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NEW YORK STATE PUBLIC SERVICE COMMISSION

CASE 12-E-0201
12-G-0202

NATIONAL GRID ELECTRIC & GAS RATE CASE

DATE: January 24, 2013

TIME: 2:00 p.m. to 4:00 p.m.

LOCATION: Cheektowaga Town Hall
3301 Broadway Street
Cheektowaga, New York

BEFORE: A.L.J. RUDY STEGEMOELLER

1 Cases 12-E-0201/12-G-0202 - Cheektowaga - 1-24-13

2 A.L.J. STEGEMOELLER: Good afternoon.

3 This is case 12-E-0201 and 12-G-0202,
4 investigation of the New York State Public Service
5 Commission into the rates of Niagara Mohawk Power
6 Corporation, d/b/a National Grid for electricity
7 and gas.

8 My name is Rudy Stegemoeller. I am an
9 Administrative Law Judge here on behalf of the
10 Commission.

11 I would like to thank the Town of
12 Cheektowaga for the use of this facility.

13 There is a brief description of the --
14 a brief summary of the case in the fact sheet that
15 is available at the front. We have -- I only have
16 two cards with speakers at this point. I don't
17 know how many more will be coming. So, I usually
18 have a very long spiel that I give too, when
19 there's a -- when there's a big crowd but I will
20 cut it very short today.

21 The purpose of this hearing is for the
22 members of the public to have an opportunity to
23 speak. Everything that is said by the speaker will
24 be recorded, will be placed into the record, will
25 be in front of the commissioners when they make

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2 their decision.

3 People that wish to speak should fill
4 out a card. Scott Dean is at -- is at the desk at
5 the front of -- at the entrance to the room. He
6 has cards. People who do not wish to speak but
7 would like to submit an opinion have the option of
8 submitting comments online or by telephone or by
9 mail. And again, the instructions for that are in
10 the hearing notice and Scott Dean can help with
11 that.

12 Does anybody have any questions before
13 we proceed with the first speaker? Okay.

14 The first card that I have is Mark
15 Masse. Please step to the microphone.

16 MR. MASSE: Good afternoon. My name
17 is Mark Masse. I'm the senior vice president of
18 operations for the Genesee County Economic
19 Development Center. I'm here to deliver these
20 comments on behalf of our C.E.O. Steven Hyde, who
21 is out of town today.

22 "Dear Commissioner and Public Service
23 Commission members: Thank you for this opportunity
24 to provide testimony from a very active economic
25 development organization's perspective here in

1 Cases 12-E-0201/12-G-0202 - Cheektowaga - 1-24-13
2 western New York that recognizes the importance and
3 need for safe, affordable, reliable and robust
4 electric capacity in transmission systems
5 throughout New York State.

6 These electric infrastructure systems
7 are a critical part of our economic development
8 portfolio as we work aggressively, on a daily
9 basis, to rebuild Upstate New York's manufacturing
10 base by following our tech-based economic
11 development business model that perfectly aligns
12 with the governor's 'New York open for business'
13 philosophy.

14 We are pleased to hear of the
15 proposed rate savings to customers in this current
16 proposed rate case and also acknowledge the success
17 in reducing rates to residence and businesses over
18 the last two years. This has been helpful and
19 impacts the existing business community in our
20 State during trying economic times. I would also
21 like to strongly encourage the commission to
22 support the recognition and need for continued
23 investment by National Grid in economic
24 development, in infrastructure across upstate and
25 western New York.

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2 National Grid has been a leader into
3 helping fund shovel-ready and strategic economic
4 development investments across their service area
5 that traverses significant geography across our
6 State. These funds are sourced by the economic
7 development fund which is Section 6.1.3, page
8 twenty of the proposed rate case. And the economic
9 development grant program, which is Section 6.1.4,
10 page twenty-nine of the proposed rate case, and
11 have been highly successful in helping state,
12 regional and local economic developmental
13 organizations attract new businesses and help
14 existing businesses expand and catalyze private
15 investment, job creation and retention.

16 A great example of this in western New
17 York is right down the thruway in Batavia where we
18 have had some two hundred and twenty-six million
19 dollars in private investment occurring by the
20 summer of 2013, which will employ more than two
21 hundred and thirty-five people from eight counties
22 across the region in the two new yogurt plants that
23 are located in the two hundred and eleven acre
24 shovel-ready Genesee Valley Agri-Business Park.

