

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 6:01 p.m.

Venue: WebEx

BEFORE: ALJ ASHLEY MORENO

ALJ MICHAEL CLARKE

Reported by Maureen Allen

1 2/21/2024 - Veolia Water New York - 23-W-0111

2 (The hearing commenced 6:01 p.m.)

3 THE REPORTER: On the record.

4 A.L.J. MORENO: Thank you. I call
5 Case 23-W-0111 Proceeding on Motion of the Commission
6 as to the Rates, Charges, Rules, and Regulations of
7 Veolia Water New York, Inc. for water service. Good
8 evening, everyone, and welcome. My name is Ashley
9 Moreno and I'm an Administrative Law Judge for the
10 Department of Public Service. With me this evening
11 is Administrative Law Judge Michael Clarke, and
12 together we are responsible for presiding over the
13 hearings in this case and the development of a
14 complete record. We're also joined this evening by
15 Xenia Vega, Jill Wasser, and Manuel Matthew from our
16 office of Consumer Services, who are will be
17 providing technical assistance this evening.

18 We are here today for a public
19 statement hearing that was noticed on January 25th,
20 2024. This hearing is to receive your comments on
21 the Joint Proposal filed in this proceeding on
22 January 4th, 2024. Under New York State Law, the
23 Public Service Commission may adopt or reject the
24 Joint Proposal in whole or in part or may modify it.
25 The Public Service Commission will decide what

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 Veolia's terms and conditions of service will be.
3 The Public Service Commission has six members, the
4 Chairperson, Rory Christian and Commissioners Diane
5 Burman, James Alesi, John Howard, David Valesky, and
6 John Maggiore. And we are fortunate this evening to
7 have Commissioner Maggiore with us. Commissioner,
8 would you like to address the participants?

9 COMMISSIONER MAGGIORE: Thank you so
10 much. I (unintelligible) the process that I find
11 very helpful in better understanding items that come
12 before the Commission. So I'm -- I'm here to listen
13 to you. This is the last you will hear from me
14 tonight, but I'm going to be paying attention to
15 everything that anyone who chooses to speak
16 (unintelligible) focusing.

17 A.L.J. MORENO: Great. Thank you,
18 Commissioner. So as I stated earlier, the purpose of
19 today's hearing is to provide you with an opportunity
20 to tell the Commission your thoughts on the Joint
21 Proposal and Veolia's proposed rates. It is not an
22 evidentiary hearing or a question and answer session,
23 but a forum to hear comments from you. Any comments
24 or statements that are made today will become part of
25 the case record. We do have a court reporter joining

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 us who will be preparing a transcript of the hearing,
3 which will be included in the official case record of
4 these proceedings so that your comments can be
5 considered by all members of the Commission. And
6 when it is available, the transcript will be posted
7 on the Department of Public Service website.

8 I would just remind everyone that this
9 is not your only opportunity for commenting. If you
10 did not register to speak or you would like -- or you
11 would prefer not to speak this evening, but you would
12 like your views included in the record, there are a
13 variety of other ways to comment that were listed in
14 the public notice for today's event. You can do so
15 by submitting comments on the department's website,
16 by email, regular mail, or by phone. And regardless
17 of how your comments are submitted, they will be
18 given equal consideration and comments will be
19 considered throughout the pendency of the proceeding,
20 although they were requested by March 1st. And for
21 those of you who are joining us electronically, those
22 different means of commenting are also on the screen.

23 We do have several people registered
24 to speak this evening. We are not going to impose a
25 time limit, but we do request that you make your

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 statement in a reasonable amount of time. And please
3 try to avoid being repetitious. We have folks who
4 have registered and are participating electronically
5 and others who are registered and participating by
6 phone. In either case, please make sure that you
7 have an audio input only from one device. Otherwise,
8 we may have some problems with feedback. I will call
9 the persons that have registered to speak one by one.
10 If someone is not available when I call them, I will
11 continue on to the next person and we'll come back to
12 the people who are not available at the end.

13 And I will start by calling members of
14 the public who have registered to speak, and then I
15 will move on to individuals who have registered to
16 speak that are parties to the proceeding. As
17 parties, you have greater privileges and
18 opportunities to build the record in these
19 proceedings. And so as a result, we will ask you to
20 summarize any lengthier comments and submit them in
21 writing. So when you are called to speak, please try
22 to speak clo -- slowly and clearly so that our court
23 reporter can accurately capture your statement for
24 the record. When your line is unmuted, please state
25 your name and please spell your last name. And if

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 you are speaking on behalf of an organization, please
3 just name the organization for whom you are speaking.
4 And once we can confirm that we can hear you, you may
5 proceed on to make your comment.

6 So with that, our first speaker is
7 Rajeev Chennattu. And if you have called in, if you
8 could press star three on your telephone, that will
9 allow us to locate you. Rajeev Chennattu?

10 MS. VEGA: I do not see any hands
11 raised.

12 A.L.J. MORENO: Okay. Thank you. We
13 will next turn to Kenneth Zebrowski. And again, if
14 you've called in, if you could press star three.
15 Okay. And we'll turn next to Martha
16 (unintelligible). And again, if you've called in, if
17 you could press star three on your phone. And we'll
18 turn next then to Pearl Gray. And your line has been
19 unmuted.

