

1 STATE OF NEW YORK
2 PUBLIC SERVICE COMMISSION

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

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

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10 Public Statement Hearing
Hellenic Center
11 22-51 29th Street
Astoria, New York

12 October 25, 2006
13 7:00 p.m.

14 PRESIDING:

15 ELEANOR STEIN,
16 Administrative Law Judge

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22 Reported by: Jeanne O'Connell, R. P. R.
23 (518) 271-7904

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1 JUDGE STEIN: My name is Eleanor Stein. I am an
2 Administrative Law Judge at the New York State Public
3 Service Commission, and I am presiding over this

4 investigation. It is case 06-E-0894, a proceeding on
5 motion of the Commission to investigate the electric
6 power outages in Con Edison's Long Island City electric
7 network.

8 I want to begin by saying that I very much
9 appreciate people coming out this evening. I know it is
10 difficult with jobs and responsibilities and children,
11 but we very much appreciate being able to get your
12 information into our record for this investigation.

13 I also want to thank the department staff, Power
14 for the People and Ms. Charboneau, who is here tonight,
15 and other parties to the case, including some of our
16 elected officials, who reached out to help publicize
17 these public statement hearings, and to tell you that
18 there will be two more next Thursday, November 2nd, in
19 Woodside, and specific information about that will be
20 available at the back of the room.

21 If there are other people that you know or
22 people in the neighborhood you think have something
23 important to say or are not able to come tonight, please
24 take some fliers and pass them on to your neighbors.

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1 We also have interpreters available in several
2 different languages. I believe Spanish, Korean, Arabic,
3 Greek this evening. So, if that's a service that you
4 would like you should let Jill know in the back.

5 I just want to say that this proceeding was
6 commenced by the Commission on July 26th in response to
7 the Long Island City outages. And the Commission asked
8 its staff to carry out an investigation into all of the
9 circumstances that may have contributed to this very

10 serious outage situation.

11 And that investigation has been ongoing, and it
12 is looking into, at the orders of the Commission, both
13 the background, Con Edison's preparedness for an outage,
14 its response to the outage, its communication with
15 emergency services, public officials and its customers
16 in the course of the outage, and the successes and
17 failures of its effort to restore power in the affected
18 areas.

19 And all of those things, as I said earlier, are
20 under investigation in a formal case. Questions have
21 been put by numerous parties to Con Edison. Hearings
22 will be taking place where Con Edison employees will be
23 questioned and their reports are being very thoroughly
24 studied. And the expectation is that that report will

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1 be concluded, at least in preliminary form, at the end
2 of this year.

3 That said, I would like to invite people to make
4 statements here. As I said earlier, we want to make
5 sure that our court reporter can hear you and can get
6 your words down accurately. I will call you up and
7 please let us know your views and your experience as
8 customers and as members of this community.

9 I know many people in this room have valuable
10 suggestions as to how this investigation should proceed
11 and what issues are of importance to your community, and
12 we want to hear that now.

13 So, I am just going to call you by name by your
14 cards. If you have not filled out a card and you would

15 I like to make a statement, please see people on the table
16 in the back. Thank you.

17 The first speaker is Alyssa Bonilla.

18 MS. BONILLA: My name is name is Alyssa Bonilla.
19 I live in Sunnyside, Queens. One of the most painful
20 aspects of this power outage for me was feeling like my
21 experience was minimized and not taken seriously enough.

22 I felt that same pain again when I read Con
23 Edison's report. It felt like our experience was being
24 minimized again. How they did this was by using the

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1 term "customers" instead of "people" affected by the
2 power outage. They referred to 25,000 customers instead
3 of people. This to me dehumanizes our experience.

4 I would like the Public Service Commission to
5 mandate that a poll be taken, an accurate accounting, of
6 each and every human being that's attached to each
7 customer account so that we can assess the real impact
8 of this outage on our community, not just in business
9 terms but in human terms, how many human beings were
10 affected.

11 Apparently Con Ed doesn't know. They don't have
12 the ability to know, but it can be found out. Each
13 account, each bill, goes to somewhere. It can be done.
14 It can't be that hard.

15 The second reason I think it's important to think
16 in terms of human beings affected is because the impact
17 was more than just an inconvenience to us. You can see
18 that reflected in the reimbursement policy.

19 I don't know who created that policy, but it's
20 inadequate. Right now we only have the ability to get

21 reimbursed for food losses, perishable food losses only.
22 Our community has experienced millions of dollars in
23 non-perishable economic damage.

