

1 STATE OF NEW YORK
2 PUBLIC SERVICE COMMISSION

3
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
8 Performance During and Following the July and September
Electric Utility Outages.

9
10 Public Statement Hearing
PS-11
11 54-25 Skillman Avenue
Woodside, New York
12 November 2, 2006
13 5:00 p.m.

14 PRESIDING:

15 ELEANOR STEIN,
16 Administrative Law Judge
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1 JUDGE STEIN: I am Administrative Law Judge

2 Eleanor Stein, and I am the Judge presiding over the
3 investigation of the Con Edison electric outages in Long
4 Island City on behalf of the New York State Public
5 Service Commission. And this is case 06-E-0894, a
6 proceeding on motion of the Commission to investigate
7 those outages.

8 And the Public Service Commission instituted this
9 investigation in order to look at all of the
10 circumstances and all of the causes that contributed to
11 these events in July and August of this year, and to
12 examine in depth the conduct of Con Edison in
13 maintaining its network before the outage, its conduct
14 in communicating with its customers, with the city, and
15 with emergency personnel during the outage, and its
16 actions in restoring power to the network, with a view
17 that the most important thing was to get changes in
18 place to prevent a recurrence of those events as we will
19 be going into what will undoubtedly be a hot summer in
20 2007.

21 This proceeding--we have had numerous public
22 statement hearings like this in this case and hundreds
23 of people from these communities have come and
24 testified. Your remarks tonight will be recorded by a

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1 court reporter and will be placed in the official record
2 of this proceeding, and all of the record of this
3 proceeding is actually available for you to view and
4 read on the Public Service Commission website.

5 And Jill and the other people from our Consumer
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6 Services Office have information in the back so that you
7 can find out how to access that.

8 Last week we held something called a technical
9 conference in this case in which all of the parties,
10 which is--this is not just Con Edison and the
11 Commission. We had Western Queens Power for the People
12 Campaign came and questioned Con Edison at the technical
13 conference at length. Assemblyman Brodsky, the New York
14 State Assembly, questioned Con Edison. The Attorney
15 General, Eliot Spitzer's staff, participated. The City
16 of New York, the Consumer Protection Board, and the
17 Public Utility Law Project, were among the people and
18 organizations who came and are participating in this
19 investigation.

20 And we welcome your participation here tonight.
21 We know it's hard to come out on a weekday night and we
22 very much appreciate you sharing your experiences with
23 us.

24 If you have specific issues about your account,

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1 if you, for example, put in a claim for reimbursement by
2 Con Edison and your claim was denied, or if you don't
3 know how to put in a claim and you would like to do
4 that, or you have any other specific information about
5 your own account, please talk to our Office of Consumer
6 Services people who are here in the back of the room
7 tonight and they will do their best to help you process
8 those claims, and if necessary help you file an appeal

9 of the denials at the Public Service Commission.
10 Among the issues that the Commission is
11 particularly interested in hearing about from you, and
12 of course you get the mike and you can speak as long as
13 you want and give us whatever information you think is
14 important, but among those issues are to tell us how you
15 were affected by the outages, do you think you received
16 timely and accurate information from Con Edison, did you
17 attempt to contact Con Edison for information and how
18 did they respond, and what would your recommendations be
19 about what kinds of actions should be taken by the
20 Commission to ensure that Con Edison's management
21 doesn't lead to a recurrence of these events.
22 So, with that, I am going to call up the first
23 speaker. I am going to ask Assemblyman Lafayette to
24 speak if you care to.

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1 ASSEMBLYMAN LAFAYETTE: Since none of the
2 Commissioners are here, I will speak to my friends and
3 you, Judge.
4 I came tonight--unfortunately I was told that the
5 questions and answers would start at 5:00, and so I came
6 prepared to listen to your questions and responses by
7 our Commissioners, but I guess my timing is off.
8 I had really--I had attended one of the Assembly
9 hearings that we held and a lot of information was
10 exchanged there and that's been digested by our staff in
11 Albany. However, one of the pieces of information--so,
12 I had a question I wanted to ask, and I have been trying

13 to get the answer without having to come here and have a
14 chance to talk to one of the Commissioners or two.

15 I will put the question out there for the record
16 and hopefully I will get fairly prompt response. I do
17 represent a part of Woodside, not where the school is,
18 although at one time I represented this area, but the
19 portion that disappeared and came back again, and I
20 represent across the street. I represent not St.
21 Sebastian's church but the parish house and school. The
22 line goes right there.

23 Part of my district down off 37th Avenue, between
24 37th Avenue and 9th Street and 65th Street, was without

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1 power for about three days before anybody even knew
2 anything about it, because the people who lived there
3 really didn't know who to contact and, worst of all, Con
4 Ed didn't know that hundreds and hundreds of families
5 were without electricity.

6 I think that was sort of a very peculiar type of
7 experience. As I was listening to a lot of conversation
8 go on, one of the things--I thought since Con Edison was
9 a monopoly, and that's why their rates have to be
10 examined and approved by the Public Service Commission.

11 They have a monopoly and they have an obligation
12 to take all the tasks of delivering energy to the areas
13 in which they have the monopoly. That's their
14 obligation. Part of what they do though is the rate
15 setting process they go to the Public Service Commission

16 and ask for increases. In other words, it's a question
17 of who pays for the cost of the energy. Is it the
18 ratepayers or is it the owners, stockholders of Con Ed?
19 It's got to come from someplace.

20 It's my understanding--and I can't verify this
21 and nobody denies it, but nobody--also nobody is giving
22 me the proper information--that Con Ed did go to the
23 Public Service Commission sometime in the spring of '05.
24 That's a year before the outage, at least a year before

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1 the outages happened, and they asked for money and in
2 order to repair the lines, the method of distribution,
3 the whole infrastructure. I think the amount of money I
4 have been told is somewhere around \$3 billion, that \$3
5 billion was approved, as I heard, by the Public Service
6 Commission.

7 The question I want to ask: If that's so and the
8 taxpayers got increased for the power--which I did and
9 you did, I know when you look at the bill you see that
10 bill going up fairly sharply--what happened to the
11 money? How was it used? Where was it used? How did
12 they determine the priority of how the money is spent?
13 Or was it spent or did it go out to increased dividends
14 for the stockholders or for higher pay for executives
15 and boards of directors?

16 I think that's a question that has to be
17 answered. Or why did they give them--or why did the
18 Public Service Commission award that amount of money
19 without having the details and a schedule of what had to

20 be done? And how was this to be reported to the Public
21 Service Commission?

22 Or do they just give the amount of money and turn
23 their backs and wait for some terrible occurrence, like
24 we just had, in order to sort of focus attention on

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1 something that should have been done at the time they
2 approved an increase?

3 So, since they are not here I hope that the
4 message and question I am asking will be answered. I
5 have asked the question. My staff has approached the
6 staff of the PSC. I haven't got the answer, and I am
7 used to getting answers.

8 JUDGE STEIN: I will venture one answer. I don't
9 think it's--it obviously doesn't answer your question in
10 full, but many of the issues that you raise are actually
11 part of the investigation that is going on now.

12 ASSEMBLYMAN LAFAYETTE: I am glad to hear that.

13 JUDGE STEIN: There is a very detailed financial
14 investigation going on as well as the engineering
15 investigation, and we expect that the staff report will
16 include some analysis of those issues as well as the
17 engineering issues.

18 ASSEMBLYMAN LAFAYETTE: Because if the job wasn't
19 done correctly, or if the money wasn't used for the
20 purpose for which it was intended, then I think Con Ed
21 has to pay a rebate to the people who pay for electric
22 service. They shouldn't be allowed to keep the money

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23 for profit or other types of expenses when this money
24 was awarded specifically for infrastructure maintenance

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1 repair or replacement.

2 So, from that point, I don't know what the other
3 legal consequences could be for either giving particular
4 statements to the PSC for the rate increase or I don't
5 know what the consequences are in that act.

6 So, that's why I am here for that purpose and I
7 hope I get the answers and I hope the public gets those
8 answers because that certainly was a terrible experience
9 of people having severe problems, health problems, as
10 well as the confusion that was caused, possible crime
11 incidences and not being able to have a lot of
12 communications.

13 That and to find out that a huge corporation
14 doesn't have the ability to know at any one time who
15 they are servicing.

16 So, I wish you luck in your determining the facts
17 in this case and basically providing the proper remedies
18 to this situation.

19 Thank you for your attention.

20 JUDGE STEIN: Thank you very much for your
21 contribution.

22 (Applause.)

23 Al Volpe.

24 MR. VOLPE: Assemblyman Lafayette, thank you very

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1 much for coming. We go back many, many years together
2 in Woodside. You have been a great support, great
3 helper and greater leader for our neighborhood.

4 Just mention Joe Conley is here, he's the
5 president of the--executive director of the Community
6 Board 2. Community Board 2 is meeting tonight and
7 therefore I am speaking here. I much prefer to have a
8 larger audience, what do you call the prime time.

9 My name is Al Volpe. I am a member of Community
10 Board 2. I have been on the board of directors of my
11 co-op for 30 years, no longer there. I've been an
12 officer of the Federation of New York Housing
13 Cooperatives, also a member of the board of the National
14 Association of Housing Cooperatives.

15 There is a major program that would prevent
16 outages. It's been around since 1981 and it's been
17 underutilized. The electric capacity is limited. This
18 is not. We have 500,000 co-op units in New York City,
19 approximately 35 percent of private housing. Only a few
20 of them, few hundred buildings, I should say, use the
21 tool that could help, and that is submetering.

