

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held in the City of
Albany on March 27, 2014

COMMISSIONERS PRESENT:

Audrey Zibelman, Chair
Patricia L. Acampora
Garry A. Brown
Gregg C. Sayre
Diane X. Burman

CASE 13-E-0550 - In the Matter of the December 15, 2013 Electric
Emergency Plan Review.

ORDER APPROVING ELECTRIC EMERGENCY PLANS

(Issued and Effective March 28, 2014)

BY THE COMMISSION:

INTRODUCTION

Section 66(21) of the Public Service Law (PSL) requires each electric utility file its electric emergency plans on or before December 15 of each year for Commission review and approval.¹ Subject areas to be included in emergency plans are specified in PSL §66(21)(a) and Title 16 of the Codes, Rules, and Regulations of the State of New York (Part 105).

In accordance with the statutory requirement, the utilities filed their electric emergency response plans in December 2013. On December 31, 2013, a Notice of Proposed Rulemaking was published in the State Register. The proposed agency action would approve the filed 2013 electric emergency

¹ The investor-owned electric utilities consist of Consolidated Edison Company of New York, Inc. (Con Edison), Central Hudson Gas & Electric Corporation (Central Hudson), New York State Electric & Gas Corporation (NYSEG), Niagara Mohawk Power Corporation d/b/a National Grid (National Grid), Rochester Gas and Electric Corporation (RGE), and Orange & Rockland Utilities, Inc. (Orange & Rockland).

response plans. The public comment period provided for under SAPA expired on February 14, 2014. There were no comments received.

Following the December filing, Department Staff (Staff) reviewed the emergency plans in their entirety to ensure all aspects of the PSL and Part 105 were properly addressed. In January and February 2014, Staff met numerous times with each utility to discuss improvements to the filings and identify what supplemental information would be needed to comply with PSL requirements. Based on these meetings and other interactions with Staff, the utilities modified or incorporated language that addressed the needed improvements. Amended emergency plans were filed in March. This Order discusses the results of our review of the emergency plans, ensures that the plans comply with the PSL requirements, and approves the amended plans.

ACTIVITIES PRIOR TO THE DECEMBER FILING

On August 16, 2013, we approved the emergency plans that were originally filed in April 2013 and subsequently modified as described in the August Order.² At that time, we directed the utilities to implement several recommendations within 30 days, and all other recommendations prior to the December 15, 2013 filing. These recommendations focused on the following topics, which we will discuss in detail later on this item.

- Communications and Coordination between Industries
- Flood Restoration
- Communication with Public Officials and the Media

² Case 13-E-0198, In the Matter of 2013 Electric Emergency Plan Review (August Order)

- Down Wires
- Life Support Equipment (LSE) and Special Needs Customers
- Call Center

We also directed Staff to collaborate with the utilities to review progress related to our recommendations. Department Staff and the electric utilities participated in a series of five meetings, between September 24 and October 24, 2013, to provide additional insight into our recommendations for implementation on or before December 15, 2013. The meetings focused on recommendations and requirements related to: consistent and clear definitions for Critical Facilities, Life Support Equipment, and Special Needs Customers; procedures for electric/telecom communications and coordination; consistent definitions and procedures related to wires down; coordination with Public Officials; Estimated Time of Restoration; annual drills; and Mutual Assistance, including the use of the National Guard.

DISCUSSION

After reviewing the December 15 filings, Staff held several meetings and had phone conversations and email exchanges with each electric utility to discuss additional improvements to be made. As a result of this interactive process, the utilities filed amended emergency plans in March. In addition to addressing our August Order, many emergency plan improvements build on the Moreland Commission recommendations, including but not limited to coordination between industries, mutual assistance, expanding the National Guard's role in restoration efforts, down wires, and Estimated Time of Restoration (ETRs).³

³ Moreland Commission Final Report on Utility Storm Preparation and Response dated June 22, 2013. (Moreland Commission report)

Below is a summary of major plan improvements included in the plans we are approving.

Communications and Coordination between Industries

Since telecommunications and electric services have become increasingly co-dependent, service restoration following a significant event should be based on effective communications and coordination of efforts between the industries.

Improvements are also needed so that facilities critical for enabling emergency responders to communicate can be identified and prioritized for repair. Improvements in these areas would result in safer and faster service restoration.