20 MS. GRAY: Hello. Hi. I am Pearl
21 Gray. Thank you for time -- taking the time to hear
22 me speak during this hearing. Water and energy
23 issues are key in the future of humans thriving on
24 this planet. Without a planet B option, we must be
25 dedicated to preserving our natural and bio necessary

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 resources. A greenhouse gas inventory and
3 decarbonization plan is necessary moving forward. At
4 the onset of this case, Veolia had no plans for
5 climate mitigation and there was no requirement
6 initially for them to do any climate mitigation.
7 However, as we know, New York State has a 2030
8 timeline for 40% reduction in climate emissions, and
9 Veolia needs to remain in that timeframe as the rest
10 of the State utilities to meet the climate action
11 objectives.

12 A failure to plan for climate impacts
13 on our water supply is necessary now to ensure that
14 our water supply will be resilient in the face of
15 climate change. Since 2015, the company has not made
16 the steps needed to maximize alternatives. The
17 sustainable water policies that we continue to
18 advocate for our watershed planning, vigorous
19 conservation and efficiency programs throughout the
20 con -- county and through the utility, possible
21 restrictions where and when necessary, such as lawn
22 watering and car washing, and a more proactive
23 drought planning. A reduction of leaks and
24 accelerated maintenance of infrastructure should be
25 widely agreed upon in the climate action plan on

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 drinking water supplies.

3 We can expect in the future that we
4 will have more erratic weather, higher temperature,
5 and longer droughts that will increase demand for
6 water during the growing season. Increasing risks
7 when the droughts occur in warmer temperatures. More
8 intense precipitation resulting in more runoff and
9 decreased replenishment of groundwater. In Rockland
10 it is also a result in the spillover from dams and
11 loss of water in the Rockland water system. Water
12 quality impacts such as flooding can result in the
13 contamination of our water supply with toxic
14 chemicals, bacteria, and turbidity.

15 Warmer temperatures are also a key
16 factor that lead to algal blooms and Veolia has
17 failed to take proactive steps in the reduction of
18 community wide use of chemicals, which contribute to
19 algal blooms in our drinking water. Potential for
20 destruction of above ground water infrastructure due
21 to extreme weather. And increased flooding in
22 Rockland County includes flooding from the reservoir,
23 which has severely flooded surrounding neighborhoods
24 in the past. Additionally, we are looking for a
25 conservation plan versus the need to invest in major

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 new supply sources. Having a rigorous conservation
3 plan coupled with strong public outreach, it's very
4 important going forward in Rockland County. The cost
5 of PFAS filtration and installation and maintenance.

6 The company has already spent \$66.5
7 million installing filtration for 13 wells, and with
8 new regulations on PFAS in the water are currently
9 under review by the E.P.A. and the New York State
10 Department of Health Regulations, which can lead to
11 upward of another hundred million dollars needing to
12 be invested to remove these chemical -- persistent
13 chemicals from our drinking water. The company has
14 not put forth any intention to apply for public
15 funding. And despite the fact that other utilities
16 have won major awards from manufacturers of PFAS
17 chemicals through lawsuits, Veolia as the largest
18 water company worldwide has not won a single lawsuit
19 so far. And all charges filed by Veolia have been
20 dismissed in court, except for one charge against one
21 chemical manufacturer.

22 A global water company surely can do
23 better if committed to protecting rate payers. In
24 the same line as a conservation plan, our non-revenue
25 water and reduction of leaks planning is very

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 Hudson Valley, and I'm making the comments on behalf
3 of that, of LEAF. First of all, I want to say that I
4 find the way this hearing is being held and other
5 hearings have been held is very unacceptable. We
6 cannot see who else is here that's towards the
7 process of a public hearing and the purpose of public
8 hearing. So I ask that in the future the technology
9 exists that we can see other people who are on this
10 call as well and that that should be a standard. So
11 that's just a general housekeeping issue.

12 Now to the Joint Proposal, the Joint
13 Proposal is currently not in the interest of Rockland
14 County rate payers and does not protect Rockland
15 County's consumers or its resources. A 26.8%
16 increase over four years is totally unacceptable and
17 unaffordable. We're talking about more than -- than
18 a -- a -- a quarter increase. It's really
19 outrageous, especially since part or the main reason
20 this increase is being put into play is because
21 Veolia has -- wants to acquire and merge right now
22 two smaller communities and the future other
23 communities into their -- into a Rockland County
24 district or all the districts being joined in a
25 merged district, which has no benefit nor has there

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 been in this whole entire rate case any benefit
3 showed for Rockland County consumers.

4 There's absolutely no benefit has been
5 shown by Veolia or the P.S.C. We are not okay and
6 nor should the Commission be okay with the cost
7 shifting to Rockland County residents and consumers
8 that are being forced to foot the bill so that Veolia
9 can increase its consumer base and thereby increase
10 its profits. Veolia is a private company, one of the
11 largest multinational companies. If they want to
12 acquire and increase their income by getting more
13 consumers, that's on them. It should not be the
14 responsibility or the burden on existing rate payers.
15 The cost -- the cost shifting is a problem all
16 around. The cost shifting, for example, of a 100%
17 cost of new development infrastructure on rate payers
18 is also wholly unacceptable.

