

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE  
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Re: Case 13-W-0295 – United Water New York Inc. – April 23, 2014 – 7:30 PM

**\*\* Please note this is a Preliminary transcript, subject to later edits when reviewed by the parties and the Administrative Law Judges assigned to the case.**

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

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Rate Case No. 13-W-0295 - Proceeding on  
Motion of the Commission as to the Rates, Charges,  
Rules and Regulations of United Water New York,  
Inc. for Water Service.

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Public Statement Hearing  
Felix Festa Middle School  
30 Parrot Road  
West Nyack, New York

April 23, 2014

7:30 p.m.

PRESIDING:

HONORABLE RAFAEL A. EPSTEIN  
Administrative Law Judge

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JUDGE EPSTEIN: Good evening, ladies and gentlemen. Good evening and welcome to this hearing in the New York Public Service Commission Case 13 W-0295 United Water rate request.

My name is Rafael Epstein. I am one of administrative law judges that works for the Commission and was assigned to this case. Actually, two of us were assigned to this case, but I am the only one here tonight.

If I could explain -- I will try to make it brief. If I can explain why this particular hearing is being held, the company filed an application last summer for this rate increase. At that point it was subject to review by various advocate parties.

One of them was the trial staff of the Department of Public Service which is a separate entity within the Public Service Commission that starts with challenging these rate requests and putting on a consumer oriented case.

Another party was the Utility Intervener Unit or UIU of the New York State

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Department of State. Another one was, of course, the company that came in first with their testimony as part of the filing and the fourth party is the municipal consortium which is a group of government entities and fire chief associations that was -- gathered for purposes of participating in this case.

The three parties opposing the rate request analyzed the company's filing for a few months and then wrote their own testimony responsive to the company's testimony and then we had a trial basically, an evidentiary hearing which went on for a few days before the two administrative law judges.

At the conclusion of that and after initial and reply briefs from the four parties, the other judges and I wrote a recommended decision. It is a recommendation to the PFC. It is available on the PFC website which is at the address shown on this card and the other handouts of the dps.ny.gov.

I also brought some copies. If anybody wants them, I have a couple of copies here.

It is a document, interestingly without

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page numbers, but it is approximately a 117 page document explaining what the two ALJ's thought about the different arguments and issues that the various parties brought up.

We concluded recommending that the company get a 15 percent rate increase.

So now the next step is that Monday, briefs are due in which the four parties will criticize anything that they want to criticize in the recommended decision which I am sure will be -- will include the 15 percent rate increase, among other things.

Then the commission will deliberate over those briefs and a recommended decision and the whole rest of the record that was developed in the hearings. Also, that brings me to this hearing. They will be able to read any comments that you make tonight, any statements that you want to make tonight which will be transcribed by the court reporter here and your statements will be -- the transcript will be posted on the same commission website that I just mentioned, so that you will be able to read your own statements but also

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those of your neighbors who were here at the earlier session this evening and/or at the two sessions being held tomorrow at Ramapo Town Hall.

That input from you gives the commission and its senior staff a very valuable opportunity to see what people are thinking and how this case is kind of registering with the folks who are ultimately being asked to pay its rates.

The larger flier explains that if you don't particularly care to speak in this kind of forum or even if you do speak tonight, there are also other ways of communicating to the commission, either by conventional mail or e-mail or by calling up and leaving a message on a hot line which is there to record messages for that purpose. However you choose to communicate, all those communications will be part of the record that is going to be available to the commission as it deliberates.

At this time, the legal deadline for a decision in this case is June 30 and while I cannot say what the commission's agenda will

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be on any specific session, their last regularly scheduled session before June 30 is June 26. So unless there is a change in that June 30 deadline, they will be voting on this case at the session -- no later than the June 26 session.

In terms of how to participate here, it is pretty simple. All you need to do is sign one of these cards so that we can keep the record accurate as to who said what and make sure everybody gets a turn.

If you are coming here but not intending to speak, but you hear something that makes you change your mind, go right ahead and sign up and we will get to you. If you feel that you want to speak more than once, that is also a possibility at the end of the cycle once everybody has gotten to speak.

At this point I would estimate if everybody has five or 10 minutes, we will be here for another hour or two which is fine with me, but if it starts to appear that people are being forced to leave because the whole thing is taking too long and getting

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sick and tired of the whole thing, we may need to impose a time limit.

I will start out suggesting that you confine your comments to maybe five or 10 minutes worth and that should give everybody a chance and get us all through comfortably.

In deciding how you want to spend your time, I should point out that as you undoubtedly know, there are two other cases going on involving United Water besides this rate case. There is the case concerning the company's request for a surcharge to recover costs for the Haverstraw Bay Project and there is a related case about long-term -- the need for long-term water supply alternatives.

In a number of ways in rate case, those subjects have come up. Parties have brought up those subjects for one reason for another, although they are not really the central issue in the case -- I mean technically the only issue to be decided in this case is the rates, but parties in the case have argued that the surcharge for the desal plant is especially objectionable because of the rate requests



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coming along at the same time or vice versa. Parties have argued that the desal plant would be unnecessary if the company better managed its existing resources, so the desal issues and the long-term supply issues weave in and out of this case. If you want to talk about any of those issues you're free to do so but use your time -- if you use your time that way, you're doing so at the risk that the commission will look at those comments that that is the desal project, not about rates, but I will leave it to you what you feel is important and what you want to use your time talking about tonight.

If you have a written statement, that is fine. It would be helpful if you give a copy to the reporter. If you don't have a written statement or you're just working from rough notes or off the cuff, that is also fine. There is no mandatory format. Just speak clearly enough so we can be sure that the stenographer will pick everything up and slowly enough.

The first speaker is Mr. Kantowitz, the

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2 county legislature. After that there are two  
3 other elected officials who signed up. They  
4 were not the second and third people to sign  
5 up, but they have asked to be taken ahead out  
6 of turn. I will let them do that unless there  
7 is an objection. That means everybody has to  
8 wait for two more people. The rationale for  
9 doing that is because they are elected  
10 representatives, so they represent a lot of  
11 people themselves.

12 If there is no objection to that, we  
13 will take them second and third.

14 Mr. Kantowitz.

15 MR. KANTOWITZ: Good evening, ladies  
16 and gentlemen. My name is Barry Kantowitz. I  
17 am an attorney, and I am also the newest  
18 Rockland County legislator, having been  
19 appointed in January to fill the vacancy.

20 I lived here since 1967. I own a home  
21 here and a business here. I am raising four  
22 children here. I will be very brief tonight.  
23 I know a lot of people want to speak and your  
24 voices need to be heard just as much as those  
25 of the elected officials.

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I listened earlier today. I was here for the earlier session and listened to the people about the opposition of the desal plant and to the fact that our water is being sent to New Jersey and contributing to the shortage that United Water is complaining about. Those are important issues and people are passionate about those issues, but as the judge mentioned, we are on the rate case and I will address my comments to the rate case.