Telecommunications companies depend heavily on electricity to provide communication services.⁴ The restoration of telecommunications services lags behind the restoration of electric facilities, because technicians must wait for the electric utility to clear the area of electrical hazards. Having sufficient backup power for key facilities enables communications services to continue until the power is restored. As part of recent storm investigations, telecommunications companies indicated that they had difficulties reaching appropriate contacts at the electric utilities. As a result, in some instances, repairs to telecommunications facilities were delayed. Improved communications between the industries with the goal of expediting service restoration for both electric and telecommunications companies is necessary.

In the August Order, the electric utilities were directed to include a section in their emergency plans devoted to communications and coordination between industries. The

⁴ Telecommunications companies include wireline, cable, and wireless.

sections should contain procedures for coordinating restoration efforts, including the methods of communication and type of information that will be shared. This section must also include procedures to drill the emergency response plan jointly with telecommunications companies at least annually, and have a process to review and revise procedures after each drill and event.

Each electric utility included a section in their emergency plan dedicated to coordination with telecommunication companies. The procedures included liaison procedures, mutual information sharing, responding to requests, answering questions, and joint storm drills. All electric utilities updated their list of telecommunications contact information to include 24/7 contact information. The utilities also completed a list of critical telecommunications facilities within their service territory.⁵ While we are satisfied with the initial progress made by the electric utilities related to communications and coordination with telecommunications companies, we expect this section of the plan will continue to evolve based on additional meetings between the entities, lessons learned following drills, and actual experiences in the event of storms. Therefore, we are requiring the electric utilities to actively pursue and better define the coordinating of work activities such as damage assessment, sharing wires down information, and setting poles. Moreover, the electric utilities should continue to develop improved methods to exchange data on a close to real time basis and in a manner that would integrate into outage management systems used by each industry. We expect the emergency plans will be updated in a

⁵ Contact information and critical facility lists are subject to redaction.

timely manner to reflect the improvements to the aforementioned processes.

Flood Restoration Procedures

The electric utilities' emergency plans recognize the importance of assisting customers affected by flooding and the challenges involved in restoring their power. After a flooding event, a coordinated sequence of actions must occur to restore power both safely and efficiently, especially when dealing with areas where natural gas systems are present. Depending on the flood damage, an electric, gas, and/or structural inspection may be required prior to service being reenergized. Because New York's floodplains vary and certain areas are subject to coastal storm surge, each utility's flooding procedures are based on its risk level. All of the plans address key components such as inspection requirements, isolation of damaged equipment, coordination with localities, tracking of flood damaged customers, and the methods of communicating with affected customers.

The emergency plans allow different processes under two flooding scenarios: one where instances of flooding are isolated and a relatively low number of customers are affected; and the second, where widespread flooding occurs affecting a sizable number of customers. During instances of isolated flooding, the required steps are addressed by utility operating personnel and non-utility personnel (e.g., underwriters) who perform the activities on a routine basis. In these instances, coordination of the process can often occur on a local level.

During widespread flooding events, more centralized coordination and planning must occur, as well as incorporating alternative methods of inspection to expedite the restoration

process. For example, Consolidated Edison Company of New York, Inc. (Con Edison) actively participates in joint task forces along with New York City and Westchester County to assess flood damage and coordinate restoration of utility service. Con Edison also has procedures in place with New York City and Westchester County jurisdictional authorities to simplify the inspection and certification process. Under the simplified certification process, residential customers have the option to get their electrical equipment inspected, cleaned, and repaired by a licensed electrician rather than by Con Edison. The licensed electrician would need to complete a self-certification form, which is submitted to Con Edison through one of a variety of sources including emails, faxes, or in person at a collection site, field command, or outreach location. Once Con Edison receives the self-certification form with the appropriate licensing seal, the customer will be scheduled for service reconnection.

Estimated Time of Restoration (ETR)

Estimated times of restoration are critical for consumers, municipal officials, and emergency support personnel to be able to plan properly for the care and protection of people and property. To be informative, the ETRs must be timely, accurate, and made widely available through customer representatives, interactive voice response systems, websites, and press releases. Issuing timely restoration estimates, coupled with frequent communications, allows customers to plan alternative accommodations and make adequate arrangements in the case of an extended outage. A delay in providing estimates or providing inaccurate restoration information increases customer frustration and does little to assure customers that the

electric utility is aware of the extent of the damage or effort needed to restore power as soon as possible.

