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Case 06-M-1078 - Proceeding on Motion of the Commission to Audit the Performance of Consolidated Edison Company of New York, Inc. In Response to Outage Emergencies.

Case 06-E-1158 - In the Matter of Staff's Investigation of Consolidated Edison Company of New York, Inc.'s Performance During and Following the July and September Electric Utility Outages.

Public Statement Hearing
Justice Court
350 North Main Street
Port Chester, New York

October 12, 2006
7:00 p.m.

PRESIDING:

ROBERT E. CURRY, JR., Commissioner

ELEANOR STEIN,
Administrative Law Judge

Reported by: Jeanne O'Connell, R.P.R.
(518) 271-7904

ORIGINAL

1 JUDGE STEIN: Let's begin the public statement
2 hearing. This is a public statement hearing presented
3 by the New York State Public Service Commission. This
4 hearing is in two Public Service Commission proceedings
5 that are going on now that are state investigations of
6 the recent Con Edison outages in Westchester County.

7 And I will just say a word about each one. One
8 is case 06-M-1078, and that's a proceeding to audit the
9 performance of Consolidated Edison in response to outage
10 emergencies; and the other is case 06-E-1158, which is a
11 staff investigation of Consolidated Edison's performance
12 during and following the July and September electric
13 utility outages.

14 My name is Administrative Law Judge Eleanor
15 Stein, and I am joined with Public Service Commissioner
16 Robert Curry.

17 COMMISSIONER CURRY: Just like to welcome you all
18 to this gathering. We appreciate the insights that you
19 bring. The experiences that you can recount are very
20 important to us. We found them useful in viewing the
21 circumstances that gave rise to these two proceedings.
22 And we thank you for taking the time to come here.
23 Particularly there was a Mets fan who is here in spite
24 of the fact there is a game on tonight, so, thank you.

1 JUDGE STEIN: As you see, we have a court
2 reporter, and she is transcribing everyone's remarks.
3 And the statements that you make here tonight will be
4 transcribed and will be made part of the official record
5 of these Public Service Commission cases, and they will
6 be among the material consulted by the Commissioners as
7 they make their final decisions on these matters.

8 So, we very much appreciate you adding to the
9 record in these cases. So, as you speak, please be
10 aware that she is writing down everything you say. If
11 people are going too fast or difficult to understand I
12 will remind you.

13 We have some--if you would like to comment on the
14 case but you don't want to speak, you can speak to
15 our--the Department of Public Service staff members who
16 are in the room in the back on that side, who can tell
17 you other ways of filing your comments with the
18 Commission.

19 I will just say a word about the cases. They
20 were instituted in response to the complaints by
21 customers about Con Edison's slow response to the
22 outages, delays in restoration of power, real problems
23 with communications, and lack of information provided to
24 customers.

1 And similar complaints were directed against the
2 company after storm related outages that occurred in
3 July 2006. And that is the subject of these two Public
4 Service Commission proceedings. And with that, I would
5 like to invite you up to come and speak.

6 The first speaker is Mr. Williams.

7 MR. WILLIAMS: Thank you, Madam Chairman and
8 representative. My name is William F. Williams. I am
9 the Village Manager of the Village of Port Chester, New
10 York, and welcome to Port Chester and thank you for
11 hosting the hearing in Port Chester.

12 As you know, during both incidents, July and
13 September, Port Chester was one of the communities that
14 was severely impacted. And my role here tonight is to
15 explain what I do and why I'm concerned.

16 I am the Village Manager and Chief Executive
17 Officer, and under the procedures set out by the Board
18 of Trustees I am the national incident commander for
19 emergencies and assume what some other communities would
20 be the elected officer and communicate with Con Ed and
21 other officials during disasters. With me--perhaps
22 following me--is the general foreman, who is essentially
23 the second in command and manages the field operations.

24 During both of the events of Con Ed we maintained

1 a staff command center, sometimes in this building 24/7,
2 and sometimes at 10 Pearl Street, where our offices are.
3 We had radically different experiences between the two
4 outages.