25 National Grid was instrumental in

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2 assisting with the funding to help make this site
3 shovel-ready, as well as part of the team in
4 sending these companies, Alpina Foods and Mueller
5 Quaker Dairy to locate in Upstate New York rather
6 than several other states that they considered.

7 So, we have great examples of National
8 Grid's role in growing our business base in this
9 State which is good for National Grid and is good
10 for the residents and residential ratepayers across
11 our State.

12 At the same time, we are sitting on an
13 explosion of growth in high-tech R and D and
14 manufacturing in the nanotech semiconductor space
15 that is being driven by Governor Cuomo's innovation
16 driven, economic development policies and agenda.
17 That growth today is occurring in the capital
18 region of our state where billions of private
19 sector dollars are being invested and thousands of
20 high-paying jobs are being created, a great thing
21 and good for all.

22 At the same time, a major push is
23 occurring now to leverage our successes in nano
24 across all of upstate, effectively transforming New
25 York into a high-tech nanotech-based tech corridor

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2 which traverses the entirety of this state along
3 the thruway from east to west.

4 New York's next generation mega-site,
5 like the current one seeing great success in the
6 capital region, sits right here in western New York
7 in Genesee County, between Buffalo and Rochester.
8 It is a twelve hundred and fifty acre site called
9 STAMP, Science Technology Advance Manufacturing
10 Park and it has the potential to employ, at full
11 build out, some ten thousand workers on-site with a
12 regional supply chain benefit of some thirty
13 thousand jobs plus and could drive some ten billion
14 to twenty billion in private investment over time.

15 The site sits right at the convergence
16 of major transmission electric infrastructure owned
17 by both National Grid and NYPA. To pull this off,
18 significant investment will be needed to extend and
19 upgrade our transmission capabilities in western
20 New York in order to be able to participate in this
21 incredible job-creating industry.

22 So, I ask the P.S.E., emphatically, to
23 support and ensure that National Grid has the
24 financial resources and the flexibility to invest
25 in upgrades and extensions of its transmission

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2 system as a part of this current and future rate
3 cases so we can participate in the nanotech
4 manufacturing jobs revolution that is occurring in
5 this state and help us maximize the jobs potential
6 all across western New York that is possible, by
7 developing and readying the STAMP site for the next
8 generation chip fad, similar to what is occurring
9 now in our capital region."

10 Thank you for your time and the
11 opportunity to submit this testimony. I would like
12 to give you the handwritten report as well.

13 A.L.J. STEGEMOELLER: Thank you.
14 Thank you. Can people hear over the sound of that
15 fan, the people in the back? No problems? Thank
16 you.

17 Next speaker is Peter Commarata.

18 MR. COMMARATA: Good afternoon. I
19 appreciate the opportunity to make this
20 presentation to yourself and to the commissioners.

21 My name is Peter Commarata and I'm the
22 president of Buffalo Urban Development Corporation.

23 Buffalo Urban Development Corporation
24 is a local development company. We have worked
25 over the last decade on some of the major

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2 brownfield redevelopment projects in western New
3 York including Buffalo Lakeside Commerce Park and
4 the Riverbend Commerce Park in Buffalo.

5 Our projects have been award winning,
6 both on a national level and a state level. A lot
7 of the success that we've had is based on the
8 relationship that we've developed with National
9 Grid for the development of our projects.

10 Most recently, Buffalo Urban
11 Development Corp. is also involved through a
12 project that's called the Buffalo Building Re-use
13 Project in future downtown Buffalo development.
14 And we look forward to working with National Grid
15 on some of the projects that will be moving forward
16 in what we like to call vertical brownfields,
17 buildings that need to be taken care of in the
18 downtown environment.

19 I'm not new to this process. I
20 provided testimony for the rate filing back in
21 November of 2010. I also was glad to supply a
22 letter to National Grid in support of their
23 efforts, starting their application back in April
24 of this past year.

25 So, I'm very familiar with the

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2 proposal. The proposal to me is a very simple
3 equation increase in delivinary revenues combined
4 with the expiration of the surcharge equals a
5 decrease in bills. So, we're in an environment
6 right now with the decrease in bills that I think
7 helps foster this cooperation.