There is an agency in the department of state, in the division of consumer affairs. It is known as the Utility Intervention Unit. They did an investigation in this request for a 29 percent increase in United Water's rates. They issued a scathing report. They used words like they discovered significant issues of fiscally imprudent and inappropriate managerial conduct; their words, not our words. This is an investigation into United Water's conduct.

You have a company now who gave dividends and -- I think it was a 50 percent increase in the dividends from 4 million to 6

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million to its parent company, to its  
shareholders and it is now looking for a 29 --  
it asked for a 29 percent increase in its  
rates.

I am an attorney. I know you ask high  
and you hope you get something more reasonable  
and they had a hearing and the administrative  
law judge indicated that the judges came up  
with a 15 percent increase which is sort of  
cutting the baby in half. Half justice is no  
justice. United Water is not entitled to any  
increase. Again, that is not my opinion.  
That is the opinion of the agencies that  
looked into this rate request; their words.

Given the level of questionable  
conduct, the Utilities Intervention Unit  
doesn't believe management can be expected to  
provide basic water service at just and  
reasonable rates. Those are their words.

So you have the investigative unit  
saying the company is so poorly managed right  
now, there is so much mismanagement, the  
consumer is not getting reasonable rates and  
now they are asking for almost 30 percent

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2 increase.

3 One example, and this report is  
4 available; lost water. We all know there will  
5 be leaks and there is a rule that says if the  
6 utility has 18 percent or more of lost water,  
7 you have to report that and you have to say  
8 what you're doing about it and how you're  
9 addressing it.

10 United Water, according to the report,  
11 has had a 21 percent level of unaccounted for  
12 water for the last five years and has never  
13 made file, has never reported it, has never  
14 addressed it. Again, this is not the type of  
15 conduct that should be rewarded with a rate  
16 increase.

17 If the report showed that a utility  
18 which exists for the benefit of the public and  
19 should conduct itself consistent with the  
20 environment in which its customers live, if  
21 the report shows that United Water was  
22 prudently managed and it was taking care of  
23 its obligations to the customers and taking  
24 care of the environment and the community in  
25 which it is serving, then maybe a rate

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increase would be justified, but when just the opposite is true, when the investigation has shown that they are not entitled to anything because they are mismanaging and spending money improperly, whether it is from improper use of corporate funds or failing to make proper records or failing to address customer issues, again a 29 percent increase is unconscionable. The recommendation to split it to 50 percent is half justice which is no justice at all.

I join with, I assume, just about every person in this room in making the recommendation that the commission reject the rate increase 100 percent. Thank you very much.

JUDGE EPSTEIN: Shirley Lasker.

MS. SHIRLEY: Good evening, ladies and gentlemen. I am sorry -- Supervisor Gromack was here between 5 and 6. He didn't get a chance to speak.

As deputy supervisor for the Town of Clarkstown, I am speaking on his behalf and on behalf of the entire Town Board of Clarkstown.

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I am sorry if I am going ahead of the rest of you. I have a planning board meeting after this that I have to attend, but we represent 86,000 residents in the Town of Clarkstown and we object to any rate increase. I have five points I would like to make. Some of them were made by Legislator Kantowitz. A rate increase presumes good management, but United Water has demonstrated poor, if not mismanagement.

United Water failed to file for economic obsolescence adjustments with the Office of Real Property Tax Services. That error cost ratepayers \$2.2 million in 2013 alone.

United Water relies on its management and services company charges that have gone up 13 percent and 15 percent in the last two years. These services should be provided locally which would result in reduced costs.

Inappropriate expenses have been found, such as alcohol, gifts and believe it or not, a wives' breakfast. A complete investigation should be conducted and whatever rate increase

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is awarded should be made temporary and subject to refund to protect the ratepayers until the investigation is concluded.

Inflation over the last six years has averaged two percent. United Water's rates have gone up over 72 percent or six times the rate of inflation in the last six years. That should be sufficient to deny this rate increase.

United Water needs to learn to live within their means just like the residents in this county need to live within their means.

Twenty-one percent of non-revenue water or water lost and unaccounted for was average for the last five years. That is three percent higher than the Public Service Commission's regulations that require United Water to report when non-revenue water hits 18 percent. United Water has never filed the required reports with the PSC.

United Water's bottom line should be their consumers and not their shareholders. The town of Clarkstown has 86,000 residents that are asking you not to increase their



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rates. Thank you very much for your time.

JUDGE EPSTEIN: Thank you.

Nancy Low-Hogan.

MS. LOW-HOGAN: Good evening. I would like to state that I am vehemently opposed to the proposed rate increase, to the surcharge increase and to the desalination plan and yes, they are intermingled and interwoven.

I guess in looking over all the information and looking in this issue, I have to say that I really am puzzled and dismayed and shocked at some of the facts that we know to be facts that were already mentioned by two of my colleagues and there are others in the information.

I don't know if it is United Water's mismanagement. It appears that what the problem is is that profit seems to be driving their decision making.

The thing is I think that the reasonable expectation on the part of the public for good management of this company and fairness has not been met. We see the examples over and over again.

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New York State Division of Consumer Protection that was alluded to, they have recommended what they call a prudence investigation into United Water's failure to file an economic obsolescence award. They recommend a forensic audit of expenses that have been charged by United Water. They recommend a comprehensive management and operations audit.

United Water is asking for an excessive rate of return, more than Con Ed. Why? They are not performing cost benefit analyses. Why? Again, either it is a mismanaged organization or they don't have the interests, the best interests of the Rockland ratepayers as their top priority.

We all know that New York and Rockland County in particular does not need a desalination plant. We all know there is plenty of water Upstate. We all know that the water feeds are Hackensack and Mahwah Rivers. We all know it is not Rockland County that needs the water. We all know that it is New Jersey that needs the water.

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The fact is that all of this is so commingled, it just -- the rate increase is just not fair. I call upon you and the commission to do the right thing on behalf of the ratepayers for Rockland County.

Thank you very much.

JUDGE EPSTEIN: Next is Gail Henderson-Rogo.

MS. HENDERSON-ROGO: My name is Gail Henderson Rogo. I live in Rockland County in the Town of Blauvelt. I recognize the commission is probably considering an increase and you confirmed that.

I respectfully request that any rate increase given to United Water be tied to water consumption. I think all of us share a responsibility and I have a feeling that most people who would take the time to be here take that seriously to conserve water. It is a life sustaining resource. I think it is interesting that a for profit company is in charge of such a resource that we all need to survive. I ask that any rate increase be tied to water consumption.

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I see people with lawn sprinklers on. I see pools that are completely emptied into the streets clean them out, rather than however else. I don't have a pool, but a rate system that is tied to consumption, both community consumption and personal consumption would at least encourage conservation within our community and with -- for our personal use and it would also cause United Water to start to look at how water conservation is being done by them. This has been suggested to United Water and that rates be structured according to use.

We share in the responsibility of conserving the water and having a Public Service Commission encourage both personal and company conservation would help more of us.

Thank you.

JUDGE EPSTEIN: Teri Mersel.

MS. MERSEL: Good evening. I am a small cog in the wheel. I live in the Town of Clarkstown. I think any increase is counterproductive. I brought my bill with me.

