

1 STATE OF NEW YORK  
2 PUBLIC SERVICE COMMISSION

---

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

---

6  
7 La Guardia Community College  
8 Main Stage Theater  
9 81-10 Thomson Avenue  
10 Long Island City, New York

11  
12 August 10, 2006  
13 1:00 p.m.

14  
15 BEFORE: MAUREEN HARRIS, Commissioner  
16  
17 GERALD L. LYNCH,  
18 Administrative Law  
19  
20  
21  
22  
23  
24

JEANNE O'CONNELL, R.P.R. (518) 271-7904

1 JUDGE LYNCH: Good afternoon, ladies and  
2 Gentlemen. I would like to call this hearing to  
3 order. This hearing is part of the Department of  
4 Public Service staff investigation of power outages  
5 that began on July 17, 2006. This outage, as we  
6 all know, is in Con Ed's Long Island City electric  
7 network.

8 This case is PSC case number  
9 06-E-0894. I am Administrative Law Judge Gerald L.  
10 Lynch and my day-to-day responsibilities include  
11 presiding at hearings like this one. This is Public  
12 Service Commissioner Maureen F. Harris.

13 Commissioner.

14 COMMISSIONER HARRIS: Hi. I want to  
15 thank you all for making the effort to attend this  
16 afternoon so we can hear your concerns and  
17 suggestions and reservations, and we appreciate your  
18 efforts. Thank you.

19 JUDGE LYNCH: Thank you. She is one  
20 of the five Public Service Commissioners who will be  
21 making the ultimate decisions about what action is  
22 required once the investigation is concluded and  
23 staff reports back and any further proceedings are  
24 concluded.

JEANNE O'CONNELL, R.P.R. (518) 271-7904

1                   Let me give you a little background  
2     and then a quick introduction to how the hearing will  
3     be run, and then we will proceed. I just want to say  
4     that there was an Order issued on July 26, 2006 to  
5     start this proceeding, and staff has been directed to  
6     conduct a thorough examination of the circumstances  
7     following the--surrounding the outages, the events  
8     that lead to failures of primary feeders, and  
9     subsequent customer outages, the company's response,  
10    communication and restoration efforts, the need for  
11    changes in Con Edison's practices and procedures to  
12    avoid similar failures, and how to proceed in the  
13    future, and the costs incurred by the company related  
14    to failure and outages.

15                  The department team will be gathering  
16    information as part of its investigation, and one way  
17    to help gather those facts is to allow for those who  
18    are affected by the outage to comment. In  
19    particular, those affected are invited to provide  
20    comments in response to the following questions. And  
21    many of you have picked up I think a handout, one of  
22    the handouts, and it has--both handouts have  
23    questions right on them.

24                  But they are: How are you affected

1 by the outages? Do you think you received timely and  
2 accurate and adequate information from Con Edison and  
3 others before, during and after the outages, and did  
4 you get what you were requesting? What were your  
5 overall impressions about how the company responded  
6 to the outages and your reasons for those  
7 impressions. What are your recommendations about  
8 actions that you believe Con Edison should or should  
9 not have taken before, during and after the outages?  
10 And what action do you recommend the Commission take  
11 in light of all you know about these events?

12 Comments that do not concern the  
13 outage and the recovery are not being solicited at  
14 this time. I also want to call to your attention  
15 that Con Edison is not participating in this hearing;  
16 however, there are Con Edison representatives  
17 available in the van out in front of this building  
18 particularly to take claims forms for those of you  
19 who had food spoilage.

20 Now, there are six ways to comment.  
21 One of them is to come to a hearing like this. There  
22 is a 1-800 number you can call and leave a message.  
23 There are various ways you can leave an electronic  
24 message. You can write a letter to the secretary.

1 You can fill out a form at this hearing and hand it  
2 in rather than getting up and speaking.

3 All of those are summarized in the  
4 handouts, and so that's available to you. And also  
5 there is a number of people from the Department of  
6 Public Service staff here, and obviously to the  
7 extent you need any help or have any questions,  
8 please feel free to ask.

9 Let me turn then--let me say also  
10 that however you comment, whether you comment today  
11 or comment in writing, your comment is going to be  
12 considered. It doesn't matter how you make a  
13 comment. By the same token, if you make a comment  
14 orally here today you don't need to send a letter  
15 with the same points. If you have other points feel  
16 free to send them in. We will use whatever  
17 information we can get, but all you need is to cover  
18 the points once and they will be considered.

19 I also want to mention the Chairman  
20 has made this a very, very high priority for the  
21 agency, and so it will be moving along. If you want  
22 to comment at the hearing today, the process is very  
23 simple. You can fill out a card, it's a very small  
24 card, with your name and address. And if you want to

1 provide other contact information that can also be  
2 helpful later on if staff has follow up questions for  
3 you.

4                   When your name is called, there are  
5 two microphones, one on each side, and it doesn't  
6 look like there is going to be a problem this  
7 afternoon, so you can come up to either microphone.  
8 Please speak slowly and clearly. I can't emphasize  
9 this too much. Some people get nervous when they  
10 come up to a microphone. I understand that. I get  
11 nervous, I've been doing this for a long time.

12                   Take your time, speak slowly, because  
13 we have a court reporter here who wants to take  
14 everything you say, exactly what you say, and she can  
15 do that better if you talk slowly and clearly.

16                   Again, I don't think it's going to be  
17 a problem today, but I ask everyone to be succinct  
18 and make sure we hear from everyone. We will be here  
19 for at least one hour and for as long thereafter as  
20 is reasonable to hear from as many people as come.  
21 If necessary we will take a break for the reporter.  
22 Again, I am not guessing at this point it's going to  
23 be an issue. Please be courteous to all speakers,  
24 whether or not you agree with him or her.

1                   And does anybody have any questions?

2                   Yes, sir.

3                   SPEAKER: How do I get the card?

4                   JUDGE LYNCH: The cards are available  
5 at the entrance. I don't know if anyone in the room  
6 has copies of cards. Somebody is going to get some  
7 for you.

8                   Any other questions? I am having a  
9 little trouble seeing, so just yell out. It sounds  
10 like we are all set. Why don't I at this point call  
11 to the microphone Samuel Wolfson. And while he's  
12 coming to the microphone, let me mention also that,  
13 as requested at the hearing yesterday, we are no  
14 longer announcing the addresses on the record. The  
15 cards will be provided to the reporter and made  
16 available to those doing the investigation. Some  
17 people were concerned about that. I'm just going to  
18 call the names.

19                  Mr. Wolfson, welcome.

20                  MR. WOLFSON: Thank you. I have  
21 several questions that are highly important  
22 concerning Con Edison. I had no electricity from  
23 July 17th until around July 24th. I received the  
24 bill from Con Ed yesterday and the charges are the

1 same as last month, although I have had no  
2 electricity for some nine days and little electricity  
3 for the following four or five days.

4 I went to a Con Ed representative,  
5 checked his computer, looked up my account, and he  
6 told me that you are charged for the amount of  
7 voltage whether or not you have used it, or whatever  
8 you claim. So, your bill is correct. I paid \$128  
9 last month and I am charged \$127.67 this month.  
10 Doesn't make sense to me.

11 So, this is the billing to all the  
12 customers of Con Ed. They make bouquet money and  
13 it's totally incorrect. There should be someone to  
14 look into this billing situation of theirs, how they  
15 bill, especially concerning the outages and the blow  
16 ups and the explosions.