8 One of the key factors about the
9 proposal that I think is particularly important is
10 the three-year period. We're in the attraction
11 business. We work with Buffalo Niagara Enterprise
12 and other local organizations to attract new
13 businesses and to retain businesses in western New
14 York. These -- this three-year period really
15 provides us with the stability that we need to help
16 sell our sites to those types of businesses.

17 The other important piece that I
18 think, as far as the proposal is concerned, is the
19 expansion of the economic development programs from
20 nine to eleven million dollars. I have been
21 involved with the economic development programs
22 with National Grid since their inception and I
23 understand the importance of these programs for
24 economic development in western New York. Each
25 year I try to provide feedback so that these

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2 programs can be steered towards the type of
3 incentives that are important for businesses that
4 are attempting to expand.

5 In western New York and throughout New
6 York State, we lost the Empire Zone benefits over
7 the last few years. National Grid, through the
8 economic development programs, has done an
9 excellent job of filling the gap that was created
10 by the loss of the Empire Zones and we do not put a
11 project forward that we don't get into some
12 discussion with National Grid as far as how one of
13 their incentive programs might fit into the overall
14 project.

15 Buffalo Urban Development Corp. is in
16 the smart-growth business. I participated in the
17 smart-growth panel for the regional economic
18 development council. In our efforts to reclaim
19 fallow land within in the city is at the core of
20 smart growth. We consider National Grid our smart
21 growth partner.

22 As I mentioned, we get involved with
23 Grid in future projects for the planning stage. We
24 work jointly to match the economic development and
25 electrical system infrastructure improvements. We

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2 did this at Buffalo Lakeside Commerce Park and
3 basically took what was the fallow Hanna Furnace
4 site and were able to take all the electrical
5 infrastructure, bury it underground and make a
6 brand new business park out there.

7 Working with Dennis Seltz and Becken
8 (phonetic spelling) and staff is really a study in
9 productive communication and that's what we found
10 through the years. We work closely from the
11 inception of a projects development all the way
12 through until it's built. And frankly, we would
13 love to do that same process with the Public
14 Service -- Public Service Commission.

15 We take this excellent communication
16 and we use it to market our properties. So,
17 really, we're the link between the client, the
18 customer that's out there, and National Fuel and we
19 take that role very seriously.

20 I guess, going back to the point that
21 I mentioned that I've done these hearings before, I
22 guess, I can take the liberty of actually quoting
23 myself from the last time in 2010, if I could.

24 The Buffalo Lakeside Commerce Park
25 project was the beneficiary of two phases of

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2 National Grid economic development program funding,
3 which allowed us to remove antiquated service
4 lines, relocate and update existing service lines
5 and bury all the electrical service related to the
6 brand new City of Buffalo street system.

7 We, as Americans, do a very poor job
8 of planning and investing in infrastructure
9 projects. Our bridges, roads, railroads and
10 utilities suffer from a band-aid approach to
11 maintenance.

12 One of the things that we have
13 attempted to do in our interaction with the
14 National Grid staff is to take a proactive view on
15 electrical infrastructure planning. This includes
16 facilities that currently exist and those that may
17 be part of any given development plan. I can tell
18 you from experience that National Grid has been
19 instrumental in removal, relocation and
20 construction of electrical systems in a manner that
21 minimizes cost for the planned site and minimizes
22 their costs also which results in, guess what,
23 ratepayer savings and I'm a ratepayer, also.

24 We have witnessed reliability problems
25 in some areas of our development sites and know

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2 that when they occur, National Grid is very
3 responsive. But, that doesn't address the
4 infrastructure issue. Sites selectors are
5 searching for sites that have revived reliable --
6 reliable, excuse me, utility systems that can grow
7 with their technical advances. Aging systems do
8 not meet these particular demands.

9 Lastly, I would like to point out that
10 B.U.D.C. strongly supports National Grid's right to
11 earn a reasonable rate of return on sales and
12 equity, that National Grid's involvement in
13 long-term, infrastructure planning is an important
14 piece and National Grid's investment in
15 infrastructure on a multi-year basis is an
16 important piece. And National Grid's continued
17 investment and enhancement of their economic
18 development programs is very important.