22 There is proven benefits. Use less capacity, use
23 less electricity, maybe ten percent, 15 percent and in
24 some cases they would use 35 percent saving. Now, that

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1 would be an enormous help against that limited top

2 demand capacity.

3 The advantages to me are self evident. NYSERDA
4 has had a program since 1981 but the cost has been
5 shifting. Once it was \$99 to implement then \$199 then
6 \$299. Right now I think it's about \$600 per unit to
7 install.

8 My co-op, we have 440 units. That's a quarter of
9 a million dollars. That's a lot of money to install
10 submetering. We don't have that. Oh, well, you will
11 get half the money back after a year. My thing is: How
12 do we get started?

13 So, a few things I would like to say. Number
14 one, we need up front financing for co-ops, there is
15 500,000 units, up front financing so they can implement
16 submetering. They need a rebate once the program works,
17 some kind of forgiveness. They need incentive to put it
18 in.

19 The reason for submetering in the first place,
20 there is huge capital savings for Con Edison in the old
21 days or whoever generates the electricity. They don't
22 have to spend hundreds of millions of dollars to add
23 capacity. Right now the huge cost on the spot market
24 has happened in July.

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1 What do we have to do now? We have to put money
2 into the program up front and we have to stay
3 consistent. Don't change the amount year from year
4 while the window is going to be you will have a window
5 until January 1st and on January 2nd there is a

6 different thing.

7 Co-ops are very slow on the board. Takes us two
8 years to do anything to begin with. If you are shifting
9 the sands under us it makes it very difficult for us to
10 say here's something, we are going to get the financing
11 up front and it's going to stay there. Let's push it
12 and get moving and maybe we will be able to save money
13 and put the program in, but they have to stay consistent
14 and not to switch the incentives.

15 Finally, maybe NYSERDA or somebody should put
16 somebody on Commission, somebody would go around and
17 push co-ops to put this in. There are lots of
18 independent contractors. They are just sitting there.
19 They are waiting for the co-ops to come to them. Nobody
20 is really pushing it and the program that's been sitting
21 there for 25 years, and that's the problem. It's
22 sitting there. It needs a lot of push and let's push it.
23 Thank you.

24 JUDGE STEIN: Thank you very much.

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1 (Applause.)

2 Mr. Conley, would you like to speak?

3 MR. CONLEY: I would like to thank you for the
4 opportunity coming back to the communities where people
5 have the chance to be heard on this major event that
6 happened in our community.

7 Couple of points I would like to focus on
8 tonight. One is about the issue of customers. I think

9 clearly the lesson learned has to be a better reporting
10 process and I think the utilities should be held to task
11 to say that how many people were actually affected by
12 the blackout.

13 Al Volpe was talking about his building the
14 counting was one customer because there was one meter.
15 So, clearly we didn't know the impact of the blackout
16 for several days until we were able to do an assessment
17 in the area by listening to news reports and telling
18 people that we had problems with the numbers we were
19 talking when we talk about 2,000 customers out of
20 electricity.

21 The other point we think that it's grossly unfair
22 that businesses that were so adversely affected are
23 limited to such a small amount. If the business owner
24 is able to prove that they have lost inventory, lost

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1 businesses, or even lost wages, we firmly believe that
2 the utility should be held accountable for that.

3 We have heard a number of stories of businesses
4 that are not in the food business that were equally hit
5 hard and suffered just as much damage, even down to a
6 person that has an Internet store that was not able to
7 do wire transfers for their companies, not be able to
8 provide Internet access for people in other countries.

9 And what happened in his case when the power was
10 out for nine days he was still without service because
11 Road Runner was not back up and running at the same
12 time. So, everybody was hit pretty hard and I think the

13 economics need to be looked at and say how do we fairly
14 compensate back to the businesses.

15 The other item that we want to speak about is for
16 the people with special needs. Lists that were handed
17 to the police department were out of date, and there was
18 not the best use of resources for the police department
19 to start calling people and then to find out they were
20 calling somebody's house where a loved one past maybe
21 two years ago.

22 We think the appropriate measure would be the
23 utility should be responsible for sending out maybe
24 twice a year an updated list requesting special needs

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1 for people that might need services.

2 And lastly, as coordination of services during
3 the blackout, I think the biggest frustration is about
4 information, not being told when to expect power to come
5 back up, and then also about where the ability was to
6 anybody to find out that information, go get the
7 information, or to find out where to go for services
8 such as water and ice, simple things.

9 So, those are recommendations we feel the Public
10 Service Commission should take under advisement. And
11 then, lastly, we would like to say that I think the
12 community here time and time again should not have to
13 pay for this.

14 This should be like any other corporation. It
15 should be within their profit and loss to say this was

16 their oops and they need to figure out a way to do out
17 of income stream which should not be coming back to the
18 consumers.

19 Thank you for your time.

20 (Applause.)

21 JUDGE STEIN: Thank you. Paul Margingelli.

22 MR. MARGINELLI: How this affects me personally,
23 I would like to add on to what Joe Conley just said.

24 I am a graphic designer. I do a lot of freelance

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1 work over the Internet. Prior to Sunnyside, Woodside
2 going black Long Island City had a power outage. But on
3 the news good old Con Ed told us don't worry. We are
4 handling the problem.

5 The next day I was home. I had to work. I
6 turned my computer on. I went on line. There was
7 nothing on T.V. telling us there would be a brownout,
8 blackout, anything. As I was on line the power went
9 out.

10 When the power went out I was on line. As every
11 computer user knows it destroys your motherboard, it
12 destroys your computer. I had to take my computer to
13 get it repaired because I have to keep doing business.
14 It wasn't a big bill really, it was only \$243.83, which
15 I supplied to Con Ed.

16 Con Ed, through their legal department, the
17 claims manager, told me we are sorry to inform you,
18 however, that we must deny your claim seeking
19 reimbursement for property damage. Under the terms of

20 our electric rate schedule, approved by the Public
21 Service Commission, Con Ed only provides reimbursement
22 for food spoilage.

23 If the day before you told me maybe we would have
24 a blackout or brownout I wouldn't have turned my

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1 computer on. So, I think it's Con Edison fault. I am
2 just a little guy.

3 You are right. There was computer stores. There
4 was Internet cafes. There was a lot of people that were
5 working on the computer at the time everything went
6 down. There was no notice on line at even Con Edison
7 website that we are having a problem. They didn't
8 notify us on the radio. They didn't notify us on T.V.

9 Come on, Con Ed. Get off the stick. Just give
10 us a little more warning. Admit you have a problem.
11 Pay us for the damage. Thank you very much.

12 (Applause.)

13 JUDGE STEIN: Billy Baby Mordente.

14 MR. MORDENTE: Let it be known to people all over
15 this planet that we are facing human extinction. It's
16 on the record right now. Basically we don't know what
17 we are doing.

18 Our whole planet is being polluted and we are
19 being cancered to death. Statistics, about 150 years
20 ago only one person out of 300 was cancer and was
21 killed, was dead. Today it's one out of two or three
22 people who are cancer.

23 We have enough information to change what we are
24 doing to ourselves, to our forest, to our oceans, to our

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1 children, and we are not doing enough about it.

2 The Con Edison issue is one small issue out of
3 hundreds, out of thousands, that are leading to human
4 death. It's called many things. It's called
5 extermination. It's called eradication. It's called
6 self genocide. It's called Armageddon.

7 JUDGE STEIN: If you could focus on the Con
8 Edison piece of this because a lot of people need to
9 speak about their experiences.

10 MR. MORDENTE: Con Edison, to speak about it
11 individually and singly, leaves out us. We can talk
12 about the pollution factors; is that okay? We can talk
13 about what happened in Chernobyl and we have got 444
14 Chernobyls all over this planet.

15 Con Ed pollutes. Nuclear cancer factories
16 pollute. I am not going to take more than another
17 minute or two to tell you what's going on that you
18 should know.

19 We now make weapons that can kill everybody on
20 the planet in just 24 hours. Depleted uranium that we
21 are bombing people in another country, the depleted
22 uranium is cancerous and it's little dust that goes up
23 into the air, it goes into the clouds all around the
24 planet, and it's falling down here right now.

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1 I am going to give you just one--I am going to
2 give you two reference pieces and then I will quit.

3 JUDGE STEIN: Why don't you give us one example
4 and I think we hear your point.

5 MR. MORDENTE: Okay. American Dynasty, it's a
6 book, it's in the libraries and on websites. It's by
7 author Kevin Phillips. It's about the Bush family
8 history. Before World War II they gave \$1 million every
9 year to Adolph Hitler.

10 And I will close with this information. Go to a
11 website called garyknoll.com and get a documentary
12 called friendly something and it's about what's going on
13 so that you are educated so we can save ourselves and
14 put the criminals, some of the criminals in our
15 government, in jail.

16 JUDGE STEIN: Thank you, Mr. Mordente.

17 Lov Kumar.

18 MR. KUMAR: First let me express thanks to Judge
19 Stein and also to New York State Department of Public
20 Service for conducting this very good investigation into
21 exactly what happened in the Con Edison outages.

22 I would like to specifically mention that we had
23 two outages on 44th Street and Sunnyside, first on
24 July 20th to 23rd, and second one on July 25th to 26th.

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1 And in these outages, for these outages Con

2 Edison is trying to process some claims for food
3 damages. But what happen to the damage, for example, I
4 was working on computer on my second outage during that
5 time and our computer was completely damaged, and
6 because of that for many days we do not have any news
7 off the computer.

8 And quite a lot of effort and pain which went
9 into bring it to the right working. We had to spend
10 money to buy a new monitor and things like that and
11 those damages. Who pays for those damages?

