

## **INDEPENDENT INTERVENOR EXHIBIT 2**

### **CON ED CUSTOMERS IN ARREARS**

#### **Safety Valve**

This attachment evaluates residential customer in arrears data to estimate whether there has been a significant increase in arrears consistent with New York Public Service Law § 66-p (4). The 2024 audit<sup>1</sup> by the New York State Comptroller noted that this safety valve provision is essentially the only formal backup plan if Climate Act goals prove unachievable within prescribed timeframes.

#### **Residential Collection Data**

Utilities file a monthly report in the PSC Case 91-M-0744 docket that details their arrears and service terminations. There is a data set in New York Open Data<sup>2</sup> that provides this information that can be used to determine the number of residential customers in arrears. The “Quarterly snapshot of residential collection dataset”<sup>3</sup> contains the following information:

This dataset provides a quarterly snapshot of residential bill collection activity for New York State’s ten largest electric and gas distribution utility companies regulated by the Public Service Commission. Included in this dataset are each utility’s total number of residential customers, residential customers with arrears (overdue bills) greater than 60 days, residential final service termination notices issued, residential accounts terminated (service shut off for nonpayment), active residential deferred payment agreements and the

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<sup>1</sup> <https://www.osc.ny.gov/files/state-agencies/audits/pdf/sga-2024-22s4.pdf>

<sup>2</sup> <https://data.ny.gov/>

<sup>3</sup> [https://data.ny.gov/Energy-Environment/Key-Credit-Collection-Beginning-2010/kdjh-dhwi/about\\_data](https://data.ny.gov/Energy-Environment/Key-Credit-Collection-Beginning-2010/kdjh-dhwi/about_data)

number of uncollectible residential accounts. Also included are the corresponding utility sales figures for each metric above, showing the dollar figure represented.

The Company category label in this data set is “CE”.

### **Company Residential Customer Summary - Quarterly Data**

Table 1 lists the quarterly data for the Quarterly Snapshot CE company category for the total number of residential customers, residential customers with arrears (overdue bills) greater than 60 days, and the percentage of residential customers with overdue bills relative to the total number of customers. The final termination notices and number of service disconnections (not shown) are not good estimates of the effect of the CLCPA because other mandates have affected the data, e.g., service disconnections were suspended during COVID.

The annual average number of customers in arrears greater than 60 days was 294,709 in 2019 the last year before the CLCPA was implemented and the average in 2024 was 468,108 customers in arrears which is an increase of 173,398 or a 59% increase.

The Public Safety Law section 66-p (4) criteria for consideration of suspension or modification is a “significant increase in arrears or service disconnections that the commission determines is related to the program”. The standard deviation of the number of customers in arrears from 2010 to 2019 is 26,570. Because the observed difference, 173,398 is greater than two times the standard deviation the increase is statistically “significant”.