19 Just a couple of short notes. We have
20 been able to meet through the years. Some of the
21 top executives of National Grid; Tom King, Ken
22 Daly, they've visited Buffalo and they've visited
23 our projects and this is an important piece, we
24 think, for them understanding what we are trying to
25 accomplish to attract people here.

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2 I would ask that any of the
3 commissioners, Public Service Commission, would
4 like that same type of tour or get the intimate
5 details of any of our projects, we would be glad to
6 do that for them.

7 What this all is about is a trust
8 factor. We've built a great trust factor through
9 the years in working with National Grid and we hope
10 to continue that in the years in the future. Thank
11 you.

12 A.L.J. STEGEMOELLER: Thank you very
13 much. Our next speaker is Paul Pfeiffer.

14 MR. PFEIFFER: Good afternoon. My
15 name is Paul Pfeiffer and I am the director of
16 investor of public relations with Buffalo Niagara
17 Enterprise.

18 As the Buffalo Niagara regions primary
19 research marketing business and economic
20 development organization, Buffalo Niagara
21 Enterprise is very appreciative of this opportunity
22 from the Public Service Commission to express our
23 support for the National Grid rate settlement that
24 is the subject of this hearing.

25 In early 2012, National Grid

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2 proactively reached out to public and private
3 partners and customers to solicit our input on how
4 they could better align programs, products and
5 service delivery with the strategies, priorities
6 and needs of the communities they serve.

7 As one of the organizations afforded
8 an opportunity to participate in that process, we
9 applaud National Grid for their initiative.

10 Moreover, our expression of support
11 for this rate settlement is driven by the fact that
12 it addresses significant items that were brought to
13 the attention of National Grid during that process.

14 In a 2010 communication to the New
15 York State Public Service Commission, B.N.E.
16 president and C.E.O. Thomas Kurcharski (phonetic
17 spelling) stated that the inability to adequately
18 invest in our regions aging electrical
19 infrastructure would be far more costly to our
20 community in the long run than potential increases
21 in rates themselves.

22 Similarly, it has been our experience
23 in a number of projects that transmission and
24 infrastructure development costs have become more
25 problematic in successfully attracting a company to

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2 the region than the actual -- than the actual
3 utility rate itself. The one point six billion
4 dollars in infrastructure improvements called for
5 in this rate settlement will go a long way in
6 addressing the infrastructure improvements
7 necessary to meet the growing energy demand of the
8 emerging technology and high-tech manufacturing
9 processes of the companies we are seeking to
10 attract to our region.

11 The three-year rate agreement proposal
12 offers price stability that will add to the
13 affordability of these projects in our region as
14 well, as evidenced by the industries that the
15 B.N.E. targets and the focus of the strategies
16 developed in concert with New York State's billion
17 dollar economic development commitment to our
18 region. These industries and companies bring with
19 them levels of investment and the creation of
20 well-paying jobs that can be a foundation of
21 Buffalo Niagara's economic growth and resurgence.

22 The importance of the improved
23 reliability of the electrical service provided as a
24 result of these infrastructure improvements cannot
25 be overstated. This is one of the first factors

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2 that a company evaluates when considering our
3 community for investment. The degree by which we
4 can ensure the dependability of our power supply
5 determines whether or not Buffalo Niagara, and all
6 of Upstate for that matter, either remains in
7 contention for the proposed investment or is
8 eliminated from consideration before we can even
9 begin to present our many other attractive assets.

10 Since our inception, National Grid has
11 been a critical partner and a strong supporter of
12 the Buffalo Niagara Enterprise. Their strategic
13 economic development outreach in cooperative
14 business recruitment grant-funding programs have
15 enabled the B.N.E. to build an economic development
16 toolkit consisting of some of the most effective
17 state-of-the-art research and marketing tools.

18 Likewise, their support of our
19 attraction efforts has allowed us to carry our very
20 compelling business proposition in a very focused
21 manner to companies in targeted industries. Our
22 results bear the value of those programs and
23 support.

24 Since 1999, B.N.E. has assisted two
25 hundred and eighty-nine companies in successfully

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2 expanding or relocating to our region. In turn,
3 these companies have committed to invest more than
4 three point two billion dollars while creating and
5 retaining almost thirty-eight thousand jobs.

6 I'd also like to publicly recognize
7 that the Public Service Commission also played and
8 continues to play a vital role in these
9 aforementioned economic development initiatives and
10 results.