19 If large infrastructure is needed for
20 new development, then that developer and Veolia, if
21 they choose to serve them, should be paying for it,
22 not the existing consumers. In this case, we're
23 talking about the Port Chester matter. Originally it
24 was a 100% to the developers and Veolia agreed to
25 that. The P.S.C. agreed to it initially, and then

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 they changed it. So now the rate payers, including
3 Rockland County rate payers, are going to be paying
4 for new development. If in fact this is accepted,
5 though I think it should not be in this Joint
6 Proposal, that I want it -- I want to make it very
7 clear that we're asking and we're actually demanding
8 that in this case, it is very clearly stated that
9 this is not precedent setting, and that in the
10 future, any new developments that need large
11 infrastructure increases will not be -- the burden of
12 cost of that will not be shifted to the existing rate
13 payers.

14 The P. -- furthermore, the P.S.C.
15 needs to require that Veolia conduct an independent
16 study on Rockland County's water capacity to
17 determine maximum capacity. This is an unknown
18 situation right now in Rockland County. And given
19 the fact that Rockland County has a finite water
20 supply that is only allowed from within our
21 boundaries, it's crucial that -- that the -- the
22 P.S.C. knows what our maximum capacity is, and that
23 they do not allow Veolia to continue to give
24 willingness to serve letters without this knowledge.
25 It's irresponsible. So because what will happen is

1 2/21/2024 - Veolia Water New York - 23-W-0111

2 we're going to -- they say now, oh, there's no
3 problem, we're not going to run out of water. But in
4 the past, Veolia, or at the time Suez just said, hey,
5 we're running out of water.

6 The P.S.C. did no investigation,
7 accepted that, and then went forward and -- and built
8 -- allowed them to build a -- a desal project, which
9 now we're still paying for. But in any event, we
10 can't wait till that moment. We need to know ahead
11 of time, we need to plan properly if -- for the
12 future. Right now, we've had a wet year, but last
13 year we had a drought. It's very possible we'll have
14 droughts in the future. We really need to know what
15 our capacity is to grow in Rockland County. That is
16 an unknown quantity at the moment. And so basically,
17 you're regulating without knowledge, which is a very
18 dangerous thing to do.

19 Going to the issue of the desal
20 situation, it is wholly unacceptable for us in
21 Rockland County to be paying any increase on the
22 already exorbitant amount that we've been paid for
23 this improper project that was approved by the P.S.C.
24 And now in this rate case it -- in the hearings, in
25 the meetings, it was decided that it was too hard to

1 2/21/2024 - Veolia Water New York - 23-W-0111

2 do the math to separate out the --

3 A.L.J. MORENO: I'm sorry. Ms.
4 Shapiro, I'm -- I'm sorry to interrupt you, but I
5 just wanted to caution you to the extent that you're
6 referring to any confidential settlement negotiations
7 that you cannot share with us or anyone else, the
8 contents of that in your -- in your statement.

9 MS. SHAPIRO: All right. I -- I will
10 not say anything about that. But --

11 A.L.J. MORENO: Thank you.

12 MS. SHAPIRO: -- a 26.8% increase on
13 the remaining \$19 million is wholly unacceptable. If
14 it -- if the P.S.C. approves this, it's harming
15 Rockland County rate payers without any justification
16 just because it's, you know, and adding an additional
17 \$5 million to an already exorbitant amount that we're
18 paying for something that should never have been
19 approved to begin with is really a violation of the
20 P.S.C.'s responsibility to take care of customers and
21 consumers and protect our rights and make sure that
22 unnecessary costs are being allocated to us. So
23 we're asking that that be separated out. I can't say
24 it more strongly that it should not be -- there
25 should be no increase in a finite amount of money

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 that was allocated for something that happened in the
3 past.

4 There's no reason there should be any
5 increase on that at all. Period. We ask that the --
6 that I -- I -- I -- I totally a 100% support and
7 reiterate Ms. Gray's comments, Pearl Gray's comments,
8 they were excellent comments regarding the lack of a
9 conservation plan that works and the need to stud --
10 climate resiliency. We need a current plan. It's
11 amazing actually that they are asking for four years
12 to even come up with a greenhouse gas emission plan
13 when the entire State of New York was able to do that
14 in two years. Veolia is one of the largest and
15 wealthiest multinational corporations. They
16 certainly can afford to hire an independent
17 contractor to do a timely study that is absolutely
18 necessary at this time.

19 The longer we wait, the less use any
20 study has and the less changes that could possibly
21 happen. And that's the same with a resiliency plan
22 and the conservation plan. The current conservation
23 plan is extremely weak and does not include best
24 practices used by other water companies throughout
25 the country, nor do they even study them. One of our

1 2/21/2024 - Veolia Water New York - 23-W-0111

2 A.L.J. MORENO: Yes, we can.

3 MS. KURTZ: Okay. Cool. Thank you.

4 A.L.J. MORENO: We are having a little
5 bit of feedback. Do you -- if -- if -- I don't know
6 whether you have another device near you that maybe
7 we're picking up on.

8 MS. KURTZ: Okay.

9 A.L.J. MORENO: Now it sounds clear.
10 Go -- go right ahead. Oh-oh. Ms. Kurtz? Oh, I
11 think we may have lost Ms. Kurtz. Just one moment.
12 And Ms. Kurtz --.

13 MS. VEGA: It does look like she
14 dropped.

15 A.L.J. MORENO: Well, let us see. She
16 may have. Can you just unmute call-in user three?
17 Perhaps that's Ms. Kurtz, let's check. Ms. Kurtz?