24 One Korean grocery told me he lost over \$100,000

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1 in perishable food. The allotment for him is \$7,000.
2 That's \$93,000 in non-perishable food losses. The
3 friend of mine who owns a laundromat lost \$5,000
4 revenues in the week that she did not have power. This
5 is non-recoverable.

6 A friend of mine lost his dog, five-year-old
7 perfectly healthy dog, who died from heat exhaustion
8 because our apartments were sweltering hot. Cost him
9 \$500 for funeral expenses. Not that a dog is worth
10 \$500. This is irreplaceable, the losses.

11 People lost wages. Food businesses lost
12 refrigeration equipment due to damaged compressors. A
13 friend of mine owns a printing shop. She lost her
14 compressor. We have absorbed these losses. It's a
15 testament to me that when losses are shared in the
16 community--we can take a lot. Working people know we
17 can take a lot, but this was not our fault.

18 If this was my cell phone service I would dismiss
19 it, I would get another one, but I can't. This is Con
20 Edison. This is our electricity. We are dependent on
21 this. We have no recourse. So, I feel like the policy
22 needs to be changed to reflect what really happened to
23 us.

24 Also, I would like to request that the cause of

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1 the short circuit of the low voltage cable that went out
2 be investigated. This may in fact be a maintenance
3 issue. How old was it? What condition was it in? Why
4 did it short circuit? Short circuiting cables are not
5 tolerable when hundreds of thousands of peoples' lives
6 and millions of dollars are at stake.

7 This cannot happen. It must be prevented. It's
8 not an option. A volcano did not explode. Lightning
9 did not strike.

10 Summer comes every year. We know this. This is
11 not a surprise. Con Edison's job is to prepare for the
12 summer. It's only months away, and we have been told in
13 the educational forum that pre-outage conditions are
14 what we are looking to restore at least.

15 This is not acceptable because then we are just
16 as vulnerable. People continue to move in. Buildings
17 continue to be built. We will not roll over and sit by
18 and take this unchallenged. We cannot have this company
19 continue to damage us without recourse.

20 We have no other choice here. So, we are not
21 going away. We will be here watching, because these are
22 our lives we are talking about, my neighbors, our
23 businesses, our pets, our health.

24 We are asking the Public Service Commission to

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1 mandate the necessary changes to prevent this from
2 happening again and to compensate us for our losses.
3 Thank you.

4 (Applause)

5 JUDGE STEIN: Thank you very much. Thomas Ruks.
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6 MR. RUKS: My name is Thomas Ruks and I live in
7 northwest Astoria. And I am thankful for this
8 opportunity tonight. I am also thankful to Power for
9 the People that helped publicize it and to the merchants
10 association here as well.

11 Going off the comments I requested, I kind of
12 want to go in reverse order. As far as recommendations,
13 and this has come forth from others, in the case of a
14 large outage like this there should be a door to door
15 canvas to find out how many are affected.

16 And I have a question in regards to the network,
17 whether Sunnyside and Astoria will still be sharing the
18 same network or not.

19 Issues that have been raised probably many times,
20 the question of preventive maintenance, whether enough
21 was done. And a big issue has to do with compensation
22 for the business owners. For many, I know that they
23 received the individual replacement of the cost of food.

24 As we mentioned before, we have had so many

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1 customer businesses that hardly received any
2 compensation for their losses, businesses that are no
3 longer here with us, and they are sorely missed.

4 In regards to the communications and responses
5 from Con Edison, responses seemed to be extremely
6 delayed. When they finally did arrive, they were
7 finally able to start bringing on power. It seemed to
8 me when we were seeing the repair trucks in our
9 neighborhood many of them were coming from companies
10 outside of Con Edison, coming from areas outside of New

11 York State.

12 The early communications from Con Edison were
13 vague and inaccurate. I know neighbors who called, they
14 were told that power would be back the next day. It
15 would be back the next day. And finally they were told
16 the repairs were sent on other assignments. They will
17 be back the next day.

18 There is a concern, as mentioned elsewhere,
19 whether 2007 will bring us back to where we were in the
20 start of 2006. What has been done in the past is this
21 going to be enough?

22 On a side note, I would just like to thank some
23 of the volunteers who came out during the outage.
24 People who were helping out with traffic. We had help

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1 from the Red Cross. They were giving out water and
2 food.