11 Thank you, as well, for your support.

12 As a not-for-profit that is
13 ninety-nine percent private sector funded, National
14 Grid's grant funding programs are pivotal to our
15 ability to successfully execute program initiatives
16 that support our mission of attracting business
17 investment and job creation opportunities.

18 In the current economic environment
19 where resources are scarce for all non-profits, the
20 increase in economic development funding, from nine
21 million dollars currently to the eleven million
22 dollars called for in this rate settlement, holds
23 great promise for our program initiatives and those
24 of our partners. We thank the settling partners
25 for placing emphasis on this critical component.

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2 I would be remiss if I did not point
3 out that while grant funding programs and
4 infrastructure improvements will have great
5 economic benefit to our region, so to, will the
6 bill reductions in this settlement for small
7 businesses and residential customers.

8 Small businesses are the backbone of
9 our region's economy and a major employer in our
10 community. Any relief that improves their bottom
11 line can only be viewed as a positive. Likewise, a
12 more affordable residential rate supports the
13 overall quality of life in our community that is
14 often a deciding factor when a company asks the
15 questions, can I attract good talent here and will
16 my employees want to live here?

17 As industrial and commercial vacancy
18 rates continue to shrink in our market, strategic
19 and timely product development will continue to be
20 an important challenge moving forward. As both
21 public entities and private developers seek to
22 bring new sites online, a collaborative and
23 long-term approach to the planning of utility
24 infrastructure improvements impacted by future rate
25 cases would be of great value to our community.

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2 Such an approach would allow providers like
3 National Grid, public and private developers and
4 the economic development community to align their
5 priorities and ensure that our region is well
6 positioned to successfully attract and take
7 advantage of investment and job creation
8 opportunities.

9 We very much appreciated the
10 opportunity to participate in the process that
11 yielded the settlement before you and we welcome
12 the chance to do so again in the future.

13 In closing, I want to thank you again
14 for the opportunity to express our support for this
15 rate settlement to you and for the strong support
16 National Grid and the New York State Public Service
17 Commission has provided to our efforts to
18 revitalize and grow our regional economy.

19 Thank you.

20 A.L.J. STEGEMOELLER: Thank you.

21 Let's go off the record for just a
22 second or so.

23 (A recess is taken.)

24 A.L.J. STEGEMOELLER: Okay. We're
25 back on. Our next speaker is Grant Lesswin.

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2 MS. LESSWIN: Since I am the last one
3 and probably the, you know, I'll keep it nice --
4 short and sweet. I didn't really prepare anything.
5 I'm with the Erie County Industrial Development
6 Agency. I'm a business development officer
7 representing the agency and I am pleased to speak
8 on behalf of National Grid on this rate settlement
9 case.

10 The Erie County Industrial Development
11 Agency is the -- no, I would say the lead on the
12 boots ground agency to help attract and have
13 businesses grow in western New York.

14 We look to National Grid to help fill
15 gaps in projects where, in other words, we wouldn't
16 be able to attract or have a company grow without
17 their assistance.

18 I'm extremely excited that this rate
19 settlement case, that it's a three-year window
20 which takes a lot of the uncertainty out of future
21 projects. The increase of two million dollars
22 which would be allocated to economic development on
23 behalf of New York State, western New York, is
24 really important to a guy like myself that deals
25 everyday with the struggles for these companies to

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2 grow and expand in western New York.

3 Dennis Elsenbach (phonetic spelling)
4 and his group are paramount and we look at them as
5 a very integral part and a partner in our expansion
6 efforts for these companies.

7 The infrastructure, obviously in
8 western New York, is aged and by this rate
9 settlement case and having National Grid really go
10 after the upgrade of the infrastructure for these
11 expanding companies is paramount, as well.

12 I do recommend that the Public Service
13 Commission, if they would come out and sit down and
14 be at the table to hear some of the concerns and
15 see the good work that National Grid and all the
16 economic development partners in western New York
17 have for these companies, you'd get a better
18 appreciation as to how important and the gap filled
19 by National Grid is.

20 And with closing, I appreciate the
21 opportunity to express the E.C.I.D.A.s views and
22 thank you very much.

23 A.L.J. STEGEMOELLER: Thank you.
24 Okay. That's all the speakers that we have at this
25 time. What we're going to do is go off the record

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2 and we will stay here until four o'clock.