5 In the first outage in July, it started as a
6 feeder cable outage that occurred during a tremendous
7 heat wave that put a lot of people that lived here in
8 serious jeopardy that were elderly and other means.

9 During that time, Con Ed's response to us in
10 communicating it was rather fluid and seemed to be
11 orderly and responsive. Restoration occurred over six
12 hours, over 12 hours, and soon everything was back on.

13 Even when the storm hit that night, which was
14 unexpected, over a period of 24 to 48 hours, with a Con
15 Ed representative at the site 24/7, we were able to
16 communicate and establish priorities, and regardless of
17 whether or not outside of the room was satisfied, we
18 were doing well compared to other people.

19 Of course the constituents of Port Chester were
20 not happy, and the reason why I am here tonight is
21 because most of them feel that the mayor and board of
22 trustees, maybe myself, didn't get off his behind, and
23 that we are responsible for the failures of natural
24 emergencies or the performance of Consolidated Edison,

1 which may or may not be true.

2 Suffice that, the Commission needs to know some
3 local officials are organized to communicate those down
4 lines and those instances to the appropriate Con Ed
5 officials. If the residents and people who testify feel
6 that that isn't responsive, whether I agree or not, the
7 issue for me is not to examine totally communication.
8 Communication to residents on the hotline may or may be
9 adequate and non-responsive, but worse is when
10 communication to local officials on restoration is
11 either there or non-existent.

12 In the first instance, there was some in July.
13 In Labor Day it almost was hardly any. Probably until
14 three to four days where information became credible.
15 What surprised me, and I suppose Labor Day weekend had a
16 lot to do with it, is this was the first time where
17 there were no boots on the ground for three days in the
18 community even though roads were blocked.

19 Now, maybe that is the result of the mass of the
20 emergency, but we were shocked about that, and the
21 disorganization in communicating when they came to us
22 was appalling. After the fourth day, in some sort of
23 more of measured response, crews did appear but never in
24 any organized way where they would stay in the community

1 until the roads that were closed were opened.

2 This impacts largely the general foreman and the
3 people that are required to remove storm and tree debris
4 who, in this community--and I talked to other
5 officials--wait for Con Ed to appear with tree crews.

6 So, if I make the case Port Chester comes to
7 remove the trees, they will do the cutting as best as
8 they can. I even hire tree crews. All we are waiting
9 for is linemen to disconnect the lines and we will clear
10 the street and let them do their work.

11 Not everybody else does that. I heard the
12 municipal calls, they don't have crews or they don't
13 care. But some towns, and there are many, that are
14 proactive, and this one is. Despite that fact, things
15 between the foreman and the center were very weak in
16 that regard, and we were very frustrated with that, and
17 as a result of it some remarks may have been made in the
18 heat of the exchange which are overly zealous about
19 this, but the people feel, regardless of this, wings or
20 not, that the restoration should appear more orderly and
21 with better communication.

22 If I don't know what it is I have to tell you
23 there is no way 1-800-75CONED is going to tell you. I
24 have established, to your surprise, I know you won't

1 believe this, e-mail records with Con Ed, that the
2 county of Westchester has a record system of e-mails,
3 cell phones of every municipal official and emergency
4 contact established for over a year. None of that
5 information had been shared previously with officials
6 from Con Ed.

7 When emergencies occur, faxes were sent to
8 someone, inappropriate faxes, claimed by some officials
9 that they never got. So, I explained to Commissioner
10 Sutton of Westchester County it would be very simple if
11 you are worried about how to reach us weekends, nights
12 or off hours, that we release this information to public
13 affairs and if you choose to use it it's there.

14 During the emergency, just like 9/11 and other
15 times, people said they didn't know how to reach people.
16 Other officials claimed they couldn't get information to
17 Con Ed. They didn't know.

18 I want you to understand there are procedures in
19 effect for--

20 JUDGE STEIN: If you will just speak a little bit
21 more slowly.

22 MR. WILLIAMS: There are procedures to
23 communicate with each other. Most of us have the
24 appropriate Con Ed numbers that are secure to call.