3 As mentioned elsewhere, I would like to thank the
4 local politicians that brought attention to the severity
5 of the outage. Though it was much delayed, the offices
6 of the mayor starting to give us communications and
7 updates on the responses to the outage. So, thank you.

8 (Applause)

9 JUDGE STEIN: Thank you very much. Jerry Kann.

10 MR. KANN: Thank you. My name is Jerry Kann. I
11 live at 25-60 42nd Street. I had no power for six days.

12 I think it's important to emphasize that this
13 hearing should be used as, I think you alluded to, as a
14 record of getting questions into the record. I am a
15 little astonished that some of the basic questions, what
16 caused the fire, how much does Con Ed spend on basic

17 maintenance, kind of angry there aren't answers to those
18 basic questions here tonight, but that's okay because we
19 are going to follow up on that.

20 I imagine everybody here is going to follow up on
21 it, not just going to leave it here and you guys
22 investigate it. We are going to follow up on basic
23 questions. About what caused the fire, I read in one of
24 the local papers, I think it was the Courier, that one

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1 fire started it at 44th Street and 30th Avenue.

2 When I was coming home about 11:00 or 11:30 that
3 Monday night, the first night of the catastrophe, I saw
4 what looked like steam coming out of a manhole at 33rd
5 Street and 30th Avenue. When I found out it was not
6 steam, it was smoke, and it had a very toxic odor, I was
7 kind of alarmed and called 411 and apparently--I was
8 told there were fires all over the place.

9 I'm a little--I think you have to--it seems to me
10 that this whole thing could not have happened just
11 because of one fire. There are fires all over the
12 place. And it seems--you can put two and two together
13 and realize that 60 percent of the power or 50 percent,
14 say, I'm not sure, of the power that was created for New
15 York City is created in the Long Island City/Astoria
16 area.

17 Doesn't seem to be that many--seems to make sense
18 that because of that it's no big surprise that a
19 catastrophe like this happened here in this neighborhood
20 where all these--where main power lines are coming from
21 those big power plants.

22 And so obviously this neighborhood deserves a
23 little bit of special consideration and obviously hasn't
24 gotten it. A friend of mine who was a member of the

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1 Local 1-2 of the Con Ed workers, utility workers, who it
2 so happens is retired now even though he's not
3 60-years-old, he's retired now. He had to go to Workers
4 Comp case because he was exposed to asbestos on the job
5 and has asbestosis.

6 In talking to him about these kinds of things,
7 this was some years ago, there was a story about a
8 transformer that blew up on 14th Street, near 14th
9 Street, on the Manhattan side. I asked what do you
10 think makes that happen? He says they just don't do any
11 maintenance on it. Those things just--that transformer
12 blew up because nobody was doing the regular maintenance
13 they used to do.

14 It was also my understanding from the National
15 Resources Defense Council, and from NYPIRG, New York
16 Public Interest Research Group, they were all
17 saying--telling us that millions--I don't know how much
18 money, I forget how much money, but a significant amount
19 of money that Con Ed used to be mandated to spend on
20 conservation, all of a sudden with deregulation they
21 didn't have to anymore, which was very nice for them but
22 obviously was not something good for this community.

23 So, again, it seems--it doesn't seem to be
24 surprising that there is--that these--it's no big

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1 surprise to me that on one of the hottest days of the
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2 summer all this catastrophe started happening.

3 It just seems like just common sense to assume
4 that this was basic maintenance deferred that must have
5 caused these problems. People here who know about these
6 things can say it a lot better than I do because they
7 have technical knowledge.

8 So I wish that that basic question could be
9 addressed. And, again, it just seems like common sense,
10 in which case the state has to do something. And then
11 we want to know in a few months from now what your
12 recommendation is to the next Governor, whoever that
13 might be, and we want some action. Thank you.

14 (Applause)

15 JUDGE STEIN: Thank you very much. George
16 Kitsios.

17 MR. KITSIOS: My name is George Kitsios. I am
18 the president of Broadway-Astoria Merchants and
19 Professional Association. I represent about a hundred
20 local businessmen of Astoria.

21 I give you a small idea of the real mess which
22 happened those difficult days. Traffic lights on
23 Broadway went out. Transformers were exploded. Office
24 equipment were burnt out. Household appliances were

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1 exploded, like refrigerators. Actually my apartment the
2 refrigeration exploded, the transformer, I mean the
3 compressor, went off. Then the whole apartment was a
4 mess and spent \$1500 have to repair the electrical
5 damage because of the outage.

