

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 STATE OF NEW YORK  
3 PUBLIC SERVICE COMMISSION  
4 CASE 23-W-0111 - Proceeding on Motion of the  
5 Commission as to the Rates, Charges, Rules and  
6 Regulations of Veolia Water New York, Inc. for  
7 Water Service.  
8 PUBLIC STATEMENT HEARING  
9 DATE: May 10, 2023 at 5:00 p.m.  
10 VENUE: WebEx  
11 BEFORE: A.L.J. MICHAEL CLARKE  
12 A.L.J. ASHLEY MORENO  
13  
14 ALSO PRESENT:  
15 JOHN MAGGIORE, Commissioner  
16 ESMIN BROWN-ANDERSON  
17 SANGEETHA KAILAS  
18 MAUREEN JUKES  
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1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 Reported by Anthony McClain  
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1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 (The meeting commenced at 5:00 p.m.)

3 THE REPORTER: We are on the record.

4 A.L.J. MORENO: Thank you. I call  
5 case 23-W-0111, proceeding on motion of the  
6 Commission as to the rates, charges, rules, and  
7 regulations of Veolia Water New York Inc. for water  
8 service. Good afternoon, everyone, and welcome, my  
9 name is Ashley Moreno. I am an Administrative Law  
10 Judge for the Department of Public Service. With me  
11 today is Michael Clarke, also an A.L.J. with the  
12 Department of Public Service. And together we are  
13 responsible for presiding over the hearings in this  
14 case and the development of a complete record  
15 throughout the proceeding. This is a public  
16 statement hearing that was noticed on April 14th,  
17 2023.

18 The hearing concerns proposed changes  
19 in the water delivery rates and practices of Veolia  
20 Water New York Incorporated. More specifically,  
21 Veolia seeks to consolidate rates for customers in  
22 the former Suez Water New York Inc. systems in  
23 Rockland and Orange Counties, and the former Suez  
24 Owego-Nichols system and Heritage Hills system, which  
25 would comprise the New York District and continue the

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 progression towards rate harmonization in rate  
3 districts one and two in the former Suez Water  
4 Westchester system, which would comprise the  
5 Westchester District. Veolia also proposes to -- is  
6 proposing to increase its delivery revenues by  
7 approximately 18.4 million dollars in the New York  
8 District and by about 14.1 million dollars in the  
9 Westchester District.

10 Under New York State law, the Public  
11 Service Commission must consider a utility's proposal  
12 and may adopt or reject it in whole, or in part, or -  
13 - or modify it. We are holding this hearing so that  
14 you can provide your comments on Veolia's proposal  
15 for the Commission's consideration. Ultimately, the  
16 Public Service Commission will decide what the terms  
17 and conditions of Veolia's service will be. The  
18 Public Service Commission consists of seven members,  
19 the chairperson, Rory Christian, and Commissioners  
20 Diane Burman, James Alesi, Tracey Edwards, John  
21 Howard, David Valesky, and John Maggiore. And we are  
22 fortunate, I see that Commissioner Maggiore is with  
23 us this afternoon. Commissioner, would you like to  
24 address the participants?

25 COMMISSIONER MAGGIORE: Thank you. So

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 yes, I'm very happy to be here. I look forward to  
3 hearing what people have to say. I'd like to thank  
4 everybody who's taking time out of their afternoon to  
5 participate in this process. You know, as a  
6 Commissioner, and I speak for the other Commissioners  
7 as well, the input that -- that we get to hear from  
8 these types of public statement hearings, it's  
9 important as we consider items that come before us.  
10 So I'm -- I'm ready to sit back and listen to what  
11 folks have to say. And again, I want to thank  
12 everybody for taking time out of their schedule to  
13 participate. Thank you very much, Judge.

14 A.L.J. MORENO: Thank you. And I  
15 believe we're expecting, Chair Christian as well, and  
16 he may be joining us in just a little bit, and I'm  
17 sure that he will be eagerly listening to all of the  
18 comments this evening as well. So with that, as I  
19 stated earlier, the purpose of today's hearing is to  
20 provide you with an opportunity to tell the  
21 Commission your thoughts on the proposal. It's not  
22 an evidentiary hearing or a question and answer  
23 forum, but really an opportunity for us to hear from  
24 you. Any statements that you make today will become  
25 part of the case record. We do have a court reporter

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 joining us who will prepare a transcript of the  
3 hearing, which again will be included in the official  
4 case record of the proceeding so that your comments  
5 can be considered by all of the Commission.

6 When it's ready, the transcript will  
7 be available for viewing on the Department of Public  
8 Service website. And I would like to just stress as  
9 well that this is not the only opportunity for  
10 comment. If you do not wish to speak at today's  
11 hearing, but you would like your views included in  
12 the record. There are a variety of other ways to  
13 comment that were listed in the public notice for  
14 today's event. And if I could ask the folks from our  
15 Office of Consumer Services, if you could just  
16 advance the slide one, please. So there are a number  
17 of other ways that you can submit the comments. For  
18 those of you who are participating electronically,  
19 those are on your screen. You can do so by  
20 submitting comments on the department's website, by  
21 email, regular mail, or by phone. And regardless of  
22 how your comments are submitted, they will be given  
23 equal consideration.