I presented it when we had a meeting

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with United Water and the Public Service Commission a while back at Clarkstown South.

For up to February of 2014, my water consumption bill was \$30.32, plus we had something here that everybody got added on, a service charge of \$27.39 per quarter, per customer, plus a reconciliation of \$4.93 and a temporary ST assessment of \$1.02. If we add my 30.32 for my water, plus all these little extras, the little extras came to \$33.34. My bills more than doubled with everything the Public Service Commission has granted to United Water.

I think in my heart you should freeze your decision. The governor has told our municipalities and school districts, stay within a two percent increase. Who in this audience or who do you know gets a 25 percent increase in salary today, yesterday, tomorrow or the future?

I am asking you, sir, and any other judges who are making this judgment, don't do it. Save us. Rockland County is a very small community. Why can New York City build and

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build and build? They don't worry about rate increases. They don't worry about a desalination plant. I mentioned several people, and this is thinking outside the box because I don't know of any other country that lets some foreign country own their natural resource that we should all buy into United Water Suez and only ourselves. We probably would do a better job of management because we have been complimented by them.

They said, we all have been better consumers with our management of the water. So if we are so good at managing the water, then they should give back to us. They owe us. So please put a freeze on your decision. Wait until all the facts and figures are in and don't be so quick to say to them, well, we are giving 50 percent, 15 percent increase. Please don't do it on our behalf. Thank you.

JUDGE EPSTEIN: George Potanovic.

MR. POTANOVIC: Good evening, Judge Epstein. Thank you for being here this evening to listen to the public comments concerning the rate case.

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My name is George Potanovic. I am a resident of the Town of Stoney Point. I am president of the Stoney Point Action Committee For the Environment which is known as SPACE. SPACE is 24 years old this year and we have been quite involved in water issues during that time.

I am also a member -- one of the founding members of the Rockland Water Coalition which consists of over 30 organization which all speak for themselves. So I am not here to speak on their behalf but it is through the Rockland Water Coalition that the citizens of Rockland County have been able to raise many pertinent issues concerning United Water's business practice particularly associated with the proposed desal plant.

I am here tonight to speak particularly about the rate case about United Water's mismanagement concerning costs and to cite some examples of these in my testimony.

United Water has failed to file economic obsolescence adjustments to reduce property tax assessments costing Rockland

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County ratepayers \$2.2 million in 2013 alone. All other utilities make these filings. In fact, the Office of Real Property Tax Service reminds you to file these assessments.

Charges from United Water's management and services company have gone up 13 to 15 percent over the last two years. There is no explanation what is causing these double digit increases when inflation has averaged two percent over the last six years.

According to the UIU which was mentioned a little earlier this evening, Utility Investment Unit, the pattern of charges they are asking ratepayers to pay suggest impropriety. The management company of United Water seemed to use -- seemed to have shifted a disproportionate amount of expenses to the utility.

I want to also mention that while we are not here to speak about the desal plant tonight, the Rockland County Water Coalition had hired a company called Econo Northwest to review United Water's finances concerning the proposed desalination plant which it had



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always claimed as being the least costly alternative. So it is about cost.

The Econo Northwest study indicated that United Water's method for gathering financial information, the way it presented it, the lack of details that were provided would not give any kind of decision-maker accurate information to reach an informed decision concerning the real cost of the desalination plant. It certainly seems to indicate that there is a pattern in the way that United Water misrepresents its finances to the public and to the Public Service Commission.

United Water has received over 72 percent increase in revenues over the last six years, 10 percent a year or six times the rate of inflation.

United Water's Michael Pointon (phonetic) said a five year average of 21 percent of what they call unaccounted for water or non-revenue water is acceptable and that he is satisfied with that figure.

The commission regulations require a

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water utility to report when unaccounted water for water exceeds 18 percent and provide an action plan to reduce it. United Water has never made such a filing, even though the PSC has unaccounted for water that has been over the threshold in every year for the last five years.

United Water has failed to resolve low flow and pressure issues concerning water that is used by Rockland County firefighters and it has failed to do so in a timely manner. In fact, it is my opinion that United Water had tried to use the issue of water for firefighting in its advertisement budget or its advertising to promote the desal plant making it seem somehow that the desalination plant was necessary in order for firefighters to have an adequate supply of water.

That intention has been criticized by firefighters themselves who say there is sufficient water supply available. The problem has to do with pressure and United Water's inability to supply proper water pressure. This should be considered when

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you're considering the rate case.

United Water's customer service has deteriorated over the last four years largely due to a failure to respond in a timely manner to complaints from customers. Yet, they resist to put into place a mechanism to improve service. They have not been good concerning response to customer's complaints.

United Water New York does not do a cost benefit analysis on capital projects. This is upon the point I made a little earlier regarding the Econo Northwest study in regard to the desal plant.

United Water has sought a 28.9 percent increase initially and now it seeks a 25 percent increase as part of its rate case which I object to.

Even though there has been a recommended decision that urges the commission to grant United Water a 15 percent increase 15, I respectfully disagree with the judge who recommended that increase and which is even higher than the staff recommendation at 12 percent.

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I believe that the Rockland Municipal Consortium deserves a zero increase for its rates.

Let's also remember that municipalities, including Rockland County towns and villages and the County of Rockland, will also pay these higher water rates which will pass these higher rates on to taxpayers, so the ratepayers and the citizens of Rockland County will get hit twice. That should be considered by the commission.

The municipal consortium also recommends a management audit of all charges for the management services company, along with temporary rates to protect the ratepayers from unreasonable charges. How about this forensic audit? This sounds like a good idea. Let's do a forensic audit concerning its history, so that the public can have confidence that you're looking out for our best interest.

These fall within the scope -- these charges that not only fall within the scope of this rate increase but also that

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simultaneously, United Water is looking to collect \$36.8 million in surcharge from the residents of Rockland County for a desalination plant that is not only not needed, but is way overpriced and it will be paying higher water prices in the future when we tie our water rates to higher and higher energy rates. Yet, now United Water wants to pay a \$6.8 million surcharge at a time when Rockland County residents need support. This is really wrong.

This rate increase that we are talking about would be on top of the \$56.8 million surcharge that United Water wants to charge for its proposed \$200 million desalination plant that is not needed --

AUDIENCE MEMBER: Can you slow down?

MR. POTANOVIC: -- and they claim that this is the least costly alternative for Rockland County water, but perhaps it is just the most profitable alternatives for its stockholders.

I am going to submit a written comment as well prior to the deadline of May 6, but I

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appreciate your listening to my comments this evening.

JUDGE EPSTEIN: Thank you.

Mr. Perry Dentico.

MR. DENTICO: Good evening. I am Perry Dentico. I live in West Nyack, New York.

I prepared some comments and each time I go to a meeting, I prepare comments and they seem to change as the meeting goes on. I will try not to repeat what other people say, but one thing I would like to ask the Public Service Commission is, do you have a specific date set to make a decision about the desalination plant, the surcharge and the rate increase? My belief is they are all so closely interrelated, it would be impossible to speak about one tonight without speaking about the others.