1 What really means something to me is if at the end of
2 the response I find information that is helpful, and in
3 the events of September 2006 they were not.

4 And in conclusion, I can only say that I
5 appreciate the opportunity to testify to you, and I
6 thank you for hosting a hearing in Port Chester.

7 JUDGE STEIN: And we certainly appreciate your
8 allowing us to use this facility and the kindness that
9 everyone here has shown us.

10 Could you--I am not sure I completely understood
11 what you were saying about the e-mail record. That was
12 a record of your communications with Con Edison or
13 internally?

14 MR. WILLIAMS: Right. I established records of
15 responses back on locations, but Con Edison faxes
16 information to communities based on a phone list to its
17 town hall and/or PD. Some of the supervisors or other
18 people through the numerous conference calls I endured
19 kept saying we don't get any information.

20 And this county organized itself in the summer
21 with the county with hurricane training. Con Ed
22 representatives were there. But apparently some
23 individuals--this is not--this is typical--don't have
24 their act together all around us. It isn't just a

1 utility issue.

2 When the event happened finger pointing occurred
3 on how we notified them, and sometimes I feel that's our
4 responsibility because some of us know how to use e-mail
5 or other means, or establish that you need to know that
6 part of the communication is not everybody knows how to
7 communicate with Con Ed, and how to establish that
8 communication from a municipal level and to speak
9 through one voice and to be organized and not to be
10 redundant or erratic.

11 Customers is a separate issue. We're talking
12 about municipal people, closed streets, blocked streets,
13 and unsafe conditions based on live wires which we
14 report.

15 JUDGE STEIN: Thank you very much. I appreciate
16 that clarification.

17 MR. WILLIAMS: You're welcome. Have a good
18 evening.

19 JUDGE STEIN: Gary Racanelli.

20 MR. RACANELLI: My name is Gary Racanelli. I am
21 the general foreman for the village of Port Chester.

22 I think Bill Williams pretty much summarized
23 what's gone on in the last couple of storms. I think a
24 couple problems that we have here with Con Edison that I

1 have seen since I have been the general foreman here is
2 that I think communication is one of the biggest
3 problems here.

4 We had a command center here in the last storm,
5 who a gentleman would be here with Bill in the office.
6 I would be on the road with my assistants. I would be
7 giving them phone calls back and forth of the locations
8 of trees that were down, power lines that were down,
9 lines that were off houses.

10 They would talk to Con Ed people. We would be
11 out there waiting for supervisors to come out to the
12 scene to see what needs to be done. As Bill said, we
13 have a tree crew here. We have spoken to supervisors
14 plenty of times that came here and told them if a tree
15 was down across the road, or power lines were down, that
16 we were ready for them to remove the trees, come in,
17 disconnect the power for us so that we can remove the
18 trees and they would be able to restore the power.

19 I think one of the problems there is that most of
20 the supervisors that I spoke to on the road weren't from
21 the areas around here. I would get supervisors that
22 told me they were from the city, supervisors that were
23 from Brooklyn, they didn't really know the areas. They
24 were waiting for other supervisors from this area to

1 come down that could help them out with locations.

2 We are willing to help Con Ed. The problem is
3 with Con Ed the story always was to me is that we will
4 have crews here tonight by 10:00, or we will have crews
5 here tomorrow morning by 6:00. I would say to them,
6 look, here's my card, here's my number. As soon as you
7 need us, we are on call 24/7, we will do whatever we
8 would have to do to help you out and restore the power.

9 The other remarks that we were getting by a lot
10 of residents were that we would come out to look at the
11 tree where the power lines were down. They says that
12 they were calling Con Ed. Con Ed's answer to them is
13 that they cannot restore the power until the trees were
14 removed.

15 Now, I mean, we are there. We are sitting there.
16 We're waiting for them. So, we are there to do our job
17 and we are waiting for them. We have waited this last
18 storm--I can honestly say we didn't see a Con Ed truck
19 in Port Chester for two days.

