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May 24, 2013

Mr. Jeffrey C. Cohen
Acting Secretary
State of New York
Department of Public Service
3 Empire State Plaza
Albany, New York 12223-1350

Re: Case 11-G-0036 (916797)
Salisbury Point Cooperative vs. O & R

Dear Mr. Cohen:

I received your letter dated May 20th (copy attached) on May 22nd and immediately called your office. I spoke with several representatives about this matter and was advised that I should write to you. Therefore, I am writing to explain that, when I was advised that we could appeal the decision, I believed that we would attend an actual hearing. I did not include the details of what occurred on March 2, 2009 as I believed I would have the opportunity to do so at the appeal hearing.

In my letter I did not mention the following, which I believe affected other customers and led to the confusion regarding the need to switch from gas to oil:

1) The all made by Orange & Rockland was received on two answering machines; one in my office and one in the Building Superintendent's office. As soon as our machines answered the call, they began to leave the prerecorded message. At the moment the calls were answered, the Orange & Rockland recorded message began to be announced. That message was not recorded on either machine until our messages had finished and the signal to leave Orange & Rockland's message started. As a result, only the tail end of the Orange & Rockland message was recorded. Please see my letter dated December 23, 2010 to Jaclyn Brilling of the Public Service Commission (copy attached).

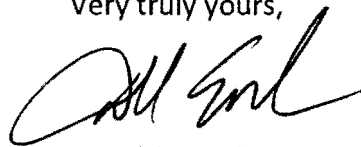
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- 2) The message that was left said to switch to oil "at Midnight tonight". No day or date was provided and, as mentioned in my letter, we did contact Orange & Rockland for clarification but by then the switch should have already occurred.
- 3) Please also refer to my letter (copy attached) dated November 17, 2010. That letter provides the text of the message that was left by Orange & Rockland on the Superintendent's phone. Please review this letter in its entirety as I believe it explains exactly what occurred.
- 4) Also attached is our letter of November 17, 2010 to Mr. Thompson of the P.S.C. and an e-mail I sent to him on November 19, 2010.
- 5) In my request for an appeal hearing, I mentioned the Pearl River School District and the Haverstraw/Stony Point Central School District because I erroneously received a copy of a determination they received from the same incident. It appeared that they also had similar problems in receiving and translating whatever message was left.

In closing, it is also a fact that because of the incident involving Salisbury Point (and other customers I believe) that Orange & Rockland did in fact change its notification system. Since those changes were made, the messages are left in their entirety and provide the specific day, date and time.

For all of the reasons stated above, we respectfully request that you reconsider our appeal. If you have any questions, please feel free to call me at the number shown below.

Very truly yours,



Donald E. Wilson

DEW:gh

cc: Board of Directors



December 23, 2010

Jaclyn A. Brillong, Secretary
Public Service Commission
Three Empire State Plaza
Albany, NY 12223

**RE: Case #916797 Salisbury Point Cooperative
2 Piermont Avenue
Nyack, NY**

Dear Ms. Brillong,

As the managing agent for Salisbury Point Cooperative, we here by appeal the decision issued by Mr. John P. Thompson on December 20, 2010.

The reasons for our appeal are as follows:

1. We believe the hearing officer did not consider all of the facts of the case, in that information provided to him during the informal hearing was not considered, nor is it reflected in his decision.
2. Information was provided subsequent to the hearing to both the hearing officer and the utility company which was not considered in rendering the decision.
3. New facts and evidence, which were not available at the time of the hearing, further supports the cooperative's claim that the notification system used by the utility company is deficient.

To elaborate further, after the informal hearing, but prior to a decision being rendered by Mr. Thompson, the utility company (O & R) used their notification system on November 17, 2010. On that day, I received a "missed call" on my cell phone, and no voicemail.

Mark Miller, the building's superintendent also had a missed call on his cell phone. His office phone had a message which consisted of the end of a recorded message. There was enough of a message for Mr. Miller to figure out that O & R had called, so he called Dan Rodgers at O & R and Mr. Rodgers advised Mr. Miller that an interruption message had been sent earlier that morning.

I contacted Mr. Thompson the same day via a telephone call, and followed up with a letter, copy

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attached. I explained to Mr. Thompson that I believed that the O & R recording started as soon as the phone being called was "answered" even if a recording was being played first on the phone. The O & R recording does not wait for the called phone to "beep", so either no message or only a partial message is left.

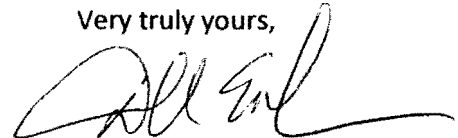
We also notified O & R of this problem. They initially said it was a problem with our "telephonic equipment", meaning, my personal cell phone, the superintendent's personal cell phone, and the hard wired phone in the superintendent's office. Please see the attached correspondence related to this incident. O & R conducted a test at Salisbury Point on Thursday December 9, 2010 at 8:30am. I was present, as was Mark Miller and O & R's representative, Jacqueline Bubenko. Mr. Rodgers called all of the above mentioned phones, which we purposely did not answer. No messages were received or recorded.

Lastly, the phone number that is left on O & R's message to call is a non working number. It just rings indefinitely, with no message or instructions given to assist anyone who calls it.