I have attended a number of meetings as have a number of people here.

It seemed as if the DEC was going to be the decision-maker on whether to move forward with the plant or not and now it seems to be the responsibility of the Public Service

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Commission.

All of a sudden, the surcharge comes along and this rate increase comes along, and I am beginning to feel like United Water is giving us so much to digest -- the residents of Rockland County to digest at one time and so much to pay attention to and to battle with them about, that I think their plan is to just eventually wear us down, but what I am seeing is we are not wearing down. We are going to wear them down until they give up.

So the message that needs to go to United Water is, it is time for you to raise the white flag because we are not going away. We live here and we are going to protect our homes and we will protect our livelihoods.

The more I hear, the more meetings I go to, the more people that speak to, I am recognizing United Water as nothing more than a rogue company.

I heard about a lot of their goings-on in other cities like Atlanta through the documentaries, Blue Gold and Flow. I have heard so many deceptive practices that have

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been brought to the public's attention at these meetings. This is what we know, never mind what we may not know that may be going on. I just can't possibly see cooperating with a company that isn't cooperating with its customers.

As I said at a meeting a few months ago, what we want from them is responsible stewardship of our water; not using it -- not holding on to it and using it as a tool to manipulate us.

It doesn't belong to them and they have shown again and again irresponsible management.

They have flooded the Village of West Nyack no less than three times. They have used fungicides improperly in Lake Forest and were fined by the DEC for not reporting the use of fungicides.

One thing after the next comes up that makes me say they have absolutely no regard not only for Rockland County residents but probably any residents where they are in charge of management water. Frankly, I



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wouldn't mind if they left town tonight.

So I wonder as I go to meeting after meeting and see the same people and hear things said over and over, when is the decision going to be made? I can't see any reason, any grounds for the desalination plant to be approved.

I can't imagine Rockland County residents paying the surcharge for all their advertising and all the testing and all the nonsense and all the presentations to make the Public Service Commission, the DEC, state government, county government believe that we need a desal plant.

Is there going to be a water shortage? Because it snowed every two days. I think runoff is going to continue to next winter.

As far as the increase go, I have heard two figures on the rate increase, 24 and a half percent and 29 percent and tonight the figure 15 percent as the negotiating percentage, and in negotiations like that, they go back and forth and maybe we will end up with 18, 19, 22 percent. Just say zero.

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That is it. Don't budge. They have increased us -- my water bills were \$30 and \$40 for years and years and now they are 100 and change who both work. I just don't get it.

If you will just give me a second to look down at my notes. There are a couple of other points.

George Potanovic said -- mentioned poor customer service and I would like to tell you a little bit about poor customer service -- one incident of poor customer service from United Water.

After hurricane Irene, United Water opened up their flood gates carelessly and basically did a washout on our entire village.

I typed up a document and handed it out to the homes in my area saying if a storm is coming, here are the phone numbers, customer service numbers, call them up saying what steps they are taking to prevent flooding to manage their water to have people on staff and so on and so forth.

I can't recall if it was prior to Storm Lee, but we had a big storm heading in our

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2 direction and I called United Water. The  
3 person that answered the phone put me on the  
4 phone with another person and, I said I am a  
5 resident of West Nyack. I would like to know  
6 what steps United Water is taking to prevent  
7 flooding in West Nyack with the incoming  
8 storm. The person on the other end of the  
9 line said to me, tell me something, why did  
10 you buy a house in a flood zone? I was so  
11 shocked. I almost punched my phone. I was  
12 appalled by that comment. I said, listen, my  
13 house is in a 100-year flood zone, and I have  
14 lived there over 20 years, and we have never  
15 had a drop of water in our parking lot, not  
16 after Floyd, not after Irene, not after any  
17 storm until United Water put it there. Ask  
18 yourself, why did we carelessly flood that  
19 village?

20 Thank you very much.

21 JUDGE EPSTEIN: Is there any objection  
22 to hearing at this point from Ms. Rita Louie  
23 who is a trustee of the Village of Pomona?

24 MS. LOUIE: I wasn't going to speak to  
25 tonight, but after I heard that the judge said

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that the recommendation was going to give United Water a 15 percent rate increase, my hair went on fire a little bit.

I want to know every time that an order goes in for a rate increase, they say because their costs have gone up and because they need to do infrastructure which they obviously never do. You heard all the comments. You will hear a lot more comments about mismanagement, flooding about neglect, about lack of customer service.

We come out for six years; the public has been coming out to public hearings and writing letters, have been standing up to United Water on behalf of the Public Service Commission because it is really the Public Service's Commission's job to look out for us, but we are backing you up.

So the question comes to mind and it is, when do we get to go to the Public Service Commission and say, we want a refund from United Water? Not only should you not grant them an increase, the increase should not be zero, it should maybe be minus 20 percent and

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the rate pay should start getting some of our money back for our infrastructure for our water main breaks, for all of the police service, for all of the services we have to supply every time United Water screws up, for time missed from work because of water main breaks, from all sorts of inconveniences, for all of our time that we spend coming out, month after month, year after year, hour after hour, fighting for our rights against United Water.

How much is my time worth; how much is all these people's times worth? When do we get to petition the Public Service Commission to say to United Water, give money back to the ratepayers?

JUDGE EPSTEIN: Thank you, Ms. Louie.  
Sal Fazzi.

MR. FAZZI: Hi. I want to say thank you for the opportunity to get up here. I want to ask some questions. The question I want to ask is, on what basis have you come up with this 15 percent increase? Why? Nobody seems to know. This number is being pulled

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out of the air and we don't know why.

I am opposed to this rate increase. I am also opposed to the desalination of the water. It is coming from the Hudson. My background is in chemistry and I have dealt with the New York State Department of Health for a number of years.

When you consider Indian Point, which is right on the Hudson, you have the discharge of some chemicals which are deleterious to our health, specifically, Cesium, Trivium, and all these compounds are cumulative.

They say, well, if you just take one glass of water with the amount of Cesium or Trivium, it won't affect you, but what happens is the cumulation within the body within the fat tissue can be a build up which can be deleterious to young children, babies, adults.

Then you also have dioxin which is a discharge that GE unfortunately put into the Hudson many years ago and you see signs all along the Hudson right down to almost New York, don't eat the fish being pulled out of the Hudson. Why? Dioxin.

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United Water has talked about filtering the water, but you can't filter out some of these compounds, nor can you filter out the dioxin.

One of the things I would like to say is, stop it guys. We don't need desalination. There is no need for it. We don't have to supply water to New Jersey. Let's keep it.

JUDGE EPSTEIN: Thank you.

Tom O'Reilly.

MR. O'REILLY: Hi. My name is Tom O'Reilly. I have been in Rockland County for 57 years. I am also a member of the Orangetown Town Environmental Committee for over six years, in addition to the Rockland County Coalition.