17 I also had a T. V. A Panasonic T.V.,  
18 excellent shape. I had it for about two and a half  
19 years. I bought it when I retired. Excellent. It  
20 no longer works. When I consulted Con Ed they gave  
21 me someone to speak to and said write a letter and  
22 have to look into it. We don't pay for those  
23 things. That was my result. I haven't heard  
24 anything from anybody after the end of July. It's

JEANNE O'CONNELL, R.P.R. (518) 271-7904



1     now August 10th.

2                     The other issue I would like to make  
3     is that the air conditioners do not work since these  
4     explosions and everything else. I live at 43-06 45th  
5     Street and right down the block they have had  
6     explosions and fires and everything else happened. I  
7     am not the only one.

8                     I wanted to bring other tenants from  
9     my building here but they are in their 70s and 90s.  
10    I couldn't have them walk up three flights of stairs.  
11    I checked into this earlier, but I would have liked  
12    them to have come because they had to buy dryers and  
13    things. That's ridiculous.

14                    People had to go out for these older  
15    people every day because they couldn't walk down  
16    three flights, there was no elevator working, no  
17    service for ten days. This is a common situation.

18                    I am sure there's worse. I have  
19    friends from Astoria, worse problems. So, I am  
20    finished with my concerns now and I hope that they  
21    are looked into. Thank you.

22                    JUDGE LYNCH: Thank you very much.

23                    The next speaker is Andrew Bailis.

24                    MR. BAILIS: Thank you for having

1     this hearing. I am concerned about the mayor saying  
2     that we have to get used to these events in the  
3     future, and my concern is that I don't think we need  
4     to get used to these events in the future if we take  
5     corrective actions.

6                     My concern is that the big blackout  
7     of 2003, it's part of the problem is when Con  
8     Edison's cables went down we couldn't--had no  
9     alternative sources. And basically New York  
10    City--the grid that feeds New York City can only send  
11    in about 5,000 megawatts while we used 15 megawatts  
12    and have to take the rest of it from the energy that  
13    we generated within.

14                    I was wondering: Is there any plans  
15    to improve the grid statewide and citywide? I think  
16    it's the state function. Thank you.

17                    JUDGE LYNCH: Thank you. Next  
18    speaker is Kathy Darcy.

19                    MS. DARCY: Hello. Thanks for having  
20    this hearing. I had no electric from that Monday  
21    night to Sunday afternoon. I am an asthmatic. I had  
22    to walk up five flights. It was absolutely horrible.

23                    45th Street, every manhole was  
24    blasting, going all the time. And we had no results

1 from nobody. We got terrible results when we called  
2 Con Edison. We have no power. When is it going to  
3 come on? We have handicapped people in my building  
4 that had to go to hotels. We have a very sick lady,  
5 terminally ill, on the sixth floor. The nurses had  
6 to stand and fan her 24/7. Two nurses.

7 We are so infuriated. We want you  
8 people to do something and never let this happen  
9 again. Thank you very much.

10 JUDGE LYNCH: Thank you. The next  
11 speaker is Asim Calik.

12 MR. CALIK: Thank you guys for this  
13 opportunity for us. My concern is, first of all, I  
14 have two businesses in Sunnyside, Skillman Avenue,  
15 and we have six, seven days no power. And my stores  
16 are like that. One of them is Turkish grocery store,  
17 the other is gourmet shop, and both stores TVs,  
18 couple of channels.

19 Even though we get the electric, I  
20 still had to call my refrigerator guy to make sure my  
21 refrigerators are running fine because I had another  
22 cheese, older items, fishes I put in the garbage. We  
23 lost a lot of inventory but Con Edison is saying we  
24 can claim only buy \$7,000.

1                   Why? The cost price of the  
2     inventory, we lost traffic and customers because  
3     honestly we have, even with electricity, two, three  
4     days running. Later on couple days we have some  
5     electricity but not enough to run the refrigeration,  
6     so we couldn't use the refrigeration. We couldn't  
7     make our air conditioner to work, so not too many  
8     people come into the store and we didn't have enough  
9     customers.

10                  So, my concern is anybody going to  
11     give to Con Edison for the retailers and restaurants,  
12     the kind of stores I have, to raise the \$7,000? I  
13     also lost the fruit and vegetables. I cannot keep  
14     them without refrigeration, but they are not  
15     perishable but most of them I got nervous, so,  
16     vegetable, that's a concern.

17                  JUDGE LYNCH: Make sure I understand.  
18     You lost food but you are also concerned about damage  
19     to your refrigerator.

20                  MR. CALIK: Yeah. I lost one of my  
21     compressors. In your claim you have put spoil stuff.

22                  JUDGE LYNCH: The other was the loss  
23     of retail business?

24                  MR. CALIK: Yes, because you lose

1 customers. They don't come. When they come in the  
2 store, the store is very hot.

3 JUDGE LYNCH: I understand.

4 MR. CALIK: I even lost some of the  
5 chocolate stuff, chocolate bars. You cannot put down  
6 spoil stuff.

7 I hope somebody give Con Edison  
8 pressure to raise the amount. And for the future I  
9 hope they upgrade their system. In 2003 I was  
10 Manhattan and it was like one and a half day they fix  
11 the problem. Here is seven days plus.

12 As I told you, the stores like I had  
13 you still have to call your refrigeration guy to make  
14 sure because some refrigeration you have to get some  
15 special numbers, like 38 degrees, 39 degrees, so if  
16 it's out you cannot keep your meats.

17 So, I mean I call them, they come  
18 like one day. Almost full day they try to run the  
19 refrigerators. So, I hope, you know.

20 JUDGE LYNCH: Thank you very much.

21 MR. CALIK: Thank you very much.

22 JUDGE LYNCH: Anthony DeLucia.

23 MR. DELUCIA: Good afternoon. I had  
24 the same problem as the first speaker that was up

1     here. My power was out for six days. My  
2     refrigerator broke down, went to buy a new  
3     refrigerator, had to wait six days to order a new  
4     one. I was six days without the refrigerator. And  
5     my power went on and off three times, causing that to  
6     burn out my compressor on my refrigerator.

7                     And also, when I first put in the  
8     claim it was \$150. You only allowed \$150 back in  
9     like Monday after the power went back on. So, I was  
10    told that you only allowed \$150. A week later I was  
11    told that you could claim \$350 without a receipt.  
12    So, I feel that I didn't get enough money for my food  
13    because I wasn't allowed to claim \$350, the maximum  
14    was \$150. That's all.

15                    JUDGE LYNCH: Okay, thank you. The  
16    next speaker is Marilyn Ferguson.

17                    MS. FERGUSON: Good afternoon. Thank  
18    you for having this hearing. First thing I want to  
19    say is that Con Ed is doing us a favor by giving us a  
20    \$3 deduction on our next bill next month, and I think  
21    that is absolutely ridiculous.

22                    I mean I lost more in food. And I  
23    think it's very upsetting, and as far as I am  
24    concerned they can take their \$3 and stick it where

1 the sun don't shine.

2 But I did lose air conditioning.

3 July 17th it started to go out. I didn't have it  
4 July 17th, July 18th, July 19th, Friday it finally  
5 came up, but the Con Edison people blamed me because  
6 we don't conserve.

7 I really think that is an insult  
8 because I do conserve. In fact, the Con Edison  
9 people have charged us over because they were going  
10 to put new wiring or whatever and they didn't do  
11 that. What Con Edison did, I assume, in fact I know,  
12 in fact the big head honchos chose to put it in their  
13 pockets. I am really tired of paying.

