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2/21/2024 - Veolia Water New York - 23-W-0111

STATE OF NEW YORK

PUBIC SERVICE COMMISSION

CASE 23-W-0111 - Proceeding on Motion of the
Commission as to the Rates, Charges, Rules and
Regulations of Veolia Water New York, Inc. for
Water Service.

PUBLIC STATEMENT HEARING

DATE: February 21, 2024 at 1:00 p.m.

Venue: WebEx

BEFORE: ALJ ASHLEY MORENO

ALJ MICHAEL CLARKE

Reported by Maureen Allen

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2 (The hearing commenced at 1:00 p.m.)

3 A.L.J. CLARKE: I call Case 23-W-0111,
4 proceeding on motion of the Commission as to the
5 Rates, Charges, Rules and Regulations of Veolia
6 Water, New York Incorporated for water service. Good
7 afternoon. My name is Michael Clarke, I'm an
8 Administrative Law Judge for the Department of Public
9 Service. With me today is Administrative Law Judge
10 Ashley Moreno. Together we're responsible for
11 presiding over the hearings in this case, in the
12 development of a complete record throughout the
13 proceeding. We're also joined today by Xenia Vega
14 and Jill Wasser from the Department's Office of
15 Consumer Services, who will be providing technical
16 assistance.

17 We're here today for a public
18 statement hearing that was noticed on January 25th,
19 2024. The hearing is to receive your comments on a
20 Joint Proposal filed in this proceeding on January
21 4th, 2024. Under New York State Law, the Public
22 Service Commission may adopt or reject the Joint
23 Proposal in whole or in part, or modify it. The
24 Public Service Commission consists of a Chairperson
25 Rory Christian and Commissioners Diane Burman, James

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2 Alesi, John Howard, David Valesky and John Maggiore.
3 We're fortunate this afternoon to have Commissioner
4 Maggiore with us. Would you like to make any
5 comments, Commissioner?

6 COMMISSIONER MAGGIORE: Thank you very
7 much. I -- I just want to thank anybody who has
8 shown up virtually to participate in this process.
9 As a member of the Commission, I find that the public
10 comments are very helpful in understanding items that
11 come before the Commission. Other than that, I'm
12 here to hear from you. You're not here to hear from
13 me, so I'm going to sit back and listen. But again,
14 I want to thank you for taking time out of your day
15 to participate in this process. Thank you very much.

16 A.L.J. CLARKE: Thank you,
17 Commissioner. As I stated earlier, the purpose of
18 today's hearing is to provide you with an opportunity
19 to tell the Commission your thoughts on the Joint
20 Proposal. It is not an evidentiary hearing or a
21 question and answer session, but rather a forum to
22 hear comments from you. Any statements made today
23 will become part of the case record. We have a court
24 reporter on the line who will prepare a transcript of
25 the hearing, which will be included in the official

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2 record of the proceeding, so that your comments can
3 be considered by all members of the Commission.

4 When it's ready, the transcript will
5 be available for view on the Department of Public
6 Service website. I'd like to emphasize that this is
7 not the only opportunity for you to comment. If you
8 did not register to speak at today's hearing, but you
9 would like your views included in the record, there
10 are a variety of other ways to comment that were
11 listed in the public notice for today's event. You
12 can do so through the department's website, by
13 regular mail, or by phone.

14 Regardless of how comments are
15 submitted, they'll be given equal consideration. We
16 have nine people registered to speak today. We will
17 not impose a time limit, but I do request that you
18 provide your statement in a reasonable amount of time
19 and avoid repeating yourself. When I call your name,
20 we will unmute your line and notify you that you've
21 been unmuted. Please remember that if you've put
22 your own line on mute, you will also have to unmute
23 your end before you begin to speak. Please state
24 your name and speak slowly and clearly so that the
25 court reporter can accurately record your statement.

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2 If you're speaking on behalf of an organization,
3 please also provide the organization's name. Our
4 first speaker today is Michelle Solomon. Ms.
5 Solomon, if you've called in, please press star three
6 so we can recognize you and unmute your line. Again,
7 Ms. Solomon, if you've called in, please press star
8 three.

9 MS. VEGA: I don't see any hands
10 raised.

11 A.L.J. CLARKE: Okay. In that case,
12 we're going to move on to our next registered
13 speaker, Ms. Sylvia Dundon. Please forgive me if I
14 mangle anyone's name. I apologize.

15 MS. VEGA: Ms. Dundon, your line has
16 been unmuted.

17 MS. DUNDON: Hi, can you hear me?

18 A.L.J. CLARKE: Yes, we can.

19 MS. DUNDON: All right. Thank you so
20 much for taking the time to take our comments. My
21 name is Sylvia Dundon. I'm the Executive Director of
22 the Port Chester, Rye Brook, Rye Town Chamber of
23 Commerce. And I just wanted to take this opportunity
24 to share some feedback on behalf of some of my
25 members. I represent businesses and investors in the

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2 community of Port Chester, New York. And it's an
3 exciting place to be right now. There's a lot of
4 development and new housing projects that are going
5 up. And I'm here to just express concern and dismay
6 over the rate case and specifically also just the
7 need for better communication and information in
8 situations like this where there are surcharges being
9 imposed on developers and investors. And there
10 really wasn't adequate communication and opportunity
11 given to impacted parties in participating in giving
12 feedback earlier rather than later. So I'm hoping
13 that now if there's still any opportunity and
14 certainly in the future, that there are better
15 efforts to make -- better efforts made to be more
16 inclusive and include our impacted members in -- in
17 these conversations to be part of the decision
18 making. I'll also be submitting additional comments
19 by -- in writing for the record. Thank you very
20 much.

21 A.L.J. CLARKE: Thank you very much
22 for your comments. Our next speaker is Rajeev
23 Chennattu. Rajeev Chennattu, if you've called in,
24 please press star three. We can recognize you and
25 unmute your line. Any -- I thank you -- at the

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2 bottom.

3 MS. VEGA: He does not have an audio
4 connected, but as someone is -- does have their --
5 oh, there's another -- he just came up.

6 A.L.J. CLARKE: Okay. You've been
7 unmuted. Please provide your comment.

8 MS. VEGA: Hello?

9 MR. CHANNATTU: Hi. Can you hear me
10 all right?

11 MS. VEGA: I can hear you.

12 MR. CHANNATTU: Great. Great for this
13 opportunity to comment. I'm hearing -- okay, good.
14 Appreciate the opportunity to submit the comments.
15 My name is Rajeev Chennattu. I own properties at 208
16 and 216 King -- in King Street in Port Chester, where
17 I have an approved transit-oriented development
18 project for 185 apartments. We submitted a request
19 for the willingness to serve letter from Veolia, then
20 Suez in the summer of 2021. I speak before you
21 today, deeply troubled by Veolia's proposed charges
22 on developers in this village of Port Chester. This
23 outrageous fee disguised as a normal charge threatens
24 to cripple new housing and commercial development,
25 jeopardizing not only my project, but the future of

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2 this community.

3 Veolia's claims paint a misleading
4 picture. The charge is far from ordinary. It was
5 never mentioned beforehand. Veolia only told us in
6 early 2022 that they needed six months to conduct an
7 internal review to determine their readiness for the
8 water connection to our project and other projects.
9 Now came up with this enormous charge as a done deal
10 almost three years later, only to push this through
11 without the proper P.S.C. approval. We, one of the
12 most important impacted parties were kept in the dark
13 about this review process, the potential expenses,
14 and the dis -- discriminatory targeting of Port
15 Chester over wealthier neighboring communities.
16 These charges are not affecting Rye -- Rye Brook and
17 Harrison, from what I understand.

18 This lack of transparency is
19 unacceptable. Veolia failed to disclose that their
20 existing approved main extension agreement already
21 covered infrastructure improvements. Veolia never
22 provided us with a developer agreement draft that
23 shows the proposed charges. Please note that no --
24 no other water company in the State burdens
25 developers with these charges. In addition, Veolia

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2 never gave us a notice that it needed and it was
3 seeking approval of this new charge to developers in
4 this rate case.

5 Our community deserves better. This
6 surprise fee throws a wrench into prior development
7 projects, hinders much needed economic growth and
8 progress in Port Chester. For instance, my project
9 should have been completed by now had it was given
10 the willingness to serve letter in 2021. Now, three
11 years later, the project's viability is put in
12 serious jeopardy by this egregious charge of over
13 \$1.1 million to its budget. Stalling the project for
14 almost three years waiting for the willingness to
15 serve letter from Veolia has negatively impacted the
16 project in multiple ways, as we saw the increasing
17 inflation financing costs during that time.

18 I am disappointed that the Village of
19 Port Chester is willing to go along with this charge,
20 unjust charge. We urge you to reject Veolia's
21 deceptive proposal and pro -- and protect the future
22 of this village. Remember, our concerns come at this
23 late stage due to the earlier deliberate obfuscation.
24 Let us not be -- let us not be penalized for this --
25 their lack of transparency. I'm appearing because I

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2 only recently found out that the proposed
3 contribution from developers was being considered in
4 the rate case and accepted in the Joint Proposal
5 being considered by Your Honors. Thank you for your
6 time and consideration.