24 Comments may be submitted and will be  
25 considered throughout the case. And in addition to

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 these different ways to comment, I will also note  
3 that we are hosting additional public statement  
4 hearings on May 17th at one o'clock and five o'clock.  
5 So turning back to today, we have several people who  
6 are registered to speak this afternoon. We will not  
7 impose a time limit, but will request that your  
8 statement be within a reasonable amount of time, so  
9 that everyone has an opportunity to speak. We have  
10 folks who are registered and are participating by  
11 phone and folks who are participating electronically.  
12 In either case, please just make sure that you have  
13 one audio input from one device. Otherwise, we may  
14 experience some problems with feedback.

15 I will call the persons that have  
16 registered one by one to speak. If someone is not  
17 available when I call them, I will continue on to the  
18 next person and we will come back at the end to see  
19 whether the folks who were not available are -- are  
20 now available. For telephone participants, when I  
21 call your name, I'll ask that you press star three on  
22 your telephone so that we can recognize you and  
23 unmute your line. That might just take us a moment  
24 to locate you. So please be sure to wait until you  
25 hear a beep or are notified that your line has been

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 unmuted before you start your statement. And for  
3 folks who have registered electronically, when I call  
4 your name, we'll unmute your line. You should hear a  
5 tone and see that the microphone icon is no longer  
6 red.

7 And just be reminded that if you've  
8 connected by your telephone to make sure that line is  
9 unmuted. I will start by calling on members of the  
10 public who've registered to speak, and then we will  
11 move on to individuals who have registered to speak  
12 who are parties to the proceedings. As parties you  
13 just have greater privileges and opportunities to  
14 build the record in these proceed -- in this  
15 proceeding. And so we'll ask you to summarize any  
16 lengthy statement that you might have. So when your  
17 line has been unmuted, please state your name, and  
18 speak slowly and clearly so that the court reporter  
19 can accurately record your statement for the record.

20 If you are speaking on behalf of an  
21 organization, please just provide the name of that  
22 organization as well. So with that, our first  
23 speaker is Jackie Drexler. And if you have called  
24 in, if you could press star three on your phone, that  
25 will help us to identify you and unmute your line.



1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 Okay. I'm not seeing anyone. Dorice Madronero. And  
3 again, if you've joined us by phone, if you could  
4 press star three. Okay. We'll move on to Leann  
5 Devine. And again if you've called in -- I think we  
6 have Do -- Leann Devine. Your line has been unmuted.

7 MS. MADRONERO: Yes. This is Doris  
8 MADRONERO. I -- can you hear me or?

9 A.L.J. MORENO: Yes, we can. Thank  
10 you.

11 MS. MADRONERO: Okay. So am I the  
12 speaker up -- up next or? I know you had called  
13 another person in the meanwhile.

14 A.L.J. MORENO: Why don't you go right  
15 ahead and we'll -- we'll go to them next. Thank you.

16 MS. MADRONERO: Oh, okay. Thank you.  
17 Just as an F.Y.I., I -- I have to thank your  
18 colleagues. I tried getting on the phone connection  
19 earlier at the one o'clock hearing, and apparently  
20 the password is not appropriately posted on your  
21 website. So perhaps other people had a similar  
22 situation, and I just moments ago had a phone call to  
23 give me a usable password. So that's something just  
24 to make certain that you get that out into the public  
25 domain would be great. I listened a little bit on

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 YouTube, because I couldn't listen in live earlier at  
3 the one o'clock hearing. And the one thing that  
4 strikes me is when speakers address the -- the  
5 Commission, and I will do that myself.

6 My name is Doris MADRONERO and I have  
7 fi -- no financial affiliation whatsoever other than  
8 that of a rate payer and a taxpayer in Rockland  
9 County, rate payer to Veolia. I have lived in the  
10 county well over 60 years. I don't want to go into  
11 the actual number. I grew up here, but I think it's  
12 important that people understand when a person is  
13 speaking, addressing the Commission, or writing to  
14 the Commission on the topic, that they give full  
15 disclosure whether or not they are an employee,  
16 whether they have an investment in the company,  
17 whether they are the recipient of one of these  
18 charitable donations that are being spoken about by  
19 the company.

20 And if so not to declare what that  
21 amount is or who it is that was given to, rather just  
22 in full disclosure to let people know that you do  
23 have an interest, a direct interest in the company's  
24 rate case. And the other thing is I -- I think  
25 that's important. I'm curious when calling the

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 consumer line earlier in the day to try to get  
3 information on how I -- why I couldn't access the  
4 call-in. The number then when -- 800, I wound up  
5 getting complaints. And the voicemail on that  
6 indicates to the caller, if you have a complaint  
7 about water quality call the Department of Health.  
8 And that rings true because we know that water for  
9 drinking and fire suppression, the authority in New  
10 York State Public Law is given to the Department of  
11 Health.

12 That's also the entity we know that  
13 can declare a drought, not the Public Service  
14 Commission. And I'm just curious why the Department  
15 of Health is not an active participant in a rate case  
16 that also speaks to water quality. We know that PFAS  
17 is something that the company Veolia got an extension  
18 as far as putting in appropriate filtration. And the  
19 Department of Health I think should be a part of this  
20 process, a direct part of the process, and not just  
21 as a witness from the local Rockland County Health  
22 Department if they're participating in this, I'm not  
23 quite sure.

24 I think also, just as an aside, a  
25 little bit of the history, although I've lived here a

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 long time, I certainly don't go back to the 1800s.

