

Michelle L. Phillips, Secretary
New York State Public Services Commission
secretary@dps.ny.gov

Dear Ms. Phillips,

This is a Request for Rehearing under Title 16, New York Codes, Rules and Regulations § 3.7 and § 3.8. We request a rehearing on the Order Denying Petition for Case # 23-E-0727. We request this rehearing on the grounds that the Commission has made errors of law, and errors of fact, and that there are new circumstances warranting a different determination. The Commission's denial leaves us to put up with LED streetlighting that we didn't ask for, have no way to refuse, and which many people can't even use because the lighting is so low-quality and hazardous that the light makes them too sick to function. This is unfair, and, in being unfair, it is unjust and unreasonable.

The Commission cannot act as if this problem with LED streetlights has not been brought to their attention, and cannot leave this problem unsolved as if the Commission has no role or responsibility in fixing it. New York State civil laws, NY State Public Service Laws and NY State Public Health Laws say otherwise.

Public Service Law 65:

“Every...electric corporation and every municipality shall provide such service, instrumentalities and facilities as shall be *safe and adequate* and in all respects *just and reasonable*.”

“No electric corporation or municipality shall...subject any particular person or locality to any...disadvantage in any respect whatsoever.”

Municipal streetlighting that triggers migraines, seizures, eye pain and temporary blindness is, by definition, unsafe. Streetlighting that makes it difficult to use the lit streets without discomfort or symptoms of sickness, that intrude into residents' homes and property, and lowers residents' quality of life, is not fit for purpose. Such lighting is unusable and inadequate. People forced to change their habits or give up evening activities, because the streetlighting makes them ill or endangers their safety, are clearly being subjected to a disadvantage at their municipality's and utility company's hands.

Public Service Law 71:

“...or upon complaint in writing of *no less than twenty-five* customers...the commission shall investigate as to the *cause* of the complaint.”

The Commission opened this case upon complaint from 52 New York resident customers of National Grid. Clearly, the petitioners met the criteria to have “customer” status, and standing to

compel an investigation into the cause of their complaint under PSL 71. If the petitioners had NOT met the Commission's criteria, no case would have been opened. Now, three and a half years later, the Commission is denying the petition on the grounds that the Village of Cambridge is the "customer"- not the petitioners after all – and the Village isn't complaining about the LED streetlights. The Commission cannot simply strip the petitioners of their customer status and standing after the fact. Doing so is an error under the law that gives residents a right and a mechanism to get problems with public services solved by the Public Services Commission. Abruptly and belatedly deciding the petitioners don't count as customers seems like semantical slight-of-hand to avoid addressing LED streetlights as the cause of residents' very serious complaints.

New Circumstances that warrant a different determination:

When the petitioner/customers sent their complaint about the LED streetlights, there were knowledge gaps and general ignorance about the potential for LED lighting to cause disproportionate and unprecedented ill effects on humans and the environment. Here, the petitioners reporting severe adverse reactions to LED exposure were the true "canaries" showing there is, indeed, poison down in the coalmine – or, in this case, in the LED light bristling out of the public streetlamps.

Now, in 2025, there is an ever-growing mountain of published research and an increasing number of individuals suffering LED-induced symptoms proving that outdoor, overnight LED lighting is toxic and harmful, and that measures like lower CCT and shields do not necessarily protect anyone against damaging LED effects. Commentors to the public record have kept NYSPSC updated on these new developments and scientific findings. Fuller knowledge and new evidence make for new circumstances. The Commission can't simply deny the petition as if it were still 2019, and nobody knows for sure that LED light exposure wreaks havoc on some people's brains and undermines everybody's basic health.

We request that the Commission re-open Case 23-E-0727, and put the Commission's focus squarely on the facts, events, and circumstances which are the cause of this complaint and petition: members of the public are being harmed and disturbed by the conversion of municipal streetlighting to LED.

Thank you for your consideration of this serious issue.

Signed,

Linda Anderson

Cambridge, NY