7 A.L.J. CLARKE: Thank you very much.
8 Our next registered speaker is Dana Stilley. Ms.
9 Stilley, you've been unmuted.

10 MS. STILLEY: Good afternoon. I am a
11 Rockland County legislature -- Legislator Dana
12 Stilley and I know that the town -- the five town
13 supervisors in conjunction with the county, have
14 submitted formal opposition to the Joint Proposal,
15 but I did want to come and just share a little bit of
16 -- a little bit more thoughts about it this -- this
17 afternoon. And my comments will be very brief.
18 First and foremost, the proposed rate increase of
19 26.8% over the four years really has failed to
20 adequate -- adequately consider the adverse financial
21 impact on Rockland rate payers. The rate payers here
22 in Rockland already pay amongst the highest rates in
23 the entire State and combining future PFAS chemical
24 filtration expenses with this proposed rate increase
25 will most certainly further escalate costs for the

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2 rate payers beyond what would be considered
3 reasonable.

4 The proposed merger with Upstate
5 systems also does not appear to be in the best
6 interest for Rocklanders. Rocklanders will subsidize
7 expensive upgrades for Upstate communities and a full
8 demonstration of tangible benefits to Rockland
9 customers really is required, or the consolidation of
10 Owego-Nichols into Veolia New York simply should be
11 rejected.

12 Lastly, Veolia's Conservation Plan
13 simply is not strong enough. It has no process for
14 program implementation, for monitoring, or
15 evaluation. The conservation plan, as it currently
16 reads, leaves Rocklanders exposed to face future
17 increased costs associated with the need to develop
18 yet another potentially expensive supply project.
19 The Joint Proposal doesn't address innovation or
20 water conservation. It neglects to explore how
21 climate change can best be achieved within its
22 service territory.

23 For these reasons and many others,
24 again, outlined in the formal letter that has already
25 been submitted, I oppose the current Joint Proposal.

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2 Rockland rate payers really deserve better. This
3 current proposal will lead to unaffordable water
4 rates, ineffective conservation procedures, and
5 inadequate plans to address the impact of climate
6 change on our water supply. Thank you for your time.

7 A.L.J. CLARKE: Thank you very much.
8 I'm going to go back to Michelle Solomon. Ms.
9 Solomon, if you've called in, please press star
10 three. We can recognize you and unmute your line. I
11 don't see any hands, do you, Xenia?

12 MS. VEGA: No, I do not.

13 A.L.J. CLARKE: All right. Thank you.
14 We're going to move on to Elijah Reichlin-Melnick.
15 Mr. Melnick, if you've called in, please press star
16 three. We can unmute you. I do see a couple of
17 hands from people who haven't registered. We will
18 get to you when we've gone through the list of people
19 who did pre-register to talk today. So I -- I
20 understand that there's some people perhaps waiting
21 to comment. We will get to you when we're done with
22 the list of people who pre-registered. I give Elijah
23 Reichlin-Melnick another opportunity to raise his
24 hand. Press star three, please. Okay, we're going
25 to move on. The next registered speaker is David

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2 Cooper. Mr. Cooper, you've been unmuted. Please
3 provide your statement. Xenia, do you see David
4 Cooper? It looks like he's muted still.

5 MR. COOPER: There we go. Can you
6 hear me?

7 A.L.J. CLARKE: Yes, we can. Sorry
8 about that.

9 MR. COOPER: All right. Thank you,
10 Your Honor. Yep, it's okay. Yes, my name is David
11 Cooper. I'm a partner with the law firm of Zarin &
12 Steinmetz in White Plains. We represent the Renatus
13 Group, the owners and developer of multiple
14 properties in the Village of Port Chester. That
15 includes the site of a proposed 15 story mixed use
16 building next to the train station and other transit
17 oriented development, as well as several commercial
18 sites along Midland Avenue. I'm speaking to you
19 today on the proposed Port Chester Development
20 Project cost sharing framework on page 45 of the
21 Joint Proposal. I believe you -- you've heard a
22 couple of other comments on this, but I also want to
23 add some thoughts. The parties are asking the -- the
24 Public Service Commission to approve a proposal where
25 the company will pass through to developers, 80% of a

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2 \$48 million estimated costs to modernize water
3 infrastructure.

4 This framework was negotiated without
5 the input from any of the developers, as you -- as
6 you've already heard. Legally, I -- I -- I question
7 the validity of -- of this framework would not appear
8 to -- to pass due process muster if the main
9 stakeholder, it was not involved and excluded from
10 the negotiations on this. But that may be for -- for
11 another day. I'm here, Your Honors, to -- to
12 highlight a -- a practical problem with the -- the
13 proposed framework which I -- I would submit or
14 respectfully submit that it arises most likely
15 because the developers were not engaged in the
16 process. My bet is -- is that everybody that was at
17 the table that was trying to come up or calculate the
18 80% share felt that the developers would have, you
19 know, proverbial deep pockets or an unending revenue
20 sources to cover 80% of -- of the cost.

21 And I'm here to respectfully submit
22 that that's a -- a myopic view of the economic
23 conditions in New York State as well as in the
24 Village of Port Chester. The board, the Commission
25 may know that it's very expensive to invest in New

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2 York State, particularly in housing in New York
3 State, and particularly in the Village of Port
4 Chester as it attempts to -- to revitalize its
5 downtown and commercial corridors. You have baseline
6 costs, construction costs, carrying costs, property
7 taxes, but then also the Commission may not know that
8 Port Chester has implemented a complex fair share fee
9 system where developers must pay to mitigate a range
10 of items which ranges from the number of traffic
11 trips that they're going to -- that's attributable to
12 their project, the number of potential school
13 children, community facility fees, sewer I. and I.
14 fees, parking space fees, recreational fees. When
15 you add that all up, it increases the cost side of
16 any pro forma by a million dollars or more.

17 These are projects -- and I think if
18 you've heard already from -- from several others,
19 these are projects that are at razor thin margins
20 already. If you're going to add another seven figure
21 cost onto this pro forma, you're not yielding a
22 viable development. So what I submit is going to
23 happen is -- is two potential outcomes. Either, most
24 of the developers cannot move forward with the
25 projects and the company and the village are going to

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2 be stuck with the upgrades themselves. That
3 certainly would undermine the village's
4 revitalization efforts. And I think it also
5 undermines the entire purpose of -- of -- of -- of
6 this agreement. Or developers will move forward, but
7 have to pass that cost along, essentially, to the
8 people that they're going to rent to, which are the
9 consumers or the customers who are paying the water
10 fees, essentially, who the -- the Public Service
11 Commission is supposed to protect.

12 So my bottom line here, by excluding
13 the main stakeholders from the discussions, the
14 parties have arrived at -- at -- at an economically
15 infeasible solution. Now just take a giant step back
16 for a second and -- and recognize that there's a
17 housing crisis in New York and it's not going to be
18 solved by making invest -- investments in housing so
19 expensive that it's infeasible. A successful
20 redevelopment only occurs where there's a partnership
21 between the public and private sectors and really
22 need to engage all stakeholders here. Based on that,
23 I would -- I would ask, or we would ask the -- the
24 Public Service Commission not accept the 80%, 20%
25 split proposal in the Joint Proposal on page 45 and

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2 compel the company and the village to sit down with
3 the developers to figure -- figure out an
4 economically feasible approach to offsetting the cost
5 of these upgrades. At least modify the split so that
6 it's economically viable, so that you will actually
7 see the -- a -- a -- a redevelopment or
8 revitalization in Port Chester that I think everybody
9 wants to see and everybody wants to invest in. Thank
10 you very much.

11 A.L.J. CLARKE: Thank you Mr. Cooper.
12 Our next registered speaker is Kevin Leahey. Mr.
13 Leahey, you've been unmuted. Please provide your
14 statement.

15 MR. LEAHEY: Yeah, just Kevin Leahey,
16 The Renatus Group, L.L.C. I'm here to highlight,
17 should the Commission choose to approve the -- the
18 Joint Proposal or send it back for further
19 discussion. Just one of the items we'd ask to be
20 reviewed further is the specific commercial square
21 footage fee as currently proposed. What we believe
22 --.

23 THE REPORTER: Excuse me. Excuse me,
24 Kevin, I'm sorry. This is the reporter. Yes.
25 You're not coming in very clearly.