3 But the water in Rockland County that we depend so

4 greatly on Lake DeForest, the Hackensack River,

5 really was identified. The Hackensack Water Company

6 bought the Spring Valley Water Company, not for

7 Rockland County, they bought it for Bergen County.

8 And somehow when we consider water, we -- we're not

9 looking at the watershed of Rockland County. Much of

10 that water is going to New Jersey because it was

11 bought by the Hackensack Water Company for Bergen

12 County. They bought out a failing Spring Valley

13 Water Company. The Lake Tappan, much of which is in

14 Rockland County is not a -- for Rockland County

15 resident.

16 Now, I heard people speak about the

17 taxes that are paid by the water company, by the

18 utility. If I'm not mistaken, all of that money,

19 those taxes are charged back in the rates. So

20 they're not paying for the taxes, the rate payers are

21 paying for the taxes. And I hope that listeners pay

22 attention to that. But I'm curious, in Lake Tappan,

23 part of it is in Orangetown, part, I think goes into

24 Clarkstown, most of it, Orangetown. Again, we don't

25 get water from that. They're paying tax on that.

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 And I hope that those -- that property tax is not  
3 going to New York taxpayers, but going to New Jersey  
4 taxpayers, rather rate payers. Because it's water  
5 that they are using and the company is maintaining it  
6 for New Jersey, not for New York, even though a large  
7 portion is in Rockland County.

8 I will put comments in writing, but  
9 what struck me earlier today was that there is no  
10 disclosure of any of the speakers with regard to  
11 whether they have an affiliation with the company at  
12 all. I'll let my comments end there and thank you  
13 for the time to speak and let you carry on.

14 A.L.J. MORENO: Thank you very much.  
15 And if I could please ask you to press star three  
16 again on your telephone. That'll just help us to  
17 identify other call-in users. Okay. Our next  
18 speaker will be Leann Devine. And if you have called  
19 in, if you could press star three on your telephone  
20 that will allow us to identify you. Okay. We will  
21 move on to Jacquelyn Drechsler. And I do not see  
22 that person. We'll move on to Jocelyn Decrescenzo.  
23 And again, if you've called in, if you could press  
24 star three on your telephone. I'll move on to Joanna  
25 Dickey. And if I could just ask that Ms. Dickey's

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 line is unmuted, please. Ms. Brown-Anderson, are you  
3 able to unmute Joanna Dickey, please?

4 MS. BROWN-ANDERSON: Yes, Your Honor.  
5 I'm trying to unmute her, but it seems -- I'm not  
6 sure if she's unmuting herself if she's muting  
7 herself. Because each time I unmute it goes right  
8 back to being on mute. I'm going to try again.

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

10 MS. BROWN-ANDERSON: Your welcome.

11 A.L.J. MORENO: Okay. And I believe  
12 your line has now been unmuted. Ms. Dickey? We're  
13 just having a little bit of trouble hearing you. Can  
14 you start again, please?

15 MS. DICKEY: Yes. Hi. Can you hear  
16 me okay now? I don't have great reception where I  
17 am.

18 A.L.J. MORENO: Oh, now we can hear  
19 you.

20 MS. DICKEY: You can hear me. Okay.  
21 Excellent. Thank you so much. Hi, everyone. Thank  
22 you for this opportunity. My name is Joanna Dickey  
23 and I'm an environmental educator who grew up in  
24 Rockland and I've continued to work here for the past  
25 20 years. You can still hear me okay? I might ask

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 you a couple times.

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

4 Thank you.

5 MS. DICKEY: Okay. Excellent. Thank  
6 you. As part of my work, I teach Stream and River  
7 Ecology to youth and communities. I've been a member  
8 of two local watershed groups and participate in  
9 citizen science biological monitoring projects in our  
10 waterways. As an educator, I'm speaking tonight on  
11 behalf of the young people of this county and wish to  
12 address sustainability and climate change. If Veolia  
13 takes pride in being a leader in sustainability. It  
14 claims itself to be the, "benchmark company for  
15 ecological transformation." They talk a very good  
16 talk.

17 They have been impactful -- they have  
18 impactful marketing videos and language on  
19 sustainability with music and imagery that pull on  
20 your heartstrings and make you see how dire our human  
21 situation on this planet really is. Veolia leads you  
22 to feel like we are all in this together. Just spend  
23 ten minutes on their website and you will think this  
24 company has good practices. But the tragic truth is  
25 that it's all greenwashing. It's all just marketing,

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 smoke, and mirrors. Their corporate behavior is  
3 proof that their number one concern is dollars for  
4 their shareholders, not the health of the  
5 environment, not the health of the water they  
6 distribute to their customers, and certainly not the  
7 future of our planet.

8 I'm very concerned about the  
9 persistent water quality issues. Last summer, we had  
10 terrible drought conditions with uncontrollable algal  
11 blooms in many of our lakes. And with climate  
12 change, these conditions are being predicted to only  
13 get worse. Despite recurrent problems with the algae  
14 in Lake DeForest, Veolia has failed to take a  
15 proactive approach to protect the reservoir and  
16 improve our drinking water quality. What about the  
17 toxic PFAS chemicals? Will the plant filtration  
18 systems filter out all of them? Why is it taking so  
19 many years to install the filtration? Has Veolia  
20 pursued federal funding for cleaning up the PFAS or  
21 is it going to -- are they going to rely on the  
22 Rockland rate payers to once again be saddled with  
23 this financial burden just because we have a private  
24 water utility?