12 Con Edison should be responsible to compensate
13 for the damages which was in news during that time.
14 Second thing is--

15 JUDGE STEIN: Before you go to the second thing,
16 I wanted to ask you a question. The gentleman who spoke
17 earlier who also had computer damages.

18 MR. KUMAR: There are number of people.

19 JUDGE STEIN: He was making the point if he had a
20 warning he would have been able to take his system down
21 or at least been on alert that his system might be
22 compromised.

23 MR. KUMAR: I totally agree for that. That if
24 there would have been advance communications that there

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1 is going to be some damage or there is going to be some
2 outage then probably we would have saved our computer,
3 but this kind of information was not given.

4 I think this was my second point. That there is
5 a very urgent need on behalf of Con Edison to improve

6 upon their practices and procedures for information and
7 communication.

8 And my question, this is very--I say because what
9 will happen if there is sudden emergency again?
10 Emergency can happen what is happening in the world. It
11 certainly can happen, right?

12 So what is the remedy for that? What is the
13 secondary line of some kind of treatment that we won't
14 suffer these kinds of outages? I personally feel that
15 Con Edison should be actually--should be more
16 accountable for their increases in rate, increases in
17 their charges, increases for gas, for power, for
18 anything.

19 There should be complete moratorium on that for
20 the next two or three years. This is very important.
21 There are factors which have been mentioned and I
22 believe they have already been and we are support that.

23 And once again, thank you so much for coming down
24 to Sunnyside and listening to us.

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1 JUDGE STEIN: Thank you for your remarks.
2 Yarrow Regan.

3 MS. REGAN: Hello. I was getting worried that
4 only men were going to be allowed to speak today. I
5 have a thing I already filled out.

6 How was I affected. I did not have electricity
7 for 16 days. I was not comfortable with this situation.
8 I could not use my refrigerator, computer, telephone or

9 answering machine. I had to throw out all of my
10 groceries, medicine and vitamins.

11 I spent money eating out, replacing groceries,
12 buying batteries and candles, and spent money on
13 traveling to where I could access the Internet. It was
14 rather dangerous to use candles for lighting purposes.
15 I could not use my fan, but when my service was restored
16 apparently that killed the fan.

17 I become uncomfortable when I hear that air
18 conditioning overuse was the reason for the outage
19 because I don't have an air conditioner and I never
20 have, but that's just me.

21 I did try to contact--initially I contacted HPD,
22 Housing Preservation and Development, with regard to the
23 electricity being shut off. I also called the apartment
24 building, the Bureau of Electrical Control. I contacted

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1 my elected officials. I contacted the Community Board.

2 When I contacted the elected officials, often I
3 would get a very harried person working there who told
4 me they were the only person but I believe it was
5 another Assembly or Congressman's office who directed me
6 to some of the services.

7 When I finally contacted Con Edison I was on hold
8 for a long time and I felt they were rude and
9 unprofessional and I was not given accurate information,
10 just more of a run around.

11 Let's see. On July 26, 2006, the Community Board
12 communicated with Con Edison on my behalf. I believe

13 they came to the building where I live and they told me
14 that Con Edison said that electricity had been restored
15 to my building, but it was my landlord who shut off the
16 power.

17 On Saturday, July--I still didn't have any
18 electricity. On Saturday, July 29th, New York One came
19 to my building and the reporters interfaced with Con
20 Edison on my behalf. Con Edison came to the premises,
21 inspected the premises; however, I was never allowed
22 access to where--the locked area where the meters are
23 and I was again told that it was the landlord who shut
24 off my electricity.

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1 Now at that point I wish Con Edison had simply
2 restored my electricity as I didn't have the ability to
3 do that. It was by going to Housing Court that I got my
4 electricity restored.

5 Let's see. What are our overall impressions
6 about how the company responded to the outages and your
7 reasons for those impressions? Well, I felt that
8 despite the fact I kept calling Con Edison nothing was
9 being done about the fact that I didn't have service to
10 my premises, and that while people became a little bit
11 more professional, I felt I was still being given
12 misinformation and being misled.

13 Let's see. I felt that on Saturday, July 29th,
14 that Con Edison could have simply restored the
15 electricity. I believe it was a matter of screwing in a

16 fuse yet they did not do that. Why, I have no idea.

17 My recommendations would be to lower our
18 electrical rate and make it easier to access wind power.
19 I tried to--there was some kind of a special where if
20 you got wind power you would get like \$25 off on your
21 bill, but then I could never find it. I called a whole
22 bunch of places but I could never--I was never able to
23 get that.

24 And perhaps, I don't know, I feel that at this

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1 point that the Public Service Commission isn't actually
2 doing anything and is misrepresenting Con Edison after
3 the comments that were made earlier, because Con Edison
4 did go on the record on the New York Times and in the
5 media stating that they chose to shut off the
6 electricity.

7 So, thank you very much.

8 (Applause.)

9 JUDGE STEIN: Thank you. Mr. Davis.

10 MR. DAVIS: Again, I want to thank you for being
11 here to give us an opportunity to speak our piece.

12 On the second day of the outage, I contacted my
13 Councilman's office, Mr. Vallone, and his office had
14 informed me that they were in touch with Con Edison but
15 Con Edison said they are working on the problem. They
16 are going to hold a news conference 11:00 the next day.

17 Apparently Mr. Vallone was not the only one
18 involved because several elected officials from the
19 affected areas were present at the news conference.

20 I read the Con Edison 600 page report, high
21 lighted it. The fact they want to spend more money on
22 communications is ridiculous. The elected officials
23 were in contact with Con Edison and didn't get the
24 reply, so why is Con Edison turning around and in their

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1 report and say they want to spend millions of dollars
2 here and there to improve the communications.

3 The lack of communications wasn't because they
4 couldn't get in touch, it was because there was no
5 feedback except for working on the problem.

6 The second day of the outage when these elected
7 officials contacted Con Edison, Con Edison on the third
8 day says we didn't know. Why are all the elected
9 officials calling me if we don't know there is not an
10 outage?

11 There is a lot of questions and answers that
12 don't make sense and that's one of the them. As far as
13 the reference to what the young lady previously was
14 talking about, in the 600 page report Con Ed high lights
15 themselves as being in control and shutting off the Long
16 Island City network to protect the rest of the city.

17 In that wisdom, being that they were in control
18 of the whole situation, they chose to do this. I
19 question that because I didn't hear that. Mr. Burke
20 says they didn't know why this happened, and I can
21 believe that statement.

22 As far as the third, about the outage being the

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23 break at the substation tripping and the substation
24 operator couldn't determine--couldn't assist them back

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1 on line, if there was a ground fault present that was
2 causing the breaker to trip or not.

3 Being that the system was defective, the
4 secondary system including the transformers, they
5 replaced eight transformers already in the secondary
6 system. This would cause a breaker to trip and see a
7 ground fault. All this takes matters of seconds to
8 determine whether it's normal load or ground fault which
9 is detrimental to the system.

10 Maybe the circuit breaker was doing its job. The
11 fact that Con Edison had to replace 58 of the 82
12 transformers, and they intend to replace 82, 80 percent
13 of the network. If they were maintained properly and
14 circuit breakers were maintained properly and reported
15 and tested periodically and semiannually or annually
16 that might have not happened.

17 As far as putting the system back on line, you
18 don't throw a full load on to a breaker. It goes back
19 on line in steps. The same way you take it off the line
20 is the same way you put it back on line. There is
21 standard operating procedures. I don't think that was
22 followed.

23 Again, I came here to lambaste the Commission for
24 not overseeing all this, but realizing the staff is only

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1 400 people and you do cover the whole New York State
2 network, I can see where you couldn't be on top of
3 everything, that you have to rely on statements from Con
4 Edison, and those I would question.

5 The credibility of the company has a lot to be
6 desired. That's all I have to say. Thank you very much
7 for hearing me.

8 JUDGE STEIN: Thank you for coming again and
9 sharing your experience.

10 (Applause.)

11 JUDGE STEIN: Thomas Ryan.

12 MR. RYAN: I am a business owner and a homeowner
13 here in Woodside and I just want to tell you about my
14 personal matters. Power started going out on Monday the
15 17th, was not returned until Monday the 24th. Affected
16 the operation of my office and my home here in Woodside.

17 Because of the nature of this whole--I went out
18 and spent \$5,000 on a generator for my office. I bought
19 equipment. Have to pay for gas to run the generator and
20 electrician to put in wire for the generator.

21 My house was off limits, the air conditioning was
22 out, the refrigerator was out, and young children who
23 need medicine and formula, obviously without any power
24 it was hard to do that. I had to take them out to the

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1 Rockaways and stay there until power was restored a week

2 later.

3 I did get this, like the other gentleman said. I
4 thought I was the only one to get such a nice letter.
5 Kindly accept our apology. We are sorry to inform,
6 however, you must be denied the claim seeking
7 reimbursement for property damage. Under the terms of
8 Public Service Commission Con Edison must only provide
9 reimbursement for losses of commercial origins. Blah,
10 blah. Again, we are sorry. Gives me a number. We are
11 working very hard to restore your trust and confidence
12 and continue to do our best to provide safe and reliable
13 electric service to all our customers.

14 Going back here, you asked about the outage
15 information. Their public relations work is a
16 nightmare. There was no information at all, nothing.
17 Con Ed basically eliminating the amount of damages. Few
18 isolated incidents, we are on it, it was complete BS.
19 The information was never forthcoming during this whole
20 duration nor the extent of the outage.

21 I read the reports. They said they did wonderful
22 public relations. I didn't see anywhere--I know this
23 area like the back of my hand so I think someone is
24 lying. I find that disturbing that they would not only

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1 let this happen but continue the lie and lie through
2 today.