20 Now, when we spoke to the supervisors about that
21 the answer was we were told to go to certain areas and
22 we were told to go here and go there. The problem we
23 have here as workers is that we have residents call us
24 24/7 too, and they don't want to hear that somebody's

1 not coming for two days or three days. We pay our Con
2 Ed bills just like everybody else does. Why don't we
3 have trucks here? I can't give them that answer.

4 And the trucks that we did get here on the last
5 storm were trucks that were here from Virginia. So, we
6 didn't have anybody close here that we had to wait for
7 people from Virginia to get here. That's why people
8 were getting very frustrated here in the village.

9 I think that's what one of the major problems
10 are. It's always that Port Chester seems to be last
11 when we have big storms, only for the reason that we
12 don't maybe have as many power outages as some of the
13 other towns and municipalities have. That seems to be
14 the excuses that we have been getting.

15 JUDGE STEIN: I want to make sure I understand
16 one thing that you were saying. You were saying that
17 your--kind of your rules are, or perhaps these are Con
18 Edison's rules, that if there is a tree cutting problem
19 or tree down problem you will wait until Con Edison can
20 verify that it's safe to go ahead and remove the tree;
21 is that correct?

22 MR. RACANELLI: Right. We usually wait for a
23 supervisor to come out. They look at it, they tell us
24 either to stay away from it or we will have a crew to

1 cut the power off and you guys can do whatever you have
2 to do. That was happening, and they would tell us there
3 would be a crew here tomorrow at 6:00, make sure your
4 crew is out here. My crew would be out there and nobody
5 from Con Ed would show up.

6 There was some locations where they would tell me
7 Con Ed trucks will be here tonight 10:00 to have this
8 block on, that block on, and there would be a gentleman
9 from Con Ed who would be sitting in a car for six or
10 eight hours or through the night, and the next morning I
11 would get there and the same gentleman would be sitting
12 in the car in the morning and the power would still be
13 off.

14 Like I said, I think communication is a problem.
15 We like to work with Con Ed. It seems like once we got
16 going after two or three days here with them it seemed
17 like things got a little smoother than it did.

18 The other thing it seemed like we had a problem
19 last storm here is that our Main Street district was the
20 last district to get any power in the whole village.

21 JUDGE STEIN: That's right where we are now?

22 MR. RACANELLI: Further down Main. I mean your
23 downtown area, as far as I am concerned, shouldn't be
24 the last area to get power.

1 JUDGE STEIN: Thank you very much.

2 John Garvey.

3 MR. GARVEY: Good evening. My name is John
4 Garvey, resident of Port Chester. I lost power at 5:00
5 p.m. Saturday and I did not get it back until 2:00 a.m.
6 Thursday. There were approximately 12 other houses on
7 my block also out for that amount of time.

8 I called them, Con Ed, every--twice a day from
9 Monday until Thursday--until Wednesday, and they told me
10 somebody be out. I told them that all the power in Port
11 Chester was back except for approximately 12 houses. I
12 said that the transformer must have tripped, but they
13 said, we will send somebody out. Nobody came until 2:00
14 a.m. Thursday morning. That's about it.

15 JUDGE STEIN: Thank you. When you called them
16 they assured you that someone would be there?

17 MR. GARVEY: Yes. Something else. Wednesday
18 night there was a man going around with a flashlight
19 checking lines, and my neighbor saw him, went out and
20 asked him what he was doing. He said he was checking
21 the house to see if they had lights on. He said, there
22 are lights on but they are candles or storm lanterns.
23 Nobody has power. He didn't seem to believe him.

24 So, on Thursday, I saw another guy out there with

1 the light. I asked him what he was doing. He said from
2 Con Edison and he's just checking around. I told him
3 there was a branch just about laying on the wires going
4 into my house. It's very dangerous. I would appreciate
5 it they get it down. He said, I'll call it right in and
6 it will be taken care of, but I haven't seen anybody
7 since.