6 So, what I want to know is: Was just the

7 negligence was over the month? What was the problem?
8 As I asked before, I want to know: Is there any
9 technical authority supervising Con Edison? Because I
10 know you, as the Public Service Commission, you are
11 going to take administrative steps to correct the
12 situation, but this is not enough. Has to be technical
13 authority, I mean by the state, in order to check and
14 supervise Con Edison's plans for the next summer and the
15 years to come. Thank you.

16 (Applause)

17 JUDGE STEIN: Donna Furey.

18 MS. FUREY: Good evening, your Honor. My name is
19 Donna Furey. You asked about what our views and
20 experiences.

21 My experience was that I was--had no electricity
22 or hot water for the whole time. My view of this is
23 that Con Ed was highly negligent. I feel that they
24 failed to keep the public informed about what was going

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1 on. Every day we heard we are going to get power the
2 next day. That wasn't keeping everybody informed.

3 The failure to appreciate the danger to the
4 community, not just the elderly, but everyone in the
5 community. I mean everybody in every type of health
6 issue.

7 They failed to fully compensate local businesses
8 and consumers. I mean you hear it from everyone here
9 today different things that blew up or didn't get
10 compensated for spoilage or loss of business or anything
11 else.

12 And also I mean as far as just driving around,

13 the hazard to anybody driving around with all the lights
14 out at night, not just traffic lights, but all the
15 lights in the neighborhood were out.

16 And I think that--as far as repairs themselves
17 being done on local cables within the Astoria region, I
18 have had Con Ed trucks parked on my corner until
19 September 4th monopolizing parking spaces all over the
20 neighborhood.

21 And I live right across the street from a public
22 school on 38th Street and 21st Avenue and they were
23 waiting to do this, to save these spots, that the
24 maintenance crews were going to come, but this is like

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1 adding insult to injury. It's bad enough we had to go
2 through all the problems with having the power out and
3 now we can't even park our cars.

4 As far as the procedures that are being put in
5 place, that's what I want to know about. What are we
6 going to do? How are we going to stop it from happening
7 again? And what procedures are being put into place?

8 And the other question is: How do we prevent the
9 recurrence of this problem? Obviously we have talked
10 about all these maintenance issues and things like that.
11 That continues to be a problem.

12 And the other issue that I find is something
13 that's really disconcerting to me is because they lied
14 to us, they didn't tell us the truth, they didn't know
15 what was going on, thinking about why was this truck on
16 my corner.

17 The other issue is if that truck was on my corner

18 would that also mean were there other continuing dangers
19 in the neighborhood? There is hot wires everywhere for
20 months. We still had them from August. Was there still
21 danger to our community?

22 That's a real issue. Could have not just--worse
23 things happen. Things are blowing up. This could have
24 been even worse. When we don't know what the truth is,

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1 it's just not a good situation. I think that kind of
2 covers a lot of things. Thank you.

3 JUDGE STEIN: Thank you very much.

4 (Applause)

5 Anthony Buszko.

6 MR. BUSZKO: My name is Anthony Buszko. I live
7 in Sunnyside. I didn't come prepared to make a
8 statement but I would like it on record that it's
9 important to have someone in authority to do a study on
10 the health effects of this situation.

11 And for instance, I read in the paper that 14
12 people had died in this area, but then they said it had
13 no connection to what was going on. So, that's kind of
14 where did they come up with that, etc. I would like to
15 see an official report. That's all I have to say.

16 JUDGE STEIN: Thank you for suggesting that. I
17 do want to just repeat to everyone here that all of your
18 statements will be placed in the official record of this
19 proceeding and will be considered by the Commission when
20 it makes its final decision. And they also will be
21 available through the Commission's website, and you can
22 read the transcripts from previous hearings and see what
23 other people have said.

24 Jack Bruccul eri .

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1 MR. BRUCCULERI: My name is Jack Bruccul eri , and
2 I have business in the communi ty. Been around here for
3 over 40 years and I represent the 31st Street Merchants
4 Associ ation and Steinway Industrial Park Associ ation.
5 It consists of over 200 businesses, between 200 to 400
6 businesses. Some are retail stores. Some are
7 factories. And it covers the entire area where the
8 power outage occurred.

9 It was miserable living around here, working
10 around here, trying to get around for those nine days.
11 I don't think New York Ci ty, especi ally our communi ty,
12 anywhere in New York Ci ty, New York State, has ever
13 experienced in the metropolitan area like we have a nine
14 day outage.