18 MR. KURTZ: Can you hear me?

19 A.L.J. MORENO: Yes, now we can.
20 Thank you.

21 MS. KURTZ: Okay. Great. Thank you
22 very much. Okay. Just let me find my notes again.
23 Okay. My name is Peggy Kurtz, K-U-R-T-Z. I'm a
24 party on this case representing the 46,000 members of
25 Sierra Club Atlantic Chapter. The aim of Sierra Club

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 in this case is to plan now to avoid the need for
3 extremely expensive and environmentally harmful major
4 water supply sources in the near term, such as
5 desalination or waste water reuse, and to advocate
6 instead for far less expensive and for the least
7 expensive and the least harmful ways to augment our
8 water supply, which are conservation, efficiency, and
9 reduction of leaks in the Veolia system.

10 Veolia's conservation plan was adopted
11 in 2017, despite expert recommendations at that time
12 of best practices that were filed by several
13 interveners. Veolia plan was adopted without a
14 single modification. D.P.S. says they're satisfied
15 in this case with the effectiveness of the plan,
16 given that the company has not come back yet with a
17 need for a major new supply source. That's not even
18 water planning, that's irresponsible. We are
19 currently at 85% of capacity. When Veolia does come
20 back with a need for a major new water supply source,
21 it will be far too late to consider improvements.

22 In fact, in previous rate cases, the
23 company should have been subject to a penalty for
24 underperformance of the plan. But it could be easily
25 improved with best practices that have worked

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 elsewhere around the country. But in the time the
3 next -- the next rate case comes along, it will be 11
4 years with a plan that costs about a half million
5 dollars at this point annually and it has never once
6 received a critical review. Many of the problems
7 with the plan have been addressed effectively
8 elsewhere. We ask the Commission to order the
9 company to contract for or to modify the Joint
10 Proposal to order the company to contract for an
11 independent review of the plan with the aim of making
12 it more effective.

13 Next, I want to talk about climate
14 change. It is widely recognized that a rapidly
15 changing climate will impact both the quantity and
16 quality of our water supply. The highly respected
17 water trade organization, American Water Works
18 Association states, no other factor impacts utility
19 operations in a complex, uncertain, and overwhelming
20 way like climate change does. In the face of
21 uncertainty and the exponential increase in the
22 frequency of extreme events it is prudent for
23 utilities to understand the impacts of climate change
24 and their system vulnerabilities and develop a
25 climate action plan to stay prepared and resilient.

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 And yet Veolia maintains there is no need to plan for
3 climate impacts. We urge the Commission to require a
4 climate vulnerability study and adaptation plan by
5 the next case.

6 We're very glad to see a greenhouse
7 gas mitigation plan -- plan being required, although
8 it's not being required for another four years,
9 that's just not soon enough that we start
10 implementation 2029. And there's no target goals
11 there. We need target goals and -- and an earlier
12 date for filing.

13 PFAS filtration costs. In the next
14 few years, the cost of PFAS filtration, by the time
15 they meet all the standards that are still coming,
16 are likely -- that are in the near future are likely
17 to amount to well over a \$100 million in costs. I
18 really can't estimate, but clearly well over a \$100
19 million in costs, which as of right now will fall
20 entirely on Rockland rate payers.

21 Despite those very large costs when
22 this court case started, the company had no plans to
23 apply for public funding for the cost of filtration.
24 And D.P.S. maintained that no public fun -- funding
25 is available to Veolia. They cited Veolia as the

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 source for that, which is, that's the company that
3 they're supposed to be regulating. As a result, they
4 shouldn't be citing them as a source. As a result of
5 our work in this case, the company has now hired a
6 consultant to look into public funding and the
7 company is required to report annually on these
8 efforts. I would like to think those reports will
9 not simply be filed away. D.P.S. needs to do their
10 work. They need to prepare now actively to work with
11 the company on this issue so that together they can
12 maximize the fund -- public funding and minimize the
13 rate burden.

14 The company should also be
15 aggressively pursuing lawsuits. Other companies
16 have, literally, there's billions, 12 point something
17 billion dollars in funding, 1.2 from another --
18 another case. And the world's largest water company
19 so far has not won a single penny to protect its rate
20 payers. That's just a shame. And I feel that they
21 can -- they can do better.

22 Leak rate -- I -- I'm sure that they
23 can do better. Leak rate in 2015, the leak rate was
24 24%. A reasonable leak rate is apparently between 15
25 and 18%. The company has poured millions of rate

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 payer's dollars into technology and new and better
3 maintenance. That's all good. But the leak rate
4 remains at 22% in one rate case after another.

5 We suggest in this case that the
6 company be subject to a penalty if it does not bring
7 the leak rate down to 18% or below by the next rate
8 case. Obviously, we oppose the 26.8% rate increase
9 over four years. We believe that's outrageous.

10 We also want to mention the merger of
11 rates with smaller Upstate communities, which the
12 company currently calls harmonization. It's really
13 just a merger and it's asking Rockland to subsidize
14 the -- the -- the purchase, not the purchase, but the
15 -- but the maintenance that's needed by the upstate
16 communities.

17 In this case, the company states that
18 they intend to continue to purchase more of these
19 smaller systems that are in need of expensive
20 upgrades. In a previous case, the company stated
21 that the purpose of these mergers is to spread out
22 the costs over a larger rate base. How fortunate
23 that Rockland, the smallest county in the State is
24 that larger rate base that's going to pick up those
25 costs. I'm being ironic. It's very unfortunate.