8 Thank you.

9 JUDGE STEIN: Thank you very much. Seth Stern.

10 MR. STERN: Good evening. You heard from my
11 mother earlier today in Greenburgh about the horrors in
12 White Plains.

13 JUDGE STERN: Rise.

14 MR. STERN: I am over in Scarsdale. She is the
15 cool and collected one. I am the one that Con Ed loves
16 to hate.

17 I have a map that shows the area that was
18 affected. This actually goes back to the incompetence
19 in July. I live on Wiltshire Road in Scarsdale. It's
20 literally a street about the size of this room. It's a
21 driveway into a co-op complex.

22 On Tuesday night during the microburst our power
23 went out about 10:00, 10:30. We called into Con Ed.
24 They said they knew it was out. I went to drive to my

1 parents' house to check up on them. Normally a five
2 minute drive away, an hour and 20 minutes because
3 everything was down.

4 Pulling out of my complex, if I moved to the
5 right, everything up Dorchester, South Morris and the
6 rest of my area had power. There was one line down at
7 the junction of Dorchester and South Morris Lane. That
8 was down and it knocked out three blocks, the 60 plus
9 units that are on Wiltshire Road in a co-op. The rest
10 of Dorchester from around the curve out Wiltshire, back
11 up to Morris, and part of South Morris. Everything else
12 had power.

13 Con Ed blamed it on the storm stating a limb
14 knocked it down. My friend's not even a year old son
15 could pick up the branch and move it off of what they
16 claim knocked down the line. It was like a twig. They
17 supposedly sent a crew to repair it. They said it was
18 repaired.

19 That Thursday, New Rochelle fire department was
20 called. The same wire was left coiled at the bottom of
21 the pole live, and they finally restored the power on
22 Friday.

23 After countless calls, not once was it mentioned
24 that there was dry ice available. Not once was an

1 accurate estimate given. If not for the fact that the
2 Mayor of New Rochelle stepped in that we would probably
3 not have had power back until after that weekend.

4 And it's ridiculous that Con Ed can hide behind
5 the fact that the storm caused the initial outage when
6 their first crew came back and fixed the power and power
7 was back, and yet we are getting told it will be back,
8 it will be back, but according to them it was back. For
9 them to be able to hide behind their mistake and blame
10 it on the storm to deny claims is ridiculous.

11 At that point I had just gotten laid off two
12 weeks before that. Being responsible, I had the money.
13 I knew things were going to be tight. Stocked up my
14 freezer with everything. Now, if they had said dry ice
15 was available I probably would not have lost \$300 worth
16 of food that was in my freezer and fridge.

17 If they repaired the job, maybe one of the
18 companies that had called was trying to get in touch
19 with me that week because my phone was out because I had
20 voice over internet and they didn't have a cell phone
21 phone number for me. Maybe I would have had a job then
22 instead of waiting until October.

23 When you are trying to deal with Con Ed you get
24 the form rejection letter and you had to fight to get in

1 touch with the person that rejected your claim. And you
2 were able to do that and you were transferred up to Dan
3 Paretti up in Rockland. I have never been treated so
4 disrespectfully in my life.

5 Between the customer service people saying dry
6 ice was available, it was listed on the Internet. You
7 know, excuse me, for two in the morning sitting in a
8 hotel lobby just so I could use their wifi on my laptop,
9 not thinking to go to the Con Ed website to see, oh,
10 gee, I could get dry ice. Most people 2:00 in the
11 morning are asleep.

12 Mr. Paretti flat out said we don't care. Storm
13 knocked the tree down. Tried to go over him. No sooner
14 did I hang up the phone with him that an e-mail was sent
15 to the chairman's office. That was the number some
16 caring person at the 800 CONED number gave me to call.

17 They told me call Mr. Paretti, we are no longer
18 allowed to transfer you above him. We have to transfer
19 you back to him. I managed to get around that and spoke
20 to a nice gentleman there, John Lynn, and he looked into
21 it. And he called me back in October and told me
22 unfortunately he felt--he sympathized with me, but
23 because the power went out because of the storm they are
24 not responsible.