14 Let me tell you something else. If  
15 there was another electricity company that I could go  
16 to I would go because Con Edison really made me  
17 suffer. Not only the people that are here today, but  
18 what about the people that died because of them?

19 And that's all I wanted to say. But  
20 as far as the \$3 off, they think they are doing us a  
21 favor, they can take their \$3 and stuff it. Thank  
22 you.

23 (Applause)

24 JUDGE LYNCH: At this time I don't

1     have any other cards. Are there others? We are not  
2     in any hurry, so don't worry. We are going to be  
3     here.

4                     The next speaker is Sonia Avakian.

5                     MS. AVAKIAN: Yes, hi. I am living  
6     at 41-29 46th Street in Sunnyside. I didn't have no  
7     electricity for July 17th through July 25th at all.  
8     No hot water, no phone service. Nothing. And I  
9     don't think I got to say something because all of us  
10    in the same situation. Like lady said, we didn't  
11    lose only food. It's a lot more than food.

12                    My only concern about the people who  
13    work in Con Edison, because you think almost nine  
14    days the only thing I can use was my cell phone. The  
15    last couple days I have no service also my cell  
16    phone. I was calling maybe too much, but there was  
17    yelling to me, there was keep telling me everyone  
18    from Con Ed working outside, I just have to go out  
19    and check.

20                    And also when I ask about any help,  
21    because 17th or 18th was too hot, and they told me I  
22    should come to this area, La Guardia. No, I am  
23    sorry, YMCA, and get cold water and ice.

24                    I have ten months little girl. I



1 can't come from 46th to Sunnyside and YMCA to get ice  
2 and cold water. I mean I think all of us were just  
3 ignored, not existing, not for maybe--I'm not sure, I  
4 don't want to say something I am not sure about. Red  
5 Cross or some other organization, whatever they can  
6 help us, I am not talking about. I was working, we  
7 don't have in our area electricity. A lot of  
8 people, they was without any help. They was ignored  
9 and all of us wasn't exist.

10 Now what about claim? I claim and I  
11 was surprised that I got exactly three days with \$190  
12 check from Con Ed. I lost my T.V., Pani sonic, which  
13 was three years old. Told me this is the best  
14 whatever they can do.

15 JUDGE LYNCH: Excuse me. There's  
16 somebody talking in the room. May I ask you to  
17 please not talk? Just walk outside. Excuse me, sir.  
18 One second.

19 MS. AVAKIAN: Sure. Also told me not  
20 responsible for watching T.V. and, also, I am sorry,  
21 I took all my bank statements and receipts, whatever  
22 I have, it was more than three hundred something  
23 dollars, but the check number that I got was only for  
24 \$190.

1                   I understand I'm not only one, they  
2   have helped other people also, but it was all  
3   attached, all the paperwork, whatever I had, but this  
4   is whatever I got. It was only \$190 check without  
5   anything about my T.V. and all my bank statements and  
6   my receipts.

7                   I think in the future they just have  
8   to know that they are working in every single thing  
9   during the year, not waiting until summer season.  
10   And also even if happen something like this they  
11   should help people. They should people help really  
12   not able to go out and to do something. Even to  
13   figure out what's going on. Thank you.

14                  JUDGE LYNCH: Thank you very much for  
15   coming. The next speaker is Ira R. Greenberg.

16                  MR. GREENBERG: Good afternoon,  
17   Commissioners. My name is Ira Greenberg. I live in  
18   Sunnyside. I am an attorney practicing in Woodside.  
19   Thank you for coming to Long Island City to hear from  
20   the affected public about the Con Ed 2006 Long Island  
21   City blackout.

22                  First I am going to tell my story but I am  
23   hopeful it will help the Commission and Con Ed to  
24   prevent future blackouts. I live on 47th Street in

JEANNE O'CONNELL, R.P.R.       (518) 271-7904

1 Sunnyside. I work on 47th Street on the southern  
2 side of Queens Boulevard, so I was in both places.

3 On Sunday night, July 16th, voltage  
4 dropped in my home. Lights dimmed in my house. This  
5 occurred throughout the night. Voltage came back and  
6 forth during the night, through the evening. My  
7 office, which is located on 47th Street and  
8 Greenpoint Avenue, there was a problem--there was no  
9 problem there until Tuesday, when we lost half our  
10 power. We had partial power which is two legs, three  
11 legs, 200, 220 volt.

12 At home on Monday night the voltage  
13 dropped severely and came back sporadically, but  
14 seemed to be fine the next day, which was Tuesday. I  
15 was convinced that evening there would be a serious  
16 blackout and I thought maybe even citywide because  
17 previously I lived through--I'm a New York City  
18 resident, a life long city resident, so I lived  
19 through the '65 blackout when I was a child, the '76  
20 blackout when I was a little older, and the more  
21 recent 2003 blackout.

22 Each time I was lead to believe that  
23 Con Edison would never supply low voltage, they would  
24 just shut off the voltage because that would cause a

1     problem for equipment.

2                     Apparently that wasn't the case  
3     because on Tuesday we experienced a sustained voltage  
4     reduction. On Wednesday, minimal power in my house  
5     and it was not sufficient power to operate appliances  
6     and the refrigerator. Finally, late Wednesday power  
7     came back to only half my house. Roughly half the  
8     circuits were operating although one floor was  
9     completely dark, so I managed to run my refrigerator  
10    by running an extension cord over in my kitchen. We  
11    did the limbo for several days until that next Monday  
12    when I finally got complete power back.

13                    There were two instances--this is why  
14    I have no confidence in Con Ed--there were two  
15    instances where complete power was restored for a  
16    couple of hours and then we lost it again or went to  
17    low voltage and then lost.

18                    Each time made me have less  
19    confidence in Con Ed's ability to restore the power  
20    at any time or even in Con Ed's ability to know what  
21    was going on. Apparently that was confirmed later  
22    on.

23                    I mean through this thing I had to  
24    give ice to my neighbors because my refrigerator was

1     working. I had an icemaker. I was able to take the  
2     ice, I didn't need ice so I gave it to my neighbors  
3     to keep their food. They put their food in my  
4     refrigerator as well. One neighbor was without power  
5     completely for five days and it was sporadic up and  
6     down my block.

7                     Con Ed's count of the people with  
8     outages, it's hard to say how accurate that is. Many  
9     people had just partial power. If you were in an  
10    apartment building just one person the whole time had  
11    no problem. Another person was completely out. I  
12    mean we had a lot--there was a lot of that in  
13    Sunnyside and Woodside.

14                    JUDGE LYNCH: Can I ask you a  
15    question?

16                    MR. GREENBERG: Yes.

17                    JUDGE LYNCH: When you say you had  
18    partial power you are not referring to a voltage  
19    reduction?

20                    MR. GREENBERG: I had full power in  
21    some circuits and none on others. They had three  
22    legs, 280, only getting back power to two of them.

23                    Through this time I spoke with Con Ed  
24    people working in the streets. I kept asking them

1     what's going on here? How can Con Ed let this  
2     happen? Seems crazy to me. They told me the cables  
3     under here are fried or cooked. You have damage here  
4     in Astoria, a lot of damage there.

5                     This was Wednesday when Con Ed was  
6     saying there's only a few thousand customers out.  
7     Their own people in the manholes, their own workers  
8     knew that the situation was severe because a lot of  
9     them were burned out.

10                    So, I have no belief in Con Edison  
11     reporting only a few thousand customers because we  
12     didn't know how to call in. I'm shocked that this  
13     could even happen especially after Washington Heights  
14     and previous blackouts.