3 (A recess is taken)

4 A.L.J. STEGEMOELLER: Excuse me.

5 We're going to go back on the record. We have

6 another speaker. Are you ready, sir?

7 MR. WRIGHT: Yes.

8 A.L.J. STEGEMOELLER: Okay. Back on
9 the record. Okay. We have another speaker, Alfred
10 Wright.

11 MR. WRIGHT: Hello. I have a hard
12 copy. I could turn it in at the end, too.

13 My name is Alfred Wright. I'm the
14 government affairs manager for the Buffalo Niagara
15 Partnership.

16 The Buffalo Niagara Partnership is
17 an -- is an economic development advocacy
18 organization representing over two thousand
19 employee members in the eight counties of Buffalo
20 Niagara. Much of the partnership's region and
21 members have their utilities provided by National
22 Grid who has been a strong partner for economic
23 development opportunities throughout the region.

24 Under the planned rate settlement,
25 National Grid electric consumers will pay a total

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2 of six point two percent less in the -- in the
3 first year, followed by a one point nine percent
4 increase in each of the next two years.

5 For gas consumers, the total reduction
6 will be four point three percent the first year,
7 followed by a two point nine percent increases the
8 next two years. However, the majority of consumers
9 of both electric and gas will see a net reduction
10 of the length -- over the length of the settlement
11 as proposed rates will remain below current rates.

12 On top -- on top of these net rate
13 reductions, a major component of this rate
14 settlement includes an increase in National Grid's
15 economic development program investment capacity,
16 from nine million to eleven million annually.

17 If National Grid's past investments
18 are any indication, this additional bump in
19 economic development funding for the region will
20 complement and enhance vital growth and
21 redevelopment initiatives that are contributing to
22 western New York's revitalization.

23 In addition to working with our
24 members to provide a competitive utility network,
25 National Grid proactively coordinates with regional

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2 partners, local municipalities and the community --
3 and the community, in order to strategically plan
4 for an advance of vital initiatives such as the
5 Buffalo building reuse project, a collaborative
6 initiative to drive redevelopment in Downtown
7 Buffalo and one region forward, a collaborative
8 initiative driving informed regional land use in
9 systems planning and development.

10 National Grid's active and long-going
11 involvement on these and other important regional
12 initiatives have enabled them to strategically
13 tailor their economic development programs in order
14 to successfully address gaps in the provision of
15 existing economic development tools in advance of
16 regionally significant economic projects and
17 initiatives. For this very reason, National Grid
18 has been an invaluable economic development partner
19 of the region. Through their investments in
20 catalytic economic development projects and
21 improved grid infrastructure, National Grid
22 continues to create job opportunities, deliver a
23 competitive and smart utility network, solve
24 economic development challenges and advance
25 opportunities for business growth and investment in

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2 New York State. This provides direct cost savings
3 opportunities for ratepayers and taxpayers alike.

4 Given that the ratepayer and the
5 taxpayer are essentially one and the same, one
6 major cost saving measure that was disappointingly
7 included in Governor Cuomo's executive budget
8 proposal was the 18-a assessment surcharge which
9 may be extended for five years instead of
10 sun-setting in 2014. 18-a is a hidden tax on
11 ratepayers and unfortunately it is among the most
12 regressive taxes hitting the poorest ratepayers
13 that often struggle to pay their utility bills.

14 A recent report from the Public Policy
15 Institute issued a study on the high cost of power
16 in New York State. The study determined that a
17 full twenty-six point six eight percent of New
18 York's electric bill support state and local taxes
19 and fees. This equates to an average of six
20 hundred and fourteen dollars and forty-eight cents
21 that each household, single family homes,
22 apartments, co-ops and condos in New York pays in
23 these taxes through their power bill.

24 A family living in a detached single
25 family home pays, on average, one thousand, one

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2 hundred and forty dollars and thirty-eight cents
3 per year in State and local energy related taxes,
4 fees and assessments.

5 High energy costs in New York State
6 are a key impediment to the State's economic
7 growth. National Grid, in this rate settlement,
8 has done its due diligence to address the high cost
9 of utilities while still addressing the growing
10 need for economic development.