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 It's just unacceptable. Why should Rockland be
3 paying \$14 million in this case for upgrades to the
4 system in Owego, New York?

5 I also support the comments of Susan
6 Shapiro about cost sharing or cost-free
7 infrastructure for new development. We very much
8 hope that what's in this case for Westchester and the
9 Westchester development is not a precedent. And we
10 would ask that that be added explicitly to the final
11 order.

12 A perfunctory -- to sum up, a
13 perfunctory conservation plan, an ineffective leak
14 repair program, and the failure to -- to plan for
15 climate change can lead unnecessarily to a massively
16 expensive new project in the near future that will
17 come on top of massive costs for PFAS filtration, the
18 -- the desalination costs that we're still paying off
19 \$19 million for with rates. With that, the interest
20 rate about the rate -- the rate of return, about to -
21 - to -- to go up and -- and the cost for the -- the
22 new -- the systems that are Upstate in Upstate New
23 York. Even now, after over a decade of involvement,
24 we seek to forge sustainable water policy that
25 instead of out -- out of control rates will put

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 Rockland on the path to an economically and
3 environmentally sustainable future. Thank you.

4 A.L.J. MORENO: Thank you very much.
5 I'm going to go through the names again of those
6 folks who have registered to speak tonight. And then
7 I will open up the floor to those who may not have
8 registered but are with us this evening. So I'll
9 start with Rajeev Chennattu, and I apologize if I'm
10 mispronouncing anybody's name. Rajeev Chennattu.
11 And if you have called in, if you could press star
12 three. Okay. We'll turn next to Kenneth Zebrowski.
13 And again, if you have called in, if you could press
14 star three. And we'll try Martha -- Martha
15 (unintelligible). Okay. I do not see any of those
16 persons on the line. So we'll next open it up to
17 anyone who is participating who would like to make a
18 comment this evening. And we'll start with Michael
19 Cohen. And your line has been unmuted.

20 MR. COHEN: C-O-H-E-N. I am a
21 resident of Rockland County, New City, and thank you
22 for allowing me to speak today. I'd like to speak
23 for the residents of Rockland Westchester County who
24 have had trouble paying their monthly bills. The
25 pandemic followed by rising costs inflation has made

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 it very difficult for working families. I think
3 Veolia has been extremely generous during some of
4 these very trying times. By the end of 2022, Veolia
5 has helped customers across the country with nearly
6 ten million in bill relief, including 3.75 million
7 just in New York. Veolia continues to promote
8 financial assistance programs that are still
9 available to New York residents. In this filing,
10 Veolia -- Veolia proposes an affordability program
11 with initial funding of 1.5 million.

12 On top of this, Veolia has contributed
13 four million dollars to this rate filing to reduce
14 the impact on its customers. Veolia is also one of
15 the most active and generous corporations in the
16 region. They support all types of educational
17 programs and nonprofit agencies. I speak not for,
18 but I am the president of New City Little League in
19 Rockland County. And I'm not talking for the
20 organization, but myself as a resident. But I will
21 tell you as the president of the league since 2015
22 Veolia and its predecessors have been extremely
23 generous to New City Little League and other programs
24 in the county supporting the youths and the children.
25 So I wish New York State do -- does have more

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 companies like Veolia. The company truly does care
3 about its customers and I appreciate your time.
4 Thank you.

5 A.L.J. MORENO: Thank you very much.
6 And we will turn next to another -- whoops. I think
7 we lost that person actually. So I'll open it up
8 again. If there's anyone on the line who would like
9 to make a comment this evening, if you've called in,
10 if you can press star three on your phone, that will
11 allow us to recognize you and unmute your line. It
12 looks like we have a few folks who are interested in
13 speaking. So we'll start if I could ask that call-in
14 user seven be unmuted, please. Okay. Your line has
15 been unmuted.

16 MS. DRECHSLER: Thank you. My name's
17 Jackie Drechsler and I already spoke earlier today.
18 But I do want to just take this opportunity to say
19 that we've been advocating for years on multiple
20 public hearings on multiple different utilities that
21 people who have a connection or work for the utility
22 or the company should identify themselves on these
23 calls. That's number one. Number two, the system
24 for this call-in. You are missing a lot of callers,
25 right? I spoke to about seven people who had

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 of her last name please?

3 MS. DRECHSLER: Sure. It is D-R-E-C-H-
4 S-L-E-R. And my first name is Jacqueline.

5 THE REPORTER: Thank you.

6 MS. DRECHSLER: And quite honestly, my
7 sister, who actually I can disclose this, who's had a
8 brain injury, she was struggling to try to get onto
9 this. This -- this is so unwieldy. I mean, if --
10 if, -- if I have a trouble, imagine people who aren't
11 used to doing this or maybe who have a brain injury
12 trying to do this. You -- you just, you need to just
13 move to Zoom, please. Thank you.

14 A.L.J. MORENO: Thanks very much.
15 Okay, we'll turn next to -- if you could please
16 unmute call-in user five, please. Okay. Your line
17 has been unmuted.

18 MR. HELMAN: Good evening. My name is
19 Howard Helman. I'd like to thank the Commission for
20 allowing me the time to speak today and also for the
21 amount of time that each of you have given to this
22 very, very important issue. I'm calling obviously to
23 discuss the Veolia Water Company. I do know that
24 some people always complain when utilities try to
25 increase rates to their customers. I have a -- a

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 we can. Thank you.