I am an environmental engineer, a professor that is just an old boy scout still trying to make it a better world, but due to United Water, I am not a happy camper. I resent the years through Rockland County Water Coalition being called obstructionists by United Water. We are protectionists trying to protect the public health.

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Even though tonight is about the 25.4 percent rate increase requested by United Water, it is all connected to the desal plant. I have here a list of 13 "misstatements" which myself and about half a dozen other members of the Rockland County Water Coalition wrote down the night of the Orange County board meeting. These are 13 misstatements made by United Water representatives which just goes to show how this is all about a matter of trust and money.

So these misstatements were about the true need of a desal. Remember, it was Rockland County Water Coalition who exposed the truth about United Water's illegal releases of millions and millions of gallons of our Rockland County water to United Water New Jersey ongoing through years and years.

Many of you heard me tell my personal story over the past six years concerning the desal plant, of how I lived out in Santa Barbara where they had a real drought. There wasn't one drop of rain, 90 degrees every day. It started getting worrisome, which gets 12



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inches a rain. We get 48 inches of rain like Seattle.

The first time United Water Steve Goodman used the word drought, my antenna went up. My ears went up. Drought?

So Santa Barbara had this drought for five years, so they built a desalination plant and then it rained. They never turned it on full steam. They kept it on standby for eight years and they realized it was way too expensive to have the reverse osmosis equipment, so they sold it to Saudi Arabia where they have real water shortages. So I started questioning United Water's integrity.

Wealthy Santa Barbara realized they made a large financial mistake.

Forget the true need for the desal and let's just talk money. This again is a matter of trust. United Water has 72 percent increase in revenues in the last six years.

Now they want this 24.5 percent rate increase and with no transparent accounting. It takes a lot of gall to try to pull this off, with their history of mismanagement and

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their history of overcharging us, this is purely adverse.

It gets worse by the day. Remember that United Water representatives are getting paid big bucks to appear at these presentations for six years. They are getting paid by you and me through our already higher water rates, some of the highest in the country and in the state.

For them to want a 24.5 percent rate increase is severely infuriating.

Remember the New York State Division of Consumer Protection says United Water doesn't provide water services at just and reasonable rates now. The Municipal Consortium says there should be no, no increase at all. I really resent having to spent another evening here dealing with this United Water nightmare.

As a professional who has spent a huge amount of precious time fighting United Water's malfeasance in the past six years, I did a little math. I figure in the last six years, I spent about 300 hours a year which comes to around two thousand hours of the past

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six years of my precious time and the original members of the main committee of Rockland coalition. So tally up how much money United Water should repay us for our lost valuable time.

There are now 34 mutations affiliated with Rockland Water Coalition and we gathered signatures of residents.

Now they want to take us -- sorry, an even more ridiculous amount of money with this 24.5 percent rate increase. A lot of gall. This on top of the United Water \$57 million surcharge request in order to get reimbursed for their lobbying and public relations. United Water has wasted so much of our precious time and money already.

Enough already. I agree that a surcharge, no way at all. How about a refund?

JUDGE EPSTEIN: Does anybody have any objection if we hear at this time from Stephanie Hausner, member of Clarkstown Town Council?

MS. HAUSNER: Thank you for giving us the opportunity to speak tonight about these

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rate increases.

You know, I remember over the summer, many of us were in similar auditoriums, the South High School and Haverstraw talking about the desal project and a lot of these rate increases are these proposed desal but I feel like we have not gotten to the root of the issue which is whether or not we have a water shortage.

What the studies are showing is whether we need a desal project because before we have to face the 24 percent rate increase, plus an eight percent surcharge, I think we need to figure out what we are paying for. Today I think they put out on line some study that showed that housing prices and rental prices in this county were amongst the 12 highest in the entire country. We know that we have high property taxes in this county. We know that our costs of living here is high.

What we don't need is our utility company coming in and saying we need a project that we really don't need. I see residents from West Nyack who have faced significant

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challenges because of Lake Deforest. I am happy we now have this bi-state water act that will hopefully start seeing some of those changes into effect, but we need to work with what we have.

We can't have so much water be gone downstream to Bergen County. We need to make sure we are doing everything with the resources we already have in Rockland County. We haven't seen the need for the desal plant and therefore, there doesn't seem to be a need for an increase in our rates. We are already taxed too high. So I just wanted to join my neighbors in speaking out against this.

Thank you.

JUDGE EPSTEIN: Daniel O'Flaherty.

MR. O'FLAHERTY: I am Dan O'Flaherty. I probably shouldn't be speaking, so I will be very brief.

I am not a resident of Rockland County and I am not very well versed on what is going on here. I am learning tonight.

I am a professor of economics at Columbia University. I came up here tonight

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with a group of people from the Newark Water Group. We came to learn, but we also came to support zero. The Newark Water Group has many things that make it like the Rockland County Water Coalition. We have been around for about 10 years. We have been fighting up at various schemes of blunder like you have for about 10 years.

We came here to support you.

A lot of what we hear tonight we have heard in Newark for many years and we have been successful for the moment in setting aside the schemes of blunder as you hope to do tonight.

We came; we have heard questionable conduct, inappropriate expenses. We have tried to get responsible stewardship in Newark. Our problems have not been all solved in Newark, so we can't spend a lot of time in Rockland County.

We do support you and we hope that you don't believe that every one in New Jersey is your enemy.

JUDGE EPSTEIN: Ms. Shapiro, I am sorry

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we overlooked you. You didn't get to speak in turn.

Do you want to speak now?

MS. SHAPIRO: First of all, I want to say that many of the speakers have made very strong, good points.

I would like to ask the PSC why we are standing here even having a conversation about a rate increase when the PSC should be fining United Water for mismanagement? I think conversation needs to be changed because the fact that every time United Water asks for an increase, the PSC says great, how much?

You might be negotiating, but you're just basically giving them an increase when they are not doing their job. Nobody would continue to give a raise to an employee who wasn't managing their job properly.

As you have heard, there have been multiple kinds of mismanagement, years of releasing too much water. Currently now the Mahwah pipes are still open. They are not reporting the 21 percent excessive leaks or water that is being given away for free

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basically that we are all paying for and now they are asking for us to pay for it again.

You have arsenic fungicides, brown water, years and years of violations, but there are no fines from the PSC. Instead, the PSC says oh, we will give them 15 percent. We say zero and we say fines, and those fines should not go against the ratepayers. They should go against the shareholders of the company and United Water itself.

Where is the corrective action? When does the PSC step in and say, we need corrective action? The fact that they come to you and say we need more -- we need a rate increase because of medical costs to our employees? They are playing politics. We now have a health care act in this country. This is nonsense to play politics and charging it back to us, the ratepayers.

Before the PSC can make any reasonable, thoughtful or sustainable decision, you must conduct a comprehensive management and operational and forensic audits, the prudent investigation is necessary. The fact that you



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have a deadline of June 30, which you have told us, that you have to make a decision, the decision has to be no, you don't have all the information. You can't make a decision. Because you don't have that information, your answer has to be no. If you say yes without the information, that decision will not be able to stand.