As part of the August Order, we issued ETR protocols and required that utilities adhere to these protocols. There are three types of ETRs provided by the utilities following a large storm: global, regional (e.g., a county), and local (e.g., an individual town). These estimates are broad projections that reflect the overall extent of damages within the area to allow customers to make decisions. The electric utilities are expected to refine their ETRs as restoration progresses using the most up to date information available. By providing ETRs for smaller and smaller geographic areas over time, the companies can increase the accuracy of the information they present to customers.

The electric utilities' emergency plans include information on ETRs. Common discussions in the emergency plans include key personnel responsible for ETR development and accuracy, refinement, and communication of ETRs. While information gathered from damage assessment can be the most important source of information for ETR development, the companies also incorporate other available information such as system monitoring, reports from field personnel, customers calling to report loss of service, and calls from emergency responders. Communicating ETRs to the public and stakeholders is just as important. Each plan details how to communicate ETR information, including using websites, social media, press releases, municipal conference calls, regular reports to government agencies, and inbound and outbound telephone calls, including making calls to customers with Critical Facilities, life-support equipment customers, and Special Needs Customers.

Key personnel are identified in each of the emergency plans and their responsibilities with respect to ETRs are provided.

Communication with Local Officials

Communication continues to be an integral part of utility emergency restoration. Utilities need to ensure that consistent and timely information is provided to the public, elected officials, and municipal officials before and during emergency events. Procedures for such communication primarily involve the use of municipal conference calls, as well as assigning company liaisons to county Emergency Operations Centers (EOCs) and/or municipal departments. The use of liaisons is generally made at the request of municipal officials. Liaisons work with the EOC or municipal department on establishing priorities for down wires and road clearing activities. They also provide detailed updates on service restoration efforts to other parties with a presence in the county EOC. Information provided is gathered from utility computer applications, Incident Command Staff, and operations personnel. Requests of the utility are communicated by the liaison through appropriate channels for resolution. In addition, each of the plans identifies processes to provide a representative or team to interact with government entities.

All of the utilities hold municipal conference calls during storm events that provide a forum for information exchange between the utilities and call participants. The plans provide detailed information for conducting municipal calls and identification of the way utility staff on the call is empowered to make commitments and how to ensure the commitments are upheld. For example, Con Edison's municipal call duties are handled by a team of liaisons assigned to each municipality that

the utility serves. The liaisons report directly to Con Edison's liaison coordinator. Issues that the liaison is not able to resolve directly are communicated to the coordinator or Liaison Officer for resolution.⁶

In the August Order, we stated the emergency plans must contain certain refinements of previously existing protocols for coordination with local officials, such as specific procedures for verifying and updating contact information for elected officials, and improvements to municipal call procedures, including the use of meeting agendas. The amended plans now include strengthened procedures. The plans also specify meetings during non-emergency periods with elected or municipal officials to establish, expand, and foster relationships in order to improve coordination during events.

Finally, the emergency plans also identify training for employees who staff EOCs, including training on computer systems used to access restoration information and the appropriate channels to request or provide information. This training ensures that utility staff assigned to EOCs will have adequate up-to-date knowledge and skills for carrying out the duties they will be performing during an emergency event.

Down Wires

Public safety during an event is our primary concern. One of the most hazardous situations following a storm is energized overhead electrical wires that have fallen to the ground due to contact with trees or broken poles. Because a wire cannot be readily identified as energized or de-energized, the utilities instruct the public to treat all down wires as

⁶ The Liaison Officer is part of the management team responsible for emergency events and ensures the utility is communicating with local officials as outlined in the emergency plan.

live and never go near or touch a down wire. The presence of down wires, particularly in high traffic and/or pedestrian areas, can delay other restoration activities. Accordingly, we directed the electric utilities to provide more detail in their emergency plans identifying how energized wires must be tracked and how the public will be made safe from down wires.