3 MS. ROLLINS: Thank you. So my name
4 is Vivienne Rollins. I'll spell it for the person
5 who's taking the notes. It's V-I-V-I-E-N-N-E. Last
6 name is R-O-L-L-I-N-S. And I am a New -- New City
7 resident for nearly 40 years. So I've gone through a
8 number of different water companies and rate
9 increases. I just want to make a point. Recently I
10 got a notification from my auto and home insurance
11 company about a rate increase. And when you go into
12 the supermarket, there are increases in -- in food
13 costs, but there's no benefit that we're getting. I
14 mean, I called up the insurance company to find out
15 why the rate was being increased and I was basically
16 told because we can, because New York said -- New
17 York State said we can.

18 On the flip side, I think that water
19 is taken for granted and clean water is taken for
20 granted by a lot of New Yorkers as well as enough
21 water. Our resources are -- are very limited in
22 Rockland County. I have friends and family all over
23 the country and in different parts of the world and
24 have spoken to them about different situations that
25 they've had with their drinking water. And it's

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 becoming more and more scarce and unsafe in many,
3 many parts of this United States and the world. So -
4 - and this is something that you hear about on a
5 regular basis, also in the media, throughout the
6 media. I think that Rockland should feel very
7 fortunate to have Veolia as their water provider
8 because they are world leaders in the industry and
9 the company has a lot of experience and knowledge on
10 how to meet safe drinking water standards in the
11 State.

12 The rate filing, though it may be
13 something that is uncomfortable and people would
14 prefer not to have, is because Veolia has requested
15 millions of dollars to try and remove potentially
16 harmful compounds from our drinking water in
17 Rockland. I mean, we've heard a lot about PFAS and
18 PFOS and the fact that the -- the limitations have
19 actually been changed. And so more restrictions on
20 the amounts in the water have to also be mitigated.
21 So I really think that it's important for people to
22 understand that it's not going to come from the sky,
23 that there is a reason for the rate increase and that
24 they do need to go up as much as we may not
25 necessarily like it. We don't want to have all of

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 those chemicals and all of the bad things in our
3 water.

4 We'd like to have clean drinking
5 water. And I respect all the things that other
6 people have said. They're all points well taken.
7 But I think we do need to consider the fact that we
8 need safe drinking water, not just for ourselves, but
9 for our future generations. Thank you very much for
10 hearing me.

11 A.L.J. MORENO: Thank you, Ms.
12 Rollins. And our next speaker will be if we could
13 unmute call-in user six, please. Hello, your line
14 has been unmuted. Hello. Would you like to make a
15 comment this evening? If you've called in, we've
16 unmuted your line. Unfortunately, we cannot hear you
17 if you're speaking. Okay. Why don't we mute that
18 line? And I believe we have made it through all of
19 the folks who had previously indicated that they
20 would like to make a statement. I will just check
21 again to see whether any of the folks who had
22 registered have now joined us. Rajeev Chennattu.
23 And if you've called in, if you could press star
24 three. Kenneth --.

25 MS. VEGA: Yeah. We have a call-in

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 user with their hand up. Maybe it's Kenneth.

3 A.L.J. MORENO: Okay.

4 MS. VEGA: Your line has been unmuted.

5 MS. DICKEY: Hello? Can you hear me?

6 A.L.J. MORENO: Yes, we can now.

7 MS. DICKEY: Okay. Hello. My name is
8 Joanna Dickey. I am speaking for myself, as well as
9 not-for-profit, Strawtown Studio, an environmental
10 education organization. I want to thank you for
11 holding this hearing. It was told to me not that
12 long ago that you were going to go ahead and just
13 agree to this rate case without holding any
14 opportunity for public to say anything. And I just
15 want to say that that's a -- a really absolute
16 despicable practice. The whole, you know, point of
17 the P.S.C. is to work on behalf of the public, not to
18 just agree to whatever the company is asking for.

19 I also want to say that I -- I agree
20 with all the past comments we heard from Pearl Gray,
21 Susan Shapiro, Peggy Kurtz, and Jackie Drechsler.
22 I'm not going to reiterate all the things that they
23 said, but I want to share that my own -- my own, you
24 know, real complaint is the -- about this company and
25 this rate case is the poor climate planning that

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 Veolia is -- is lacking. The -- their failure to
3 plan for the impact of climate change, extreme
4 weather then on our water supply is (unintelligible)
5 I personally was actually caught in a flash flood
6 more than ten years ago. This was even before Veolia
7 was -- was in the picture. And we have a real water
8 problem in Rockland County, a water management
9 problem, and it's only going to get worse.

10 And as we know, these floods and
11 extreme weather events impact our water quality.
12 There -- there's this threat of algal blooms, which
13 we know again, this -- this has been a very rainy
14 year, but last year it was really bad. I live up in
15 Harriman area where there's a lot of lakes and but so
16 many algal blooms were very disturbing. And we know
17 that it -- it's impacting our -- our drinking water
18 as well, the quality. And then I just want to say as
19 well, the conservation plan is just so weak. It was
20 I think created in 2017, but it never was fully
21 reviewed. It needs an independent study.

22 Conservation is always the least
23 expensive and the least harmful way to supplement our
24 water supply. And Veolia and Suez before them have
25 never -- have never considered this. And the P.S.C.