3 The attempts to contact. People call them. The
4 funny thing is they had to rely on people to call them.
5 When you tried to call them on the phone the lines were

6 busy. When you tried to go to the website, website was
7 down. And that's if you had power to do that.

8 The fact they were relying on people to tell them
9 in this world is incredulous. Anyone in this area could
10 figure out what was going on. Didn't take a rocket
11 scientist to do that.

12 The fact the Con Edison, multi-billion
13 corporation, had their head between their legs is just
14 unacceptable.

15 I also want to talk about my clients because the
16 affect was multi economic damage. It wasn't just the
17 loss of power, loss of the merchandise, whether it was
18 perishable or not. Equipment was damaged because them
19 not saying anything to us about the power being out.
20 Lying to us the power was fully restored was a lie.

21 I went out to Radio Shack and bought a simple
22 voltage meter regulator to read my voltage. Now,
23 voltage should be if it's completely fine 120 service to
24 both residence and businesses. Ten percent cushion.

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1 Most voltage systems run from 110. Even when power was
2 restored to me over a week later my voltage was under
3 100 volts. If you talk to any electrician they will
4 tell you that's damaging to your equipment.

5 Not only was the power out but when it's restored
6 it still wasn't restored without damaging equipment.
7 This affected businesses, affected mine. I had to spend
8 money to generate my own power to protect my equipment.

9 When this happened three years ago when the
10 northeast grid went out I was a naive electrician and I
11 lost my system, cost me \$4,000 to restore that, so when
12 this happened I immediately knew what to do.

13 The fact this is costing me this money is absurd.
14 I have to protest that something much more has to be
15 done. This is not--we are not in Iraq or Watertown, New
16 York. We're New York City, heart of the big apple, and
17 this is happening on too regular a basis.

18 The fact that Con Edison is out there right now
19 restoring and repowering this area tells you how bad the
20 system is. I don't know to what extent they are doing
21 it.

22 JUDGE STEIN: I just wanted to ask you just to
23 clarify for the record. You said your power was
24 restored but in a low voltage mode.

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1 MR. RYAN: Yes. They said full service was
2 restored but it was a voltage reduction service.

3 JUDGE STEIN: Right, and when was that?

4 MR. RYAN: That was at least another week.

5 JUDGE STEIN: You were at low voltage for another
6 week?

7 MR. RYAN: Yes. Full voltage should be about
8 120. 110 is the service that we all get. My meter was
9 reading 100 or less for the week after that. So, what I
10 would have to do is I would watch it and it would
11 change. When it went to 120 I turned my generator off.
12 When it went down to 100 I turned my generator back on

13 again. This was an ongoing thing. It wasn't just
14 restored when they said it was. That's another
15 fabrication.

16 Another thing here is overall impression how the
17 company responded. They downplayed the whole thing,
18 only a few customers. Understanding the extent of the
19 outages, I can't fathom how they could look at this grid
20 and not be able to determine how many people were out of
21 power.

22 Their response was they drove up and down the
23 street. We have technology services. We have
24 satellites. We have so many different ways information

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1 to have--we could have got into airplane and looked
2 around and see how dark it was. The fact they were
3 doing things on such a level is outrageous.

4 Now, you asked about recommendation. First of
5 all, I recommend that the Public Service Commission sink
6 some teeth into this because this has happened too many
7 times and there's no reason for this.

8 I think we need to have better public relations.
9 We need to have this information instantaneously. I
10 watched New York One, I watched 1010 WINS. I was
11 getting information I needed, but it wasn't coming from
12 Con Edison. Con Edison was telling us a completely
13 different story.

14 There's got to be a greater ongoing maintenance
15 program. I talked to a lot of people, electricians, the

16 stories they were telling me how Con Ed does repairs and
17 maintains the system. It's incredible, so, looks like
18 the Local 3 electricians knew what was going on but the
19 rest of us were out of the loop.

20 Crisis management. The crisis management of the
21 whole thing was ridiculous. Con Edison didn't respond.
22 The city came in late because of what Con Edison
23 responded. City had to call in the Red Cross and
24 everybody ended up in Astoria and only until later on

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1 did they realize the eastern half of the grid no one was
2 getting any services.

3 Red Cross came in but that was much later, much
4 to do after the Astoria crisis broke. It wasn't just
5 Astoria, it was Woodside also. That was another
6 problem. The extent of the outage was never even--one
7 more thing.

8 JUDGE STEIN: Let the record reflect that the
9 speaker is gesticulating in frustration.

10 MR. RYAN: Please do. First of all, I think Con
11 Edison should be fined so they won't do this again. The
12 way we affect the shareholders and affect the
13 rateholders is fining them.

14 Something was done wrong here. They need to be
15 penalized. This happens again, it's going to cost us
16 money. I think they need to have a future overview of
17 the network system and I don't think Con Ed can do it.
18 It's like the wolf watching the chicken ranch. Doesn't
19 work.

20 The other thing is the system has to be upgraded
21 to today's technology. There is so much new technology.
22 It's going to cost money.

23 Some of these speakers told you how they got \$3
24 billion, \$3 billion, they could do a lot of upgrades

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1 with this. I would really like to know why the system
2 isn't kept to where it should be.

3 Also they need to have a better emergency plan.
4 Something of this small scale, looked like a repetition
5 of this again, they didn't know what was going on, they
6 didn't know where to respond, they didn't know who
7 needed the services. This said to me this is five years
8 after 9/11 we haven't learned anything.

9 Public Service Commission, Con Edison, the city,
10 have to have a much better emergency plan in fact and be
11 able ascertain the damage more quickly and get the
12 services out there to them. A lot of people were
13 affected, when it was hot out people didn't have
14 refrigeration, stuck in their apartments, no air
15 conditioning, information not getting out there.

16 There was really--I know a lot of people didn't
17 die, but needless suffering could have been avoided if
18 word was getting out. The fact Con Edison sort of
19 pooh-poohed the whole thing and said everything's okay,
20 the sky is not falling, no riots.

21 One more thing. They could spend less money in
22 advertising and public relations and charitable

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23 contributions because if they have that much money to
24 spend and get the finger's up, "we are on it". I think

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1 they have the wrong finger up. I would like to end with
2 that.

3 Thank you very much.

4 JUDGE STEIN: Thank you very much.

5 (Applause.)

6 Jim Condes.

7 MR. CONDES: I am going to be very brief and to
8 the point. To me it boils down to two priorities. One,
9 preventive maintenance and systematic periodic checks of
10 the equipment and, two, better and more up to date
11 equipment that could bear the brunt of power surges.

12 Our population is growing and newer technology
13 draws a tremendous amount of energy. Con Ed has to come
14 into the modern age of the 21st century. I just thought
15 of something, maybe they could emulate some other states
16 and how they do it. You know what I am saying? Because
17 supposedly there are other states that have a better
18 system, so, if they could possibly do that.

19 As far as information, there was about 20 trucks
20 on 58th Street where I live, and I just asked the
21 workers on when the power would be coming on. I got all
22 different answers, so it didn't mean anything, but those
23 are the two things I think that should be done.

24 Thank you.

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1 JUDGE STEIN: Thank you very much. Anete Laba.

2 MS. LABA: Good evening, all. I would like to
3 thank Judge Stein for coming to listen to us. I will be
4 very brief because I want to get straight to the point.

5 The Public Service Commission is the entity that
6 is overseeing supposedly Con Edison, but it seems that
7 they have not always done their duty. Even today, if
8 you want to make a phone call to Public Service
9 Commission you need half an hour and then there is a
10 recorder, not a human being.

11 With reference to Con Edison, and there is a--we
12 had in the month of August where income and wage losses
13 incurred by the business people and of course private
14 residents, it was a failure of Con Edison tariff rates
15 that supposedly was limited only to loss and
16 perishables. How is that possible?

17 A giant company like Con Edison that is dealing
18 with providing electricity for businesses, small and
19 big, they have liability only for perishable food. And
20 Public Service Commission said fine, that's okay.

21 That is not okay. Tens of thousands of dollars
22 spent by Con Edison on public television to show how
23 good they are could have been taken and given to those
24 people that lost their businesses and their wages for 10

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1 to 12 days.

2 I would like to point out that the deregulation,
3 which Con Edison has blamed their failure on, is
4 something that we have to look again at because we have
5 to remember that deregulation was a victory of greed of
6 a performance. And this must be discussed again by the
7 Public Service Commission and by the public.

8 We must re-regulate if the deregulation is the
9 cause of so many problems. This goes for the gas
10 company also, and KeySpan and other gas companies that
11 have charges that are not the same one month after
12 another. They are increased every time. Is actually
13 the Public Service looking at that? I don't think so.

14 I would like to touch on another subject because
15 coming from the Public Service Commission it is being
16 said KeySpan is going to sell part of its service or
17 merger with a German company. They probably will need
18 Public Service Commission to look into that.

19 We appreciate very much if this is analyzed very
20 thoroughly because they would need the Public Service
21 agreement, I suppose, right?

22 I would like to just say that the losses that Con
23 Edison has afflicted not only economically but also
24 psychologically, keeping people in the dark, frightened,

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1 in the month of August, in the biggest heat, 100
2 degrees, without any air conditioning or ventilation or
3 anything helpful. Candle light is not enough to sustain
4 living for ten days.

5 I certainly hope and I urge the Public Service

6 Commission to look into re-regulating whatever was
7 deregulated and caused so much harm to so many people.
8 Thank you.