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2 A.L.J. CLARKE: Yeah. Mr. Leahey,
3 perhaps if you just slowed down a little bit. You
4 were a little garbled. Are you still there? It
5 looks like Mr. Leahey was re-muted. Okay. Mr.
6 Leahey, you've been on unmuted. Sorry about that.
7 Please --

8 MR. LEAHEY: Can you hear me?

9 A.L.J. CLARKE: Yes, we can.

10 MR. LEAREY: No problem. Can you hear
11 me better now?

12 THE REPORTER: I can right now, yes.

13 MR. LEAREY: We -- we were just asking
14 that we would highlight that the proposed commercial
15 rate per square foot does not adequately
16 differentiate between multiple commercial uses.
17 Clearly, there are higher water flow uses under the
18 commercial use category than just one individual use.
19 So warehousing, industrial, self-storage and other
20 uses would have a substantially lower water
21 requirement. And we just ask that they would review
22 that in the event that they -- they -- this is sent
23 back for further changes or negotiation and that
24 different use categories have a different price per
25 square foot allocation for cost under whatever

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2 approved proposal is adopted. That's all we have.
3 Thank you.

4 A.L.J. CLARKE: Thank you, Mr. Leahey.
5 Xenia, it looks like we have Elijah Reichlin-Melnick.
6 If you could unmute Mr. Melnick, please. Mr.
7 Melnick. Mr. Reichlin-Melnick, appears about midway
8 down the list that I'm seeing, Xenia.

9 MS. VEGA: Let me refresh and make
10 sure that I was not seeing -- oh, there he goes.

11 MR. REICHLIN-MELNICK: Good afternoon.
12 Can you hear me?

13 A.L.J. CLARKE: Yes, we can. Thanks.

14 MR. REICHLIN-MELNICK: Thank you.
15 Good afternoon. I'm Former State Senator Elijah
16 Reichlin-Melnick and I've been a long-time advocate
17 for clean drinking water and for Rockland's
18 environment. And I just wanted to leave this
19 comment. You know, this proposed rate increase is
20 going to lead to more expensive drinking water, which
21 is -- will be essentially at unaffordable levels for
22 Rocklanders. Not only would this result in an
23 approximately 26% increase, it will come on top of
24 rates that are already some of the highest in New
25 York State. Additionally, it's well known that

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2 Rockland has elevated levels of PFAS and PFOS in our
3 drinking water. These forever chemicals are harming
4 our communities. How could Veolia propose any rate
5 hike, let alone such a large rate hike under these
6 conditions? To me, it's an outrage and it's
7 absolutely unacceptable. Furthermore, this isn't the
8 only potential burden on Rocklanders.

9 We may still be on the hook for
10 millions of dollars for the desalination project.
11 We're already charged for higher than average leak
12 rates. And along with the proposed merger with
13 Upstate systems, it would lead to Rocklanders
14 subsidizing upgrades for Upstate communities. It is
15 not fair to Rockland County. I encourage Veolia and
16 the P.S.C. to look at other options before further
17 burdening Rockland County. Similar to other water
18 companies, they could pursue public funding as well
19 as lawsuits against the manufacturers of these
20 forever chemicals. This could result in significant
21 income that can and should be used for these projects
22 before passing the buck onto Rocklanders. We must do
23 better, Rockland gets the short end of the stick far
24 too often and I encourage that to end now. Thank
25 you.

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2 A.L.J. CLARKE: Thank you very much.

3 Our next registered speaker is Deborah Munitz. Ms.
4 Munitz, if you've called in, please press star three.
5 We can identify you and unmute your line.

6 MS. VEGA: I do not see anyone with
7 their hand raised.

8 A.L.J. CLARKE: Okay. We'll try
9 Robert Tompkins. Mr. Tompkins, same thing, if you're
10 calling in, please press star three.

11 MS. VEGA: Again, Your Honor.

12 A.L.J. CLARKE: Okay. I think then in
13 that case, we will move on and it looks like
14 Elizabeth Matsuda has her hand raised. Ms. Matsuda,
15 you've been unmuted.

16 MS. MATSUDA: Can you hear me?

17 A.L.J. CLARKE: Yes, we can.

18 MS. MATSUDA: Okay. Judge Clarke and
19 Judge Moreno, I'm just a private citizen who has been
20 watching in dismay as this water privatization
21 disaster unfolds in front of me here in Rockland
22 County. Food and Water Watch warns us that the
23 privatization of water leads to increases as high as
24 60%. And it surely seems that this is what we are
25 seeing now as Veolia threatens us with an almost 30%

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2 rate increase. Furthermore, Veolia says that this
3 enormous cost is because of mandated requirements to
4 our infrastructure to deal with PFAS contamination of
5 our water. But I do not understand why these costs
6 are being passed along to us. I do not understand
7 why they are not going against the polluters for
8 relief and why instead they're telling us in effect
9 that we have to bear the expense. I do not
10 understand their profiteering off of our water when
11 public-shared ownership of water is a right, not a
12 commodity.

13 It appears that Veolia's corporate
14 reputation involves huge rate increases, lawsuits all
15 over the world, accidents, and the corporate buck
16 passing typical in movies like Michael Clayton. It
17 surely seems that we in Rockland County are up
18 against a multinational corporation, which we all
19 know is designed to maximize shareholder profits at
20 the expense of their customers. For example, we are
21 being expected to bear the lingering costs of the
22 ill-planned Suez Desalination project. When an
23 individual like me makes a bad bet on something, I
24 have to suffer the loss. Veolia is attempting to
25 pass that loss along to us. Also, Veolia is trying

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2 to spread infrastructure costs from across the State
3 onto us. I do not want to pay for Owego's new water
4 system, not unless they and Veolia dip in and share
5 the costs with us. I am also very disappointed in
6 our State agencies that are supposed to hold them
7 accountable, to represent us, to speak for us, to
8 protect us. After all, we are paying their salaries.

9 I do not understand why they are
10 protecting Veolia at our expense. Here's what I
11 want, a plan going forward that is not designed by
12 Veolia alone and rubber stamped by the State, but
13 instead takes into account science-based designs and
14 cost-effective plans from systems around the U.S.
15 that are already working. At this point, I so envy
16 Lee, Massachusetts where citizens refused to have
17 their water management privatized and were able to
18 prevent Veolia's takeover. I wonder how they did it.
19 Probably it's because they had effective government
20 agencies on their side.

21 I want our State regulators to help
22 Rockland County taxpayers -- taxpayers by regulating
23 our water in a way that serves the public interest
24 and to stop giving in to corporate interest by rubber
25 stamping their plans to pass massive cost increases

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2 along to us. Veolia talks a good line with its
3 shiny, multinational P.R., but I don't -- but I
4 oppose their plan as it's written and ask you to
5 support us in rejecting it. Thank you very much.

6 A.L.J. CLARKE: Thank you, Ms.
7 Matsuda. I do see a couple of other hands, but
8 before we get to them, we're going to go back to
9 three people who pre-registered to speak, but weren't
10 there when we called them the first time. We'll
11 begin with Michelle Solomon. Ms. Solomon, if you've
12 called in, please press three. How about Deborah
13 Munitz? Robert Tompkins? Xenia, no hands?

14 MS. VEGA: No new hands, no.

15 A.L.J. CLARKE: All right, thank you.
16 In that case, will you please unmute Mr. Cooney?
17 John Cooney, Jr. had his hand -- Mr. Cooney, you've
18 been unmuted.

19 MR. COONEY: I thank you very much.
20 My -- my name is John Cooney, Jr. I am the Executive
21 Director of the Construction Industry Council of
22 Westchester in the Hudson Valley. I thank you for
23 the time that you've granted me to speak today. I'm
24 calling today to emphasize to the Department of
25 Public Service that Veolia should be applauded for

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2 its commitment to improving water infrastructure in
3 Rockland County and in Westchester as well. If this
4 rate filing -- in this rate filing, Veolia is
5 pledging to invest 470 million to improve and enhance
6 the county's water system. Since the last rate
7 filing four years ago, they've invested 440 million.
8 That means that from 2020 to 2027, Veolia will invest
9 913 million into Rockland County. That is
10 remarkable. Infrastructure across the United States
11 is crumbling and we need companies like Veolia that
12 are willing to invest in the future of our country.
13 Our water mains need to be replaced along with
14 service lines, hydrants, and meters. The Veolia rate
15 filing is the best -- is in the best interest of --
16 the best long-term interest of its customers. I
17 thank you for this time.

18 A.L.J. CLARKE: Thank you. Any if you
19 could unmute Matthew Pepe. Mr. Pepe, you've been
20 unmuted.

21 MR. PEPE: Hi, thank you. My name is
22 Matthew Pepe. I'm the Executive Director of the
23 Building Contractors Association. We represent many
24 of the contractors who do commercial building and
25 infrastructure work throughout the region. I'm also

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2 a lifelong Rockland resident and I'm here today to
3 express my support for Veolia's proposed rate
4 increase. Veolia has pledged to invest nearly 500
5 million in infrastructure improvements crucial for
6 the long-term wellbeing of our communities in both
7 Rockland and Westchester. We're talking half a
8 million homes and businesses are set to benefit from
9 these upgrades, replacement of aging infrastructure
10 which result in the enhancement of water quality and
11 supply. I believe this is a significant commitment
12 from Veolia that will also create a significant --
13 significant amount of jobs. And these workers are
14 local, they pay taxes locally, they buy goods and
15 services locally. So the, you know, the proposed
16 investment of 470 plus million goes further than just
17 what's on paper.