15                    So, I am thoroughly disappointed both  
16     with Con Ed and the Public Service Commission. It  
17     seems even that after warnings not enough was done to  
18     prevent a repeat of the Washington Heights blackout.

19                    Although this outage was a little  
20     different. It seems that power here was kept on even  
21     though that kept--that caused severe damage to the  
22     local network and Con Edison's distribution system in  
23     parts of Long Island City.

24                    I mean I guess I should say this

1     because no one else seems to. I see it as the Public  
2     Service Commission's job to ensure that we in New  
3     York State have reliable power that is safe. Con Ed  
4     is a company and its first responsibility is to its  
5     stockholders, to pay them dividends.

6                     As a ratepayer user I have to rely on  
7     you guys, Public Service Commission, to make sure  
8     that Con Ed is providing reliable electric service.  
9     I mean I think that's the bargain. That's why we  
10    have Public Service Commission regulating utilities.

11                    Con Ed, I have to get my power from  
12    them. They are the only game in town. And they are  
13    a regulated utility and Public Service Commission is  
14    supposed to protect my interests as a user and a  
15    ratepayer.

16                    I don't know what happened here but I  
17    am very disappointed. Most people in my neighborhood  
18    have no faith in Con Ed, and if they are aware of the  
19    Public Service Commission they have less faith in the  
20    Public Service Commission.

21                    Although I am disappointed, I do  
22    commend the Public Service efforts to come here and  
23    hear the public and then demand answers from Con Ed  
24    recently as to the plans for repairing the Long

1     Island City network.

2                     I skimmed on the web the back and  
3     forth between Con Ed and the Public Service  
4     Commission. I was happy to see the Public Service  
5     Commission was very hard on Con Ed to get some  
6     details of what they were going to do, especially  
7     removing presently the generators from our streets.

8                     There is a generator that's sitting  
9     half a block from me. It makes noise I can hear all  
10    day and all night. At the corner my neighbors are  
11    being driven crazy. Exhausting diesel fumes all over  
12    the tree.

13                    There was another one a block, couple  
14    of blocks away, same thing to another tree and on  
15    51st Street one is being removed today. The shocking  
16    thing about that is someone who lives in the building  
17    adjacent to me was told this morning to put up a sign  
18    they are not going to have electricity today because  
19    they are moving this portable generator, probably the  
20    elevators will be out and whatnot. Find out later.  
21    I encouraged her to come here tonight to tell her  
22    story.

23                    I think some of this stuff that's  
24    going on here the Public Service Commission should



1     hear. I know from reading the letters on the web  
2     you're very concerned about the portable generators.  
3     I am very happy to hear that. Just so you know, the  
4     public is concerned about these portable generators  
5     being out there exhausting fumes into the air, making  
6     noise, and blocking streets.

7                     We pay the highest rates in the  
8     country, highest electric rates in the country. I  
9     think we deserve better than what happened three  
10    weeks ago. The underground network is costly, but  
11    should be dependable. The underground system is  
12    protected from weather, which in most other service  
13    areas causes outages.

14                    In this case, because of Con Edison's  
15    decision to leave the power on it caused much of the  
16    damage and therefore lengthy outages in this area.  
17    Maybe in this case they left power on, I don't know,  
18    it's conjecture. No one said anything, but the Long  
19    Island City network also supplies almost every major  
20    subway line that serves Queens as well as the Long  
21    Island railroad.

22                    I don't know if they actually supply  
23    the whole network, whether they shut down part of it  
24    they still supply those uses, but if they shut down

1 the network they may have caused massive delays or a  
2 whole day of serious problems for New York City if  
3 you can't run the Long Island railroad into Manhattan  
4 or the central subway lines.

5 I don't know if that's why they kept  
6 it on or what the decision was. I am always told if  
7 you get a situation where equipment is going to be  
8 damaged you have to turn off power. That didn't  
9 happen here. Instead the power was left on.

10 I am not second guessing them. These  
11 kind of decisions should be looked at and try to  
12 determine if power is going to be left on and you're  
13 going to burn out part of your system and you leave  
14 people without power for four or five days, who is  
15 going to make up for that, because the Public Service  
16 Law provides that you can't sue Con Edison for gross  
17 negligence.

18 Now, if the decision was made here I  
19 don't know if that's gross negligence, but how are  
20 people going to be compensated for a blackout for  
21 four or five days? That's the basis of the decision.

22 A few things I would like the PSC to  
23 examine. One is the Washington Heights blackout.  
24 Again, how was this different? Why was power left

1     on? Does it have to be left on? Could you shut down  
2     part of the Long Island City grid and bring it back?  
3     Shut down just parts of the Long Island City grid. I  
4     don't know if that's possible or not. I am a lawyer,  
5     not an electrician. I got as far as high school  
6     physics so I understand the basics about electricity,  
7     but as far as Con Edison's power distribution system  
8     I don't know.

9                     It would be good if Con Ed could have  
10    shed some load to the Long Island City network, very  
11    good efforts with the city. La Guardia was off,  
12    Bowery based sewage treatment plant, Rykers Island  
13    had their own generator. Maybe you should look at  
14    some other things, should do more of that. Some  
15    other users, how they can be taken off and generate  
16    their own power.

17                    PSC has a program and Con Ed has a  
18    program to encourage large users to have their own  
19    back up generators. Having said that, I just think  
20    there is another end to this. Can you shed part of a  
21    grid? Can you shut down part of the grid's network?  
22    Apparently they can, which made this situation very  
23    severe.

24                    Another thing is to actually have Con

1 Ed know not just how many customers are out, but also  
2 how many of their lines or equipment is burned out or  
3 not functioning. It appears that in this case they  
4 sent crews out to actually visually inspect the  
5 equipment that don't know whether it's live or  
6 whether they are supplying power or not.

7                   Maybe a hundred years ago it was  
8 acceptable, but I think now Con Ed should know what  
9 they are doing in the field. I mean apparently from  
10 reading the reports this is to the feeder lines, but  
11 not so with distribution network.

12                   This may cost a lot, I don't know,  
13 but there's a lot of equipment out there to monitor  
14 electrical supply system. The transit system knows  
15 they have a command system for their electrical  
16 supply system which is very complex. They know when  
17 a piece of third rail is not energized or not.

18                   Another thing I would like the PSC to  
19 look into is not necessarily, the PSC has no control  
20 over, but New York City uses salt, sodium chloride,  
21 to melt snow and ice on its roads except when it's on  
22 bridges. There New York City uses salt alternative.  
23 I am told it's different departments. City  
24 Department of Transportation puts ice, whatever ice

1 melt on the bridges, and the Department of Sanitation  
2 uses salt on the city streets.

3                   As we heard, the salt washes away  
4 down to the Con Ed system below us and causes  
5 corrosion of the electrical wires. The question is:  
6 Should New York City be asked to use some salt  
7 substitute that isn't as corrosive? I mean this also  
8 causes a lot of environmental problems in New York  
9 City, and even though it's not in the purview of PSC,  
10 it's certainly something the PSC should consider.

11                   I am a taxpayer and a ratepayer so I  
12 got to pay one way or the other. If the cost of  
13 cleaning the streets goes up maybe that's better for  
14 me than the cost of having to replace all these  
15 cables down. So, either way, maybe that's a more  
16 efficient way of doing it.

17                   Living in New York City, being a  
18 ratepayer and a taxpayer, I hope New York City and  
19 Con Ed can work together and come up with a better  
20 solution.

