. Okay. We are now
4 re-adjourning. Thank you for coming.

5 MR. FITZMAURICE: Thanks.

6 (Off the record)

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2 STATE OF NEW YORK

3 I, G. Michael France, do hereby certify that the
4 foregoing was reported by me, in the cause, at the
5 time and place, as stated in the caption hereto, at
6 Page 1 hereof; that the foregoing typewritten
7 transcription consisting of pages 1 through 19, is
8 a true record of all proceedings had at the
9 hearing.

10 IN WITNESS WHEREOF, I have hereunto
11 subscribed my name, this the 31st day of January,
12 2013.

13 _____
14 G. Michael France, Reporter

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