On top of it, we have asked what company would come to a community and say, you need more water, maybe or maybe not we need more water. They think we do. We believe we don't. We have healthy aquifers that recharge, but their decision is -- we have lakes, hundreds of lakes in Rockland County. Their decision is instead to choose the most expensive, most dangerous possibility; increasing our water by going to the Hudson River three miles down as we all know from Indian Point which is leaking radiation into the Hudson River.

I spent hours on the telephone with radiation monitoring companies that the EPA suggested I speak to about what is available

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for monitoring water and for filtering out  
Trivium. The answer is none.

Some of the radio ecolites can be  
monitored. However, the costs are extremely  
expensive and there is no way to actually  
monitor all the water that Rockland County  
will drink. They can sample it.

As we all know, water comes in plumes,  
so they might sample that plume and that seems  
fine, but in the meantime, we are drinking it.

I don't know if you have seen this at  
the last hearing. This is the thermo  
pollution plume from Indian Point. That means  
that is the direction that the radiation from  
that plant is going. Here you have Indian  
Point and right down here you have where they  
are proposing the intake valves. I don't  
think anybody can say that is safe.

There are hundreds of thousands of  
gallons of radioactive waste that is sitting  
on the banks of the Hudson River. There is no  
plan -- there is no place for that to go. We  
are now a radioactive waste dump. We are  
right across the river.

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For United Water to even propose a desal plant that would endanger every Rockland County resident now into the future and then ask for a rate increase on top of it is outrageous.

The other thing I have to say is for the PSC to look at this United Water issue here in Rockland County as three separate unrelated issues, it is improper segmentation under any kind of reasonable adjudication and improper segmentation means that the PSC can't make a determination about this rate increase, the surcharge, or the need for desal without considering all at once.

I once again request that the PSC just say no.

It is time for the PSC just to say no to United Water and say, you first have to do your job. You have to stop the leaks. You have to fix your infrastructure before you get a rate increase and you actually have to use the money that -- for example, for the education and outreach, you have to use that to actually do education and outreach properly

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and not use that for PR to try to convince our community that we need a desal plant when we don't.

At this point I think once again, you need to fine them instead of rewarding them with any kind of rate increase.

JUDGE EPSTEIN: Ms. Butler.

MS. BUTLER: Good evening. Thank you for the opportunity to speak.

I have been living here over two and a half decades. I just want to know what warrants the 15 or 25 percent hike.

I know the majority of people, I know their salaries don't go up 15 or 20 percent to cover these heights and expenses and property taxes go up 800 plus dollars every years. I know we feel families have tightened their belts to the point that they are squeezing some right out of their Rockland homes.

I ask, where has United Water tightened their belts?

I agree with my neighbor who said to use a consumption structure. I just agree with everything that has been positive. I

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disagree with any kind of hike. Fines or refunds would be great. I am looking forward to hearing what your decision is.

Thank you.

JUDGE EPSTEIN: Diane Greenspan.

MS. GREENSPAN: Hi. I am Diane Greenspan. I am a Clarkstown resident for about 16 years. I am greatly concerned, as all of you are, and opposed to the rate increase.

First of all, United Water rates are already exceedingly high. The bill doesn't quite make sense in relation to our consumption. The issues that have been mentioned earlier, with management, also the fact that it is a for profit organization doing a public service.

Also, it is unreasonable and unfair to expect residents who already are financially strapped -- you know, the high cost of living here has been mentioned already.

People, by and large, they haven't had a pay increase in years. They are unemployed, underemployed. How are they going to pull any

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extra money out of their pockets?

I just am asking, please, please,  
please reject any increase. You know that  
would be a pay increase to management and only  
management and already there is questionable  
practices by management.

So once again, please reject it.

Thank you.

JUDGE EPSTEIN: Next is Peggy Kurtz.

MS. KURTZ: My name is Peggy Kurtz. I  
am also one of the co-founders of Rockland  
Water Coalition and Rockland County Sierra  
Club which represents over 850 people in  
Rockland County. I will talk tonight about  
one specific issue, conservation as it  
pertains to rates.

I see this at just one example of the  
kinds of mismanagement that have been seen  
throughout United Water practices in this case  
as documented by the PSC staff and by the  
Division of Consumer Protection.

I find it extraordinary that state  
agencies are calling for investigations and  
forensic audits. I find it incredible that in

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the face of those calls and scathing comments that are made by the PSC staff, that the PSC would still contemplate an increase of 15 percent.

United Water received hundreds of thousands of dollars every year for outreach and education including water conservation. The company is requesting a raise in that.

At the same time, the company has repeatedly failed to spend its annual outreach and education budget.

According to the PSC staff, these unspent funds are not used for conservation, but are instead used by the company for whatever purpose it sees fit. I find that incredible, shocking for whatever purpose they see fit. This is entirely unacceptable.

Even worse, at the same time that United Water is requesting an increase in funding for conservation education. They are projecting conservation days of point one percent per year in the papers they file on the desal case. Point one percent conservation dates. California had 20 percent

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cuts to conservation and efficiency that was before the drought, 20 percent versus point one percent.

Dr. Stewart Braverman, a researcher at Columbia who studied Rockland County water issues closely for years, estimates 10 percent gains through water conservation through alone -- the seven most cost effective measures alone, 10 percent versus point one percent.

So how does United Water arrive at the ambitious goal of point one percent? That is the natural rate that United Water forecasts to replacement fixtures -- in other words, over time, customers will replace broken fixtures with more efficient washing machines and toilets. In other words, United Water is asking for an increase for something for which they have no target cost; zero expected gain. So they should receive zero funding for conservation. I am here to ask you to let that money go instead to the county task force which will be actively working on conservation and efficiency. That task force will be



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setting up target goals and will implement the same measures.

These are tried and tested measures that worked in other communities. Let the PSC require United Water to participate in that task force and devote the same money that they would have given to United Water on conservation efficiency through the task force which requires United Water's active participation in that work.

While the company claims they are already doing the maximum to promote conservation, they apparently propose to continue with a discount to the largest users, but it is called a declining block rate. In other words, the cheapest rate of all is not being given to reward those who conserve or to incentivize installation of efficient technology but rather there is a disincentive to efficiency.

So as it stands, we, the public, are being asked to doubly subsidize wasteful practices, first through the discounted rates for largest users for which we are all paying

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and a second time through the costs for a massive desalination plant of \$153 million.

The discount for largest users should be discontinued immediately.

The summer discount should target outdoor water use. That should be raised, while the rate for essential water use for indoor water use could be left the same year round.

At the same time, bills should be clearly labeled. Instead of an obscure code for summer usage outdoor water usage should be labeled in ordinary language. I found myself calling up for an explanation of something like D I F F. This is hardly the kind of clear language that would move the average person to conserve.

Conservation should be encouraged through the use of graphics on bills that compare water usage with average and conserving customers. This is done across the country.

The PSC should be requiring the accelerated repair of leaking infrastructure.

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United Water proposes bringing down the rate of leaks to 13 percent by 2035. In the meantime, we are all paying for this lost water in our rates, so United Water has no interest in bringing that down. In fact, we will be paying for those. In fact, we will be paying for those leaks doubly once we pay for a desal plan.