**Table 1: Consolidated Edison Summary Snapshot Quarterly Residential Collection Data**

Quarter	Residential Customers	Customers with Arrears Greater than 60 Days	Final Termination Notices Issued	Accounts Terminated	Residential Sales	Customers with Arrears Greater than 60 Days	
201003	2,829,157	240,652	217,374	6,501	\$ 319,127,203	26,570	Standard Deviation 2010-2019
201006	2,830,745	231,598	232,701	9,434	\$ 337,962,469		
201009	2,822,808	224,581	266,432	9,770	\$ 342,898,495	294,709	2019 average
201012	2,850,096	303,846	230,322	3,275	\$ 349,584,219	468,108	2024 average
201103	2,858,371	271,425	221,177	9,019	\$ 321,677,944	173,398	Difference 2019 and 2024
201106	2,861,438	258,072	229,056	6,436	\$ 337,275,208	53,140	Two deviations
201109	2,867,354	246,750	281,411	7,469	\$ 359,824,033		
201112	2,874,562	302,479	232,953	3,739	\$ 308,002,239		
201203	2,879,469	274,045	219,436	7,259	\$ 300,990,250		
201206	2,872,173	253,561	226,052	7,379	\$ 320,428,909		
201209	2,882,687	242,807	250,583	9,288	\$ 387,214,149		
201212	2,885,939	345,299	183,613	3,700	\$ 309,501,969		
201303	2,891,483	310,255	217,244	7,730	\$ 333,409,061		
201306	2,891,905	297,959	218,065	7,728	\$ 323,508,659		
201309	2,892,258	271,975	264,539	8,321	\$ 374,301,309		
201312	2,899,188	319,260	231,177	2,749	\$ 365,778,231		
201403	2,905,529	299,761	231,474	7,067	\$ 399,395,024		
201406	2,904,692	294,817	213,349	8,948	\$ 319,905,673		
201409	2,906,803	281,158	248,587	9,179	\$ 362,621,693		
201412	2,916,198	315,091	210,048	4,344	\$ 342,702,633		
201503	2,921,392	294,612	206,902	7,429	\$ 372,993,467		
201506	2,923,384	294,244	198,470	6,449	\$ 304,785,004		
201509	2,925,184	281,294	235,210	6,200	\$ 385,945,655		
201512	2,930,551	323,700	198,899	3,604	\$ 301,259,594		
201603	2,932,453	303,393	190,356	6,449	\$ 308,385,054		
201606	2,928,132	290,350	186,768	5,496	\$ 297,764,775		
201609	2,935,995	273,332	227,592	6,276	\$ 391,861,979		
201612	2,939,988	325,097	192,247	3,359	\$ 323,467,277		
201703	2,945,351	312,604	182,368	4,047	\$ 338,272,568		
201706	2,947,294	293,733	186,226	4,106	\$ 302,462,256		
201709	2,950,873	282,311	225,845	4,216	\$ 326,415,753		
201712	2,959,379	314,933	196,121	2,370	\$ 326,282,838		
201803	2,965,851	294,667	199,012	1,767	\$ 362,275,647		
201806	2,972,750	286,957	197,749	4,246	\$ 329,555,838		
201809	2,976,455	281,176	233,918	3,178	\$ 432,728,458		
201812	2,987,813	312,976	202,893	2,276	\$ 369,180,501		
201903	2,994,022	306,747	187,789	5,059	\$ 355,883,954		
201906	2,998,074	293,111	180,290	7,030	\$ 299,224,663		
201909	3,000,935	278,696	226,082	6,747	\$ 367,193,525		
201912	3,008,815	300,283	186,306	1,588	\$ 366,150,181		

**Table 1, continued: Consolidated Edison Summary Snapshot Quarterly Residential Collection Data**

Quarter	Residential Customers	Customers with Arrears Greater than 60 Days	Final Termination Notices Issued	Accounts Terminated	Residential Sales
202003	3,013,184	301,014	106,096	4,084	\$ 375,659,331
202006	2,986,296	351,091	42,784	0	\$ 404,976,826
202009	2,952,982	317,995	48,969	0	\$ 353,438,402
202012	2,942,190	383,728	37,236	0	\$ 470,377,949
202103	2,950,000	385,964	17,989	0	\$ 411,133,468
202106	2,968,367	395,467	19,126	0	\$ 431,482,757
202109	2,999,537	393,171	100,275	0	\$ 411,673,069
202112	3,017,102	419,309	128,299	0	\$ 455,119,162
202203	3,028,305	392,587	282,751	0	\$ 425,957,632
202206	3,033,885	387,709	141,622	0	\$ 439,750,133
202209	3,056,522	392,984	171,781	0	\$ 478,089,420
202212	3,065,707	439,340	152,464	3,015	\$ 569,226,066
202303	3,074,583	410,321	131,356	0	\$ 507,735,294
202306	3,077,730	406,002	148,994	9,468	\$ 420,832,820
202309	3,082,838	391,308	184,411	8,393	\$ 484,360,061
202312	3,061,817	487,593	0	0	\$ 646,507,078
202403	3,101,542	458,289	287,232	0	\$ 587,816,930
202406	3,116,950	449,054	313,098	229	\$ 452,964,653
202409	3,125,427	469,080	275,494	5,190	\$ 358,278,234
202412	3,138,236	496,007	190,380	6,056	\$ 660,785,957

The Public Safety Law section 66-p (4) criteria for consideration of suspension or modification is a “significant increase in arrears or service disconnections that the commission determines is related to the program”. The information in Department of Public Service annual report<sup>4</sup> required as part of Case 22-M-0149 could be used to determine if the increase is related to the program but it has not been updated since July 2023 so only information through 2022 is available. As an alternative the distribution of the quarterly number of customers in arrears appears to confirm that the change in arrears is due to the CLCPA. Following the step change in the distribution during the COVI-19 crisis the number of customers in arrears since 2020 when CLCPA implementation started has trended upwards after it remained relatively flat from 2013 to 2019.

<sup>4</sup> <https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId=%7B20E17489-0000-C114-AD41-8089369DB6F3%7D>

**Figure 1: Consolidated Edison Customers in Arrears in Snapshot Quarterly Residential Collection Data**