1 Something has to be done because you can't allow
2 a company who's negligent in their repair jobs to
3 actually endanger the neighborhood more by saying the
4 wire was back, and then you can turn the power back on
5 and leave a live wire at the bottom of the pole until
6 the fire department came on Thursday, to get away with
7 this.

8 What do we have to do? I mean do we have to find
9 another way to get power? Do I have to hire somebody to
10 sit on a bike and pedal so I have power? I know a lot
11 of people that would love to do that, that's a great
12 alternative source of energy, but it's not viable.

13 But as it was, I was browsing on the website. I
14 saw that County Executive Spano said there are much
15 better phone systems at other places. Why do I have to
16 sit on hold on my cell phone for 30 minutes, burning
17 minutes and battery, to be told we will get to you?
18 When is this all going to stop?

19 I am paying my bill. Luckily, knock on wood, I
20 just got another job. The only people that got a sense
21 of humor out of it was unfortunately the politicians I
22 spoke to. When it came down to it what was I going to
23 do? Came down to buying food or paying for my power.
24 We know it's important. You need food to eat. You can

1 sit in the dark.

2 JUDGE STEIN: Thank you very much. The speaker
3 has given me a map. The high lighted areas on the map
4 show areas that are without power in the period that he
5 spoke about. And he has given me copies to place into
6 the record of the proceedings. Thank you very much.

7 Maria Rappoccio.

8 MS. RAPPOCCIO: Hi, Maria Rappoccio, 38 Haines
9 Boulevard, Port Chester.

10 We were out two times. Our first outage was the
11 July 17th outage and we were out until the 21st at 1:30
12 in the afternoon.

13 The second one, I don't remember when it was, but
14 I know we were out for another week. It was in
15 September that we were out and it was because a tree
16 fell down on a wire down the street from us and knocked
17 us out for approximately I guess five days we were out.

18 My biggest really issue with all of this is they
19 made it a point of saying after the outage was complete,
20 and we finally got our power back on, we were able to
21 see the TV again and hear on the news that we could send
22 in claim forms for our losses throughout the time that
23 we were out.

24 Well, I did that, and I got a nice letter stating

1 back that due to the fact that it was storm related that
2 they were not going to cover any of this. My biggest
3 problem with that is why make us do all of this
4 craziness of filling out applications, submitting in all
5 the losses that we have, and then turning around and
6 saying it was really storm related so it has nothing to
7 do with it.

8 Storm related might have been one day, two days.
9 After that now it's just they can't get to us. Now it's
10 not storm related anymore. It's because they don't have
11 the manpower to actually get to us and repair the wires
12 that were down around us, or the transformers. In the
13 first case I believe it was a transformer on Burke
14 Avenue that created our outage.

15 The second one, it was wires down. A tree came
16 over the wires, knocked down the wires. Con Ed, I
17 believe Gary was speaking of earlier, wouldn't come
18 unless the tree was cut down.

19 This is just the rumor that's going around and
20 they--obviously Port Chester couldn't cut down the tree
21 because the power was still on. They had a man out
22 there 24/7 sitting in his car watching the tree,
23 watching the power line, doing absolutely nothing.
24 Every time you would ask him what's going on he had no

1 answers for you.

2 Thank God the Village of Port Chester was great
3 about it. They came out and said whatever they could to
4 try to answer most of our questions. We didn't have any
5 really issues with them. I don't really have an issue
6 with Con Ed other than why make us go through the big
7 headache of filling out all of these applications,
8 submitting in our losses, and basically writing us a
9 letter back saying they are not going to do anything
10 about it. Somebody should be responsible.

11 I have five in my family, my in-laws were in from
12 Florida so I had a freezer full of food, plus my
13 refrigerator and freezer inside full of food. I lost it
14 all. It's fine losing a few things, but I lost a lot of
15 food. It cost a lot of money. Unfortunately, they are
16 not going to take it off of my Con Edison bill and say,
17 well, you lost \$300 worth of food, we will deduct \$300
18 from your bill this month. No. They want their money.