The electric utilities' emergency plans now employ consistent wires down definitions and procedures describing the response to wires down reports. Advantages of consistent wires down definitions include: improved tracking of wire down reports; consistent approach to wire down locations when utility employees are relieving fire departments, police departments, or other municipal agencies that are standing-by and safe guarding the public; enhanced communications and process clarity with local, county, and state agencies, particularly for those interacting with multiple utilities. The priority levels reflect the source of the wires down report, such as giving higher priority to calls from emergency responders. Responders are dispatched to safeguard the downed wire locations based on the assigned priority. After assessing the situation, responders will determine the severity using a common set of definitions. Severity is based on different wire down conditions and the risk to public safety. Severity levels are used to determine the best repair crew or make safe crew to be dispatched and locations to be visited first.

Reports with the highest risk to public safety will be assigned first. Wire down reports where there is a hazard such as a fire, or where people are trapped by a downed wire, are assigned the highest priority and line crews are dispatched instead of responders. Relief of fire departments, police departments, or other municipal agencies that are standing-by

downed wires and reports of wire down from an emergency organization are then assigned to responders and assigned a severity level. The recently amended PSL §66(21) requires electric emergency response plans to include appropriate safety precautions regarding electrical hazards, including plans to secure down wires within thirty-six hours of notification from a municipal emergency official. The procedures now clearly identify such calls and assign an appropriate priority level to allow for timely action.

Life Support Equipment (LSE) and Special Needs Customers⁷

Each utility was directed to include procedures that clearly defined a process to contact affected LSE and Special Needs Customers daily during outage events. In addition, procedures must contain alternative contact methods for LSE customers and processes for obtaining status updates when customary communications have failed. The emergency plans also must provide procedures to update Special Needs Customers through daily automated outbound calls until electric power has been restored.

As previously discussed, Staff and the electric utilities met and agreed on consistent definitions and protocols for LSE Customers and Special Needs Customers. Staff's review of the emergency plans finds that all utilities have included consistent definitions and procedures in their emergency plans. As a result, all utilities have clearly defined processes to contact affected LSE customers within 24 hours of an electrical emergency. Each utility's emergency plan outlines a process to contact affected LSE customers daily, which continues until the

⁷ 16 NYCRR §105.4(b)(9) defines special needs customers to include the elderly, vision-impaired, hearing and speech-impaired, and mobility impaired.

utility confirms that power is restored for each of these customers. The procedures provide for utilities to use alternative methods to contact LSE customers, such as field visits by utility personnel and referrals to outside entities to perform similar visits, in those instances where customary communication means have failed. When attempts at direct contact with LSE customers are unsuccessful or impractical during an event, the utilities make referrals to local or county EOCs, first responders, or other human service organizations (collectively identified as referral entities) for further direct contact attempts. The plans further provide procedures for each utility to communicate with the referral entity to obtain the status of each LSE customer. Utilities have worked with referral entities to strengthen follow-up processes and to ensure that feedback regarding the status of LSE customers that have been referred for contact assistance are obtained and recorded.

Utilities will also place automated outbound calls to all LSE and Special Needs Customers in anticipated impacted areas in advance of a forecasted storm event. The primary purpose of the pre-recorded message is to inform customers that electric service may be lost during the anticipated event and that if this poses a health or safety risk they should consider arranging alternate accommodations.

Call Centers and Communication with Customers

Prior to, during, and after an event, consumers turn to their utility's call center for guidance regarding safety, outages, restoration, dry ice, and shelter information. Call volumes may increase drastically in the hours following a significant event with consumers seeking assistance. The August

Order directed the electric utilities to include in their December 15 emergency plans, Call Center procedures that clearly identify the methodology used to determine customer service staffing levels and detailed call center performance objectives and goals. The procedures must also include the triggers and parameters for activation and use of third party vendor assistance for handling increased call volume. Each plan has been updated to include these changes. As a result, the amended emergency plans submitted by each utility identify call center staffing levels and clearly identify steps to be taken to assure assistance through the call centers to consumers throughout the event and address the requirements of the PSL.

In addition, each plan includes procedures for the use of press releases, conference calls, E-mails, text messaging, Integrated Voice Response (IVR) systems, websites, media outlets, press conferences, radio and television interviews, and social media as a means to communicate with the public. All utilities have also identified specific information they will communicate to customers during a storm event to help them make informed decisions and make necessary arrangements for their safety.