15 I am confident that the New York State Public
16 Service Commi ssi on of this great state, that you are
17 going to find out what went wrong and hopefully when you
18 find out what went wrong, instead of having the power
19 outage, we won't have a power outage anymore. So, I
20 have all the confidence in you ladies and gentlemen here
21 today, and the people of power with the New York State
22 Public Commi ssi on, you are going to come to a resolution
23 on what happened and how to cure it in the future.

24 My only questi on to the New York State Public

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1 Service Commi ssi on is that you guys made an agreement
2 somehow, the way I understand it, with Con Edison that

3 you will reimburse a homeowner \$350 for its perishables.
4 And you will reimburse any stores or businesses who have
5 perishable from maybe, whatever it may be, \$350 to a
6 maximum of \$7,000. That works, it's pretty good, only
7 if that's a one night outage where one day your
8 refrigerator--how much could be in your refrigerator for
9 one day? That's fine.

10 The business people, the ones that are between
11 1,000 and 7,000, some of them had a lot more than that.
12 What about those people if they could prove to you they
13 had more than that. That's something you guys have to
14 consider, because what I am told by Con Ed, I am not
15 here individually, I am here representing over 300
16 merchants, what I was told by Con Ed that they can't
17 give us anything other than what the Public Service
18 Commission agreed to.

19 That was fine, again, on a one day outage. We
20 also represent non-perishable customers and businesses.
21 These people had to pay rent for nine days and their
22 businesses were either closed or could not operate, so
23 they had to pay nine days of rental, cost of insurance
24 for nine days, they had to rent generators to keep their

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1 businesses open.

2 These are the non-perishable. Cost of repairs or
3 replacement of a computer maybe or a fax machine or
4 little odds and ends that were affected by the
5 electrical outage, forget about that. What about some
6 of the employees that maybe a businessman wanted to pay
7 to help him out because nine days without work they
8 can't collect unemployment, or maybe a storekeeper

9 trying to help out his fellow man or fellow woman.
10 That's what the Commission has to take a look into for
11 the future.

12 Apparently, I believe that if you give everything
13 to everyone people will either overflate what they need,
14 or some people may not know how to do it, but the simple
15 fact is that if a storekeeper pays \$3,000, \$4,000 rent
16 in today's economy, some of them pay \$8,000, some of
17 them pay \$2,000.

18 The average storekeeper in our community, which I
19 am going to give you a copy of a pamphlet and you guys
20 can type in how many stores. The average store at a
21 minimum costs \$130 a day for rental only. If you take
22 an average between the 7,000 or 8,000 businesses and
23 2,000, if you took \$130 a day and you multiplied it by
24 nine days, this storekeeper, the average storekeeper has

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1 to pay his landlord \$1,161.

2 This storekeeper, not only has he lost business,
3 forget about that. I am speaking for them. They want
4 to eat the fact that they lost the business. They are
5 willing to realize that their insurance or machinery
6 blew up and \$300 to repair it. What about the rent that
7 Con Edison's negligence caused them to not have their
8 business running but yet the Commission allowed \$350 in
9 perishable for homeowners, allowed the other food people
10 to get 1,000 to 7,000? The rest of the merchants feel
11 discriminated against.

12 So, when we speak to Con Ed representatives, boy
13 do we do, on the phone, in person, we meet them on the

14 street, their answer is we can't do nothing for you.
15 The people who keep an eye on us and tell us what to do
16 is the New York State Public Service Commission.
17 So, I am demanding that the New York State Public
18 Service Commission think about, not for the future only
19 but for now, what we had to live through. All the other
20 stuff that you heard, the hardships, I am not here to
21 talk about that because I had my own hardship, my people
22 in our community did. The representatives here tonight
23 have spoken.
24 I want to know, I don't want to hear Con Ed tell

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1 me we are not paying other merchants the non-perishable
2 because the New York State Public Service Commission
3 says we don't have to. Look into it. It's only the
4 right thing to do. It's not a lot of money.
5 I don't care what you want to give the merchants,
6 okay, the non-perishable, but give them something. It's
7 not fair. It's not the amount of money. It's to be
8 fair. I am sure that anyone that's in this room, anyone
9 of us here, or people from the Public Service
10 Commission, have their children who had a beauty parlor
11 and had to shut their business because the hairdryers
12 didn't work and had to pay the landlord nine days of
13 rent, you would want your family to be covered.
14 So, if you have a heart, think about it. Get the
15 powers to be. Look out for the merchants. Get an
16 application out there. It could be a minimum. If you
17 want to give them 50, if you want to give them 500,
18 establish a baseline or something to give these
19 merchants.