19 Then they totally screwed up on my bill and
20 overcharged me six months worth of almost usage in gas,
21 which is another whole story of the incompetence that's
22 going on there.

23 I don't know if this is just a waste coming
24 tonight. Is this going to get any results as far as the

1 money that we are all out? Should we submit more claim
2 forms? Is it worth it? Is there anybody we should talk
3 to to get results from this?

4 JUDGE STEIN: Thank you very much. Without
5 knowing anything about the specifics of what you filed
6 and with whom and so on, there is a procedure at the
7 Public Service Commission where you can file a customer
8 complaint with respect to a utility if you are
9 dissatisfied with a process you have gone through with
10 the utility itself.

11 And we have some consumer service advocates from
12 the Commission. I think they are probably sitting in
13 the back of the room. They may be helpful to you. And
14 there are people here from Con Edison as well. I don't
15 know if there is some kind of appeal procedure that
16 might be available to you within the company.

17 Again, without trying to mislead you and say,
18 yes, you are going to prevail, there is a process for
19 reviewing claims that have been denied. If you care to
20 take advantage of that process, I think both the Con
21 Edison people here and the Public Service Commission
22 staff can give you some information about how to do
23 that. And our consumer services people also have
24 telephone lines you can call and get information.

1 MS. RAPPOCCIO: Is it going to be the same basic
2 run around because it's also time. I work full-time. I
3 have a family. It's like playing the game. If it's
4 just going to be passed around it's getting to the point
5 where it's ridiculous.

6 JUDGE STEIN: Without knowing the specific
7 details, I mean you have given us many specifics, but we
8 can't answer that question based on what you said. And
9 there are--Con Edison does have tariffs in place that
10 specify under the conditions in which claims--people can
11 claim for losses and other circumstances under which
12 they cannot.

13 So, I can't go into more detail than that, but if
14 you would like to contact our consumer services people
15 they may be able to advise you whether or not it's worth
16 pursuing or not.

17 I do appreciate you coming here tonight, I know
18 it's difficult for people to do that at night, and
19 giving us the benefit of your information. And many of
20 the issues that people have raised at these hearings are
21 exactly the ones that are before the Commission and end
22 up being investigated by our staff. And your remarks
23 will be part of that investigation.

24 MS. RAPPOCCIO: Thank you.

1 JUDGE STEIN: I don't have any more speakers
2 listed. We are going to remain here until 8:00 but if
3 anyone else--Mr. Rang.

4 MR. RANG: Chairman, thank you very much. Keith
5 Rang, I'm the Village Clerk of the Village of Port
6 Chester and Assistant Village Manager.

7 To make this brief and short, Mr. Williams and
8 Mr. Racanelli touched on all the issues. One issue I
9 believe that still needs to be addressed as well is the
10 tree trimming program around tree lines.

11 Received a lot of phone calls from residents that
12 they have never had any limbs trimmed around the power
13 lines, and it's been a major problem here. And that
14 although the storms have knocked down these limbs and
15 taken down power lines, and claims have been denied due
16 to the fact that it was considered an act of God, but if
17 Con Edison is not keeping up with their end of the
18 bargain and not trimming trees, I think claims shouldn't
19 be denied for that.

20 Speaking on behalf of the residents, from the
21 phone calls I have received, if they are not living up
22 to their end of the bargain claims shouldn't be denied.
23 If the whole tree came down and knocked down the whole
24 power line that's one thing, but the tree limbs that

1 were near the power lines that they are required to
2 trim, that are taking down the power lines, they are not
3 living up to their end of the bargain. There is no
4 basis in my mind that those claims should be denied.
5 And that's pretty much it.

6 JUDGE STEIN: Thank you.

7 (Recess taken.)

8 JUDGE STEIN: We will go back on the record. It
9 now being 8:00 and there being no further speakers, this
10 hearing is adjourned. Thank you all very much.

11 (Public statement hearing concluded.)

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