21                   Con Ed's communications with the  
22 public were absolutely atrocious. Many of us were  
23 lead to believe that Con Ed knew there was a problem  
24 in our area, and that they knew we didn't have power,

JEANNE O'CONNELL, R.P.R.       (518) 271-7904

1 had partial power, but then we are told later in the  
2 week you should have called Con Ed and told them you  
3 don't have power.

4 This was Thursday and Friday. What  
5 do you mean call Con Ed? The whole street's out.  
6 The street lights are out. Call Con Ed? Don't they  
7 know what's going on? That was pretty much the  
8 response.

9 I suppose that's--and then they  
10 discovered the problem was widespread. Again, if  
11 they had some monitoring equipment to know that their  
12 equipment had failed this wouldn't have been  
13 necessary.

14 We were fooled. We were told, Con Ed  
15 knows about it. I did call in. I called 311 and  
16 called Con Ed. Calling Con Ed got you in a long  
17 waiting line. Calling 311, the city's number,  
18 someone's very nice, they read you a statement, which  
19 is very aggravating, that says Con Ed's working on it  
20 and they transfer you over to Con Ed and you get to a  
21 Con Ed operator right away.

22 That's some interaction between the  
23 city and Con Ed. A lot of people were told call 311,  
24 don't call 1-800-75ConEd because if you call 311

1     they'll put you into Con Ed quicker. So, maybe  
2     that's a good thing, maybe not. It's something the  
3     PSC should look at in an emergency. Maybe Con Ed  
4     doesn't need a number out there. Maybe everybody  
5     should be told call 311 and they'll put you through  
6     to a Con Ed operator anyway. Con Ed doesn't need an  
7     800 number.

8                     In conclusion, many people are  
9     looking to sue Con Ed. They blame Con Ed for this.  
10    I don't blame Con Ed totally. I am disappointed in  
11    the Public Service Commission. I look to you to  
12    protect my interests, not Con Ed.

13                    We don't know if it's gross  
14    negligence so whether someone can sue Con Ed or not,  
15    we don't know. We don't even know what happened  
16    here. What Con Ed did, why parts of the distribution  
17    system were burnt out, it seems to be a big mystery.

18                    To this day I don't think they told  
19    us. Apparently they don't know. They seem to be  
20    in the dark as much as we are. But I still, I would  
21    like to know and I think this has to be prevented,  
22    because right now my neighbors and I have no faith in  
23    Con Ed. As I said before, very little in the Public  
24    Service Commission.

JEANNE O'CONNELL, R.P.R.     (518) 271-7904

1                   And I am looking to the Commissioners  
2   to come out with a report and recommendations and  
3   force them on Con Ed so there won't be a next time,  
4   because all my neighbors are waiting for the power to  
5   go out in the next heat wave. That's what they  
6   expect. That's the kind of dependability that they  
7   believe is going to happen. They think their power  
8   is going to go out every time there is a heat wave.

9                   I don't think that's acceptable for  
10  the kind of rates we pay and the system we have in  
11  New York City, but I trust the PSC will thoroughly  
12  investigate this failure and require Con Ed to  
13  improve its management of the local grids as well as  
14  many maintenance and improvements that are necessary.

15                  I anxiously await your  
16  recommendations to restore my faith in the Public  
17  Service Commission. Thank you.

18                  (Applause)

19                  JUDGE LYNCH: Thank you very much.  
20  Is there anybody else who would like to make a  
21  statement? Just come up to the microphone and give  
22  your full name. Do you mind giving your address?

23                  MR. ADAMES: Yes.

24                  JUDGE LYNCH: You do mind?



1 MR. ADAMES: No.

2 JUDGE LYNCH: If you could state and  
3 spell your name, please.

4 MR. ADAMES: My name Jose  
5 A-d-a-m-e-s, 641 West 207th Street, New York, New  
6 York, 10034. Apartment 1A.

7 The first I would like to tell you  
8 there is a problem with this hearing. You see almost  
9 empty because there is so many Hispanic people here,  
10 and none of the Hispanic channels said anything about  
11 this hearing, neither have seen in the press. I am  
12 reading every newspaper, but the Hispanic community  
13 in Queens doesn't know about this hearing.

14 JUDGE LYNCH: Is that El Diago; is  
15 that the paper?

16 MR. ADAMES: El Diago, also channel  
17 47, channel 41, they haven't say anything. I haven't  
18 been there 24 hours. The time I seen I didn't see it  
19 on the news or anything, they never mentioned.

20 In the previous hearings, because  
21 this is the second time I come, there is a lady  
22 complain only New York One is covering, but not  
23 everyone is watching New York One. That's maybe why  
24 you have this empty space in here.

1                   I am a technician, major in  
2   electronics. I have ten years of experience working  
3   in the telephone company in Dominican Republic where  
4   we had to control the whole emergency system in the  
5   whole country. So, out of that I am an inventor. I  
6   have a patent on my system to industrialize wind  
7   energy, the new resources that they play in here kind  
8   of game because I have been knocking doors and no  
9   doors open.

10                  They giving out money, when they give  
11   out money they give it to friends, family, relatives,  
12   something, but I have been knocking to see if we can  
13   develop the system. Even when I called attention  
14   they say we want to help independent country. I have  
15   knock the door on Con Edison different times. Door  
16   doesn't open.

17                  JUDGE LYNCH: I want to make sure I'm  
18   understanding. You're saying you have a patent on a  
19   green energy system and Con Ed isn't interested?

20                  MR. ADAMES: They never answered to  
21   me. I have been knocking on the door and never  
22   answered. I even went to college with congressman  
23   and program for developing for ten years and nobody  
24   knew. The money went somewhere.

1                   The problem I want to call to your  
2   attention because I know about the system not only of  
3   electricity in New York City, but all over the  
4   country, how they are interconnected between one  
5   another. That allow me to understand a little bit  
6   what happened here.

7                   As the gentleman said, there is a lie  
8   in here. They don't want to tell the real truth what  
9   happened. What I think happened, because they said  
10  the city was out--Queens was out of power for nine  
11  days. It was actually ten days.

12                  When I learned first about the outage  
13  in Queens, no electricity, no air conditioning. No  
14  nothing. They were stranded without no help, no  
15  nothing. They have been in Queens, every elected  
16  official, because nobody came out from the public,  
17  from the government to say anything, any information,  
18  even Con Ed. Just a blackout. This happened like La  
19  Guardia came back to normal and Queens--I don't have  
20  all the information but it looks to me like they  
21  connected La Guardia to the system of Queens or maybe  
22  they took some of the feeders of Queens and put it on  
23  La Guardia.

24                  I know that happened because I

1     learned that Westchester was without power. Looks  
2     like the line bring La Guardia, something went off  
3     upstate. And you put La Guardia, almost half of  
4     Queens consuming energy you might say. Put it up,  
5     power goes down. The current goes up. Everything  
6     goes up. My home blowing up, wires burning in the  
7     street because there was too much of it.

8                     They connected La Guardia to Queens  
9     or just took the power from Queens and put it in La  
10    Guardia. La Guardia, nobody say anything about La  
11    Guardia.

12                    One day, two days, Queens losing  
13    power. My home getting blown up. Wire burning.  
14    Looks like they said five day, actually six day when  
15    the mayor came and Con Edison told him there is a  
16    problem. Oh, yeah, he make a press conference what's  
17    happening here. We have the mayor that is like the  
18    butterfly jumping from one crisis to another.  
19    Whenever there is a crisis he said a beautiful word,  
20    oh, they are doing the best. It was not true. Con  
21    Edison was not doing the best. They were not even  
22    telling the truth what goes on.