9 JUDGE STEIN: Thank you very much for your
10 remarks and they will be on the record for the
11 Commission.

12 I don't have any other cards. Is there anyone
13 else here who would like to speak at this point? We are
14 going to reconvene at 7:00 p.m. for another educational
15 forum by staff and at 8:00 p.m. there will be a second
16 public statement hearing.

17 I very much appreciate people came out here and
18 shared their thoughts and their concerns and their
19 experiences. And seeing no other speakers, at this time
20 it is 6:15 p.m., and this hearing is adjourned. Thank
21 you.

22 (Applause.)

23 (Hearing adjourned.)

24

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2 STATE OF NEW YORK
3 PUBLIC SERVICE COMMISSION

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

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

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Public Statement Hearing
PS-11
54-25 Skillman Avenue
Woodside, New York

November 2, 2006
8:00 p.m.

PRESIDING:

CHERYL BULEY, Commissioner

ELEANOR STEIN,
Administrative Law Judge

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JUDGE STEIN: Let's get started. This is a
public statement hearing on November 2, 2006 at
8:00 p.m. in Woodside, Queens. And this is case
06-E-0894, the proceeding on the motion of the
Commission to investigate the electric power outages in
Con Edison Company of New York's Long Island City
electric network.

My name is Eleanor Stein. I am the
Administrative Law Judge presiding over the
investigation of Con Edison. And I would also like to
introduce Commissioner Cheryl Buley.

COMMISSIONER BULEY: I would like to welcome all

13 of you. I understand you have already suffered a great
14 hardship this summer. I am happy to see that you are
15 here today because I know your time is valuable, but
16 what you have to say is very important to us, truly.

17 So, thank you for coming. And everything that
18 you are here saying today is being taken by a
19 stenographer and becomes a part of a record that will be
20 considered in our proceedings. So, thank you for coming
21 and we look forward to hearing from you.

22 JUDGE STEIN: If you were here an hour ago you
23 heard a presentation from Department of Public Service
24 staff concerning the status of the Commission

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1 investigation of Con Edison to date. That investigation
2 is ongoing and it has not concluded.

3 Last week we held a two-day technical conference
4 at which high level executives of Con Edison were put
5 under oath, they testified and they were questioned not
6 only by the Commission staff but by the staff of
7 Attorney General Eliot Spitzer, the Consumer Protection
8 Board, members of the New York State Assembly, the
9 Public Utility Law Project and Western Queens Power for
10 the People Campaign, some of whose representatives are
11 here today and who very ably represented this community
12 at those hearings.

13 There is also going to be ongoing discovery and
14 litigation between staff and Con Edison and the other
15 parties which will result in a report that will go to

16 the Public Service Commission.

17 This investigation is looking at taking a
18 comprehensive look at the circumstances that lead to the
19 outage, at Con Edison's investments, at their expenses,
20 at the actions they took and the decisions they made
21 during the outage itself, at their communication with
22 their customers, with New York City, with emergency
23 services during those days, and at their response to
24 their customers and their response in restoring power to

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1 the network.

2 All of those things are under active
3 investigation currently. And your experiences, both in
4 terms of when your power went out, the kind of
5 communication you had from Con Edison during that time,
6 what their response has been to date, is all very
7 valuable information that will be useful to the
8 investigation as it proceeds.

9 And so I would like to join Commissioner Buley in
10 thanking you very much for taking the time to share that
11 information with us. If you have signed up to speak I
12 have your name and I can call you in the order in which
13 you signed up. If you haven't, please do so.

14 There are people in the back of the room who will
15 give you a sign up card. If you would like to make your
16 views known but you don't care to speak tonight, there
17 is also information in the back of the room about how to
18 do that, and how to make sure that we have the benefit
19 of your experience and your views and concerns.

20 So, with that, I am going to now call the first
21 speaker. Our first speaker is Alyssa Bonilla.

22 MS. BONILLA: Hi, everyone. My name is Alyssa
23 Bonilla. I live in Sunnyside, Queens. I am a survivor
24 of the Con Edison power outage.

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1 Con Edison continues to refer to the power outage
2 as merely an event. For those of us who lived through
3 it the power outage was a nightmare, but to be technical
4 it was actually, in my opinion, a product failure. Con
5 Edison's product is to deliver the electricity that
6 comes through their meters and into our homes and our
7 businesses. At the very least, Con Edison's product
8 failed 25,000 times.

9 At the recent technical hearing I attended I
10 heard people testify about how a low voltage cable
11 failed, how a contact in the substation failed, how a
12 monitor light failed, how an automatic shutdown system
13 failed, how ultimately 13 different primary feeders
14 failed.

15 And we all know that Con Edison's communications
16 systems failed and that their system for counting the
17 number of customers without power failed. So, in the
18 end, to me, this power outage was a catastrophic product
19 failure.

20 During the technical hearing I asked Con Edison
21 if the 25,000 customers without power included people
22 who were 100 percent without power, or if they also

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23 counted people who had partial power. I don't know
24 about you all, but I had partial power, which means I

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1 only had enough power to make one light bulb in my house
2 very dark brown. Con Edison told me that they counted
3 only the people who were completely without power.

4 The next day I went back to them and asked if
5 they knew how many customers, like myself, had partial
6 power, but that the power was so low it was as if we had
7 no power. And then Con Edison answered me the exact
8 opposite of what they said the day before. They said
9 that people with partial power like myself were counted.

10 Both these statements can't be true. Since the
11 community has no way to verify the truth of any of Con
12 Edison's statements, and given Con Edison's history of
13 underreporting figures to their own advantage, I
14 respectfully request that the Public Service Commission
15 undertake an investigation of this specific issue: How
16 many customers had no power? How many customers had
17 partial power? The community deserves to know the truth
18 about what happened to us.

19 I would also ask as a corollary that the Public
20 Service Commission compare the total number of customers
21 affected with census reports so that they can get an
22 accurate picture of how many human beings were affected.

23 I would also like to ask the Public Service
24 Commission to mandate a study of the public health

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1 impact of Con Edison's catastrophic failure. Analysis
2 should include looking at the 311 calls we all made
3 those nights, the 911 calls, the nature of emergency
4 room visits, if there was an increase in the number of
5 people who were now on life saving emergency equipment
6 since the power outage, to look at the number of
7 companion animal deaths, because we know that some
8 people did lose their pets, and to see if heat was a
9 factor in any of the human deaths that happened during
10 the crisis.

11 I would also like to ask the Public Service
12 Commission to mandate retroactively new reimbursement
13 policies that recognize all types of losses the
14 community suffered as a result of Con Edison's failures.
15 It is unfair that only food losses are recognized.

16 Finally, I would like to ask the Public Service
17 Commission to mandate a study of the full economic
18 impact of Con Edison's product failure on the
19 communities affected, including both residential and
20 commercial customers.

21 Food losses, revenue losses, wage losses, losses
22 due to damaged electrical equipment, all need to be
23 tabulated to appreciate the full extent of the damage
24 Con Edison's failures have inflicted on our community.

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1 Thank you.

2 (Appl ause.)

3 JUDGE STEIN: Li sa Kremens.

4 MS. KREMENS: My name is Li sa Kremens and I would
5 like to share with everyone here thi s evening my
6 personal nightmare.

7 My fami ly and I suffered psychologically and
8 physically in our apartment for seven days during
9 temperatures of 110 degrees or higher, and that was on
10 the outside. Inside it felt more like 130 degrees.

11 Does the PSC, does Con Edison, do they have any
12 idea what it is like to sleep in an oven for seven
13 nights, to worry about your mother who is a senior
14 citizen who decided to leave the apartment after three
15 days of sweating like a pig, only to find her on the
16 fourth floor crying and stating she had chest pains from
17 trying to walk up six flights of stairs?

18 Do you have idea what it is like to worry if your
19 mother, who is a senior citizen, is going to die because
20 of a blackout in the middle of the summer? To worry
21 about our elderly neighbors and watch them suffer wi th
22 the heat, knowing they can't go outside to get a breeze?
23 Do you know what it's like to worry that your 17-year
24 old cat might die as you stare at him panting? To worry

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1 about your other three cats that are panting and you
2 have never seen them pant like that before?

3 Do you know what it's like to not be able to
4 leave your apartment and go to a motel to cool off
5 because your four cats are panting and one of them may

6 die? I lived with this for seven days.

7 Do you know what it's like to not be able to go
8 to a motel and cool off? To see your neighbor carrying
9 his dead dog out of an apartment building? Do you know
10 what it's like to prepare and go to work without
11 electricity?

12 To not sleep properly or eat, for that matter,
13 for seven days? Four of which I was working. Do you
14 know what it's like to work without getting proper sleep
15 and nutrition? Do you know what it's like to--what it
16 feels like to stand in a Red Cross line so you can get
17 some food?

18 Do you know what it's like to be at work and know
19 that you have to go home and sleep in a 130 degree oven,
20 to try and fall asleep in 130 degree oven? To use a
21 personal day, a vacation day, because you were too
22 exhausted from the heat to function and go to work?

23 Do you know what it's like to live on the sixth
24 floor during a blackout, up and down, up and down, seven

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1 days. Of the fear I had each and every time I had to
2 leave, return, to, from my apartment that there could
3 have been a murderer or rapist just waiting for anyone
4 around any dark corner of the building. And the
5 building was dark even in the day time.

6 Do you know what it's like to see water bugs on
7 the walls and floors of your apartment building during a
8 blackout? Do you know what it's like to live like a

9 stinking animal for seven days? And for this I received
10 a \$3 credit?

11 We suffered in a way we have never suffered in
12 our lives as New Yorkers. It was a true nightmare. It
13 is simply outrageous that all Con Edison had to do is
14 reimburse us for food.