1 2/21/2024 - Veolia Water New York - 23-W-0111

2 THE REPORTER: Can I have the spelling
3 of her last name as well?

4 MS. DICKEY: Can you still hear me?

5 A.L.J. MORENO: Yes, we can.

6 MS. DICKEY: Okay. It's D as in
7 David, I-C-K-E-Y.

8 THE REPORTER: Thank you.

9 A.L.J. MORENO: Thank you. Okay. And
10 I'll just go offer one more time. If you are
11 participating this evening and would like to make a
12 statement, you're welcome to do so. If you are
13 joining us by phone, if you can press star three on
14 your phone, that'll help us to recognize you. And
15 let's try call-in user four. Could you unmute their
16 line please? Hi, there. Would you like to make a
17 statement?

18 MS. SEEMAN: Thank you. Can you hear
19 me?

20 A.L.J. MORENO: We can, yes.

21 MS. SEEMAN: Okay. Great. Thank you.
22 My name is Laurie Seeman and I am a party to this
23 case. And I just, I want to speak tonight kind of
24 briefly just to have this on the record, that you
25 heard tonight from a number of the exceptional

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 citizens, I call the exceptional public, not the
3 general public who have been parties to this case.
4 And it is not acceptable that citizen rate payers
5 have been doing the work for the Public Service
6 Commission. It is the citizen rate payers who
7 brought to the defense of the public the issue of our
8 fire hydrant safety. Veolia wanted to get a free
9 pass so that they were not responsible for that --
10 for the performance of the fire hydrant in this
11 county.

12 They did not want to be responsible
13 for the maintenance or the water availability, and
14 the Public Service Commission, D.P.S. was going to
15 pass that through that liability clause. Rockland
16 citizens had to put time and hours into defending
17 Rockland County against that completely absurd
18 possibility. Rockland rate payers who are parties to
19 this case had to bring to the attention that it's
20 possible for public utility to get funds to defray
21 the cost to citizen rate payers for PFAS filtration.
22 Absent the rate payer citizen, this never would've
23 been discussed. Absent the citizen rate payers,
24 there would -- there would've been no discussion on
25 this rate case. There're many other issues too, but

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 those really stand out.

3 On February 6th, there was a public
4 statement that cited from the D.P.S. that in fact, no
5 public funds were available for PFAS cleanup. And
6 they cited the very water company Veolia as the
7 source of that information. That is where the
8 Department of Public Service is looking for their
9 facts and making enormous determinations about our
10 water supply. They look into the very company who
11 you are charged with regulating. That has happened
12 over and over in this case. And it is -- it is
13 something that we are just going to keep calling you
14 out on over and over again until it changes. Because
15 it will need to change because the climate crisis is
16 going to require all of you who think it's okay to
17 just, you know, stay back and not take any action.
18 It's going to catch up with everybody.

19 Immediate action is being required
20 everywhere. I just came back right now from teaching
21 in New York City at the very first ever Energy and
22 Climate Institute for all of New York City School
23 teachers. On their school break they are coming in
24 to be trained for climate education. We were
25 teaching there today. The Public Service Commission

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 and D.P.S. needs to understand what's happening out
3 here. I have identified in the former public hearing
4 that when I looked at who was your staff appointed to
5 this case? And I went through one by one, I found
6 that there was nobody that had water background.

7 And I declared that night, it appeared
8 that the Public Service Commission does not have a
9 water division, does not have water expertise. And
10 that was well early on in the case. And none of --
11 no expertise was brought in on this case. None
12 whatsoever, except for the Rockland County citizen
13 rate payers. We are semi-pro at this point. And I -
14 - I appreciate other speakers tonight. You know, I
15 respect that Veolia has people on their side that
16 think they do a good job, but none of those people
17 know anything about the water system. And that's
18 what we're here to talk about. And it is just beyond
19 time now that this changes. And you cannot pass this
20 -- this proposal in good conscience given these
21 facts.

22 You need to bring in water expertise.
23 The fact that none has been brought in and there's no
24 discussion without the Rockland citizens when these
25 rate cases come through, none. I don't know what you

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 do in a boardroom when you sit down with Veolia and
3 they put their proposal on the table. I don't know
4 what happens if we're not there. So I want that on
5 the record, and -- and as I said, we will be calling
6 this out until it changes. I appreciate all my
7 colleagues tonight and all of the work that they do
8 to get some substances to this proposal. Thank you.

9 A.L.J. MORENO: Thank you very much.
10 And again, I do see that we have some more folks who
11 have joined us by phone. If there is any member of
12 the public who would like to make a statement this
13 evening and you've called in, if you can press star
14 three on your phone, that will allow us to recognize
15 you. Okay. Could we unmute call-in user six,
16 please. Okay. Your line has been unmuted.

17 MS. LAPAN: Okay. My name is Meryl
18 Lapan, M-E-R-Y-L L-A-P-A-N. And thank you for
19 allowing me to speak today. I think it's important
20 for the Department of Public Service to recognize
21 that Veolia is very active and committed to the
22 communities they -- where they operate in the
23 (unintelligible), to providing a very reliable supply
24 of drinking water. Veolia is one of the region's
25 most charitable organizations. I think Veolia is a

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 great company and we are lucky to have them in
3 Rockland. Thank you.

4 A.L.J. MORENO: Thank you very much.
5 And I'll just open it up again one more time. If you
6 are called in and would like to make a statement this
7 evening, you can let us know by pressing star three
8 on your telephone and we can recognize you and unmute
9 your line. And at this point Xenia, I don't see any
10 additional hands raised, do you?