I respectfully request that a formal, in person hearing be conducted to resolve this matter.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

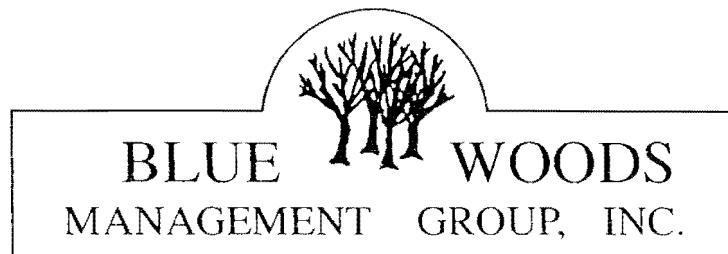
A handwritten signature in black ink, appearing to read "D. Wilson", with a long horizontal flourish extending to the right.

Donald E. Wilson

DEW:sr

Cc: Ms. Andrea Reeves
Orange & Rockland Utilities Inc.
390 West Route 59
Spring Valley, N.Y. 10977

Cc: Board of Directors



November 17, 2010

Mr. Thompson
State of New York
Department of Public Service
90 Church Street
New York, New York 10007

RE: Case # 916797
Salisbury Point Cooperative

Dear Mr. Thompson:

Pursuant to our phone conversation today and our conference call of November 4, 2010, I would like to recount the events that occurred this morning in regard to Orange & Rockland's gas interruption notification procedure.

At 7:49 a.m. this morning, I had a missed call on my cell phone. I saw this at approximately 8:30 a.m. and returned the call to 845-364-4050. It rang about 10 times and there was no answer or answering machine. I called the number again shortly before 9:00 a.m. with the same result.

I then went to Salisbury Point to drop off payroll and other correspondence at the building. The Superintendent, Mark Miller, asked me if I had received a call from Orange & Rockland earlier in the morning concerning a gas interruption. I told him I did not have a voicemail message, only a missed call. He also had a missed call on his cell phone at 6:27 a.m. from the same number (845-364-4050) but no message. He then played a partial message that was received and recorded on his office phone. That call came in at 5:42 a.m. and here is the complete text of the message:

"If you have any questions, please call the gas interruption hotline at 1-877-434-4100 or contact your Orange & Rockland major account engineer. You can return to using natural gas at 8:00 p.m. on Wednesday, November 17, 2010. If you would like to hear this information again, press the star key now or press the pound key to end this call and confirm receipt of this message."

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Mark had the good sense to call Dan Rodgers of Orange & Rockland and ask what was going on. Mr. Rodgers told him that a gas interruption was scheduled for 1:00 p.m. on Wednesday November 17th and that it would end at 8:00 p.m.


We have taken the appropriate steps to comply by switching over to oil. However, there is clearly a problem with Orange & Rockland's messaging system. I called the number that was included in the taped message and listened to a lengthy menu of options. There is no option that relates to an interruption in gas notification contained in the menu, so I waited for a representative to pick up. Eventually, one did but could not locate the gas accounts for the property. In any event, I invite you to call either of the numbers to confirm the information stated above.

I was also told by Mr. Rodgers that a call was placed to my office phone (914-524-8600), presumably prior to 9:00 a.m. I received no recorded message at my office and the message on my phone during non-business hours instructs callers to hold for a live operator if the call is an urgent matter. The live operator also did not receive a call.

After being told by Mr. Rodgers that there must be a problem with all of our phones (my cell phone, my office phone, Mark's cell phone and Mark's office phone), I believe I may know what actually happens. As soon as any phone "answers", the Orange & Rockland message immediately begins to play even though it appears that it is playing over a recorded message on the receiving line. The Orange & Rockland recording is either being completely lost or, at best, partially recorded, as was the case with the call to the Super's office phone.

If you have any questions, pertaining to this matter, please do not hesitate to call me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Donald E. Wilson', written in a cursive style.

Donald E. Wilson

DEW:gh
cc: Board of Directors

Subj: **Re: Fw: Salisbury Point Cooperative Case # 916797**
Date: 11/19/2010 10:20:25 A.M. Eastern Standard Time
From: DonWilson@nycap.net
To: john.thompson@dps.state.nv.us

Mr. Thomson -

In response to Orange and Rockland's letter which you forwarded to me, the first call made to 845-358-3447 was partially received. We have saved the entire recording. Had we not received the portion that we did, we would not have known there was an interruption, and we have been penalized. According to O and R, that call was not confirmed.

The ensuing three calls were not received, although O and R says a message was left. If that is the case, why is the first call "not confirmed", when part of the message was left. My cell and Mark's cell have the call coming in and they are stored as "missed call". There were no voice mail messages left. In regard to my office phone, neither the answering machine or the live operator service that we use have any record of a call being received or recorded.

I invite you to call the number left on the tape by O and R and try to find the prompt that has any relationship to gas interruption. The only comment that is close refers to "if you are having a gas or electrical emergency" and I don't think that is the correct prompt.

the claim by O and R that this problem is because of our "telecommunication equipment is ludicrous. I receive other taped messages on my answering machine in their entirety. They are apparently programmed to begin after the answering machine says to begin the message.

Donald Wilson