18 Beyond financial considerations, I'm
19 personally involved here on many committees and local
20 organizations throughout Rockland, Orange and
21 Westchester. I'm going to attest that Veolia sits on
22 many of them alongside me. By supporting initiatives
23 that benefit our residents and businesses, Veolia
24 contributes to the overall prosperity of the Hudson
25 Valley. As a representative of both the contracting

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2 community and also as a rate payer, myself, I don't
3 take rate light -- rate increases lightly. But I
4 believe that Veolia's proposed rate increase is
5 necessary for the continued improvement of our water
6 infrastructure. Their investment in our community
7 and commitment to social responsibility makes this
8 proposal worthy of support. And I thank you for your
9 time.

10 A.L.J. CLARKE: Thank you. All right.
11 We're going to go back to Michelle Solomon. Ms.
12 Solomon, if you've called in, please press star three
13 on your phone. Deborah Munitz?

14 MS. VEGA: Your Honor, I do not see
15 any new hands.

16 A.L.J. CLARKE: Okay. And Robert
17 Tompkins?

18 MS. VEGA: There are no hands raised
19 at this moment.

20 A.L.J. CLARKE: Okay. In that case,
21 we're going to open up the hearing to anyone in
22 attendance who did not pre-register to speak, who
23 would like to make a comment. If you've called in
24 please press star three.

25 MS. VEGA: Oh, we have a call.

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2 A.L.J. CLARKE: Okay. You can --.

3 MS. VEGA: You've been unmuted, call-
4 in user.

5 MS. CHIAPPERINO: Hello, my name is
6 Donna Chiapperino and I am a lifelong resident of
7 Rockland County. I live here with my family. My
8 parents are in the county.

9 THE REPORTER: Excuse me, I'm sorry.
10 Could you -- could you please state and spell your
11 name, please, for the record?

12 MS. CHIAPPERINO: Of course. It's
13 Donna, D-O-N-N-A. Chiapperino, C-H-I-A-P-P, as in
14 Peter, E-R as in Robert, I-N, as in Nancy, O.

15 MS. VEGA: Thank you.

16 MS. CHIAPPERINO: No problem. So, my
17 family, as I was saying, I was born and raised in
18 Rockland, so is my husband. My three children have
19 grown up here and I understand that nobody wants to
20 see rate increases, but we've become used to safe
21 drinking water here. That does unfortunately come at
22 a cost. And in the news, we see reports of harmful
23 compounds and drinking water in communities
24 throughout the world and even in our own country. In
25 this rate filing, it is my understanding that Veolia

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2 has requested millions of dollars to remove
3 potentially harmful compounds from our drinking
4 water. That money is required to treat the water to
5 meet the standards and I and my family value that
6 safety and health.

7 Secondly, I have many friends
8 throughout Rockland and Westchester that were
9 impacted by COVID. Veolia was extremely generous and
10 by the end of 2022, had helped customers, I believe,
11 across the country with almost \$10 million in bill
12 relief. And 3.75 million of that was in New York.
13 In this rate filing, Veolia proposes initial funding
14 of 1.5 million and has on top of this, contributed \$4
15 million to this rate filing to reduce this impact on
16 customers. Finally, my last point is that Veolia is
17 one of the largest employers and one of the largest
18 taxpayers in Rockland County, paying close to \$25
19 million in property taxes per year. We have a lot of
20 companies moving out. The company's willingness to
21 invest almost half a billion dollars in improving the
22 water infrastructure in Rockland, where our water
23 pipes, tanks, and meters are perilously old, is
24 invaluable to me and to my family's future. So not
25 only me, but to my kids if they want to live here.

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2 These improvements that I've mentioned, the
3 treatments, and the assistance are needed to ensure
4 the safety and health of my family and my community,
5 not just today, for years to come. Nobody wants to
6 pay more for anything, however, I know that my family
7 and my friends know that if we want to ensure safety
8 and a better infrastructure that will help my
9 children in the future, it's something that we have
10 to endure and will gratefully do so. So I, for one,
11 do support Veolia's new rate. Thank you.

12 A.L.J. CLARKE: Thank you very much
13 for your comment. Xenia, if you don't mind just
14 moving right down the list to the next call and user.

15 MS. VEGA: Your line has been unmuted.

16 MS. DRECHLER: Who is -- is this for
17 Jack -- Jacquelyn Drechsler or Jocelyn DeCrescenzo.

18 A.L.J. CLARKE: Actually your name is
19 not showing, but whoever's speaking should feel free
20 to make the comment that you would like to make.

21 MS. DRECHLER: Okay. I'm going to
22 comment for myself and also comment for my twin
23 sister Jocelyn DeCrescenzo. I did register for both
24 of these hearings for both of us, so I'm a little
25 upset that I hadn't been shown up.

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2 THE REPORTER: Could you please say -
3 -?

4 MS. DRECHSLER: My name's Jacquelyn
5 Drechsler and I am live at 116 Sierra Vista Lane,
6 Valley Cottage, New York.

7 THE REPORTER: Jacquelyn, can you
8 please spell your name, please, Jacquelyn?

9 MS. DRECHLER: Sure. It's J-A-C-Q-U-
10 E-L-Y-N D-R-E-C-H-S-L-E-R.

11 THE REPORTER: Thank you.

12 MS. DRECHLER: Oops, hold on. And I
13 live at 116 Sierra Vista Lane, Valley Cottage, New
14 York.

15 THE REPORTER: There's a little bit of
16 echoing with Jacquelyn.

17 A.L.J. CLARKE: Yeah. Ms. Drechsler,
18 if you can, I think bring the phone a little closer
19 to your mouth, that might help.

20 MS. DRECHLER: Okay. Can you hear me
21 now?

22 THE REPORTER: No, you sound far away.

23 MS. DRECHLER: Okay. Hold on. You
24 know what I -- so here's the issue. My sister's
25 phone is on. I'm going to turn it off and then I'm

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2 going to use this Webex for both of us.

3 A.L.J. CLARKE: Okay. That sounds
4 good. Xenia, Ms. Drechsler is showing as an
5 electronic user now, if you could unmute her, please.
6 There you go.

7 MS. DRECHLER: Okay. So you have my
8 name and my address and I can begin?

9 MS. VEGA: Yes.

10 MS. DRECHLER: Okay. My concerns --
11 thank you for the opportunity to speak today. My
12 concerns; number one, the D.P.S. staff dismisses
13 Rockland County residents who have become rather
14 expert on water over the years and who reach out to
15 experts. Whereas the D.P.S. staff does not have
16 technical expertise on water and does not reach out
17 to experts. Number two, the fact that D.P.S. quoted
18 -- quoted a Veolia manager as their source for
19 information regarding funding for PFAS remediation,
20 taking Veolia's word that there is no funding and
21 then D.P.S. not doing their own due diligence on this
22 issue is astounding. It is very reminiscent of the
23 Suez desal approval where D.P.S. staff took Suez's
24 faulty and misleading information as the truth
25 leading to the approval of the desalination project,

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2 which we are still paying for.

3 Number three, D.P.S. has also taken
4 Veolia's word for it, and I quote, that it is too
5 hard for them to do the math, end quote, for them to
6 figure out the rate hike without including the desal
7 charges. Really? We know that Veolia has masses of
8 attorneys, don't they have any smart accountants?
9 Another \$5 million sock it to the rate payers. They
10 are bleeding us dry.

11 Number four, D.P.S. and the P.S.C.
12 must engage in oversight on expenses and costs to the
13 public. We will be looking at the D.P.S. and P.S.C.
14 audits closely. Number five, willingness to serve
15 letters in large developments equals more customers
16 for Veolia. Developers should pay the cost, not rate
17 payers. The willingness to serve letters here in
18 Rockland County go on and on until there will be no
19 more water left to serve. According to Rockland
20 County former Department of Health Water Manager, Dan
21 Miller. Veolia is bleeding us dry. There is an
22 issue as we do need more housing, the company needs
23 to work with developers, and again, should not be
24 creating such a burden onto the rate payers.

25 Number six, in July of 2021, then

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2 Governor Cuomo signed a bill into law. I call it the
3 right-to-know water bill. People who own or rent in
4 multi-family rentals, condos, co-ops, et cetera, do
5 not receive critical information on public health
6 issues to do with water, health, and safety and on
7 non-emergency water shutoffs. Senate Bill S3789, and
8 I quote, authorizes the P.S.C. to require waterworks
9 corporations to provide certain residents with non-
10 billing related information, end quote. When will
11 the P.S.C. honor this statement? Several residents,
12 myself included, work with Assembly Member Ken
13 Zebrowski's office to present a plan to Veolia and to
14 the P.S.C. A junior high school student could have
15 already implemented this. Furthermore, multifamily
16 dwellers pay higher rates for water than residential
17 single family water users. We are single family
18 water users. We people in condos, and co-ops, and
19 rentals are not profit corporations. This needs to
20 be changed.