23                    At the hearing at the council they  
24    say 100,000 people went out of power, 200,000 people

1 without power. The first cable that blew was over  
2 67-years-old, but then they say 67-years-old cable.

3 I run for mayor and one of my  
4 programs was in the last elections I will look to  
5 rule out blackout incentive. I look because a  
6 condition of the system, the electrical network of  
7 New York City so far down I am going to--before you  
8 can bring it back to something acceptable.

9 Because I come from a country, I was  
10 in a hundred blackouts, Dominican Republic. When I  
11 saw something like this we had blackout, no money to  
12 buy fuel, we don't have a blackout because of wire  
13 burning and things like that. They overloaded the  
14 system. Something failed. They don't want to say  
15 what it is. Something failed. And I think it's up  
16 there because we are connected internationally,  
17 nationally, with many electrical network around the  
18 country. When something failed put up here, put up  
19 here, something happened. Looks like it was uptown  
20 because Westchester was out of power.

21 I just want to tell you this. Con  
22 Edison, I told we have to because we were talking  
23 about matter of day and life. When I came here last  
24 report I hear about people dead because of related

1     heat wave is people who died, but to our elderly, to  
2     our children, blackout was matter of life. As soon  
3     as they got blackout, the temperature goes up,  
4     pressure goes up, they can die, especially New York  
5     City, say great part of New York City is a death  
6     trap.

7                     When talk about blackout, whenever  
8     you see the skyscraper they have no room. There were  
9     no air conditioners. You are trapped on 20th or 30th  
10    floor. For many elderly people they are trapped.  
11    They won't make it down the stairs. Who knows what  
12    happened on ground zero. Didn't have time to get  
13    down. Body won't let them. Even some of them might  
14    have problems getting help.

15                    New York City is not the place you  
16    open your apartment and call somebody to help.  
17    Somebody might kill you. Some elderly people cannot  
18    open the windows. You cannot play games with this  
19    kind of thing.

20                    The policy of Con Ed, they borrow  
21    some money to invest in the system, changing salt in  
22    here and there, when there is a blackout they spread  
23    a few penny to compensate not only the damage.  
24    People lose their job should be compensated and

1 people lose the salary and talking about merchants,  
2 they should have consent about outage. Every  
3 merchant in here had to file income tax and make an  
4 average how much they earn in one week, not a couple  
5 pennies to compensate.

6 I still have, I have equipment that  
7 got broke down. They never even give me a penny  
8 because of that blackout. That's what I got from  
9 what's going on in here just went out. Washington  
10 Heights it was a cable got burnt. In here something  
11 went off maybe uptown, they got La Guardia out,  
12 connected to Queens, took the power from Queens and  
13 put to La Guardia. That's what happened according to  
14 all the information I am seeing, and but I will  
15 brought you a copy of case I have to court that I  
16 want to introduce.

17 This is the fake or the conspiracy of  
18 Michael Bloomberg to get reelected.

19 JUDGE LYNCH: Excuse me, sir.

20 MR. ADAMES: I know it's out of the  
21 way. I seen the Commission want to put the whole  
22 things on Con Edison.

23 JUDGE LYNCH: The whole thing with  
24 the outage?

1                   MR. ADAMES: With the outage and Con  
2 Edison. We have a mayor that for five, six day was  
3 out of New York City. I don't know where. Somebody  
4 should ask him where were you. He didn't say  
5 nothing. When he came to say something the fifth or  
6 sixth day he give information. I think you came by  
7 airplane here.

8                   JUDGE LYNCH: Excuse me, sir. I  
9 understand you might be frustrated with the mayor.

10                  MR. ADAMES: If I am going to be the  
11 next one, Washington Heights blackout say repealing  
12 the system and nothing else. Washington Heights  
13 there was downtown happened. The people that worry  
14 about you going to have a blackout because  
15 67-years-old cable.

16                  Con Edison's offices say when I went  
17 to the hearing at the Council they repair something.  
18 Even the maintenance for ten year the most you use a  
19 cable. This cable was 67 years old.

20                  I am not trying to put political to  
21 this. I am trying to picture the reality of what's  
22 going on in New York City, especially we are playing  
23 for life. We had to rule on unacceptable blackout.  
24 Nothing we can say for tomorrow and had the power to



1 do it. Just they playing games.

2                   When they get some money from  
3 whatever they put some money in there, but they play  
4 to make socially acceptable blackout. I said that  
5 election that time because I knew the program's in  
6 here and going to keep a copy. Somebody should tell  
7 you La Guardia, you can trust it. Put the air  
8 conditioner on, cannot have power. I don't know if  
9 not enough power or isn't enough new cable. They  
10 haven't tell you. Can I trust La Guardia to go in  
11 there like the first thing that happened? Nobody  
12 knew anything.

13                   I wanted to submit this for you to  
14 have an idea what you dealing with here in the city.  
15 It's a crisis and you have a mayor jumping from  
16 crisis to crisis to say a few words. Didn't say  
17 anything about when they checked. I think La  
18 Guardia, important price for people to use.

19                   How come the mayor hasn't said a  
20 word?

21                   JUDGE LYNCH: Sounds to me like it's  
22 tangential. I will come down and take it from you to  
23 look at it.

24                   MR. ADAMES: We are talking about day

1 and night for elderly people and children. I just  
2 wanted to let you know about this case that happened.  
3 Hispanic girl, she got killed and the news reporter  
4 say overloaded system need big fix to prevent another  
5 tragedy. Out of that tragedy --

6 JUDGE LYNCH: What's the tragedy that  
7 you are referring to?

8 MR. ADAMES: A girl that was--Ms.  
9 Murray. She was under the child care service in the  
10 school and everything. She died. Kind of was racial  
11 or something because the father, she got beat.

12 JUDGE LYNCH: Excuse me, sir. How is  
13 this related to the outage that occurred recently?  
14 Excuse me, you have to answer my question. Is this  
15 about the outage?

16 MR. ADAMES: It's related in the  
17 sense you have a mayor and running like part-time  
18 mayor in a city like this. We need a full-time  
19 mayor.

20 JUDGE LYNCH: Okay. I am going to  
21 ask you to conclude, sir. I believe that's really  
22 tangential. We are certainly here to listen to  
23 comments about the outage, what caused it, answers to  
24 the questions, and if you have comments that are

1 responsive to those questions I am happy to let you  
2 continue, but you really have gotten off the point,  
3 sir, at this point.

4 Do you understand what I said?

5 MR. ADAMES: Yes, sir. You have to  
6 direct your investigation from what happened. Did  
7 they connect La Guardia to Queens.

8 JUDGE LYNCH: I understand that  
9 point. Thank you very much.

10 Next speaker is Elizabeth Rosenthal.

11 MS. ROSENTHAL: I live in Queens,  
12 Woodside. I want to know why it took Con Edison so  
13 long to let the people know how many outages there  
14 was, and what happened with Mayor Bloomberg that he  
15 didn't come out to Queens until Thursday. I mean he  
16 goes to Washington Heights. He goes to Staten  
17 Island. What happens here in Queens with us? And I  
18 think it's a damn shame.

19 Even though they are working on 46th  
20 Street between Greenpoint and 47th Avenue, since a  
21 week and a half ago they dug the streets up. There's  
22 not one Con Edison guy working. They are sitting on  
23 the side in a chair. And I want to know what can be  
24 done about it.

1 JUDGE LYNCH: Where is that?

2 MS. ROSENTHAL: 46th Street between  
3 Greenpoint and 47th Avenue. They dug up the whole  
4 street, they got the yellow cones, you will see a  
5 blue car there and the old man--guy is sitting on a  
6 lounge chair, not doing anything.