20 Let them have faith in the Public Service
21 Commission. Let them have faith in Con Ed. Thank you
22 very much.

23 (Applause)

24 JUDGE STEIN: Thank you. Mr. Vincent Del Grecco.

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1 MR. DELGRECCO: I hope I am not the 15th casualty
2 speaking here tonight. You mentioned something earlier
3 about the 14 people that were killed during the
4 blackout. How is no organization accountable for the
5 amount of lives that were lost during the blackout due
6 to Con Edison's negligence, corruption and greed?

7 JUDGE STEIN: Off the record.

8 (Discussion held off the record.)

9 MR. DELGRECCO: I moved to Astoria about a year
10 ago and I will tell you that I am rather shocked by the
11 way things are run here in the city, because if this
12 happened anywhere elsewhere, let's say where I grew up
13 on Long Island, or Manhattan, Westchester, believe me,
14 Con Edison would have a lot more to answer for than what
15 occurred here in July in Astoria.

16 So, as far as the 14 lives that were lost during
17 the blackout, no restitution is being made for Con
18 Edison's negligence to families? Or if you would like
19 to finish my question or answer it.

20 JUDGE STEIN: Go off the record.

21 (Discussion held off the record.)

22 JUDGE STEIN: John Chifone.

23 MR. CHIFONE: Good evening, ladies and gentlemen.
24 I have an office on Steinway Street. My office address

1 is 25-59 Steinway Street. We were out for about six
2 days.

3 One thing I noticed was there is throughout
4 Astoria, where I live, there is a very slow response to
5 this problem. And what happened was it started--I
6 recall it started up in upper Ditmars and it gradually
7 occurred throughout western Queens.

8 One thing I did notice was that while I was at
9 Steinway all the time I noticed that Con Ed started
10 coming only after the media made this a big item, a main
11 item on the news. You put on any particular channels,
12 this was the first discussion. As the mayor got
13 involved then you saw more and more manpower.

14 It was really a shame, because I am convinced
15 that if this had happened on 5th Avenue or Madison
16 Avenue or Park Avenue, where you have wealthy,
17 influential, powerful individuals, the response would
18 have been very quick. The resources would have been
19 poured in without limitation, without excuses.

20 And it's really a sad commentary in terms of my
21 opinion as to--I am not going to say discrimination, but
22 a selected determination as to where to apply resources,
23 manpower, and what communities to take more serious than
24 others.

1 I think we were a community that was not taken
2 very serious enough in the eyes of Con Edison, in the
3 eyes of the city, and even in the eyes of the mayor.
4 That's an unfortunate thing in today's world when we

5 contribute as much as any other residents of this city.

6 Although we are not on Madison Avenue or Park
7 Avenue or 5th Avenue, we have equal voting rights. We
8 participate and probably pay more taxes than some of the
9 other individuals in those areas.

10 Now, also, they are talking about the
11 non-tangibles. I am an attorney. I have a business. I
12 have people working under me. I can't just send them
13 home, which I did send them home, but not pay them. We
14 had to pay our employees. My phones were out.
15 Computers were damaged. Software was destroyed. These
16 things were not recognized by Con Edison.

17 And it's up to you to recognize--and what was
18 mentioned earlier by Mr. Brucculeri--compensate the
19 people, those people that have businesses that have
20 sustained losses which are under study here I think even
21 without question should be compensated.

22 I would like you to look into why--what I
23 experienced, why Con Ed seemed to respond to the areas
24 of Steinway Street first that are of higher real estate

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1 value. What I mean by that is although Broadway wasn't
2 affected, that part of Steinway, 30th Avenue was, and I
3 noticed in 30th Avenue generally it's high rentals as
4 compared to 21st Avenue and Steinway or 25th Avenue and
5 Steinway.

6 I noticed that that area was infiltrated with
7 tremendous Con Ed trucks and construction crews and city
8 personnel, and then they gradually worked themselves
9 down to 25th Avenue, 28th Avenue, 25th Avenue, 21st

10 Avenue, until 20th Avenue I think was taken care of
11 last.

12 And I asked the question: Why was it in that
13 particular fashion or pattern? Only basic answer was
14 that it is of less value, or at least the businesses in
15 the areas going down pay less rent, are less--have less
16 exposure than the upper part of Steinway. That needs to
17 be looked at.