15 I want Con Edison to reimburse me for the
16 vacation day I took from my own personal time. I want
17 Con Edison to give me free electricity next summer for
18 the pain and suffering we all experienced.

19 (Applause.)

20 I want Con Edison to reassure my community that
21 we have nothing to worry about when we see all those new
22 high rise luxury apartment buildings being built in Long
23 Island City.

24 Con Edison has turned its back on our community.

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1 It's time they step up to the plate and pay us back for
2 the misery they left us in for seven very long, hot,
3 sweltering days.

4 Thank you.

5 (Applause.)

6 JUDGE STEIN: Alice Tufel.

7 MS. TUFEL: My name is Alice Tufel and I live in
8 Sunnyside and experienced the outage like most of you
9 here or all of you here did. I want to comment mostly
10 on the Con Ed report, but I just wanted to make a couple
11 statements before that.

12 One is that it was reported that the PSC
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13 Commissioner during the outage was in touch every day
14 with Con Ed CEO Kevin Burke, as well as Governor
15 Pataki's chief of staff, and Mayor Bloomberg. This was
16 probably better for the question period but I would like
17 to know if he was in touch with anybody in the
18 community, because Mayor Bloomberg was certainly not a
19 proxy. He did not show up in Sunnyside at all and he
20 was in Astoria I think four days in.

21 So, Kevin Burke was certainly not a reliable
22 source. So, I think in emergencies like this the people
23 should be heard from, not the CEOs or the politicians.

24 The second comment quickly I just want to make, I

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1 am disturbed about what may be a demographic bias
2 because it seems that when these type of outages happen
3 they happen in largely working class neighborhoods and I
4 think that should be looked into. It's very disturbing
5 to me. Gramercy Park, upper east side, upper west side
6 of Manhattan, I don't recall that happening.

7 Okay, the Con Ed report. I read the Executive
8 Summary, not all 600 pages, and it seems to be awash in
9 technical mumbo-jumbo that explains what happened during
10 the outage with no analysis of the events preceding it.

11 In the very first sentence it refers to an
12 extraordinary series of events, which suggests that Con
13 Ed is not taking responsibility for what happened since
14 those events were precipitated by Con Ed's long term
15 neglect.

16 In the second sentence there is a reference to a
17 heatwave that caused the power outage. Again, it was
18 Con Ed's failure to prepare for that heatwave, which was
19 not unprecedented, we get heatwaves in New York, and it
20 was not the heatwave that caused the outage.

21 The whole first paragraph is self congratulatory.
22 Oh, we did a great job responding to this outage. I am
23 not going to go through every single sentence in the
24 report. I just want to comment on just a few more

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1 statements that seem particularly outrageous to me.

2 The report notes that certain conditions arose
3 well beyond the design criteria of the network. This
4 statement begs the question how old were those criteria
5 and why had they never been assessed and updated? And
6 if they had, why was nothing done about it?

7 There is a laughable certain laundry list on page
8 seven of the Executive Summary describing what Con Ed
9 allegedly did to reduce network load. It mostly states
10 that Con Ed asked the public to reduce their usage.

11 For one thing, most of us had no power to reduce.
12 For another, I don't know where the NYPD was
13 broadcasting their appeals by public address systems,
14 not in my neighborhood. I didn't see trucks in my
15 neighborhood. As for the media, they didn't seem to
16 have any knowledge of the outage until it had been in
17 progress for three or four days.

18 I remember on day three listening to my
19 transistor radio and hearing about an outage in Astoria.

20 I heard nothing about the outage in Sunnyside on that
21 third day listening to the radio. So much for the
22 media.

23 The Executive Summary made no mention of the fact
24 that in some and perhaps many of the cases power was

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1 lost a second time. Our power was initially restored on
2 Friday, July 21st, day five. We lost it again on
3 Monday, July 24th. I called several news stations about
4 it that night, as did my neighbors, and we were told by
5 one station that Con Ed had said it was just our
6 building. I was standing in my apartment looking out on
7 a block of darkened buildings, so Con Ed apparently was
8 deliberately deceptive about the extent of the outage
9 and their efforts to restore power and to keep their
10 customers informed.

11 Con Ed also states for the first four days "based
12 on calls received the company believed that about 1600
13 customers in the Long Island City network were without
14 service". It seems incredible to me that a company of
15 Con Ed's size and wealth relies on their customers for
16 information about their own system. Can't they monitor
17 especially during a heatwave and especially knowing that
18 their system is antiquated and overburdened? They have
19 no trouble monitoring usage when it comes time to
20 calculate our bills.

21 (Applause.)

22 One more point before I conclude this. At least

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23 four times this Executive Summary says that Con Edison
24 is taking steps to "reduce the probability of inrush

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1 current trip out". Technical jargon aside, I just want
2 to say that reducing the probability is not good enough.
3 We want more assurance than that. Other industries
4 today are setting their sights on a so-called
5 theoretical limit of zero, which means aim for zero
6 level of error and maybe you will be able to reduce it.
7 You don't aim for a reduced level. You aim for a zero
8 level and maybe you will get somewhere.

9 So, that's just a brief summary of some of the
10 things that really made my blood pressure go up as I was
11 reading this thing. To me this report just attempts to
12 exonerate Con Ed by laying the blame for the outage or
13 the event, as Alyssa said and that's what they keep
14 calling it, on an unprecedented set of circumstances
15 without accepting responsibility for those
16 circumstances.

17 I think it can be summed up just with this little
18 metaphor. To me, this is like a drunk driver saying,
19 well, it's not my fault those four people died in the
20 accident. I couldn't help it. I was drunk.

21 (Applause.)

22 JUDGE STEIN: Patrick Barnhart.

23 MR. BARNHART: My name is Patrick Barnhart. I am
24 a resident of Sunnyside, Queens. On Monday July 17th I

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1 was listening to the Mets pregame and the radio show.
2 The radio went out, which was my first sort of warning
3 that there might be sort of a power problem.

4 In my building we didn't actually lose power, or
5 as far as I knew the first night, my apartment didn't
6 lose power but other folks in my building did lose
7 power. But I went for a walk later on in the evening,
8 and it was quite clear that there was something strange
9 and amiss in Sunnyside.

10 There was smoke in the air from the fires in the
11 manholes and a number of areas were dark. I only recite
12 this because I had the opportunity to attend the
13 technical hearing and at the technical hearing it seemed
14 that Con Ed was trying to give the impression that the
15 real problem wasn't until Wednesday because that's when
16 sort of all heck sort of broke loose for the system.
17 And it sort of definitely reads to their trend of
18 ignoring the impact on their customers or we people
19 here, we neighbors.

20 I wanted to give some specifics about my building
21 because I know that's important for the record. I know
22 that there are at least five people in my building who
23 are elderly or frail and cannot leave the building. I
24 know that one resident of my building was carried out on

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1 a stretcher.

2 Because, as I said, we didn't lose power entirely
3 in the building, we wouldn't even have been counted in a
4 brownout count, but we were asked to turn off our
5 elevators and everybody in the building had cold showers
6 for eight days.

7 So I mean I have to say compared to some of the
8 stories here I think we definitely got off easy, but
9 that doesn't reduce my anger at Con Edison and the way
10 that they have treated this problem.

11 I think we should consider that in the past 40
12 years this is the worst network outage in the Con Edison
13 system not caused by terrorism, and Con Edison's efforts
14 to minimize this problem are truly insulting.

15 At the technical hearing that I attended, the
16 presenter mentioned that the first time he had heard
17 that there was a widespread problem in our area in the
18 network was Thursday morning when the vice president for
19 Brooklyn and Queens Con Edison came back and reported
20 that, oh, there is a problem there.

21 And while the initiative of this executive is
22 inspiring, I am somewhat surprised that they were unable
23 to get a report from one of their other agents or
24 employees.

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1 I would encourage the Commission to consider this
2 sort of failure to inspect on the part of Con Edison
3 when considering whether or not they have been
4 negligent.

5 There was a lot of talk or there was some talk
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6 about the reporting systems and very technical jargon
7 about how the engineers might get more information. And
8 from somebody who is not a technical person I was
9 shocked and amazed that they didn't have somebody
10 driving out and doing a drive by survey. It's a common
11 technique that's used in a lot of other industries.
12 It's not very expensive. It seems a much better
13 investment than the proposal of \$2 million investment
14 for some sort of new warning light that we don't even
15 know if it's going to work.

16 It's not that hard to drive through a
17 neighborhood and sort of see if those lights are out, I
18 think we may have a problem in that area.

19 I also want to say that residents of this
20 neighborhood have been sacrificed for the benefits of
21 Con Edison's shareholders and that the Public Service
22 Commission--in addition to being sacrificed for the
23 benefit of the shareholders we have also paid a price
24 for the rest of the system.

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1 I believe the Public Service Commission has the
2 power to both rebate and also to limit the amount that
3 residents have to pay. I would truly hope that they
4 would consider the Long Island City or at least the
5 affected residents, when identified in the Long Island
6 network, have paid much more than anyone else in the
7 entire Con Edison system and should in some fashion be
8 remunerated for that.

9 This doesn't--I think other folks had some other
10 very good calls tonight. I would encourage them to look
11 at this also. Of course I think they also need to look
12 at the fact that damages go far beyond food. And when
13 people are out of power for one week, \$100--or I am not
14 certain the exact amount the reimbursement is for, but I
15 am certain there are families of four and five and six
16 in this neighborhood that their food budget is far
17 beyond what they would have been reimbursed for.