Note that the amount of water loss is more than the water that would be supplied by the \$153 million desal plant.

An article in yesterday's New York Times discussed Smart Systems being used by cities and utilities around the world to reduce cost and resources. That is the kind of program we need here.

You will hear that UW is doing everything humanly possible to encourage conservation, but they have no control over water policy.

Here are some of the numerous other aspects entirely under the control of PSC and United Water, and it should be required in this rate case.

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Conservation pricing, accelerated water audits for large residential and nonresidential waster users for high efficiency fixtures giveaway programs for shower heads, irrigation controller rebates and watering nozzles, sub metering in multifamily and commercial buildings, development of conservation plans for user types, technical assistance to commercial and industrial users planning for water efficiency and conservation, use of customer bills to educate consumers about their use relative to conserving users and innovative use of technology to engage business and residential consumers.

All of this is within United Water's capability and also in the authority of the PSC to require, but none of it has been pursued because it does not benefit the company as much as the desal plant as the \$153 million for 2.5 million gallons per day alone.

In other words, Rockland County Water resources are being operated for the benefit of the company and its shareholders and not

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for the benefit of its customers.

I focused here on conservation as one example of the kind of mismanagement that the UIU found throughout. I join them in calling for a prudence hearing and forensic hearing and investigation.

To sum up, this absolutely punitive rate increase must be looked at in the context of the other steep increases requested by United Water for desalination and in the context of unacceptable mismanagement, neglect and improprieties.

To the PSC, I would ask for no rate increase, given all of the charges. I ask you to have conservation and efficiency money set aside for the county task force to require the expedited repair of leaking pipes and to require many of the other measures.

I join the UIU in calling for a forensic audit and it is time for the PSC, long overdue to step in in a far more forceful way to protect Rockland County residents and businesses.

I ask you to move this funding to

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support the work of the task force that is ready to move ahead on these kinds of measures that United Water has already more than proved itself unwilling to pursue.

To my fellow Rockland residents, I would say it is time for us to move ahead with a financially and environmentally sound water policy. We can do far better than this. I want to thank the Legislators Harriet Cornell and Alden Wolfe and all of the other elected officials who are helping to get the task force up and moving. Among the many things that I hope will come out of that task force is review of the publicly owned water supply.

I ask the PSC to say no to this rate increase, not one penny, and to put in place immediately the measures that are entirely within the control of the PSC, including accelerated repair of leaks and conservation pricing.

Let's make Rockland County a model for how to turn around obsolete thinking and poor management of our natural and financial resources.

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Thank you.

JUDGE EPSTEIN: Deborah Turner.

MS. TURNER: I find it utterly irresponsible of United Water to even ask for such a huge rate increase when they so severely mismanaged funds and continuously show a blatant disregard for the ratepayers. If nothing else, if they just filed for economic obsolescence adjustments, they could have saved us \$2.2 million. They should be required to reimburse the \$2.2 million to the consumers. No other water utility seems to be so cavalier with our money and have the audacity to ask us to pay for a rate increase.

Additionally, they continue to fail to be transparent on how they spend their money. We have been asking for years how much has been spent on advertising and always get the stock response, we don't have that information right now; another example of stonewalling.

It is outrageous we are expected to pay for an increase. Additionally, if they are wasting our water by not fixing the leaking pipes, why are we expected to pay? They need

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to fix the infrastructure. They are above the norm according to the International Leakage Index and the PSC acceptable level, 18 percent. The increase is unreasonable. I ask you to turn that increase down entirely. Rockland County needs your protection from massive rate increases. I realize United Water sees their first responsibility to the shareholders, but they are so dismissive of us. They don't even attempt to provide a fair quality product.

As a mom, I cannot imagine exposing my children to this unsafe water and United Water knowing it is harmful doesn't care. A company such as this should not receive a rate increase and should not be allowed to go forward. I realize United Water throws a lot of money at their governor and their lobbyists.

As a PSE, your first and only responsibility is to us, not the utility.

Thank you.

JUDGE EPSTEIN: Is Ms. Wagner here?  
Barry Schulweis?



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MR. SCHULWEIS: Yes, but I have no comment. There should not be any rate increase. All my thoughts, people already said. They are all doing a great job.

JUDGE EPSTEIN: Susan Schneider.

MS. SCHNEIDER: My name is Sheila Schneider. I live in Pearl River. I would like to present from the perspective of a senior citizen on a fixed income.

When one retires, one recesses their spending habits to see if they need to adjust their budgets. Some things you have no control over; water being primary because it is essential for life.

So from a personal aspect, what my husband and I did was we initiated conservation. We have water efficient devices on our shower and toilet. We bought a water efficient washing machine. We live in a tiny house, 1080 square feet with one bathroom. We don't water our lawn. We don't have a pool. We use anything we can to conserve water.

I would like to read to you my last four bills, \$106.39, 109.20, 151.69, 115.37.

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This is two people living in a house very conservation minded and unable to accept the cost of these water bills.

I think that the administration and United Water should actually face criminal charges and they certainly should not be granted a rate increase. There are members of society whose income -- my income will not go up two percent, never mind 25 or 15 percent. The discretionary amount of money I can spend is going down considerably in the four years since I have retired.

With rate increases like this going, it simply insures that, first of all, I will have to leave Rockland County and if United Water proceeds with the desal plant, I will really have to leave because I will not drink the water.

I think, as other speakers have said, part of these rate increases are tied to the desal plant, so you can't separate them.

However, I think that senior citizens are a very large portion of the population Rockland County and that these rate increases

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and how they impact on us should be taken seriously.

Thank you.

JUDGE EPSTEIN: Karen Reener  
(phonetic)? Is that Karen?

Kay Zakarian?

Kara Cressman?

MS. CRESSMAN: Hi. Thank you for coming to Rockland County once again and hearing everything that everybody has to say.

I actually wasn't going to speak tonight, but I think it is important to say just say as a resident that I am very opposed to this increase, this rate increase for all the really good points mentioned already, which is United Water as a company does not feel trustworthy, but on a -- just on a very basic level, I have to talk about my water.

My water tastes so bad -- I have been here for 11 years. The water is undrinkable.

Unless you filter it and even then, you still have to wonder, it tastes horrendous. I have never lived anywhere elsewhere I really felt like I couldn't drink the water.

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There are times when I turn the water on, I smell so much chlorine, I feel like I am in an indoor public pool. The smell of chlorine is so strong, I think -- is it just a guy who is tired or hung over who just doesn't bother with the measuring cup? What is the deal? Why do we have so much chlorine in our water? First of all, it is really dangerous; it is not good to drink chlorine. It is bleach and it is not healthy for you.

There are all kinds of things like that that make me think to myself, why would I want to give them any money when I can't even drink the water that is coming out of my tap right now that I don't want to bathe in? Why would I do that?

I feel like they don't deserve that kind of compliments from this community that we should say, sure, we should give you more money. They have time and time again demonstrated that they don't care about us.