7 JUDGE LYNCH: Okay.

8 (Applause)

9 At this point I don't have any other  
10 comments.

11 MR. ADAMES: One thing.

12 It's the question from this lady.  
13 Please get a copy of the hearing at the City Council.  
14 Con Edison was supposedly answer question. Con  
15 Edison doesn't have any way to tell, as they said  
16 themselves, how many people out. Fourth or fifth day  
17 sent teams, how many people went out, hundred  
18 thousand teams were supposed to know what's going on  
19 because when they went out in the street no  
20 electricity in the traffic. And they going to say  
21 the system is so old they don't even have idea how to  
22 tell how many people. They have to rely on the  
23 people that called them if they are working because  
24 it was overloaded.

JEANNE O'CONNELL, R.P.R. (518) 271-7904

1                   But even after ten days when they  
2    come to the hearing at the Council they didn't know  
3    how many people were out.

4                   JUDGE LYNCH:   So I understand your  
5    comment is that they don't know what the people are  
6    that are out.   And I don't know if it's really  
7    responsive to the lady's question.   What I could say  
8    is that now that we have that information that's  
9    something that the people doing the investigation are  
10   aware of.   They will be aware of that and they can  
11   follow up on that as appropriate.

12                  MS. ROSENTHAL:   Just a shame we are  
13   losing all this power and nothing is getting done.

14                  JUDGE LYNCH:   I understand that.

15                  MS. ROSENTHAL:   He's being paid to  
16   stay there 24 hours a day.   You come home 11 o'clock  
17   at night you will see somebody there, but if there  
18   are any kids could run, there are wires, children can  
19   get hurt or anybody can get hurt.

20                  JUDGE LYNCH:   I understand that you  
21   are saying it's a serious situation and needs to be  
22   looked at.   I think that has been communicated.   I  
23   think I understand it and the people that read this  
24   will understand it as well, Ma'am.

1                   SPEAKER: The work ethic of Con  
2 Edison is a disgrace.

3                   MS. GARRISON: Kathy Garrison. I  
4 want to tell you what this lady just was saying is  
5 absolutely right on. The work ethic of Con Edison in  
6 them trucks is a disgrace. They look you right in  
7 the face or sitting in the trucks sleeping and they  
8 don't do jack. And I don't know who is supervising  
9 who. They are making \$50 an hour and the damn horn  
10 is blowing and burning dogs and killing women. Where  
11 are you all those years?

12 JUDGE LYNCH: All right. At this point we are going  
13 to remain available. We are going to go off the  
14 record. If there are any further cards for people  
15 who want to comment. Assemblywoman Nolan.

16 ASSEMBLYWOMAN NOLAN: The turnout is  
17 not as great as we had hoped. We will continue to  
18 get people to mail in until September 25th.

19 JUDGE LYNCH: I have asked people to  
20 comment as soon as they can. Thank you very much.

21 (Recess taken.)

22 JUDGE LYNCH: We are going to call  
23 this hearing back to order. Queens Borough President  
24 Helen Marshall is here this afternoon and would like

1 to make a statement. Thank you very much for coming.

2 MS. MARSHALL: Thank you very much.

3 I am Helen Marshall, president of the borough of  
4 Queens. Before I begin, I would like to thank the  
5 Public Service Commission in convening this hearing,  
6 and I want to acknowledge and applaud the efforts of  
7 my colleagues in government, especially Council  
8 members Vallone and Gioia, Assembly members Michael  
9 Gianaris and Cathy Nolan, along with Congressman Joe  
10 Crowley. They have all been invaluable partners  
11 during this difficult time for our borough.

12 We are delighted to have the members  
13 of the Public Service Commission here with us in New  
14 York City in the district where the outages have  
15 historically been the worst in the city. The power  
16 outages that occurred last month should never have  
17 reached the level that they did. 100,000 people, an  
18 estimated 25,000 residences, and almost 1,000  
19 businesses had to endure terrible hardship due to  
20 this electric failure.

21 It is ironic that people living  
22 within a view corridor of the power plants were  
23 without power. These power plants generate more than  
24 half of our city's power, which has been an issue for

JEANNE O'CONNELL, R.P.R. (518) 271-7904

1     this area for many decades.

2                     As citizens of the greatest city in  
3     the world, we put our trust into our public  
4     utilities, and in the Public Service Commission for  
5     overseeing their operations. We usually take it for  
6     granted that when we plug in an appliance, or turn on  
7     the light switches, that we will have power. But for  
8     up to ten days the communities of Long Island City,  
9     Astoria, Sunnyside and Woodside that trust was tested  
10    in a way that it never should have been.

11                    Electric power is our lifeline.  
12    While Con Edison through deregulation does not  
13    control the source, it does control the distribution.  
14    We should be more proactive and not reactive. A  
15    report is coming out which will detail the causes of  
16    the power outages. We await the analysis.

17                    It is a given that the Public Service  
18    Commission, Con Edison, and the generators of our  
19    electric power are all accountable. There were  
20    obvious breakdowns in the infrastructure, decision  
21    making, communication, and the response process.

22                    I believe that the Public Service  
23    Commission should take the lead in mobilizing all  
24    parties concerned, looking at these issues and taking



1 the steps necessary so that this type of situation  
2 does not happen again.

3 Our electrical system is aging and  
4 fragile. This has been pointed out time and time  
5 again.

6 In a report by the Attorney General  
7 it was noted that many components of the Con Edison  
8 distribution network were vulnerable to heat and that  
9 the utility, "did not take adequate steps to  
10 identify, repair and replace such components". We  
11 can send a man to the moon but we cannot properly  
12 insulate wires.

13 In the 21st century, we should not  
14 have to get by on early 20th century technology.  
15 Most of the housing in northwest Queens was developed  
16 in the first few decades of the 1900s.

17 Today, these homes are filled with  
18 appliances, computers and equipment that never  
19 existed until a few generations ago. We have the  
20 technical know how to keep up, why can't we?

21 I understand that even though Con  
22 Edison boasts at how much they have spent to upgrade  
23 our system, the actual monies they have spent has  
24 decreased from \$460 million in 1993 to \$260 million

1 in 2004. How was this possible given the fact that  
2 so much development has taken place during this time?

3 In the past five years Queens has  
4 become the center stage for development, particularly  
5 in the Long Island City area. New businesses, new  
6 residences, new cultural institutions, new shops and  
7 restaurants have changed the landscape of Astoria,  
8 Sunnyside and Queens Plaza and Queens West. How are  
9 we going to continue to attract development if we  
10 cannot guarantee basic services?

11 Con Edison engineers had to make  
12 difficult decisions on July 18th. Was the city party  
13 to these decisions? And if not, why not? Con Ed  
14 surely knew the effects of any decision they were to  
15 make, either shut down the entire network, which  
16 would have caused a wider blackout that may have been  
17 able to resolve the problem quicker, or what they did  
18 instead, which was to keep the power running and risk  
19 more damage to the system.

20 Clearly a choice between two terrible  
21 possibilities, but if these are the choices shouldn't  
22 the city be there when it is being made? Someone at  
23 Con Edison had to know the consequences and those  
24 should have been shared with city officials and

1 Public Service Commission officials immediately.

2 Before the power outage the public  
3 received standard notification to conserve  
4 electricity. While this was all well intentioned, it  
5 certainly did not reveal the urgency of the  
6 situation. And in the first day of the outage there  
7 was such poor communication about what was happening,  
8 how was this allowed to happen?