18 I strongly say that because I witnessed that day
19 all those seven, approximately seven days, that the
20 power outages were occurring in that whole area.

21 JUDGE STEIN: Can I just ask you just a
22 clarifying question. Are you saying that you were
23 informed that that was the order of restoration?

24 MR. CHIFONE: No. Okay, I am sorry, is that your

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1 question?

2 JUDGE STEIN: Were you saying that Con Edison
3 informed you that was the rationale?

4 MR. CHIFONE: That's what I was witnessing. They
5 were starting from the upper end which, by the way, got
6 hit the last, 30th Avenue, part of 30th Avenue got hit
7 first up on--I do recall up on 35th Street. I remember
8 First Central Savings Bank and couple of stores, but
9 then the Steinway part of 30th Avenue wasn't hit until
10 probably the last phase of the blackout in western
11 Queens.

12 That's what I am--I am just focused on Steinway
13 because that's where I walked up and down. That needs
14 to be looked at. Also, what needs to be looked at were
15 the selected positions of generators. I noticed that

16 certain areas got generators pretty quickly and they
17 were able to get temporary power.

18 My block, we didn't have anything. Talking about
19 25th Avenue, between 25th Avenue, 28th Avenue and
20 Steinway. Why did Con Edison make that determination to
21 put certain generators in certain locations as opposed
22 to other locations?

23 We have been--we were also provided with
24 misinformation. I have clients who told me they called

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1 Con Edison businesses, they called Con Ed, they said,
2 don't worry. You'll get back on this evening, tomorrow,
3 the day after tomorrow. They were being told by
4 personnel when they called the Con Edison lines. That
5 needs to be looked at, being given wrong information
6 where they relied upon it and which compounded their
7 damages.

8 And then finally we had so many--we had so much
9 publicity and press and attention that we were also made
10 a ridicule. I remember speaking to people, young
11 people, who said they wouldn't want to rent in Astoria
12 because of the blackout. That they considered us almost
13 as if we were a third world nation. They said comments
14 that this would not happen in other parts of Brooklyn,
15 Manhattan, and I truly believe that. I truly believe
16 that.

17 I think it's affected at least even the rental
18 income because you had people who decide this is not a
19 great place to rent if they haven't been taken care of
20 seriously in terms of power restoration.

21 And that's all I would like to make note of. I
22 hope you consider what I have said quite seriously.
23 Thank you very much.
24 JUDGE STEIN: Thank you.

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1 (Applause)
2 JUDGE STEIN: Mr. Davis.
3 MR. DAVIS: My name is Michael Davis. I had
4 spoken earlier today, come back this evening to hear
5 other people's comments. I have some comments on their
6 comments.
7 As I told you earlier, we had several days
8 without electricity. My wife did wind up in the
9 hospital for five days. I did incur \$10,000 worth of
10 medical bills, some of them covered, some of them not.
11 I had to purchase a generator, and Con Edison, as
12 somebody here knows, damaged the water main, which they
13 said they had no responsibility for, didn't do it,
14 didn't respond to it. When they did, they wouldn't give
15 me the telephone numbers. Wouldn't give me the persons'
16 names. And it was no way for them to conduct a
17 business.
18 But in reality everybody here is talking about
19 money, restoration. I think they should get real and
20 realize that in the end they are going to be the ones
21 paying the bill. Yes, they gave \$350 per person but
22 that's going to come back as a rate increase.
23 Public Service Commission ain't going to pay it.
24 Con Edison ain't going to pay it. Again, the consumer

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1 is left holding the bag and it shouldn't be. That's all
2 I have to say.

3 (Applause)

4 JUDGE STEIN: Thank you very much. Off the
5 record.

6 (Discussion held off the record.)

7 MS. GLACKIN: My name is Chryse Glackin. I live
8 in Sunnyside.

9 I would like to make a recommendation to the
10 Public Service Commission that we be given one month
11 free electricity for each day we were out, to all the
12 customers as they call us. I think that's a fair
13 recommendation.

14 I also would like to recommend to the PSC that
15 when Con Ed goes before the Public Service Commission
16 requesting a rate hike that they be denied.

17 (Applause)

18 It was mentioned before in the educational aspect
19 of this hearing that that's who Con Ed appeals to for
20 the right to a rate hike. If that's the case, of course
21 it's pending some of the findings of this case, it seems
22 evident that there has been neglect for decades. And
23 once these findings are out and they are public, Con Ed
24 has to have some punishment for their actions.