21 Number seven, the P.S.C. should
22 require Veolia to pay for an independent study on
23 their conservation plan and on a climate change plan.
24 Veolia's conservation plan is very weak and they need
25 recommendations to implement to strengthen

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2 conservation. The fact that Veolia does not have a
3 climate change mitigation plan is incredible. No
4 mention of planning for drought, higher temperatures,
5 extreme storms, or sustainable watershed planning.
6 Number eight, it's time for the P.S.C. to revisit the
7 possibility of Rockland County having its own water
8 authority. We are drowning in high bills, leaking
9 pipes, and stinky ass dirty water.

10 Number nine, reject this Joint
11 Proposal. It is totally unfair to Rockland County
12 rate payers with unsustainable and unaffordable water
13 rates for water that is not safe. Thank you very
14 much. And now because I'm on the phone and my twin
15 sister is not here, I would like to read her public
16 statement, so I'm just going to move over to that.
17 Her name is Jocelyn DeCrescenzo. Do you need the
18 spelling of her name?

19 A.L.J. CLARKE: Yes, please.

20 MS. DRECHLER: J-O-C-E-L-Y-N capital D
21 small E capital C-R-E-S-C-E-N-Z-O. She also lives at
22 116 Sierra Vista Lane, Valley Cottage, New York. And
23 she appreciates the opportunity to be heard today.
24 She also has a disability and is entitled to time and
25 a half and I don't believe we will use it, but there

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2 was no button to press on being disabled and needing
3 extra time.

4 A.L.J. CLARKE: It's okay. We haven't
5 imposed a time limit, so.

6 MS. DRECHLER: Okay. Thank you.

7 A.L.J. CLARKE: Feel free to read the
8 statement.

9 MS. DRECHLER: Thank you very much.
10 Okay. Her concerns; number one, the total cost of
11 this proposed rate hike will be 26.8% over four
12 years. Rockland County already pays one of the
13 highest rates in the State. This rate hike is on top
14 of the surcharge for the failed desalination plant,
15 which had been proposed by then United Water Suez,
16 which was never built. Somehow during the hostile
17 takeover by Veolia of Suez, Veolia was approved by
18 the P.S.C. and seems to be entitled to get millions,
19 tons of money for something they had no part of and
20 that never even existed, by you people at the P.S.C.
21 Rockland County rate payers have already paid off \$30
22 million of the \$58 million tab, still owing
23 approximately, I don't know, somewhere between 19 and
24 \$28 million, which seems to be included in this rate
25 hike, leading to an estimated \$5 million overpayment

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2 from us, the rate payers to them, Veolia.

3 You guys at the P.S.C., once again
4 screwing us, the rate payers. We should not be
5 paying a single penny for the failed desalination
6 plant, a long-shot gamble that United Water Suez has
7 engaged in at our expense. Two, Veolia is in the
8 business of making money and it has purchased
9 distressed water properties Upstate that need a lot
10 of T.L.C. Somehow, quote, merging, end quote, those
11 costs with Rockland County as Veolia wants to soak us
12 by, quote, spreading the costs of upgrading these
13 severely distressed properties onto a larger base,
14 end quote. The larger base is us. Three, the bill
15 so far for remediation of PFAS and PFOS is \$66.5
16 million, which includes \$3.3 million for one of two
17 wells in Owego, New York plus \$11 million more for
18 other Upstate wells.

19 And Veolia plans to purchase even
20 more, which we will apparently be paying for as the,
21 quote, larger base, end quote. The \$66.5 million
22 only covers 12 wells with 31 more wells to go with a
23 price tag of perhaps \$150 million. Veolia seems to
24 think that Rockland County is the golden goose which
25 continually lays golden eggs for them. Veolia has

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2 not aggressively gone after polluters or federal or
3 public monies to help defray the cost of the PFAS
4 cleanup.

5 Four, I would like to ask you
6 questions about all of this and more, but in my years
7 of experience putting in comments, testimony, and
8 serious questions with my grave concerns, not once
9 have I ever gotten an answer and here's why. Because
10 the P.S.C. and the D.P.S. staffers only incorporate
11 faulty and misleading information from the utilities
12 supplied to them by the utilities with a total
13 disregard concerning information supplied by
14 residents, rate payer, some of whom are citizen
15 scientists and who know a lot more about water and
16 Rockland County than they do. This -- the D.P.S.
17 seems to have no technical expertise regarding water
18 and does not look to any experts in the field for
19 assistance. Not an ounce of curiosity or interest in
20 knowing more about how water really works.

21 Number five, Rockland County is being
22 hosed by a French owned company and the P.S.C. and
23 the D.P.S. is totally complicit in this. I feel that
24 Veolia is engaging in usury in, quote, pulling the
25 wool over our eyes, end quote, but our eyes are wide

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2 open. It is time for you to get rid of your dead
3 wood. I am tired of this. In fact, we are all tired
4 of this. It is time for the Attorney General of the
5 State of New York to open an investigation, a deeper
6 dive, if you will, into the incredibly murky,
7 turbulent, and truly stinky waters of Veolia and of
8 the New York State P.S.C. and staff. We don't know
9 who is in bed with whom. We are tired of doing the
10 work for you and then getting reamed as a result.
11 Thank you for your time. Thank you very much.

12 A.L.J. CLARKE: Thank you very much.
13 Xenia, if you unmute the next call-in user? Okay.
14 You've been unmuted.

15 MS. BORRA: Good afternoon. Can you
16 hear me?

17 A.L.J. CLARKE: Yes, we can.

18 MS. BORRA: Thank you. My name is
19 Alyssa Borra and I'm calling to express my support
20 first for Veolia's Joint Proposal. I'm delighted to
21 learn that Veolia is committed and has been committed
22 to continue its customer conservation program.

23 THE REPORTER: Alyssa, what is your
24 last name, please? Alyssa, could you spell your name
25 please?

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2 MS. BORRA: A-L-I-S-S-A, B as in boy,
3 O-R-R-A.

4 THE REPORTER: Thank you.

5 MS. BORRA: You're welcome. So I'm
6 calling to express my support for Veolia's Joint
7 Proposal and I'm delighted to learn that Veolia is
8 committed and has been committed to continue its
9 customer conservation program and also create a new
10 water affordability program for its customers. To
11 me, this is excellent news. I think it's important
12 that utility companies like Veolia find ways to help
13 customers navigate the high cost of living in
14 Rockland and Westchester County. The Joint Proposal
15 has many benefits and I believe that it should be
16 ratified by the state. Thank you for your time
17 today.

18 A.L.J. CLARKE: Thank you very much.
19 Our next speaker is --.

20 MR. STEIN: Hi, how are you?

21 A.L.J. CLARKE: Okay, we can hear you.
22 Please identify yourself and spell your name for the
23 court reporter, please.

24 MR. STEIN: Of course. My name is
25 Steven Stein, S-T-E-I-N is the last name. I've been

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2 a Rockland resident my entire life. And first of
3 all, thank you for allowing me to speak today.

4 A.L.J. CLARKE: No problem.

5 MR. STEIN: I think it's important for
6 the Department of Public Service to recognize that
7 Veolia is very active and committed to the
8 communities where they operate. In addition to
9 providing a very reliable supply of drinking water,
10 Veolia is one of the region's most charitable
11 organizations. They support many programs and events
12 in Rockland and Westchester and several members of
13 Veolia's management team are the board of directors
14 of nonprofit organizations. Veolia's community
15 efforts during the pandemic were noteworthy. To help
16 customers recover from the pandemic, Veolia
17 contributed an amount equal to 30% of each active
18 residential customer's arrears that were more than 60
19 days overdue. That's very generous. They also
20 donated \$20,000 each to Montefiore Nyack, Good
21 Samaritan Hospital and Montefiore New Rochelle, the
22 three hospitals that serve their communities. Thank
23 you and I appreciate the time to speak.

24 A.L.J. CLARKE: Thank you very much.

25 Okay we have a call in. You've been unmuted. Please

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2 identify yourself and spell your name for the court
3 reporter.

4 MR. STARVAGGI: Hello?

5 A.L.J. CLARKE: Yes, we can hear you.

6 MR. STARVAGGI: Yeah. Hi. Okay.

7 Call -- I wanted to make sure it's me. Yeah, my name
8 is Michael Starvaggi. It's S-T-A-R-V-A-G-G-I. I did
9 register, so I'm not sure what happened, but I was --
10 I did get a registration confirmation earlier, but,
11 so I'm not sure what happened. But anyway, I'm a
12 resident of Rockland County and I'm calling in to
13 express my support for the -- for the rate increase,
14 the proposed rate increase for Veolia. I've -- I've
15 been very happy with the service that Veolia has
16 provided over the years. And I for one, am happy and
17 like the idea of the privatization -- of
18 privatization of water supply and I think we are
19 fortunate to have Veolia as a supplier. The way I
20 see it providing safe drinking water is a tremendous
21 undertaking and I think we have to be realistic about
22 -- about our -- our approach here. I understand that
23 Veolia is seeking significant funds to remove harmful
24 compounds -- potentially harmful compounds from our
25 drinking water.