25 As an educator, I'm appalled at



1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 Veolia's ineffective conservation plans. They're  
3 wasting rate payer money on ineffective programs, and  
4 they have failed to target the areas that would have  
5 the most impact, like -- especially like summer lawn  
6 watering. I do believe that if -- if there were  
7 measures put in place, we wouldn't have had some --  
8 such bad drought conditions last summer in Rockland.  
9 Veolia was -- Veolia has failed to plan for climate  
10 impacts. Their neglectful behavior shows that they  
11 don't care about sustainability. What steps have  
12 they taken to ensure that our water supply will be  
13 resilient in the face of extended droughts? What  
14 about higher temperatures that impact water quality  
15 and intense precipitation that does not recharge our  
16 aquifers?

17 The biggest issue of all here is  
18 accountability. Veolia is failing on so many fronts.  
19 We have a water monopoly in this county, and the  
20 public is the only accountable source of feedback for  
21 their performance. I ask the P.S.C., what measures  
22 will you put in place to ensure that they do what  
23 they say and they say what they do? And how do we  
24 know that you will enforce them? Thank you.

25 A.L.J. MORENO: Thank you very much.

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 Our next speaker will be Peggy Kurtz. And your line  
3 has been unmuted.

4 MS. KURTZ: Do you hear me?

5 A.L.J. MORENO: Yes. Thank you.

6 MS. KURTZ: Okay, great. Okay. So my  
7 name is Peggy Kurtz and I'm one of the co-founders of  
8 the Rockland Water Coalition. I'm an appointed  
9 member of the Rockland County Water Task Force, and  
10 I'm speaking on behalf of Sierra Club Atlantic  
11 Chapter with 40,000 members and Rockland Sierra Club.  
12 I want to thank the Commissioners for attending. I  
13 want to mention that several others have told me that  
14 they were not able to get into the hearing this  
15 afternoon or this evening despite following all the  
16 directions. I want to primarily focus on climate  
17 change. But I just want to start by just saying a  
18 few words and I am going to submit comments in  
19 writing.

20 I just want to briefly take -- touch  
21 on the merger of rates with the other -- with the  
22 Upstate communities. In the previous rate case,  
23 Suez, I'm sorry, Veolia, pardon me, acquired and then  
24 merged Rockland with two smaller water companies that  
25 are indeed, their words, of significant upgrades and

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 capital investment. Now the company proposes to  
3 merge our rates with the rationale that it will  
4 spread out the impacts of expensive infrastructure  
5 upgrades over a larger rate base. In other words, to  
6 spread out the costs on Rockland rate payers. The  
7 company will profit from a higher rate of return on  
8 those capital expense projects. Rockland rate payers  
9 will share the costs of these -- costs of the  
10 upgrades for Upstate communities.

11 Furthermore, the company states their  
12 intention to acquire more of these smaller systems.  
13 Something is wrong with this picture. Perhaps the  
14 State needs to set up a fund for these smaller  
15 systems, but it's patently wrong to spread the costs  
16 on other communities that are already paying ex --  
17 among the highest water rates in the -- in the State  
18 and are about to pay face -- over 66.5 million  
19 dollars in extra cost -- in -- in infrastructure  
20 upgrades for the PFAS filtration systems. Okay, now  
21 I want to address climate change -- address all the  
22 topics next week and in writing. As I'm sure you're  
23 aware, conditions such as climate change can deeply  
24 affect both our water supply and our rates.

25 As a party to the rate case, I asked

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 about Veolia's plans for climate impacts on our water  
3 supply. The answer I received is basically that  
4 there is currently no climbing -- climate planning  
5 process for Rockland's water supply and no  
6 anticipated problems. I was sent a link to the  
7 Veolia corporate website where I found not a report  
8 on how the company plans to meet the challenges of  
9 climate change, but rather a public opinion survey.  
10 Hardly what I was looking for. In fact, in the  
11 company's long-term strategy report for the period  
12 through 2032, the only mention of climate change is  
13 that the company has no plans for the impact of  
14 climate on water infrastructure.

15 Several of us were recently told by  
16 D.P.S. and staff that no climate planning for water  
17 is going on internally. And yet the Public Service  
18 Commission is one of the key agencies tasked with  
19 implementation of the CL -- climate leadership, the  
20 C.L.C.P.A. And yet we are -- and we are in the midst  
21 of an all-hands-on-deck effort to meet urgently  
22 needed State climate goals. State -- so something  
23 needs to change here. That -- that this just doesn't  
24 make any sense, that the Public Service Commission  
25 and D.P.S. are not fully engaged with climate

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 planning for water as well as for other sectors. The  
3 State of New Jersey Climate Report lays out some of  
4 the projected impacts on water supply. Rockland  
5 County, in case some people don't know, is on the  
6 border with Northern New Jersey, and we experience  
7 the same conditions.

8 That report cites a projected increase  
9 in temperature between four -- four to five degrees  
10 Fahrenheit at the low end to nine to ten degrees at  
11 the high end. These are extreme conditions. They  
12 write as summer temperatures, and this is -- writing  
13 -- reporting as summer temperatures in -- increase in  
14 -- in -- Northeastern United States and rainfall  
15 remains relatively unchanged. The frequency and  
16 intensity of short term very dry to drought  
17 conditions are likely to increase. They also point  
18 out that irrigation and residential water usage are  
19 likely to increase at the same time as drought. They  
20 state that the summer of 2022 included the hottest  
21 31-day period in recorded climate history in parts of  
22 New Jersey, and they conclude extreme heat and  
23 changes in precipitation are likely to produce more  
24 summers like 2022.