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1 They have been paying their shareholders very
2 well. It's a business, they pay their shareholders,
3 they are getting off easy. They need to be punished for
4 their actions and it's the responsibility of the Public
5 Service Commission.

6 In the interest of the public that Con Edison is
7 supposed to be providing this utility for, some sort of
8 consequences to their actions. A rate hike should be
9 denied for a very long time, not just for a year, or
10 first rate hike that goes through, but until the repairs
11 are made and not passed on to the people who suffer the
12 consequences. That's their job.

13 I mean I work in a print shop. If I told my
14 customers, sorry, we are out of ink. Sorry, we ran out
15 of paper. If I was a dairy farmer and said my cows are
16 dead, I mean somewhere someone's got to take
17 responsibility.

18 Con Ed is supposed to provide an essential
19 service of electricity to all of us, and we pay for it.
20 And somebody pointed out when we don't pay our bill we
21 get our cut off notice in a heart beat. That follows
22 you everywhere you go because if you have a lousy record
23 of payment and you try to reestablish a Con Ed account
24 they give you hell, they want you to leave a deposit,

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1 you got to promise your first born.

2 They make mistakes and make a hundred thousand
3 people suffer for nine days and they are going to ask
4 for a rate hike for sure. I think we need to take this
5 into account. Why is it when they do it it's okay?
6 When we can't pay our bill we are going to be cut right
7 off.

8 I really highly recommend the Public Service
9 Commission take this into consideration. And when Con
10 Ed comes before you and says we need a rate hike for all
11 these repairs we had to do, you say, no, you should have

12 been doing them for 40 years. Take some of the money
13 back from the big fat shareholders and give it back to
14 the people who deserve it.

15 (Applause)

16 JUDGE STEIN: All of these issues that you are
17 raising and many of the issues you raised tonight are
18 under active consideration and we will see how the
19 reports come out.

20 Do we have another speaker?

21 Mr. Brucculери.

22 MR. BRUCCULERI: I want to enter this in your
23 records. This is events blow by blow from the day it
24 started until today.

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1 JUDGE STEIN: Very good.

2 MR. BRUCCULERI: You got to start from the back.
3 From the back is who we are all about and everything
4 that happened in our community and how it transpired.

5 JUDGE STEIN: Before you go away, let the record
6 reflect that Mr. Jack Brucculери, who testified earlier,
7 has given me a document from the Ditmars-31st Street
8 Merchants Association detailing event by event the days
9 of the outage and the consequences in the community,
10 and that this will be entered into the record of the
11 proceeding. Thank you very much. I was hoping to go
12 away with a copy because I saw you holding it in your
13 hand.

14 MR. BRUCCULERI: This is a summary from day one
15 and that's another summary.

16 MR. KANN: Will this transcript of all this be

17 available on line or?

18 JUDGE STEIN: Yes.

19 MR. KANN: When? In a few days?

20 JUDGE STEIN: Just in a few days. Actually,
21 practically the entire record, probably at this point
22 the entire record in this case is currently available on
23 the Commission's website.

24 And the people from our staff at the back of the

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1 room have information with the web address for the
2 Commission site, and the transcript of all the public
3 statement hearings to date are on the website and
4 today's will be on the website within a week.

5 Are there any other people who would like to put
6 comments on the record at this time?

7 MR. BUSZKO: I think it was adding insult to
8 injury when we received a three dollar credit for our
9 electric bill. I would just like that on the record.
10 What was that based on? How did they come up with three
11 dollars? That's all I will say.

12 JUDGE STEIN: Thank you. I can't answer that.

13 Would anybody else like to put a statement on the
14 record?

15 MS. BONILLA: My name is Alyssa Bonilla from
16 Sunnyside. I spoke earlier.

17 If any of the citizens of the community would
18 like to continue working on this issue of the power
19 outage, you are welcome to contact Western Queens Power
20 for the People campaign. Our website is
21 powerforthepeople.info, and we will be here in the back
22 of the room. We can get your name and number and we

23 will continue to be in touch because we are going to
24 continue to monitor the progress of this investigation

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1 and continue to be a strong voice for the community.

2 Thank you.

3 JUDGE STEIN: Thank you very much. It is now
4 nine o'clock, and seeing no other speakers, this public
5 statement hearing is adjourned. Thank you all very much
6 for coming.

7 (Hearing concluded.)

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