Critical Facilities

The services and functions provided by Critical Facilities (e.g., hospitals, emergency response, fuel terminals, and mass transit) are essential to a community, especially during and after a disaster. It is important that utilities have good communication plans for dealing with Critical Facilities so they can plan accordingly. Each utility has included in its emergency plan specific procedures involving communications with managers of Critical Facilities during major

events. Moreover, the plans include a Critical Facility inventory that identifies buildings and support infrastructures vital to the response and recovery from an emergency event.

Staff and the electric utilities worked together to develop a common definition for Critical Facilities and different levels of Critical Facilities. For the purpose of electric emergency plans, Critical Facilities are defined as those "facilities" from which essential services, functions for continuation of public health and safety, and disaster recovery are performed or provided. Managers of Critical Facilities still need to plan for alternative electric service to ensure business continuity or continuity of government and are responsible for their own back-up generation and its fuel.

Staff and the electric utilities defined three Critical Facilities levels with specific types of facilities included under each level. The levels are intended to improve communication and coordination during an emergency event by placing emphasis on public health and safety facilities. Level 1 Critical Facilities are the most critical to public health and safety such as hospitals. Level 2 includes facilities that provide significant public service such as nursing homes. Level 3 facilities provide key products or services such as high-rise buildings. The levels, as well as joint planning before an event, will help ensure that essential services and functions are restored in a flexible and coordinated manner. Critical Facility levels will be used by the electric utilities as a guide in the development and execution of the restoration plan.

All utilities have Critical Facility listings which include the facility name, address, city, state, 24/7 contact phone number, account number, and type of facility. This information is updated as necessary to ensure accuracy. Each

utility's emergency plan contains the Critical Facility definition, levels, procedures for communicating with managers of Critical Facilities, and procedures for providing Critical Facility status information to the State during widespread events.

Roles and Responsibilities

Each electric utility is required by PSL §66(21)(a) to identify the management staff responsible for operations during an emergency. All the utilities in New York State follow the Federal Emergency Management Agency (FEMA) Incident Command System (ICS) to manage emergency events. The ICS provides concise chains of command to clarify reporting relationships and improve communication during storms or any other large restoration. The structure is scalable such that it can be used for a local event up to a company-wide event. Each utility assigns their employees with a storm role. Utility employees are then trained in their storm roles.

The emergency plans identify eight primary roles: the Incident Commander, Public Information Officer, Safety Officer, Liaison Officer, and the chiefs of the Operations, Planning, Logistics, and Finance sections. The Incident Commander has overall responsibility of the utility's restoration efforts and the remaining officers and chiefs report to him/her. The Incident Commander duties include, but are not limited to, establishing immediate priorities, managing planning meetings, and approving requests for additional resources. The Public Information Officer is the primary coordinator for the flow of information out of the utility during an incident. The Public Information Officer is responsible for consistent press releases, media communication, and posting of data on the

utility's website. The Liaison Officer ensures the utility is communicating with local officials and regulatory agencies as outlined in the emergency plans. All the utilities have a Safety Officer who works as a support officer for the Incident Commander on all safety issues. The Safety Officer's role is to ensure the safety of all employees and outside contractors. To do this, the Safety Officer ensures safety inspections of field work sites are performed and ensures that foreign crews receive a safety briefing before restoration begins. The Safety Officer is also responsible for initiating the investigation of any accidents that occur during an incident.

The chiefs of Planning, Operations, Logistics, and Finance report to the Incident Commander and Officers. The Planning Section develops incident action plans to determine what needs to be done. The Operations Section is responsible for the repair of damage, the restoration of service, and directs all field activities for restoration. The Logistics Section provides support and resources including materials, fleet vehicles, staging sites, lodging, and meals. Finally, the Finance Section is responsible for tracking storm expenses.

To be the most effective, procedures must identify individuals, by specific storm title, responsible for ensuring the required activities within the plan are performed. By listing the responsible individual, rather than simply stating, "the company will ..." the responsible management of the organizations is better defined and the communication path of who is directing what actions are to be taken is clear. Additionally, the plans reflect different individuals that may be responsible based on the size of the event or whether a unique functional group is activated. For example, National Grid has defined the response to down wires as the

responsibility of individuals within the Regional Control Center during medium sized events when the number of incidents would be limited. This responsibility, however, would become the responsibility of the Branch Operations Coordinator during large events to more effectively manage the process. This change then allows the Regional Control Center to focus on other responsibilities and functions.