25 Just to summarize some of the widely

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 agreed upon climate impacts on dry and -- drinking  
3 water supply, including, and I'm talking about  
4 scientifically agreed upon, higher temperature, as I  
5 just stated, an increased frequency of extended or  
6 even flash droughts while at the same time resulting  
7 in incre -- increased demand for water. More intense  
8 precipitation will result in more runoff and  
9 decreased replenishment of groundwater. We can also  
10 expect water quality impacts. Flooding can result in  
11 contamination of water supply with toxic chemicals,  
12 bacteria, and turbidity. Increased temperature is  
13 also one of the key factors leading to algal blooms,  
14 but at the same time, the company, as Joanna  
15 mentioned, is failing to take proactive steps to  
16 reduce the chemicals which also contribute to the  
17 algae.

18 There's also the potential for  
19 destruction of water infrastructure due to extreme  
20 weather. And finally, I'd mentioned the likelihood  
21 of increased flooding from the reservoir itself,  
22 which has experienced severe flooding in the past of  
23 the surrounding neighborhoods. At the same time,  
24 there are also significant opportunities in the water  
25 sector for energy and water use reduction through

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 effective water conservation and efficiency. Even  
3 more significant though I really want to mention that  
4 when water supply options are depleted, if we are not  
5 planning adequately for these conditions, when demand  
6 rises and supply is constrained, utilities may be  
7 tempted to turn to waste water reuse, which is  
8 extremely energy intensive and that is clearly the  
9 wrong direction in an age of climate change.

10 That is why the coalition is doing  
11 everything we can to advocate for sustainable water  
12 policies. I'm here today to ask the Commission to  
13 begin the process of climate planning for water  
14 utilities. A good first step would be to plan  
15 internally and to reorient the direction of staff to  
16 look for sustainable water plans and then to require  
17 climate plans for both adaptation and mitigation from  
18 all water utilities. It should -- the climate  
19 planning should include all of the elements mentioned  
20 above. That planning should also include a  
21 reevaluation of safe yield and -- and an update of  
22 safe yield, which has not been done for Rockland in  
23 quite some -- many, many years.

24 Updated drought management plans. I  
25 realize this does not fall entirely under the purview

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 of the company, but the company should be directed to  
3 work with the county to make that happen. And water  
4 conservation plans that are reviewed by independent  
5 experts. I'll talk about that more next week. But  
6 this -- the water conservation plans that are  
7 currently in place are not the most effective.  
8 They're not -- they are not as effective as they  
9 could be. And there have been fixes that have been  
10 pointed out over and over again by experts in  
11 previous rate cases that have been completely  
12 ignored. We can and we must do better to meet the  
13 very real challenges ahead and to build resilience in  
14 the facing extreme heat and other extreme weather. I  
15 could keep going by quite a bit, but I will stop here  
16 to give time for others to -- to speak. Thank you.

17 A.L.J. MORENO: Thank you so much.  
18 Our next speaker will be Laurie Seeman. And then  
19 just bear with us a moment while we unmute your line.  
20 Okay. Your line has been unmuted.

21 MS. SEEMAN: Thank you so very much  
22 for this opportunity to bring our comments to -- to  
23 bear on the com -- the ability of the Commission and  
24 the -- and the D.P.S. staff to -- to work with the  
25 submission of the -- Veolia the Water Company. My



1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 name is Laurie Seeman, and I'll speak to you just  
3 quickly about my water background. I'm -- I'm an  
4 appointed member of the Rockland County Task Force on  
5 Water Resources Management. I was on the groundwater  
6 stormwater committee for a number of years. I am the  
7 founder of the Sparkill Creek Watershed Alliance, a  
8 member of the Minisceongo Creek Watershed Alliance.  
9 And last but not least, I'm the founder and director  
10 of Strawtown Studio, which for 20 years has run arts-  
11 based environmental based education in our county.

12 I'm very familiar with the streams and  
13 waterways and the water systems that are here. I've  
14 taken kids on tours of the wastewater plants into the  
15 headwaters down to the river. And I've been part of  
16 this -- an active member of this working group that  
17 is dedicated to bringing connection to the  
18 disconnections of the Rockland County water, which  
19 has been really evading, I think the Public Service  
20 Commission. There's a tremendous disconnection  
21 between all of the -- all of the layers of water.  
22 And we have been tremendously concerned about this.  
23 And we're -- we're here today to please ask you to  
24 hear -- hear these comments. It's significant. I  
25 believe the -- I believe the -- the D.P.S., P.S.C. is

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2 -- has tremendous excellence, you know, in the areas  
3 of financial analysis, the cost of materials, the  
4 cost of financing.

5 But over the years, what we're seeing  
6 is that there's just absolutely an absence of certain  
7 kinds of knowledge within the system there to be able  
8 to adequately analyze the submissions that are  
9 brought before you. And one thing is that water is  
10 very different than the other systems that the  
11 Commission has technically or typically been charged  
12 with. And we're looking to find out, okay, so I'm  
13 looking to find out why is this? Why does it feel  
14 like there's this absence of -- of talent on board  
15 there to meet the needs of these submissions? Is it  
16 unawareness on the part of the staff? Is it  
17 disinterest? Has it been misguided? What is it?  
18 And what can be changed?

19 So this is what I have found, some  
20 simple, almost obvious steps that could be taken to  
21 better uphold the Commission's obligations to both  
22 the public and the corporate private interests. What  
23 I have learned is that at the Commission and D.P.S.,  
24 I'm never sure which way to use the language here,  
25 that water is -- is relatively small compared to the

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2 energy, the steam, the telecom, and -- and it has a  
3 very small fraction, maybe two percent of New York  
4 State has privatized water. And what I'm saying is  
5 it should not matter how small that percentage is,  
6 because irregardless of the percentage of the State,  
7 the rate case hearings have the same amount of -- of  
8 -- of complexity.