11 Perhaps instead of questioning utility
12 providers who have been willing community and
13 business partners on their practices, we need to
14 reassess the need for taxes and fees that -- excuse
15 me -- taxes and fees attached to utility bills that
16 are the true drivers of high cost of energy in New
17 York State. Thank you.

18 A.L.J. STEGEMOELLER: Thank you very
19 much.

20 MR. WRIGHT: Do you want a hard copy
21 or just turn it in?

22 A.L.J. STEGEMOELLER: If the hard --
23 if the document is the same as what you just
24 stated --

25 MR. WRIGHT: Yeah.

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2 A.L.J. STEGEMOELLER: -- it will be in
3 the transcript.

4 MR. WRIGHT: Great.

5 A.L.J. STEGEMOELLER: So, I don't need
6 it.

7 MR. WRIGHT: Thank you.

8 A.L.J. STEGEMOELLER: Thank you. Off
9 the record.

10 (Off the record)

11 A.L.J. STEGEMOELLER: Are you all set?
12 Okay. Okay. We are back on the record.

13 Two more speakers have arrived. The
14 first is Ray Mercer. Mr. Mercer, please address --
15 step up to the microphone.

16 MR. MERCER: Hello. I'm Ray Mercer.
17 I'm president of Aurubis, Incorporated. Aurubis is
18 a plant in North Buffalo. We employ about six
19 hundred and fifty people there and we make copper
20 and brass strip. As a steel plant would make
21 steel, we make copper and brass.

22 I'm here to testify on behalf of
23 Aurubis in support of the National Grid Rate Case.

24 We depend on National Grid for
25 competitive delivery of power and they've been very

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2 cooperative with us and the low power rates have
3 helped us keep more jobs in the area.

4 And that's it.

5 A.L.J. STEGEMOELLER: Thank you very
6 much.

7 MR. MERCER: Thank you.

8 A.L.J. STEGEMOELLER: Marge Tobias?

9 MS. TOBIAS: Can you hear me?

10 A.L.J. STEGEMOELLER: Yes.

11 MS. TOBIAS: I am here as the
12 representative of the retirees from Niagara Mohawk
13 National Grid Company.

14 And our complaint is that our benefits
15 come through the rate hikes for National Grid, as
16 our benefits for our health insurance and all that
17 for the retirees. And what has happened in the
18 last month or two, they switched over because you
19 people told them that they had to go and be
20 accountable for their numbers and everything.

21 And unfortunately, the pensioners have
22 had the blunt of it because our drug coverage that
23 they changed on us, we were supposed to get our
24 cards and everything by December 15th and we never
25 got them until Saturday, the 6th of January and

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2 Monday the 8th of January. And this represents
3 people that are in their eighties and seventies --
4 years old and myself and everybody else.

5 On there -- if they get a rate hike,
6 that's fine, but they're not doing what they're
7 supposed to do for us as retirees. And that rate
8 hike affects our benefits and everything else and
9 they've been cutting us back and the whole works.

10 And, in fact, I got through talking to
11 a few people today that called me on the phone, the
12 regular employees didn't even get their paychecks
13 this week. They're supposed to be paid on Thursday
14 and they didn't have any paychecks.

15 So, I mean, I don't know what's going
16 on but I know it affects us. We're on limited
17 income and I've had forty-seven phone calls. My
18 big thing is that when you try to reach them
19 through their numbers, I waited an hour and twenty
20 minutes to get somebody on the phone to explain to
21 me why we didn't get our cards by January 1st and I
22 got nobody.

23 I got an automated system that threw
24 me out, brought me back to the -- to the main menu
25 again and kept going, well wait and press zero and

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2 you'll get somebody on the line for you. An hour
3 and twenty minutes and I wasn't the only one. I
4 had forty-seven phone calls like that within two
5 days at my house because I am one of the -- one of
6 the Board members on our club. So, they call us,
7 the president of my club. They called me, they
8 called the treasurer and start yelling and
9 everything else.

10 And I said, I know what you're going
11 through because it went through for me. I had to
12 call them too. I have medications that have to be
13 taken care of and are due and I haven't got a card.
14 I can't be able to do it at the drugstore because
15 we don't have our cards.

16 So, as far as I'm concerned, their
17 phone systems are terrible. And I had three
18 different numbers to call and the third number that
19 they gave -- that I was given to call was out of
20 service.