Drills

As mentioned previously, Staff and the electric utilities participated in meetings to discuss emergency plan improvements including performing annual drills. As a result, each emergency plan includes requirements to drill the plan prior to June 1 of each year. The drill is a real time interactive exercise that tests the capability of the utility to respond to a simulated event, short of actual deployment of equipment and personnel. It uses an event scenario to test multiple functions and/or organizations. Unlike past drills, however, future drills will emphasize coordination and communication with outside stakeholders. Telecommunications providers, including cable companies, will be invited to participate in drills and to jointly review and revise procedures after each drill and after each event. Drills will also involve various levels of external response agencies and emergency management personnel. We acknowledge the importance of drills and note that the electric utilities will have exceeded the PSL requirements by involving various levels of stakeholders and planning the drills before the start of the hurricane season.

Mutual Assistance

Each utility is required by PSL §66(21)(e) to include a copy of all written Mutual Assistance Agreements in its emergency plans to be filed by December 15, 2013. In the August Order, we discussed the potential merger of the New York Mutual Assistance Group (NYMAG), New England Mutual Assistance Group (NEMAG), and Mid-Atlantic Mutual Assistance (MAMA). Effective August 22, 2013, the groups officially merged forming the North Atlantic Mutual Assistance Group (NAMAG). We believe broadening the scope of available mutual assistance resources and formalizing mutual assistance protocols has benefits for New York. The relevant documents associated with the NAMAG mutual assistance process have been provided by each electric utility as required.

The utilities included protocols for deploying employees and mutual assistance crews. Central Hudson's procedure for deploying mutual assistance crews is representative of the other utilities. Upon arrival at headquarters, regional location, or a staging area, each foreign or mutual assistance crew will receive a safety briefing given by an Operating Supervisor or the Safety Officer. The briefing provided addresses required personal protective equipment; the accident reporting process; operating voltages; tagging and switching; copies of common construction standards; and procedures in the event of oil spills. The Operations Section Chief assigns crew resources to operating districts. Crew resources are generally distributed to the districts based on the number of outage locations, and the extent of damage. Crew Guides are used to lead outside crews to/from their work locations and provide general logistical support. Crew Guides

also provide communication between field and office including location of crews and status of restoration.

When requesting mutual assistance, Con Edison requests crews for both itself and Orange & Rockland Utilities, Inc. (Orange & Rockland). The crew acquisition process is one of the Con Edison Emergency Management group's primary responsibilities during events when external resources are needed. If sufficient mutual assistance and contractors are obtained, each company will be provided with the requested resources. If sufficient crews are not available to meet the combined request, a decision must be made as to how the crews obtained will be distributed. This decision is determined by the Vice President of Operations for Orange & Rockland, the Vice President of Engineering and Planning for Con Edison, and the Vice President of Emergency Management.

One of Staff's observations during Sandy and highlighted in the Moreland Commission report, however, was the lack of coordination between Con Edison and Orange & Rockland with regard to the number of mutual assistance and external contractor crews assigned to each Company. In order to address these deficiencies, each Company's amended emergency plans have an Acquisition and Allocation of Mutual Assistance and External Resources procedure prepared by Con Edison's Emergency Management group. The procedure identifies a pre-storm allocation of 60% assigned to Con Edison and 40% assigned to Orange & Rockland for events forecasted to affect the two utilities equally. The post-event resource allocation decision is primarily based on the number of customers out of service and the number of trouble cases. Additional variables given consideration when allocating resources post-event include the extent and type of damage, the number of down wires, the type of

available resources and arrival for external resources, the predicted global and regional ETRs, and travel conditions in each service area. These variables will be reviewed daily and resources re-allocated, as necessary. During sizable events, the daily reallocation decision will also include senior management.