They certainly don't seem to care about the fact that the water is undrinkable that they provide for us which is pretty

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astonishing. That is all I want to say.

I really hope that you listen and take into consideration everything everybody said here and do not approve this increase.

Thank you.

JUDGE EPSTEIN: Is Ms. Raglin around? And Kay Zakarian or Ms. Reener?

I am going to assume that they needed to leave. So is there anybody else here who would like to speak, either for the first time or the second time?

MR. DENTICO: Just very quickly, has a date been established for a yes or no on the desal plant?

JUDGE EPSTEIN: Well, there are two different cases having to do with the desal plant. I have to tell you, I don't know a whole lot about either of them, but -- you might find if you go to the Department of Public Service website, you can get a more accurate answer than I am going to give you, but there is the need case and I don't know -- and I don't know at all what the schedule is for that.

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MR. DENTICO: Respectfully, the need case should have been resolved a couple of years ago. There is so much information --

JUDGE EPSTEIN: It did come back and it is pending.

MR. DENTICO: These things take time.

JUDGE EPSTEIN: Then there is the surcharge case. The surcharge case originally was on just about the same track as this case. So it could have been decided at the same time as this case, but I think members of the public or groups that wanted to challenge that surcharge felt they were getting squeezed for time and they wanted some more time.

So at this time, my understanding is that it is possible -- the surcharge case is on a track such that it could get done by the end of July. That is my personal understanding, but whether that will happen or not, I am not sure whether anybody knows.

MR. DENTICO: I think for the record, I think the rate increase, the surcharge and the desal are absolutely preposterous.

JUDGE EPSTEIN: Next is John J. Tormey.

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MR. TORMEY: My name is John J. Tormey, III, Esq. I am an attorney in Rockland.

I am addressing these comments to the full Commission, Commissioner Zibelman, Commissioner Acampora, Commission Brown, Commissioner Burman and your Honor.

I am a party to this rate case. I am also a party to the related surcharge case and the related need case. I brought a motion to consolidate those three cases which is still pending, as I understand it, before the Honorable Public Service Commission.

I am joining in the many calls made for a forensic audit to be performed on United Water's so-called finances and should be well known to communities like Tom's River, New Jersey, Camden, New Jersey, Haworth, New Jersey, Gary, Indiana, Atlanta, Georgia, New Rochelle, Monsey, New York, New Rochelle, New York, Reidsville, North Carolina and New Hartford, Connecticut. United Water is an offshore controlled hydra which is not to be trusted.

I am speaking out today in opposition

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to United Water's request for a \$21.3 million rate increase as discussed in PSC's literature.

I am speaking out today in opposition to the 29.8 percent increase, also discussed in PSC's literature. I am speaking out in opposition to the proposed \$11.1 million rate increase and the proposed 15 percent rate increase in total revenues which was a recommended decision of administrative law judges in this case.

In my view, the rate increases proposed by United Water are really greedy, confiscatory and far beyond what Rockland County ratepayers can actually afford.

The rate increases proposed by the administrative law judges are far in excess of the economic realities currently prevailing in the County of Rockland and the City of New York and the United States of America.

The latest annual inflation rate for the United States is 1.5 percent through the 12 months ended March 2014 as published by the United States Government on April 15, 2014.



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As I said, I will submit a written corrected version of this document to show I am not inventing the numbers.

The latest COLA, which by the way is something we should be drinking instead of United Water's water, is also 1.5 percent with respect to both Social Security benefits and SSI payments and I have a citation for that as well.

Yet somehow, United Water believes it is entitled to a rate increase 20 times the latest annual inflation rate. Perhaps United Water believes it has done 20 times as good a job managing Rockland County's water resources, as compared to the working people comprising the 300 plus residents, many of whom would have been lucky to receive a 1.5 percent pay wage increase over the last several years through the recent Great Recession.

United Water has done a lousy job and wasted out Rockland County's water resources. Now United Water is trying to stick us with the tab. Perhaps even more insulting, they

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are seeking to make you, your Honors and the PSC the accomplices post fact to what is in my opinion United Water's white collar economic crime.

Equally stark is the comparison of the latest 1.5 percent annual inflation rates issued by your Honors.

Making that comparison, it has now dawned on me, there must have been a mistake there, be a typographical error. The 15 percent rate increase must have been intended to be 1.5. Somebody accidentally moved over the decimal point.

Unless your Honors and the PSC drastically revised downward the proposed rate increase from 15 percent to a far lesser number which I believe should be zero percent based upon the shoddy service and lousy product and despicable practices that United Water regularly delivers to us, Rockland County, I guess working people in Rockland County are now going to have to save up their money to pay their water bills which bills, by the way, are now proposed to hit us 12 times a

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year on a monthly basis rather than a quarterly basis.

So what a perfect solution. The free market will take care of all of it, just like trickle-down economics says. All we rate paying citizens have to do is bank the money in a savings account and the massive amount of interest should subsidize.

The interest rates we can look forward to collecting will be listed in my further statement which I will be submitting.

The fact of the matter is, Your Honors, the people of Rockland County can now try to bank their money in the hope of ultimately catching up to United Water's confiscatory billings, as proposed. But the economic reality is that the money is not there for most Rockland County residents who conservatively conserve their money.

These ratepayers won't be able to catch up with 29.8 percent rate hike and they won't be able to catch up to a 15 percent rate hike. The wages of most working people in Rockland County are not being increased 29.8 percent.

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The wages of most working people in Rockland County are not being increased 15 percent either.

Rather, Rockland County wage increases were measured at point 7 percent for the second quarter of 2012 to 2013 which is the most recent time period I could find. Not only is that point 7 percent. Not only is that not a number to celebrate, it is also not a number that can carry a 28.98 percent water rate hike.

I respectfully submit to your Honors that both the United Water's 28.9 rate hike request and also the as-modified 15 percent rate hike initially proposed by Your Honors in the recommended decision are simply out of step and out of touch with the prevailing economic reality on the streets, roads and households and workplaces of Rockland County and its residents.

I urge your Honors to please reject United Water rate increase request and accord United Water's a zero percent rate increase.

Alternatively, I ask you to move that

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decimal point one integral space to the left  
back to its rightful position, so the 15  
percent will now be re-characterized so as to  
comport with the 1.5 inflation rate which is  
our economic reality prevailing here in  
Rockland County, New York.

JUDGE EPSTEIN: Anybody else want to  
speak?

Ms. Reener and Ms. Raglin are not here.

If nobody else wants to speak, we are  
adjourned until tomorrow at 4 o'clock at  
Ramapo Town Hall.

Thank you very much for participating.

(Time noted: 9:35 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF NEW YORK )

I, BARBARA DRISCOLL, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that the foregoing proceedings were taken before me on April 23, 2014;

That the within transcript is a true record of said proceedings;

That I am not connected by blood or marriage with any of the parties herein nor interested directly or indirectly in the matter in controversy, nor am I in the employ of any of the counsel.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of April, 2014.

\_\_\_\_\_  
BARBARA DRISCOLL

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