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2 So I think it's easy for me -- for
3 people to say they want all the benefits of the best
4 possible drinking water, but not want to look
5 realistically at the -- at the cost associated with
6 providing it. And I think that realistically, it --
7 it's understandable that there's a high cost to
8 treating water to meet the best standards. And so I
9 feel that an increase in -- in the increase proposed
10 is appropriate. And I urge the State to approve the
11 proposal. I believe that it is in the best interest
12 of Rockland County and its residents. Thank you for
13 your time.

14 A.L.J. CLARKE: Thank you very much.
15 Xenia, if you could unmute Glen McCready please.
16 Okay. You've been unmuted.

17 MR. MCCREADY: Yes. Can you hear me?
18 I -- Can you hear me?

19 A.L.J. CLARKE: Yes, we can.

20 MR. MCCREADY: Okay, great. Thank
21 you for giving me the opportunity to speak today.
22 I'm a business owner in Rockland County as well as a
23 customer of Veolia. I -- I do understand the issues
24 that come with rate increases to the customers as I
25 am one.

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2 A.L.J. CLARKE: I'm sorry, Mr.
3 McCready, would you please just give us your first
4 name, please?

5 MR. MCCREADY: First name is Glen.

6 A.L.J. CLARKE: Okay. Thank you very
7 much.

8 MR. MCCREADY: Sure. But I also
9 realize, you know, in this day and age, the cost of
10 maintaining and improving the system and some of
11 these required upgrades that are coming from the
12 federal government, they do cost money and the costs
13 of, you know, doing that kind of work are not going
14 down. So, you know, Veolia has done an outstanding
15 job in our area, you know, maintaining, improving the
16 system. And for the moderate increases in rates, you
17 know, I -- I think it's -- it's a reasonable thing
18 for -- to be passed on to the customers and I'm
19 looking forward to being the customer in the future.
20 Thank you so much.

21 A.L.J. CLARKE: Thank you for your
22 comments. Okay. If we could just move right down
23 the list.

24 MS. VEGA: Call-in user, you've been
25 unmuted.

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2 A.L.J. CLARKE: Hello. It looks like
3 they fell off, but there's one more call and user
4 with a hand. There we go. Hello.

5 MR. VETTER: Hi. My name --

6 A.L.J. CLARKE: We can hear you.

7 MR. VETTER: My name is Harry Vetter,
8 so registered same as several other people and I got
9 a confirmation and it's -- it's a bewildering that I
10 did not appear on any list.

11 A.L.J. CLARKE: I'm sorry to interrupt
12 you, but would you mind please spelling your last
13 name for the court reporter?

14 MR. VETTER: It's V as victory, E-T-E-
15 R. T, as in Tango. And I'm --

16 A.L.J. CLARKE: Thank you very much.

17 MR. VETTER: I'm from Upper Nyack. I'm
18 chair of the Upper Nyack -- Chair of the Upper Nyack
19 Green Committee. The residents of Rockland County,
20 we pay about the highest water rates in all of New
21 York State. 26.8% rate increase four years is way
22 out of line. Consumers and rate payers feel like we
23 are taken to the cleaners. Why would we foot the
24 bill for a \$14 million acquisition for New York with
25 the indication that there are more such acquisitions

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2 to come? Particularly concerned about PFAS in our
3 drinking water. More chemicals were not caused by
4 Veolia. And the costly mediation of \$67 million so
5 far not be born by the water company who conveniently
6 passes it through to its customers. They need to
7 aggressively pursue federal funding and work to
8 partake fast settlements by the primary chemical
9 culprits. A 3M and DuPont of \$13.7 billion that was
10 done last year alone is a massive multinational giant
11 after other big giants to bear the cost of cleanup to
12 minimize the serious health risk cost.

13 Fight to save clean water, cancer such
14 as kidney, reproductive, birth defects and other
15 risks involved and that no level of PFAS in our
16 drinking water is safe. Maximum level of these
17 contaminants to four parts per trillion, as the
18 E.P.A. has put forth, there will be further
19 mitigation expense the nation at large cannot afford.
20 For Veolia needs to keep all its customers informed,
21 not just by burying information on their website, but
22 straightforward direct communication to homeowners,
23 condo and co-op residents. To go we had flash flood
24 conditions in -- I am sorry. Two years ago we had
25 flash drought conditions in Rockland, not seen that a

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2 lesson has been learned. Various restrictions in
3 place, for instance, for non-essential lawn watering
4 and not just when a drought is at its peak. The lack
5 of climate planning, whose impact affects our water
6 supply in many ways, algae in reservoirs, for
7 instance. More chemicals are not the answer. If the
8 largest water company in the world ought to have the
9 expertise to reduce the exorbitant leak rate in
10 Rockland of 22% to generally acceptable levels, but
11 of 15 to 18% dues waste that we are paying for -- for
12 your consideration, for your time and for this
13 hearing.

14 A.L.J. CLARKE: Thank you, Mr. Vetter.
15 Okay. Call-in user, you've been unmuted. Please
16 identify yourself and spell your name for the court
17 reporter. Hello.

18 MS. VEGA: I will mute them again and
19 -- and unmute the next person.

20 A.L.J. CLARKE: Okay. Thank you.

21 MS. VEGA: Hello, user?

22 A.L.J. CLARKE: Yes.

23 MS. BROWN: Yes, hello. Hi. My name
24 is Adeena, A-D-E-E-N-A. My last name is Brown like
25 the color.

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2 THE REPORTER: What color?

3 MS. BROWN: Brown.

4 THE REPORTER: Thank you.

5 MS. BROWN: You're welcome. Thank you
6 for allowing me to speak today. I am a lifetime
7 resident of Rockland and I just wanted to say that
8 the quality of our drinking water has become an
9 important issue across the nation. There's obviously
10 been several serious problems in recent years that
11 have been very unfortunate. Because of that, I am
12 happy to have a global company like Veolia overseeing
13 our water service. Veolia has a global network of
14 experts to help keep our system safe and reliable. I
15 do believe that they are experts in this industry.
16 And because of that, regulations for water quality
17 have become more stringent. Veolia has the people
18 and the resources to meet these new standards and
19 sustain the high level of water quality that we enjoy
20 in Rockland and Westchester. And I thank you for the
21 time to speak.

22 A.L.J. CLARKE: Thank you, Ms. Brown.
23 Xenia -- Xenia, I don't see any more raised hands, do
24 you?

25 MS. VEGA: No, I do not.

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2 A.L.J. CLARKE: Okay. Again, we're
3 just going to give anyone who's on the line an
4 opportunity to make a statement if they would like
5 to. If you've called in, please press star three.
6 There's one hand. Okay, you've been unmuted. Call-
7 in user, please make your statement.

8 MS. RIVERA: Hello, my name is Desiree
9 Rivera, R-I-V-E-R-A.

10 A.L.J. CLARKE: Thank you. Please
11 proceed.

12 MS. RIVERA: You're welcome. Thank
13 you so much for the time -- for me to have a moment
14 to speak on behalf of supporting the Joint Proposal
15 of Veolia. I'm speaking on behalf of the residents
16 of Rockland and Westchester Counties who have trouble
17 paying their monthly bills. I -- as most of us do
18 these days. After the pandemic, rising costs and
19 inflation has made it difficult for most working
20 families, including families like mine, a single
21 income -- income household raising children. I think
22 Veolia has been extremely generous in these times.
23 And I know in the end of 2022, Veolia had helped
24 customers across the country with nearly \$10 million
25 in relief, including 3.75 million in New York alone.

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2 And I know Veolia continues to promote financial
3 assistance programs to New Yorkers and residents that
4 are in the same situation that I am.

5 Veolia -- in my experience, Veolia is
6 also proposing an affordability program along with
7 this joint venture with the initial funding of \$1.5
8 million. And Veolia themselves contributing \$4
9 million on top of that to reduce the cost impact on
10 its customers. I wish New York State had more
11 companies like Veolia. The company truly cares about
12 its customers, as well as we all know, we don't want
13 to pay more for any services, but that is where we
14 are today and I believe that Veolia takes that very
15 seriously. Thank you for your time.