21 So, I mean, you know, we got to get
22 some help from the Public Service Commission for us
23 folks. They don't allow the union to represent us
24 and they don't want to hear anything because we're
25 retirees. They just like to pass the buck around

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2 and that's it and that's not fair.

3 There's over seven thousand of us
4 people out there and you are the guys that are
5 supposed to help us when we got a problem with
6 utility companies or whatever. So, that's my beef,
7 sir.

8 A.L.J. STEGEMOELLER: Thank you.

9 Okay. We're back off the record.

10 A.L.J. STEGEMOELLER: Ready to go back
11 on? Okay. We're going to go back on the record
12 and hear from Korey Schuler.

13 MR. SCHULER: Good afternoon. My name
14 is Korey Schuler. I represent the Niagara U.S.A.
15 Chamber of Commerce and this is our statement.

16 As Niagara County's leading business
17 advocacy organization with nearly one thousand
18 members representing over thirty thousand
19 employees, the Niagara U.S.A. Chamber of Commerce
20 would like to comment on National Grid's proposal
21 on electric and national gas rates.

22 While, this is a difficult decision,
23 we have to look at the overall business climate of
24 western New York before we dismiss the request for
25 a minimal rate increase.

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2 First, it's important to note that the
3 infrastructure in western New York is old and in
4 need of improvement. The transmission lines are
5 vital to many local businesses that receive power
6 from National Grid. Although businesses must be
7 cautious of rising costs, they must also have a
8 reliable and safe way to receive power or all else
9 is a moot point. Thus the serious need for
10 National Grid to invest in their infrastructure.

11 Their capital investment plan for
12 fiscal years 2013 through 2017 highlights the tens
13 of millions of dollars that National Grid will be
14 investing in upgrades and improvements in Niagara
15 County. We feel that a slight change in rates
16 would be mitigated by the vast improvements
17 affecting Niagara County.

18 Upon an objective review, one will see
19 that the risk of not improving the infrastructure
20 would be far greater and a far greater expense to
21 ratepayers should there be a failure of the system
22 than a slight rate increase.

23 National Grid has also committed
24 millions of dollars to Niagara County through its
25 economic development grant program. To date,

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2 National Grid has invested over three million
3 dollars in various projects throughout the county
4 creating a long-lasting positive economic impact.

5 Through initiatives, such as the power
6 enhancement program, strategic economic development
7 outreach program, manufacturing productivity
8 program and targeted financial assistance program,
9 one can see the many signs of economic development
10 spurred by National Grid.

11 As a business advocacy organization,
12 we would be remiss to not recognize the importance
13 of this investment in Niagara County.

14 Businesses have been able to grow and
15 expand, creating jobs and capital investment.
16 Although we strive for lower costs associated with
17 businesses, we understand the need for National
18 Grid's rate proposal and feel that that proposal is
19 as fair and equitable as any marginal increase in
20 comparison to the amount that they have invested in
21 this community.

22 The Niagara U.S.A. Chambers of
23 Commerce understands the difficult decisions about
24 the National Grid's proposal on gas and electric
25 rates. Bailing (sic) the needs of a large --

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2 balancing the needs of a large corporation, the
3 business community, residents and the region as a
4 whole is no easy task. We feel that this proposal
5 strikes the best balance of those needs. Thank
6 you.

7 A.L.J. STEGEMOELLER: Thank you, Mr.
8 Schuler.

9 A.L.J. STEGEMOELLER: Let's just go
10 back on and adjourn. Okay. It is four o'clock and
11 this hearing is adjourned until it reconvenes at
12 six p.m. at the Amherst Municipal Building.

13 (Off the record)

14 (Hearing adjourned until 6:00 p.m.)

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2 STATE OF NEW YORK

3 I, G. Michael France, do hereby certify that the
4 foregoing was reported by me, in the cause, at the
5 time and place, as stated in the caption hereto, at
6 Page 1 hereof; that the foregoing typewritten
7 transcription consisting of pages 1 through 36, is
8 a true record of all proceedings had at the
9 hearing.

10 IN WITNESS WHEREOF, I have hereunto
11 subscribed my name, this the 31st day of January,
12 2013.

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14 _____
15 G. Michael France, Reporter

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