11 MS. VEGA: No, I do not.

12 A.L.J. MORENO: Oh, I think we have
13 one more. Call-in user nine. Could we unmute that
14 line? Okay. Hi, would you like to make a statement?

15 MS. SWEENEY: Hello?

16 A.L.J. MORENO: Hi, would you like to
17 make a statement?

18 MS. SWEENEY: I would just like to
19 make a quick statement. I did call earlier. My name
20 is Kris Sweeney, S-W-E-E-N-E-Y. I'm a Rockland
21 County resident. I know of many, many people who had
22 a difficult time getting on this meeting for one
23 reason or another. Calls were dropped, various ways
24 to get on maybe not familiar with the Webex, the
25 different ways to call, YouTube, et cetera. It seems

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 like there's a lot of barriers for some people who
3 might want to make a statement. And since this is a
4 public meeting and the whole point is to include
5 being inclusive is as much people as you can. I have
6 a neighbor who was unable to do it because she was
7 asking me was there an option for an in-person
8 meeting, which there used to be.

9 I don't know if that's a possibility
10 to hold these things in person where people can go
11 and it's easier for some people with a mobile option
12 for people who may (unintelligible) you can't do
13 that. So number one, there's a lot of barriers to
14 people getting on these calls. I can't believe how
15 many people have been dropped, just as I'm listening,
16 like that's at least ten people. Ten members of the
17 public who did not get to give their opinion.

18 Number two, this false claim that the
19 rate payers have to pay for remediation of PFAS is
20 simply false. That is false because they have not
21 remediated the PFAS. Veolia has been aware of this
22 problem for years and years and years. I know of
23 people who have health problems that are listed in
24 the health problems caused by PFAS chemicals, are
25 they related? I don't know because there is no

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 option to test anybody.

3 But there's anecdotally many cases of
4 ill health in this county of young people related to
5 their endocrine systems. There's no testing
6 available like there have been in other communities
7 that have had these toxic chemicals in their water.
8 So the statement that we have clean water is false.
9 Is it clean when you hold it up to the light? Yes,
10 it looks clean, it looks great. You can't see PFAS,
11 they're in your body. And in order to get rid of
12 them, the sources have to be treated effectively
13 immediately and that is not being done. And all the
14 while, all these years, my children, myself, we are
15 drinking this water, these chemicals. Every day,
16 we're showering in them.

17 And no one knows, there's no data on
18 the effects of our families. And yet there are other
19 sources to get the money from. A rate hike of 26% is
20 unbelievably high. And we are already paying one of
21 the highest rates of water in the entire State to get
22 water that is not in fact clean. And there are other
23 sources, because it has happened before, people have
24 gone after the chemical plants that caused them.
25 It's not Veolia who caused these problems, but they

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 are reaping the benefits financially, unbelievable
3 benefits to them. So they can use some of their vast
4 finances to employ powerhouse lawyers to go after
5 DuPont and 3M or whoever caused this in our water
6 system, the chemicals that are now in all of our
7 bodies.

8 So those things are false. People are
9 saying we have clean water, we don't, and that the
10 rate payer has to pay for these infrastructure
11 changes, which Veolia has not done. If anyone thinks
12 that they've remediated, you really need to look into
13 that because they have not. And that's all I want to
14 say. Thank you for taking it. I don't think this is
15 a very transparent or open to the public type of a
16 thing. I think in fact, many people have been -- not
17 getting through, their calls have dropped. I know
18 myself, this was like a third attempt. So thank you
19 for your time. I appreciate it. I would -- I would
20 like that this committee would consider having a more
21 public forum so people can be aware.

22 This is not a -- a well-known issue
23 even now because at every turn Veolia has been -- you
24 know, it's -- it's almost deceiving people and it's
25 not a transparent process and people have to go and

1 2/21/2024 - Veolia Water New York - 23-W-0111
2 look and people are busy and their health is impacted
3 and they have to go and dig and search and fight.
4 And all of this is on the public to do this. And
5 that is not fair. Thank you for taking my call.

6 A.L.J. MORENO: Thank you very much.
7 Okay. I'll open it once again. If there's any
8 member of the public who would like to make a
9 statement this evening and have called in, if you
10 press star three on your phone, we can recognize you
11 and unmute your line. Okay. And I do not see any
12 additional raised hands. Xenia, is that your same
13 understanding?

14 MS. VEGA: That's my understanding as
15 well, yes.

16 A.L.J. MORENO: Okay. Thank you. So
17 with that I just want to remind members of the public
18 that they may certainly submit public comments
19 throughout these proceedings by the other means that
20 were described earlier and are also included on the
21 notice of the public statement hearing that was
22 issued by the Secretary on January 25th, 2024.
23 Comments are requested by March 1st. And with that,
24 Judge Clarke and I want to thank you very much for
25 your participation and your comments this evening.

1 2/21/2024 - Veolia Water New York - 23-W-0111

2 STATE OF NEW YORK

3 I, DANIELLE CHRISTIAN, do hereby certify that the
4 foregoing was reported by me, in the cause, at the time
5 and place, as stated in the caption hereto, at Page 1
6 hereof; that the foregoing typewritten transcription
7 consisting of pages 1 through 47, is a true record of all
8 proceedings had at the hearing.

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

11

12 DANIELLE CHRISTIAN, Reporter

13

14

15

16

17

18

19

20

21

22

23

24

25