16 A.L.J. CLARKE: Thank you. Mr.
17 Rivera. Xenia, if you could unmute Leg. Cleary,
18 please.

19 MR. CLEARY: Can you hear me?

20 A.L.J. CLARKE: Yes, we can hear you.

21 MR. CLEARY: Okay. Thank you. My
22 name is Legislator Cleary from Rockland County --
23 Service Commission meeting. And I -- I -- I -- I
24 think one of the things that I'm concerned with in
25 listening to the speakers here is a lot of the people

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2 who are speaking in favor of the rate increase. Per
3 -- perhaps they should be forced to identify
4 themselves and what their relationship is with
5 Veolia. To have people calling in and -- and
6 pretending they're just private citizens and -- and
7 shilling for Veolia Water Company is -- is a little
8 surprising to me. We had a caller earlier, I believe
9 her name was Donna Chiapperino. I think she works
10 for Mike Lawler, the -- the -- the -- the -- our
11 congress person. And -- and -- and I think it's
12 unfair for people to be calling in and pretending
13 they're just private citizens concerned and -- and --
14 and then supporting the Veolia position on this rate
15 increase. So perhaps in the future people should be
16 asked what their relationship is to Veolia. Thank
17 you.

18 A.L.J. CLARKE: Thank you very much,
19 Legislator Cleary. We have two more call-in users
20 who have raised hands. Call-in user, you've been
21 unmuted. Please identify yourself for the record.
22 Hello? Hello? Xenia, let's try the next person,
23 please. Hello, you've been unmuted. Are you perhaps
24 muted on your end, call-in user, please? All right,
25 Xenia, let's move to Kris Sweeney, please. Kris

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2 Sweeney, you are unmuted. Please provide your
3 statement.

4 MS. SWEENEY: Oh, hi. Can you hear
5 me?

6 A.L.J. CLARKE: Yes, we can.

7 MS. SWEENEY: All right, my name is
8 Kris Sweeney, K-R-I-S S-W-E-E-N-E-Y. I am a Ro --
9 Rockland County resident for 20 something years. And
10 I'm actually also surprised at the amount of people
11 calling in that are pro-rate hike. I cannot possibly
12 understand when our water still after years and years
13 contains PFAS and PFOS chemicals and they have not
14 even --.

15 A.L.J. CLARKE: I'm sorry, Ms. Sweeney
16 we lost you there for a second.

17 MS. SWEENEY: I'm also surprised at
18 the people calling in that are pro-rate hike for
19 Rockland County. I have been here for 21 years. I
20 have children, young adult children who have
21 experienced, you know, there have been within my
22 family, my friends, my neighbors, young adults with
23 various hormonal imbalances, P.C.O.S., P.M.D.D.,
24 these things. My neighbor's son is in his twenties
25 and had a reproductive cancer, a male. And the rates

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2 of certain types of cancer around here are absolutely
3 staggering.

4 Now, I have been on webinars and
5 things over the years where I have learned that the
6 PFAS, PFOS effects on children, teenagers, developing
7 people, is mainly to their endocrine system, to
8 hormones, to -- here's another thing that I find
9 strange myself, my neighbor, we had healthy athletic
10 teenagers that just through routine blood work, or
11 actually maybe not routine blood work, but found out
12 that they had high cholesterol with no family history
13 and healthy, athletic, young people, one of whom was
14 even a vegetarian. So I -- the idea that is also
15 linked to endocrine disrupting chemicals like these
16 that my family has consumed for two decades now.

17 The lack of information and
18 transparency and also the avail -- availability to
19 test my family, my children, blood levels, things
20 like that in an organized fashion is completely
21 missing. And I don't understand with the level of
22 PFAS in our water, which has still not been
23 addressed, that is millions and millions of dollars,
24 how that cost can now be passed onto me as a
25 consumer. So not only did you not take care of it,

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2 and we're still drinking these chemicals, now, I'm
3 supposed to pay over 25% increase for the same water
4 that has not been addressed, has not been remediated,
5 has not been made better and free of these chemicals.
6 And I appreciate when people say that Veolia has been
7 a good community partner and has donated back and
8 things like that, but this is a corporation that's
9 all tax write offs. I would rather, as a consumer,
10 that they put millions and millions into remediating
11 and taking care of these PFAS chemicals, which are
12 poisoning our families.

13 And the lack of transparency and
14 information, I mean, to be honest, I -- I only kind
15 of found out very last minute about this meeting and
16 I'm a rate payer and a consumer and it is almost
17 impossible for people, especially people who are
18 working to -- to take part in these things. I
19 really, very, very strongly, as a consumer with no
20 ties to Veolia whatsoever, reject this rate hike on
21 the grounds that they're not doing their job in -- in
22 giving us safe and clean water. And they need to go
23 after -- I mean, they're a huge corporation, they can
24 pay for these huge multimillion dollar law firms to
25 go after the chemical -- whoever caused this, I know

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2 it wasn't Veolia, but go after DuPont or whoever.
3 Don't charge me for PFAS water. It makes no sense.
4 Anyway, thank you.

5 A.L.J. CLARKE: Thank you, Ms.
6 Sweeney. Okay, we have a call-in user who has been
7 unmuted. We can't hear you.

8 MS. VEGA: Judge, that was the same
9 call-in user from before. I'm not sure if they're
10 aware that -- that they've been unmuted and they need
11 to unmute from their end as well.

12 A.L.J. CLARKE: Okay. Call-in user,
13 we don't have the last four digits of your phone
14 number, but eight four five nine eight seven, you've
15 been unmuted. If you're muted on your end, please
16 unmute yourself so we can hear your statement.

17 MR. DUTHIE: Hello. Can I represent -
18 - I'm sorry. Can you tell law --

19 A.L.J. CLARKE: Can you give us your
20 name again, please?

21 MR. DUTHIE: Daniel.

22 A.L.J. CLARKE: Okay.

23 MR. DUTHIE: D-U-T-H-I-E.

24 THE REPORTER: Was that the last name?

25 MR. DUTHIE: They shouldn't --.

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2 THE REPORTER: Daniel, what's your
3 last name?

4 MR. DUTHIE: I-E.

5 THE REPORTER: All I heard was I-E.

6 A.L.J. CLARKE: Yeah. Daniel, I'm
7 afraid that we are intermittently hearing you. If
8 you could start from the beginning, it would probably
9 be helpful, please.

10 MR. DUTHIE: Daniel. I-E.

11 A.L.J. CLARKE: Okay. Please provide
12 your statement.

13 MR. DUTHIE: Present -- written 80
14 unit residential development located New Broad
15 Street, the Metro North being developed by Hienz will
16 include four --.

17 THE REPORTER: I'm sorry, but he's
18 cutting out a lot, Judge.

19 A.L.J. CLARKE: Yeah, I agree, Daniel.
20 Unfortunately, we can only hear about every two or
21 three words.

22 MR. DUTHIE: Going to move to another
23 location. Is that better.

24 A.L.J. CLARKE: Okay.

25 MR. DUTHIE: Do I sound better?

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2 A.L.J. CLARKE: That's much better,
3 yes.

4 MR. DUTHIE: I will start my statement
5 again.

6 A.L.J. CLARKE: Yeah, that would be
7 great. And I don't believe that we actually got your
8 last name completely, so please start from the
9 beginning. That would be helpful.

10 MR. DUTHIE: Spelled Duthie, D-U-T-H-
11 I-E. Port Chester Station Lofts 80 Unit Development
12 North --.

13 THE REPORTER: Still cutting out a
14 lot.

15 MR. DUTHIE: Developed by Heinz and
16 will include four parking spaces -- square feet of
17 interior amenities. About 400 people during
18 construction and \$100 million. Operates in 30
19 countries, 700 employees with over 521 million
20 industrial distribution, residential, multifamily
21 housing, hotel, sports, arts and cultural -- Heinz
22 has led through investment assets, under management.
23 Has already agreed to pay for offsite system
24 improvements, Port Chester, his will-serve letter.
25 Total approximately a thousand, the customer specific

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2 connection costs. For the record, I will send in the
3 will-serve letters in our possession. Well Suez --
4 from December --.

5 A.L.J. CLARKE: Mr. Duthie, I'm -- I'm
6 sorry, but again, you're cutting in and out.

7 MR. DUTHIE: Is that -- is that
8 better?

9 A.L.J. CLARKE: That's better.

10 THE REPORTER: Judge, we're not going
11 to have a clear transcript for him, sorry.

12 A.L.J. CLARKE: Okay. Well, we'll do
13 our best. And Mr. Duthie, please continue with your
14 statement.

15 MR. DUTHIE: The Joint Proposal calls
16 for an additional investment dollars by developers of
17 which 80% will be paid for by the developers.
18 Sizeable investment Heinz has already agreed to,
19 wants to be sure it is not part of the developer
20 group to fund the 38 point -- count and would be
21 especially unfair, does not receiving any benefits
22 under the new zoning. In other words, the size of
23 the project is the same before and after the new
24 zoning. Statement, I have any -- do you have any
25 questions? Happy to send a statement. Reporter?