9 And with water, maybe even more  
10 complexity, because water is very different than  
11 utilities of other types. Water is something that  
12 can't be manufactured, and it's really locally based,  
13 and it really flows through every aspect of life in a  
14 place. And it has a whole layering system of  
15 knowledge base that one must possess to adequately  
16 analyze the -- the submissions that are before you.  
17 And I've just -- I've really seen that there's a lot  
18 of gap there. The -- I -- I just believe it's beyond  
19 the scope of the Commission to provide adequate  
20 oversight with all these layers in house. So what  
21 else could we do? You could bring in expertise, but  
22 I've been on this water system for many years now,  
23 and we don't see that -- the Commission bring in any  
24 expertise outside.

25 Even when we have written in comments

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2 and been on hearings before, helping to identify  
3 where expertise is needed. In the no desalination  
4 case, it would -- it is -- one second please. And  
5 the desalination question. The expert who looked at  
6 the -- at the -- at that time Suez, said it was  
7 appalling that there was no expertise within the  
8 Commission on non-revenue water. And there is no --  
9 there is no expertise on public outreach. The -- the  
10 company -- the company is submitting all kinds of  
11 statements saying that they're doing a lot of  
12 education and public outreach. You've already heard  
13 from prior speakers, this in fact is not effective  
14 here.

15 There are other systems too, just the  
16 -- when they -- when they put in systems, they're  
17 going to buy -- they need to know new pumps and  
18 pipes. This is great. You can cross analyze their  
19 submissions, but you don't have anybody in the  
20 Commission to look at the whole systematic decision  
21 making mechanism. Why -- why are they choosing that?  
22 Where is the cost benefit analysis to the company  
23 versus to the health of the system versus to the rate  
24 payer? There's an absolute absence of -- of  
25 expertise on staff to interpret those submissions.

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 And absent those -- ab -- absent all of that type of  
3 stuff, the -- the -- the climate change, I don't have  
4 to explain this, because already been done tonight.

5 The climate change is something that  
6 is -- it's -- it's like red alert. And the  
7 Commission's mission statement online talks about  
8 environmental mandate. Veolia, again, talks about --  
9 this is just -- this is completely absent. And --  
10 and -- and everything is just calling out for -- for  
11 a cohesive look at all of this. I can't say much  
12 now, but -- and you know, the D.E.C., the E.P.A., the  
13 D.O.H., it's just a round robin and everybody points  
14 to the next one. And honestly, it doesn't have to be  
15 like that. We are a citizens group that has been  
16 putting like the big lens on all of this, and we are  
17 talking to all the different players. So you don't  
18 have experts coming on board to help fix the problem.  
19 What else could happen?

20 Well, competition in the marketplace,  
21 but we don't have competition in the marketplace in  
22 water here in Rockland County. It's -- it's a  
23 natural monopoly. That's how water is here. And so  
24 usually competition can bring in accounting me --  
25 accountability mechanisms. It's like a watchdog, an

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2 inbuilt watchdog system amongst, you know, utilities,  
3 is absolutely absent here. This water company has  
4 absolutely no one looking over its shoulder to help  
5 you from the industry to go past the limits that you  
6 are faced with. So what else is left? Well, it  
7 brings you to the meaningful and very important in --  
8 inputs and comments and -- and -- from the actual  
9 public, public input and the electeds.

10 And I do believe it's -- it's -- it's  
11 world class quality information that is brought to  
12 you over and over again in these hearings. But  
13 they're -- they're largely disregarded. I mean, more  
14 than largely. And we don't understand that. The  
15 people and the electeds of Rockland are the ones that  
16 are living in the water system here. We are the ones  
17 that are the evidence of whether or not a water  
18 company's efforts works. Submissions are in fact  
19 authentic, if they're effective, and if they are  
20 appropriate. And it's only really through the  
21 public, which is your greatest barometer, what's  
22 happening you're giving that year up in Albany and  
23 your talents comp -- lie in a completely other  
24 wheelhouse.

25 But the functionality of water here,

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 the health of our water, the abundance of our water,  
3 or absence of it, the water -- the watershed  
4 protections, all of this, it -- it is not a thing  
5 apart. Because the water company is moving water  
6 from source to pipe and then releasing it. It is  
7 something that concerns all the above. And our  
8 reservoir has -- has algae in. And the company said  
9 that's not their responsibility. It goes on and on.  
10 I will submit more comments, but honestly, if you  
11 could look back through all the years, these comments  
12 are -- are multiply supplied to you.

13 It concerns me that -- that amongst  
14 the -- the -- the -- the Public Service Commission,  
15 all of the Commissioners obviously are going to be  
16 required to have expertise in the areas that are --  
17 the P.S.C. is most, you know, involved with. But it  
18 doesn't mean somebody shouldn't have water expertise.  
19 It's -- it's -- it's all leading to the fact that the  
20 -- that the -- the Commission just cannot uphold its  
21 obligation on the front of water. It just is not, it  
22 cannot. And it really is requiring this to be looked  
23 at. Now, the co -- the -- the public has been  
24 participating and providing all kinds of information  
25 over time, but like in this rate case, already some

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 of my colleagues have been submitting in the  
3 investigative questions and we see the water company  
4 coming back with, you know, no response, will not  
5 answer.