18 I also encourage that--Con Edison indicated at
19 the technical conference that the repairs in the
20 network, they were doing as much as they can. One of
21 the things I think they should consider is when you have
22 a weak network if you can reduce the demand within the
23 network through energy conservation then there is less
24 demand on the network.

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1 So, in other words, if we can all save power or
2 if we can encourage the new developments in Long Island
3 City to be green buildings or to have reduced power
4 loads, then that's going to save the rest of the
5 network. And I would encourage the Commission to
6 consider that in its findings.

7 Finally, I have something that I would like to
8 say off the record because it comes from the technical
9 conference.

10 (Off the record.)

11 JUDGE STEIN: Catherine Fitzgerald Volpe.

12 MS. VOLPE: My name is Catherine Fitzgerald
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13 Volpe. I am a resident of Woodside here, block away
14 from the school, in a 12-story building which I walked
15 up and down four times the day we had no power.

16 Again, my story maybe is not quite as dramatic as
17 I know a lot of people in Sunnyside. I have a lot of
18 friends in Sunnyside. I was making calls for friends in
19 Sunnyside who were out for a week, who had nothing, no
20 air conditioning, no elevators, no electricity, no
21 ability to cook. Pretty much nothing.

22 But I do know my own personal experience that
23 week was--started on Tuesday. A friend of mine who
24 lives over by La Guardia told me the lights were so low

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1 in her apartment on Monday night that she couldn't read.
2 So I would think that it started to happen in parts of
3 Jackson Heights and Astoria and Con Ed should have been
4 even aware of that event.

5 But Tuesday became very markedly different in
6 this area. I had no lights in the halls. It first
7 started going on and off. So it was like part of a hall
8 would be lit or maybe one hall would be totally dark.
9 The stairwells were dark. If you had to walk down them
10 it was very dangerous.

11 But Wednesday was when all hell broke loose. I
12 live in a 12-story building, so unlike a house you
13 depend on electric pumps to get your water through the
14 buildings. And once the electricity went totally out,
15 all of the water went out. And I think that was

16 probably the most horrible part of that particular
17 situation.

18 You had no water to drink if you didn't put some
19 in your refrigerator or had some bottled water. You had
20 no sanitary facilities in your house. It was like
21 living in a third world country. I just--after that
22 happened I happened to call somebody at--actually
23 someone at Councilman Gioia's office called me shortly
24 after that happened and I started to describe what was

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1 going on, and they couldn't believe it because they had
2 had no word of it. And based on that they did call the
3 city Emergency Management Office, and they had no word
4 of it, this was Wednesday in the middle of the day.

5 And it seemed that city officials had not been
6 apprised of anything. The Office of Emergency
7 Management had yet to be apprised of anything. And I
8 think in an emergency that's an extremely slow response
9 from any utility supposedly serving the public.

10 It did--that was a horrible day. We have a lot
11 of senior citizens in our building. They were in a
12 situation described by the lady from Sunnyside, but
13 fortunately for a shorter period of time, because I
14 think once they realized that we had a block, they were
15 saying 1600 people were out in the western Queens grid.

16 When I was told that, I looked at some reporter
17 and I said, I can count 1600 people on this block and
18 the unfortunate part is my building has 222 apartments
19 and there are three other similar buildings. There's

20 almost a thousand on the block and if I walked around I
21 would get thousands of others, but they count each of
22 those--at least my building as a co-op as one customer,
23 so their counts are totally off.

24 And I agree with that sentiment that they have

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1 to--in this day of technology there has to be a better
2 way to count your customers and know how many are out.
3 Even though I don't get an individual bill, they get a
4 very large payment from our co-op for the electricity it
5 uses, and they should know--department building records
6 have it, census records have it, they should know how
7 many people in the area.

8 What they were saying to the public was totally
9 disingenuous. We were fortunate in that I think because
10 of the call to Office of Emergency Management and
11 Councilman called the Red Cross in because we had
12 absolutely no water. And he sent the Red Cross--Office
13 of Emergency Management sent the Red Cross in with water
14 to us and they were very good.

15 Our building staff plus the Red Cross were
16 running up and down the stairs to all these people who
17 had no water. They did help. We were back into a
18 brownout status for Thursday and Friday and on
19 Saturday--probably on Saturday and Sunday they hooked up
20 generators, so that was kind of our salvation at that
21 point. You lived with the fumes and the pollution of
22 the generator but at least we had some electricity.

23 But at that same point I was still calling for
24 friends in Sunnyside who had absolutely nothing. And

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1 this went on unfortunately in Sunnyside for an even
2 longer period of time.

3 I did go down to a hearing where they were
4 talking about people having power back. I think it was
5 the first city council hearing. I think they were still
6 counting people like us on generators as people back to
7 normal and we really were not. We were not back to
8 normal for almost a month. We were on that generator
9 for like three and a half to four weeks.

10 On a personal basis my own was a very horrific
11 day or day and a half, but it really teaches you a
12 lesson in civics. And you realize that something is
13 absolutely radically wrong living in New York City if
14 this is what can happen to you. I could understand if I
15 was living in Iraq or somewhere--island in southeast
16 Asia, but there's no reason for that to happen in New
17 York.

18 This is an area that has been growing rapidly for
19 years. I had--when my daughter was in school had served
20 on the community school board in this area for 13 years.
21 The schools have been overcrowded and getting more
22 overcrowded for probably 20 years.

23 There have been more businesses and I think every
24 single piece of land in this area they built some

1 multi-story building on, yet I don't think Con Ed has
2 ever kept up with the growth of the area.

3 And particularly the Long Island City area and
4 Sunnyside and Woodside at this point need tremendous
5 amount of work in terms of the infrastructure to support
6 the density. It mentioned that when this happened the
7 capacity of the network was overwhelmed then. I want to
8 know when that capacity was designed because I have a
9 feeling it was a good two or three decades ago and has
10 not kept up with the population growth in this area. I
11 don't know.

12 I hope the Public Service Commission report
13 addresses that situation, but when you get large you are
14 going to have more and more of that, more large
15 buildings and no water goes up unless you have electric
16 pumps.

17 So I would hope that--I am a little disturbed too
18 that it's going to take the Public Service Commission
19 over a year to present a report on this. I heard
20 something about that means we have to go through another
21 summer if the report is not coming out until about a
22 year from now.

23 JUDGE STEIN: The staff investigation report will
24 be out certainly by the beginning of next year, first

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1 month or so next year.

2 MS. VOLPE: Right, but probably too late to--

3 JUDGE STEIN: There are other audits and so on.

4 MS. VOLPE: Right, but probably too late to
5 implement changes for next summer so we can try to avoid
6 the same type of event. I would think under the
7 circumstances that things should move a little more
8 speedily.

9 COMMISSIONER BULEY: Our goal is to have
10 actionable things before the summer.

11 MS. VOLPE: Something that would be done prior to
12 next summer to avoid such an event.

13 COMMISSIONER BULEY: Absolutely.

14 MS. VOLPE: That's probably the only good news I
15 have heard tonight. Thank you.

16 JUDGE STEIN: Thank you very much.

17 (Applause.)

18 Luz Dary Valencia.

19 Molly Charboneau.

20 MS. CHARBONEAU: I'm from the Western Queens
21 Power for the People Campaign, and we came into
22 existence I think on July 20th or 21st, within three or
23 four days of the power outage. We pushed for these
24 hearings because we really want the community to speak

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1 out. So I think people here should think about if there
2 is something you want to come up here and say, please
3 come up and say it. This is our time to say what
4 happened to us and to get it into the record.

5 I want to say a couple of things about Con Ed's
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6 management version of events and about the need for the
7 PSC to delve deeper into the company's PR spin they have
8 been putting on everything since the outage first
9 happened and most recently in their 600 page report
10 about what a great job they are doing.

11 I had a hard time getting past the first couple
12 pages of the Executive Summary because I found problems
13 immediately. On page one it stated that the Long Island
14 City network ranks in the top 25 percent of the
15 company's system for reliability. My first thought was
16 I would hate to live where the other 75 percent is.

17 But by Con Ed's own six recent annual reports,
18 which were submitted to the PSC, the Long Island City
19 network had more feeder cable failures than 56 other
20 networks in 2004 and 2005. So, it wasn't reliable. It
21 was poorly maintained. It was a ticking time bomb and
22 Con Ed management knew it.

23 The outage wasn't due to an extraordinary series
24 of events, as they said in the report, or "transformer

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1 magnetizing inrush current" or any of the other techno
2 excuses Con Ed management put into its report.

3 The Long Island City network was old, it was
4 poorly maintained. Con Ed management knew it. And all
5 that was needed was heat, the heatwave, to set it off.
6 Con Ed's report also says that everyone in the Long
7 Island City network was restored to power by July 25th,
8 which implies that we were back on line. I think other

9 people have spoken to this. ce15.txt
10 This is not true. My building, 4601 39th Avenue
11 in Sunnyside, which is on a list of generators that was
12 provided to the PSC by Con Ed as part of the
13 investigation, it was on the generator for three weeks
14 after July 25th. That's emergency power. That's not
15 regular power.
16 In fact, it failed once during that time. It
17 just--while they were doing some cycling it went off and
18 it plunged the whole building back into darkness and
19 everybody was afraid, oh, here we go again.
20 I know people in Astoria that as of August 3rd,
21 which was the date of the first Public Service
22 Commission hearing, still had no power at all. Yet in
23 the report it says as of July 25th everybody was back on
24 line.