Finally, the Moreland Commission report identified concerns when sharing Company resources between Orange & Rockland and Con Edison.⁸ As a result, Orange & Rockland has defined in its plan that all of the coordinators related to Support Organizations are Orange & Rockland employees. This distinction is needed given the shared relationship between Con Edison and Orange & Rockland to perform some of the activities because it clearly places ownership and review of whether the tasks were completed properly within Orange & Rockland.

National Guard Support

Beginning in April 2013, Department Staff, the electric utilities, the National Guard, and the State Office of Emergency Management (SOEM) participated in a series of meetings initiated by the SOEM in which the National Guard's role in restoring power after a storm event or disaster was discussed. Last summer the electric utilities provided the scope of expectations and pre-scripted mission sets to the National Guard. The electric utilities, National Guard, and Staff defined a common procedure for their emergency plans detailing the National Guard capabilities and restoration role; requesting National Guard support; deployment; and on-boarding. This procedure is now codified in each of the utilities emergency plans.

⁸ See *supra* note 4 at p. 68.

Extraordinary Circumstances

Electric utilities must take appropriate and reasonable steps to restore service in a safe and efficient manner. While electric utilities develop emergency plans identifying appropriate activities to be taken during an event, the plans are also designed to be flexible and adaptable. The electric utilities are expected to follow the approved plans when responding to future emergencies. We recognize, however that extraordinary circumstances may occur such that actions different than the existing emergency plans would provide the most effective and efficient approach. In these situations, such actions and the circumstances that caused them shall be properly documented, evaluated, and incorporated in the 16 NYCRR Part 105.4(c) service restoration report. The report shall also identify whether the utility will be making amendments to its emergency plan. Updates to the plan will be made in accordance with the process discussed in the next section.

Updating Emergency Plans During Non-Emergency Periods

While the emergency plans shall be filed for review and approval annually, the plans must continue to reflect current information and best practices to allow for efficient customer restoration. Each of the emergency plans contains provisions to update contact information for stakeholders including LSE and Special Needs Customers, governmental officials, and owners/operators of Critical Facilities. Such updates are seen as routine maintenance activities and may be made as often as necessary to reflect up-to-date information. Because this information is often contained in documents or databases referenced by the emergency plan, the utilities do not need to make a separate filing with us following the updates.

Refinements to the processes contained in the emergency plans may also be needed during the year based on drill outcomes, lessons learned, or Staff recommendations following the review of an event.⁹ The electric utilities will outline proposed changes to Staff. Depending on the nature and scope, the amendments may or may not be considered a material change. If the change is not material, the amendments to the plan may be made similar to that of routine maintenance as discussed above. If the change is material, however, such amended provisions need to be filed with us. We will act expeditiously to review and approve the filed plan amendments.

CONCLUSION

An emergency plan is an important factor in determining if an electric utility can respond promptly and safely to a storm or emergency event. The plans detail the actions, processes, and procedures needed to restore power after an event. Having an effective plan in place prior to an event and the tools needed to implement the plan provides structure to the electric utility's restoration efforts and allows for consistent interaction with local officials and customers. We find the amended emergency plans filed by the electric utilities in March 2014 satisfactory and hereby approve these amended plans.

Part 105.3 requires filing by April 1 of each year. In 2013, amendments made to PSL §66(21) modified the annual electric emergency plan filing date from April 1 to December 15. Until such time that a proceeding examining amendments to Part 105 to ensure consistency between the statute and its associated

⁹ Staff recommendations may include an improvement to a Company's emergency plans in response to an event in which the utility was not directly impacted.

regulations is complete, we waive the regulation and direct that all subsequent annual electric emergency plan filings will comply with the December 15 deadline.

The Commission orders:

1. The amended emergency plans as filed in March by Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange & Rockland Utilities, Inc., and Rochester Gas and Electric Corporation, are approved and the above-named utilities shall implement such plans.

2. Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange & Rockland Utilities, Inc., and Rochester Gas and Electric Corporation, shall file the approved plans with the county executive, the chief elected official of a county for each county within its service territory, or the emergency management office of the city of New York as required by Public Service Law.

3. The Secretary in her sole discretion may extend the deadlines set forth in this order. Any request for an extension must be in writing, must include a justification for the extension, and must be filed at least one day prior to the affected deadline.

4. This proceeding is continued.

By the Commission,

KATHLEEN H. BURGESS
Secretary