6 And this is what I believe is an area  
7 of regulatory oversight and ability to create change.  
8 If the Commission will say to this water company,  
9 that is not acceptable, you must answer these  
10 questions. These questions will provide important  
11 information that we ourselves need to make  
12 determinations. That day of you thinking that you  
13 are above the people of the place that you serve is  
14 over. It has to go, it has to go like that.

15 Otherwise, this -- this system in case it -- it could  
16 get fixed, like, you know, a sweater that's  
17 unraveling, they say a stitch in time is going to be  
18 such a runaway situation. If the Commission's going  
19 to be faced with many more matters of health and  
20 safety and -- and inequity. We're still at a tipping  
21 point of balance. And that is the word I'm looking  
22 for here.

23 The same way the kitchen -- the  
24 Commission is very concerned about balancing Excel  
25 spreadsheets on finance. It must balance this abuse



1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 of power in our watersheds. They have -- they have  
3 made decisions and that are not in the best interest  
4 of Rockland. They have submitted to you many  
5 documents that are effuse. And from what experts  
6 have said, looking at it, they are full of occlusion,  
7 and they're not full of answers, that are really,  
8 truly matched to what's happening. I -- I -- I can't  
9 say more that I'm not in that field of expertise, but  
10 I know for a fact that you could see that in one  
11 very, very important case.

12 Last week you were submitted a letter  
13 by the fire -- Commissioners -- the chief fire --  
14 County Fire Chief Association, a letter last week  
15 with a report attached by a se -- Senior Water System  
16 Analyst, John Hawk. And I -- I hope that that has  
17 reached your attention, or that it will immediately,  
18 the report that's attached will bring to your  
19 attention that the Evergreen fire that happened in  
20 Rockland County, it -- it -- it contains everything,  
21 I'm -- I'm talking about everything you need to know.  
22 That letter will tell you how the investigation of  
23 that fire was inadequate, how the water system was  
24 inadequate, how the company response was inadequate.  
25 It -- it needs a whole another analyst and it needs a

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 whole another review.

3 And right now, the company walked away  
4 as if it had no responsibility in that matter. And  
5 the fire -- the fire people down -- experts down here  
6 are calling your attention on that. For some reason,  
7 the water company has this layer of protection, and  
8 it has -- is enabled the company to increasingly, or  
9 companies, three now, increasingly operate in our  
10 community in a way that is above -- above decency. I  
11 listened to the -- I read the transcript of the April  
12 20th technical conference, and two things stood out  
13 for me there, very small details. But near the end  
14 of the -- of the technical hearing, Commissioner  
15 Moreno asked the company, what about that \$750,000  
16 that you were -- you know, put out there for  
17 nonprofits?

18 Oh, we've spent -- Chris Graziano  
19 said, oh, we've spent, I think maybe \$150,000 of it.  
20 And Commissioner Moreno appreciate asked, well, will  
21 you be able -- will you get the rest of that money  
22 out to the community in the next two years? And they  
23 were like, yeah, we just really fell behind. We  
24 really fell behind on that. And I'm sitting here  
25 thinking, what is that? They come to the Commission

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 and, oh, we're going to give \$750,000. We're such,  
3 you know, coming in to service people. Do you know  
4 in the last couple years how hard nonprofits have  
5 been working to make it in the face of COVID? And  
6 this company is sitting on the money. Oh, we just  
7 couldn't get to it. I mean, there it is again.

8 Commissioner Moreno says, in the -- in  
9 the course of you presenting today, you talked of  
10 uncertainties a number of times. And he went on to  
11 explain, you know, reasons why there's a lot of  
12 uncertainties. I really respect Commissioner Moreno  
13 for picking up on that. That is exactly the kind of  
14 thing that we need to be looking for, you know, this  
15 -- this lack of abs -- lack of accuracy, lack of  
16 appropriate -- you know, or the presence of  
17 disinformation. I've really encouraged the -- to  
18 please continue with the questioning. If you don't  
19 question, there is no questioning. Chris Graziano in  
20 that hearing also talked about all of these changes  
21 they're going to be making and how there's going to  
22 be a big plan for communication.

23 We're going to have all these  
24 communications letters to the community, and we've  
25 seen what that looks like. It's a big number on the

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 ledger sheet. It's going to cost rate payers a lot  
3 of money. But it's very disingenuous, that's what  
4 I'm saying. I would really, really, really ask the  
5 Commission to please bring in experts. You know, you  
6 probably don't have to bring them in endlessly, but  
7 bring them in on all of these areas so that you can  
8 get the lay of the land on what best practices are,  
9 so that your team can analyze these submissions and -  
10 - and uphold the -- the public. And it's -- it's is  
11 really important that the -- that the analysis, if  
12 it's going to be done in-house, is supported by more  
13 expertise, by more public interaction.

14 And we shouldn't have to just be  
15 thankful for little bits of time that we can get  
16 before you when we are a full-bodied part of the  
17 whole water net -- analyst system at this point. I'd  
18 really love to see an ongoing dialogue that goes  
19 beyond hearings. The same way that the -- the  
20 company talks with the -- with the Public Service  
21 Commission. It would be really an honor of anybody  
22 on our team to be part of that dialogue. We've had  
23 some conversations. I believe they were meaningful.  
24 And, you know, and -- and towards this all  
25 interpretive capacity and the authority entrusted in

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 you. Again, I said there were some simple steps that  
3 can be taken.

4 It's really the power of the words,  
5 yes and no. It really is yes, you know, and no, and  
6 the no, very importantly should be directed by the  
7 company's tendency to -- to as I said, right now with  
8 -- with the comments is the most apparent. No, you  
9 cannot -- you cannot disregard the public. They are  
10 a really important part of this process. That's what  
11 I have to say. Thank you very much.

