



Town of Brookhaven Long Island

Edward P. Romaine, Supervisor

by email – Secretary@dps.ny.gov

September 21, 2016

Hon. Kathleen H. Burgess
Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, NY 12223-1350

Re: Cases 16-G-0058 and 16-G-0059
Proceeding on Motion of the Commission as to the Rates, Charges,
Rules and Regulations of KeySpan Gas East Corporation and
The Brooklyn Union Gas Company

Dear Secretary Burgess:

Attached for filing in the above referenced proceeding is the Statement in Opposition to the Joint Proposal by the Town of Brookhaven.

Very truly yours,

Richard P. DeBragga
Senior Assistant Town Attorney

RPD:fjb
Enc.

Department of Law
Annette Eaderesto, Town Attorney
One Independence Hill • Farmingville • NY 11738 • Phone (631) 451-6500 • Fax (631) 698-4489 • Fax (631) 451-6505
www.brookhaven.org

Litigation papers are NOT to be served by FAX except by express prior written permission

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Proceeding on Motion of the Commission as to
the Rates, Charges, Rules and Regulations of
KeySpan Gas East Corporation for Gas Service

Case 16-G-0058

Proceeding on Motion of the Commission as to
the Rates, Charges, Rules and Regulations of
The Brooklyn Union Gas Company for Gas
Service

Case 16-G-0059

**STATEMENT IN OPPOSITION
TO THE JOINT PROPOSAL
BY THE TOWN OF BROOKHAVEN**

Richard P. DeBragga
Senior Assistant Town Attorney
631-451-7509
rdebragga@brookhaven.org

September 21, 2016
Farmingville, NY

TOWN OF BROOKHAVEN
OFFICE OF THE TOWN ATTORNEY
One Independence Hill
Farmingville, NY 11738

The Town of Brookhaven, NY submits the following statement in opposition to the Joint Proposal submitted as of August 31, 2016:

We would like to see a more equitable distribution of the costs of the infrastructure between the company and the rate payers. There should be a distinction in the allocation fixed costs per customer such as meters and demand related costs such as pipelines. National grid must build a meter for every customer but the length of the pipelines is driven by the demand for gas. They will build no pipelines where there is no demand. The rates should reflect this dichotomy and a greater proportion of the demand related costs should be borne by the company which makes the money. (We are more conscious of this issue in Brookhaven since our town encompasses the most area and thus requires more miles of pipeline.)

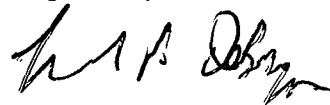
Likewise, the allocation of the fixed monthly charge and the variable monthly charge to the customer to the customer should be reconfigured to direct a bigger percentage to the variable cost which is related to volume. This would be more equitable and would encourage conservation of fuel. The fixed monthly charge gives no incentive for the conservation of fuel. Conservation is a worthy goal.

The Joint Proposal provides that clean-up costs should be paid by the SIR surcharge. The proposal is to move this charge into base rates. We would like to see a greater effort on the part of the company to recover these clean up costs from the third party tort-feasors who are responsible for the damage' There should be an incentive to have these costs paid by those who cause the damage rather than including them in the rates charged to the customers.

We note the language in Section 16 (vii) of the Joint Proposal which commits National Grid to work with municipalities to identify vacant premises. The Town is well prepared to work with National Grid on this issue because we maintain an up to date register of such vacant premises.

The three year phase in of the rate increase which is included in the joint Proposal is an improvement over the one year rate increase of the original National Grid proposal. However, the Joint Proposal allocates too great a portion of those costs which should be borne by the company to the customer. Therefore, we believe that it should be rejected by the Administrative Law Judge.

Respectfully submitted,



Richard P. DeBragga
Senior Assistant Town Attorney
631-451-6509
rdebragga@brookhaven.org

Dated: September 21, 2016
Farmingville, NY 11738