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2 A.L.J. CLARKE: Yes, Mr. Duthie, I --
3 I think that that would be helpful if you could file
4 written comments online. I -- I would like to remind
5 everyone that we're also having another public
6 statement hearing this evening at six if you wanted
7 to make a statement, but perhaps were unable to do so
8 this afternoon. But I do think it would be a good
9 idea if you submitted those comments in writing, just
10 so the Commission is aware of your concerns. All
11 right. Thank you very much. It doesn't appear that
12 we have any other raised hands or people who would
13 like to give a statement this afternoon. As I said
14 moments ago, we do have another public statement
15 hearing scheduled for this evening at six o'clock.
16 And also, as I mentioned earlier, anyone who would
17 like to can also submit comments through the
18 department's website by regular mail or by phone as -
19 - oh, we do have a couple of raised hands. I -- I
20 think we should give them a chance to speak. Xenia,
21 if you could, please unmute the first one there.
22 Okay. You've been unmuted. What's your name?

23 MS. LESHNER: Hello, can you hear me?

24 A.L.J. CLARKE: Yes, we can.

25 MS. LESHNER: My name is Janet

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2 Leshner, L-E-S-H-N-E-R. I live in Nanuet, New York.
3 I'm over 50 years in Rockland County. When I first
4 moved here, I was an adult. And as long as I can
5 remember living here, we have been told to conserve
6 water. Yet I -- it appears to me as if there's been
7 no development of resources in -- in terms of water
8 over these many years. And if there are, there are
9 not enough. Yet there's been a tremendous increase
10 in the population. The water company is still doing
11 hookups for new development. Towns are talking about
12 new development as a good thing and it's being
13 allowed. And what I wonder is, where is all that
14 water coming from? We don't have an infinite supply.
15 I find it almost hard to -- very hard to believe that
16 so many people who called in are actually supporting
17 this rate increase. There's been no evidence that
18 Veolia has done anything to get funding to alleviate
19 the PFAS problem.

20 They've dragged their feet, they
21 haven't been -- it seems to me they're basically not
22 involved. And if they were doing such a good job,
23 why would organizations like Riverkeeper, Food and
24 Water Watch, Scenic Hudson, Sierra Atlantic, Sierra
25 Club Atlantic Chapter and other organizations support

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2 a response that gave a negative -- a negative reply
3 to the Joint Proposal? I support what Elijah
4 Reichlin-Melnick has said in this meeting call. I
5 support what Jackie Drechsler has said. Jackie
6 Drechsler presented facts, facts that indicate that
7 Veolia -- Veolia is not doing a good job. And so
8 many people calling in saying they would support this
9 rate increase is beyond belief. And I think what
10 Legislator Cleary said was that people should be
11 asked if they have any kind of affiliation with
12 Veolia before they give their answer. And I'll tell
13 you, I have absolutely no affiliation. All I know is
14 a 28 point whatever increase in water rate is absurd
15 for a company that is doing so little for us with a
16 resource that is essential for life. Thank you very
17 much for listening.

18 A.L.J. CLARKE: Thank you. Xenia, if
19 you could unmute Andrew Inger, please. Mr. Inger,
20 you've been unmuted.

21 MR. INGERS: Hi, can you hear me?

22 A.L.J. CLARKE: Yes, we can.

23 MR. INGERS: Thank you. Hi, this is
24 Andrew Ingers speaking on behalf of 350 Port Chester,
25 L.L.C., the owner of property located at 354 North

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2 Main Street in the village of Port Chester. I'd like
3 to comment on the Port Chester infrastructure
4 improvement plan and specifically we object to how
5 the contributions required by developers for
6 commercial projects is being calculated. Calculating
7 the contributions for commercial projects by coming
8 up with a price per square foot fee and multiplying
9 it against the total square footage of a project is
10 not accurate or equitable. Not all commercial users
11 are equal in their water demand and consumption and
12 should not be treated as such. For example, our
13 proposed self-storage project is unique in that it's
14 over 80,000 square feet, yet its demand on the water
15 system and infrastructure is quite low. The project
16 will only have two bathrooms, drinking fountains and
17 fire sprinklers.

18 However, a fee, for example, of \$2 per
19 square foot on our project results in an added cost
20 of over \$160,000 for two bathrooms, water fountains
21 and fire sprinklers. By the way, our project is a
22 net reduction in daily water demand compared to the
23 current and historical use of the building on site
24 that's been there for the last 20 years. And
25 furthermore, this is in stark contrast to the water

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2 demand and usage of a, for example, 2000 square foot
3 gym or restaurant with three bathrooms or, you know,
4 cooking and whatnot, equipment and water use.
5 Therefore, I ask that if they go back to the drawing
6 board on this rate case, Veolia and the P.S.C. look
7 at actual demand by commercial use for the varying
8 commercial uses so that it's an equitable fee charged
9 to all the commercial projects in Port Chester.
10 Thank you.

11 A.L.J. CLARKE: Thank you. Any -- it
12 looks like we have one more raised hand from call-in
13 user. You've been unmuted. Please provide your
14 name.

15 MR. LEWIS: Yeah, I bet you - through
16 the computer and got on probably.

17 A.L.J. CLARKE: I -- I -- we can hear
18 you now, sir.

19 MR. LEWIS: Yeah, he told me to do the
20 call in, that's what I did.

21 A.L.J. CLARKE: Okay. What's your
22 name? And please provide the statement.

23 MR. LEWIS: All right. Yep.

24 A.L.J. CLARKE: Hello, sir. I don't
25 know if you're aware that we can hear you at the

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 public statement hearing.

3 MR. LEWIS: Can you hear me?

4 A.L.J. CLARKE: Yes, we can.

5 MR. LEWIS: Yeah. We had John
6 Macaulay, but he had to leave. So can I read a
7 statement for him and then I -- I also have a
8 statement?

9 A.L.J. CLARKE: Sure. That'd be fine.
10 Please spell his name and then your name when you
11 give your statement.

12 MR. LEWIS: Okay. John Macaulay and
13 his last name is spelled M-A-C-A-U-L-A-Y.

14 A.L.J. CLARKE: Thank you. Please
15 proceed.

16 MR. LEWIS: Thank you for allowing me
17 to speak. Today I am calling to emphasize to the
18 Department of Public Service that Veolia should be
19 applauded for its commitment to improving the water
20 infrastructure in Rockland County. In this rate
21 filing, Veolia is pledging to invest 473 million to
22 improve and enhance the county's water system. Since
23 their last rate filing four years ago, they've
24 invested 440 million. That means that from 2020 to
25 '27, Veolia will invest 913 million into Rockland

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2 County. That's amazing.

3 Infrastructure across the United
4 States is crumbling, we need more companies like
5 Veolia that are willing to invest in the future of
6 our country. Our water mains need to be replaced
7 along and service lines, hydrants, and meters. The
8 Veolia rate filing is in the best interest of
9 customers. Thank you.

10 And then I have mine. My name is Ken
11 Lewis, L-E-W-I-S. I am speaking for Labor's Local
12 754 215 Old Nyack Turnpike, Chestnut Ridge, New York.
13 We are Rockland County only -- Rockland County's only
14 private sector trade union with approximately 450
15 members. We are speaking in support of Veolia and
16 their modest rate increased -- increase request.
17 Veolia has been a great friend to the community by
18 ensuring that quality contractors hire -- are hired
19 to do their infrastructure improvements. Contractors
20 that pay prevailing wages and benefits using local
21 areas, skilled tradesmen. Year in and year out, they
22 generate thousands of quality man hours for local men
23 and women that re -- reverberates and strengthens the
24 community, both economically and socially. Combined
25 with their co -- commitment to the state of the art

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2 and infrastructure improvements to the tune of 473
3 million, this filing and their commitment to charity
4 and community improvement, we feel this modest
5 increase is warranted. Thank you very much for
6 letting me speak today.

7 A.L.J. CLARKE: Thank you, Mr. Lewis.
8 Xenia, I don't see any more raised hands, do you.

9 MS. VEGA: No, I do not see any more
10 raised hands.

11 A.L.J. CLARKE: Okay. In that case, I
12 am going to close the hearing. I would again like to
13 remind everyone that we'll be holding another public
14 statement hearing this evening at six o'clock.
15 Anyone who would like to can also submit comments
16 through the department's website by regular mail or
17 by phone, as described in the notice that was issued
18 on January 25th, 2024. Judge Moreno and I would like
19 to thank everyone for their participation here today,
20 especially staff from the department's Office of
21 Consumer Services and our court reporter. The
22 hearing is concluded and we're off the record. Thank
23 you, everybody, have a nice afternoon.

24 THE REPORTER: Thank you. We're off
25 the record.

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2 A.L.J. CLARKE: Thank you.
3 MS. VEGA: Have a good day everybody.
4 THE REPORTER: Good day.
5 (The hearing concluded at 2:26 p.m.)
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2 STATE OF NEW YORK

3 I, MAUREEN ALLEN, do hereby certify that the foregoing was
4 reported by me, in the cause, at the time and place, as
5 stated in the caption hereto, at Page 1 hereof; that the
6 foregoing typewritten transcription consisting of pages 1
7 through 67, is a true record of all proceedings had at the
8 hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 28th day of February, 2024.

11
12 MAUREEN ALLEN, Reporter

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