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1 I am glad to see that the PSC has changed its
2 presentation about the outage to reflect that this isn't
3 really accurate reporting by Con Edison. These hearings
4 are very important, but they can't capture really the
5 full extent of the damage from the outage that happened
6 here and what happened to us.
7 Western Queens is made up of working class
8 immigrant communities. We have small shops that are
9 open for long hours. We have workers that sometimes
10 work 12 hour shifts. It's multi-ethnic, it's
11 multi-cultural, it's multi-lingual.
12 I know the Public Service Commission plans a

13 telephone survey, but there are going to be language
14 barriers. Therefore, Power for the People proposes that
15 the Public Service Commission--that the PSC commission a
16 demographically balanced scientific study by a New York
17 City university that can accurately assess the social
18 and economic toll of the outage. I think that's the
19 only thing that's really going to get out there and find
20 out what happened.

21 Finally, our community suffered, and it's us who
22 have paid the costs and it's millions of dollars in
23 non-food expenses. I am one person. I had to go out
24 and buy a camp light, a battery operated fan just to get

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1 through the night. My expenses came to about \$50. You
2 multiply that times 100,000 people that's \$5 million.
3 And believe me, the expenses were way higher than that.

4 When we went around posting up fliers for this
5 hearing, just anecdotally one Korean Internet cafe, they
6 had lost \$6,000 in computers. Across the street, a
7 Chinese restaurant had lost their exhaust fan. We were
8 on Steinway Street. There were Arab coffee shops that
9 had televisions that blew out.

10 All over the community there were losses and we
11 need to be reimbursed for these costs. These were not
12 our fault.

13 Con Ed management has spent all kinds of money to
14 show they are on it. They put out 600 page report.
15 Everybody has probably seen the ads they put in the

16 Queens paper, big centerfolds, there are ads in the
17 subway system, there are ads in the Daily News. And
18 they are hiding behind the utility workers who really
19 did do some good work, who really did work hard in
20 dangerous conditions to get us back on line.

21 On July 20th, I was going through the Con Ed
22 website to see if there was any news about what I was
23 going to come home to, and they had a release posted up
24 there when they still were not giving an accurate count

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1 of how many people were out. They were still saying
2 1200 or something like that.

3 But the release on their website was talking
4 about how they had 12 billion in annual revenue and 25
5 billion in assets. And it was a report to their
6 stockholders about the dividends that they had accrued.

7 This was on July 20th. So, we say to Con Ed
8 management: How about putting some of that money back
9 into the system? How about making our community whole?
10 How about paying for damages your negligence caused?
11 And how about spending some of that money on preventive
12 maintenance for the Long Island City network?

13 And to the PSC, please seriously look at the
14 causes of the outage before July 17th. And we would
15 also like a change in the reimbursement rate retroactive
16 so Con Ed will cover non-food damages for Western Queens
17 and also for future outages going forward.

18 The Power for the People Campaign is going to
19 continue to be involved and we want everybody here, if

20 you are not already on our mailing list, to please see
21 us in the back and sign up and join us, because unless
22 our community is vigilant we are not going to win these
23 things.

24 Thank you.

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1 (Applause.)

2 JUDGE STEIN: We have two more speakers and it's
3 almost 9:00 so I am going to have to ask people to be
4 succinct.

5 Anthony Aveni and then the last speaker is Kama
6 Timbrell.

7 MR. AVENI: Hello, everybody. I am Anthony
8 Aveni. I own Rosario's Pizzeria on Skillman Avenue and
9 51st Street. My father started this business in 1965.

10 And recently, you know, we had this blackout.
11 It's not the only blackout we have had in the area, the
12 past four or five years we had about three blackouts for
13 which I personally submitted all my proof and all my
14 documents to Con Edison and never received zero. Zero.

15 But like the woman earlier spoke about, when it
16 comes time to get their money you can be sure if you are
17 a little bit late they want to charge you interest,
18 penalties and all this stuff.

19 So, anyway, on July 17th to the 26th I was
20 blacked out for 11 days in the pizzeria. I lost \$20,000
21 or better. Recently I called up to find out what
22 happened with my claim. They said I had to submit all

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23 kinds of tax forms, receipts, and everything.
24 I am like, who's going to save receipts for

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1 months and months? It's ridiculous. Who expects that
2 you are going to have a blackout, like, be out for
3 11 days?

4 So, anyway, I made a couple of calls, I called
5 John Kujack and all these people, and they always said
6 the same thing. Oh, send us forms, send us this, send
7 us that, but still nothing.

8 A couple of years ago, August 11, 12 and 13, we
9 were also blacked out, the whole east coast. Again, I
10 received nothing because they said that was an east
11 coast situation. It had nothing to do with the
12 immediate vicinity. Okay, write that off, another
13 \$3,000.

14 Few years back, July 5th, 6th and 7th of 2004,
15 there was another blackout for three days. Lost another
16 \$3,000. Received zero again. But to make matters
17 worse, a couple years back some Con Edison people came,
18 went into the basement of the buildings. And they said,
19 oh, Mr. Aveni, you have been receiving free electricity
20 for quite some years now.

21 I said, really? My bills are tremendously high
22 as it is. Are you sure about this? He said, yeah.
23 Okay, when are you going to fix the problem? Right
24 away. Come down, fix the problem, and guess what? From

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1 that point on I started monitoring my electric bills
2 really carefully only to discover that my bills have
3 been becoming \$100 per month less, which means for all
4 those years I was paying too much, but guess what?

5 When they accused me of receiving free
6 electricity they imposed me to pay \$5,000 immediately or
7 else I was not going to get anymore electricity and I
8 would have to close up the pizzeria.

9 So, I dug deep, got the \$5,000, gave it to them.
10 They fixed the problem. And, as I said before, my
11 electric bill was now \$100 a month less. So after six
12 months I finally called them up. My bill is \$100 a
13 month less since you accused me of receiving free
14 electricity. It was more like an accusation, like I did
15 the electrical work myself. Hey, I make pizzas. I am
16 not an electrician, okay.

17 (Applause.)

18 So, I called them. I said, listen, you made me
19 give you \$5,000, I deserve the \$5,000 back and not only
20 that but I feel I deserve an extra \$5,000 for all the
21 years that I have been overpaying.

22 Guess what I got back? \$2,000 out of ten, okay.
23 Make a long story short, if I add up all the losses that
24 I have had from Con Edison, \$25,000 just recently,

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1 \$3,000 from August 11, 12 and 13 of '04, July 5, 6, and

2 7th '04, for \$3,000, another blackout. False accusation
3 of free electricity. We are talking \$41,000, okay, over
4 the course of the past four years.

5 So, I want to know when is some justice going to
6 finally come to us. People have come into the pizzeria
7 and they ask me, have you got your check yet? No, I got
8 nothing yet. Wow, believe it or not I was on vacation
9 and I wasn't even around for the blackout but I filed my
10 claim and they sent me \$350.

11 So people all over the neighborhood who didn't
12 really lose much are getting checks for 300, 350. Me, I
13 lost thousands and thousands and get zero. I lost fish,
14 \$600 worth of fish in these tanks too.

15 Look, they sent some guy into my pizzeria, some
16 guy Mike Gibbons, saying--offering me like \$3,500,
17 \$4,000. I laughed. I said, are you kidding me? I lost
18 \$20,000 or more and you are offering me \$3,500?

19 I mean that was like insult to injury. You know,
20 why don't you just throw salt all over the wound,
21 alcohol and everything, and just kill me there. You
22 know? Something's got to be done. Hopefully we will
23 have a class action lawsuit and everybody could really,
24 you know--

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1 (Applause.)

2 JUDGE STEIN: Thank you.

3 MR. AVENI: --Let them have it. We want our
4 money back.

5 (Applause.)

6 JUDGE STEIN: Is Kama Timbrell here? This is our
7 last speaker.

8 MS. TIMBRELL: My name is Kama Timbrell. I live
9 in Sunnyside. And the only thing I really wanted to
10 comment on tonight, because everyone else has spoken so
11 eloquently and interestingly about everything else, is
12 the complete and utter lack of information from Con Ed
13 during the blackout.

14 They couldn't get the numbers right on how many
15 people were affected, where putting some feet on the
16 ground probably would have given them a clue it was
17 bigger than they thought.

18 There wasn't any information. There was nothing
19 in the media. And I read a newspaper every day. I am
20 on line every day at work and nothing to tell me how
21 long to expect this to happen for, how many days I was
22 looking at, what was being done. No information booths
23 anywhere, you know, maybe perhaps public information
24 booths in commercial areas so people getting off the

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1 subways could see there is information. This is what we
2 expect to happen. Just nothing.

3 And then even afterwards with the reimbursement
4 for food spoilage from Con Edison. First, you know, it
5 was \$100 if you had receipts. Then maybe it was \$250,
6 but you still had to have those receipts because we all
7 hang on to receipts for the pot roast we bought a month
8 ago sitting in the freezer because I do, don't you?

9 And then finally we were--eventually found out
10 you could submit up to \$350 without receipts and I don't
11 have much complaint about that because I actually did
12 get my check rather quickly, but it seems a paltry sum
13 for a family of five, six people who may have lots of
14 food in the fridge, may have lots of things frozen.

15 And for businesses, well, our previous speaker
16 just explained that quite well I think. That's really
17 my main complaint for me personally tonight is that the
18 communication and the crisis management plan seemed to
19 have been non-existent, and perhaps with a company as
20 large as Con Edison providing as much service as it
21 does, perhaps they should have something in effect for
22 that. Thank you.

23 (Applause.)

24 JUDGE STEIN: Thank you very much. I just wanted

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1 to second what Commissioner Buley said at the start of
2 the hearing, to thank you for coming out and sharing
3 your ideas and your concerns with us for our record.
4 And there being no further speakers, and it being 9:05,
5 this hearing is adjourned. Thank you very much.

6 (Hearing adjourned.)

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