9 The irony is that when announcements  
10 were made only those in areas not impacted were  
11 receiving information. People in northwest Queens  
12 had limited or no access to T.V., radio or internet.  
13 For them, our first rate city became the equivalent  
14 of a third world country where information was  
15 limited at best.

16 Queens has an incredible network of  
17 civic associations, business associations and  
18 educational institutions that, if notified of events  
19 as they were taking place, could have come to the aid  
20 of residents and businesses in a more expeditious  
21 manner.

22 I suggest that Con Edison establish a  
23 direct communication with our city government. It  
24 was not until four days into the outage that we were

1 told about the true number of people who were  
2 impacted. In this day and age, Con Edison should  
3 have the capability to give an accurate assessment of  
4 the number of consumers who do not have service.

5 Numbers count. Numbers determine  
6 corrective action. I have been inside of Big Allis,  
7 a major generator, observed its control center. Very  
8 impressive. I have seen its impressive technology at  
9 work. If it cannot indicate the damage, it must be  
10 updated. They should not have to wait until calls  
11 start coming from people sitting in the dark rooms  
12 before determining that information.

13 Does the Public Service Commission  
14 have a protocol for this type of event? And if so,  
15 was it followed?

16 This event tested both Con Edison's  
17 response and subsequently the city's response. Con  
18 Ed crews did come out early on with about 300  
19 technicians, but it was a few days before they  
20 increased their force to approximately 500 who came  
21 out in force and additional crews were also called in  
22 from other utilities.

23 Was Con Edison unsure of the extent  
24 of the damage and what needed to be done? By the end

1 of the power outage there were hundreds of crews out  
2 on the streets.

3 As the urgency of the situation  
4 became apparent, at the mayor's directive  
5 Commissioner Joe Bruno of Office of Emergency  
6 Management coordinated an impressive array of  
7 officials from all appropriate agencies, as well as  
8 the Red Cross.

9 It may have taken longer than it  
10 should--but I go back to Con Edison's less than  
11 adequate communications for creating that  
12 situation--but we learned at the mayor's on site  
13 conference in the trailer when we had the press  
14 conference that the responses from all agencies was  
15 stellar.

16 OEM, Human Services, police, fire,  
17 and small business services were on top of the  
18 situation and they are still there following up. It  
19 became apparent that even a major utility like Con  
20 Edison needed the city's intervention and services in  
21 such an emergency.

22 Technology and people are fallible,  
23 and mistakes are made. We know that, but we must  
24 learn from these mistakes. Our city has had a

1 history of power failures. Each time they cripple  
2 the city in various shapes and forms.

3 In 1965, 1977, 1999 and 2002  
4 inadequacies were made that caused the lights to go  
5 out. I cannot believe that we do not have the  
6 knowledge, technical expertise and power to insure  
7 that this does not happen again. That should be the  
8 outcome of this entire investigative process.

9 The weakness of the Long Island City  
10 network has been evident since the year 2000, and in  
11 the wake of September 11th, which already shook our  
12 city, we cannot afford to have tens of thousands of  
13 New Yorkers plunged into darkness for more than a  
14 week.

15 The Public Service Commission, in  
16 approving Con Edison's latest rate increase, required  
17 an investment of \$3.4 billion to be spent over three  
18 years in its distribution network, infrastructure and  
19 the improvements.

20 Did you members of the PSC really  
21 oversee how that money was spent? I am particularly  
22 concerned about the Long Island City network, the  
23 worst in the city. One feeder cable of that network  
24 was 67-years-old. Normal lifespan of a cable is 40

JEANNE O'CONNELL, R.P.R. (518) 271-7904

1 to 50 years.

2 That cable broke down six times in  
3 one year. With deregulation, what did the Public  
4 Service Commission do about the dual control of  
5 source by various distributors and also the source  
6 and the distribution which is the responsibility of  
7 Con Edison.

8 The people of northwest Queens  
9 suffered greatly, but it is a testament to their  
10 patience and sense of community that they stood  
11 together. Crime did not increase, neighbors looked  
12 out for each other, and as true New Yorkers, their  
13 spirits did not waiver.

14 These people, many of them working  
15 class from every corner of the globe, put their trust  
16 and faith in the city, and now the city, Con Edison  
17 and the Public Service Commission will have to do  
18 everything it can not to test it again.

19 I want to say instead of them falling  
20 apart their feelings turned into anger. I have never  
21 seen residents so angry in my whole life, and I have  
22 been in public service for many, many years. They  
23 are very, very angry at anybody--Con Edison, Public  
24 Service Commission, everyone. We shouldn't really

1 have our people in that state of mind.

2 Some suggestions that were made is  
3 that we only have 50--Mr.-- the head of the?

4 JUDGE LYNCH: Burke.

5 MS. MARSHALL: The head of Con  
6 Edison, Mr. Burke. He said, he testified that they  
7 only had 50 generators available. We must look to  
8 manufacturers that will increase that number.  
9 Generators should be distributed to drug stores where  
10 medicine can perish without refrigeration, which we  
11 experienced that. People went without power. Their  
12 insulin was spoiled and many who lived on high level  
13 buildings and we're not able to move around.

14 So, that would be one thing. We need  
15 to look at the whole question of the generator  
16 supply. Also, large buildings that are above a  
17 certain height must have on site generators for two  
18 reasons. One is to keep the elevators moving and the  
19 other is to keep the water system intact. Both need  
20 electricity. We need to know of sources for clean  
21 drinking water and ice. Every building, depending  
22 upon its size, should have a blackout plan. And  
23 lastly, there must be a definite coordination between  
24 Office of Emergency Management and Con Edison.



1                   An emergency of this dimension  
2   requires the strictest of communications between the  
3   city and the energy structure. Thank you very much.  
4   If you have any questions I'll be happy to answer.

5                   I would like to add that Carol  
6   Coslocky is our Queens representative on Con Edison,  
7   called me early in the morning to let me know the  
8   outage did occur and told me the dimensions of the  
9   problem, and stayed in touch with me really  
10 throughout this entire process.

11                  Also, Seth Commins, Commissioner  
12 Bruno's office, Office of Emergency Management,  
13 stayed with me and worked with me throughout the  
14 entire span of this blackout.

15                  I do want to give credit for that.  
16 People were trying, everybody was trying but we  
17 really need to look at the system and make sure that  
18 it's upgraded. We cannot have this kind of outage  
19 and this kind of pain inflicted on our people.

20                  There were some deaths from this one  
21 and we know it was very hot weather, but we must plan  
22 ahead. We should be planning ahead to take control  
23 as much as we can of power outages especially when it  
24 reaches extreme stretches of very high temperatures.

JEANNE O'CONNELL, R.P.R.       (518) 271-7904

1                   I appreciate the Public Service  
2 Commission. I am glad that you are here and I spoke  
3 there also to a person from the Public Service  
4 Commission and they did tell me that Con Edison must  
5 submit a plan within 60 days, which is an evaluation  
6 of what happened and I'm assuming also ways it can be  
7 cured, but clearly we need to get into that ground  
8 and upgrade those wires. Thank you very much.

9                   JUDGE LYNCH: Thank you. It's my  
10 understanding that that's the last speaker at this  
11 hearing. And we are--at this time I have  
12 approximately almost ten minutes to three. We are  
13 going to adjourn until 7:00 p.m. here tonight.

14                   Thank you very much.

15                   (Hearing adjourned.)

16

17

18

19

20

21

22

23

24