12 A.L.J. MORENO: Thank you very much.  
13 And we will go back through our list. I'll start  
14 with Jackie Drexler. And if you have called in, if  
15 you could please press star three on your telephone.  
16 Jackie Drexler. Okay. I'm going to turn to Leann  
17 Devine. And again, if you've called in, if you could  
18 press star three on your phone. Leann Devine. Okay.  
19 We'll move on to Jacquelyn Drechsler.

20 MS. DRECHSLER: I would love to, but  
21 you're -- hello? Can you hear me?

22 A.L.J. MORENO: Hi, we can now. Thank  
23 you.

24 MS. DRESCHLER: Oh my goodness.  
25 There's no star three on my phone. I'm on

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2 electronically. So which has been a little  
3 frustrating, the whole process. You know, there have  
4 been brilliant speakers today. I missed one of the  
5 first speakers who was talking about how people who  
6 call in, you know, could be disclosing their  
7 relationship to this company. I'm not connected to  
8 this company at all. I'm just a private citizen.  
9 And I'm very opposed to this rate hike. I'm very  
10 opposed to Veolia quite honestly. I think they are  
11 very similar to Suez who walked away from the table,  
12 when they were supposed to be part of the task force  
13 on -- on conservation and sustainability. And the  
14 Public Service Commission never called them back,  
15 didn't oversight this.

16           There have been great speakers today.  
17 We've gone into so much detail. And what I would  
18 like to say at this point, I did speak earlier today,  
19 but what I'd like to say at this point, and as Laurie  
20 Seeman just mentioned, we are the forgotten zone.  
21 Okay? We are the Bermuda Triangle here in Rockland  
22 County. There are so many brilliant people who've  
23 been connected to -- to water and to great  
24 organizations and facilities of -- regarding water  
25 and water quality and water sustainability. And they

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2 are being ignored.

3 I would say that just -- just maybe --  
4 maybe these six of the people I've heard today  
5 between the first session and right now, those people  
6 have more information and knowledge about the water  
7 quality, water sustainability issues that -- that in  
8 -- in -- that are here in Rockland County in our very  
9 unique situation. And they have more information,  
10 honestly, than I would say the D.P.S. staff and the  
11 P.S.C. And I feel that you should be taking their  
12 comments beyond, seriously, you should be inviting  
13 them into a discussion, an ongoing discussion  
14 regarding the sustainability issue in the face of  
15 climate change. We are talking about brilliant  
16 people here who've spoken today in the earlier  
17 session and tonight, and they have great  
18 institutional knowledge about Rockland County and our  
19 unique water system.

20 And I'm tired, I'm so tired of coming  
21 to Public Service Commission hearings where the same  
22 thing gets said, and our questions never get  
23 answered. And the rate hike always goes through.  
24 And I'm really hoping that this time you are going to  
25 listen to the public, not just count the comments.

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 Yes, no, yes, no. You're going to actually take the  
3 comments of these brilliant people who've already  
4 spoken today into account, and maybe even call them  
5 and try to have some sort of meeting because they  
6 have more knowledge in their little pinky apparently  
7 than most of the staff or the Public Service  
8 Commission. And it is more than important that there  
9 be planning in the face of climate disasters for  
10 Rockland County.

11 We have one source of water. We have  
12 a bomb train that goes around our lake. We have  
13 serious problems here with algae. We have serious  
14 problems with other issues, such as the company does  
15 not get in touch with condominium owners and multi-  
16 family people regarding health related issues with  
17 the water. They've been -- the P.S.C. was authorized  
18 to require them to do this, and they still don't have  
19 a plan, and it's four years later. And there are so  
20 many problems here that can affect the public health,  
21 and -- and wealth. And I feel it's time that the  
22 Public Service Commission listens to us, listens to  
23 the people who know this county the best. So thank  
24 you very much.

25 Well, I would like to say one other



1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 thing that my sister, Jocelyn Decresenzo was also  
3 supposed to speak, but maybe, I guess she'll speak on  
4 the 17th. I know you're both registered for that.  
5 Because the more I listen to the comments of other  
6 people, the more I'm learning and the more I'm  
7 realizing that this company Veolia is not doing  
8 anything regarding conservation. They're not doing  
9 anything about long-range planning. They're not doing  
10 anything about education. They're -- they're not  
11 doing the things that they're supposed to be doing.  
12 They may be doing some things to broaden their low  
13 income assistance program, but they're not doing  
14 anything else.

15 And they are going to be leaving  
16 Rockland County in a very bad state, along with the  
17 fact that we're going to be paying for them to be  
18 helping to fix another system. And that was  
19 discussed in great detail in the earlier Commission's  
20 hearing, the one o'clock session. And it -- this is  
21 -- it's wrong. It's very egregious. And Rockland  
22 County residents, for the most part, are really  
23 upset. They might have had some callers on who work  
24 for the company or have some connection to the  
25 company. But I would say for the most part, Rockland

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2 County is sick of the rate hikes. They're sick of  
3 having horrible quality water. They're sick of not  
4 having this company be in touch with them when there  
5 are problems with the water.

6 And we -- we -- we really actually, I  
7 would like to say at this point, we demand that you  
8 listen to us. We -- we do. Because we've been doing  
9 this for -- for -- for 15 years now. For 15 years.  
10 And -- and I think that you have an obligation to  
11 make sure that you have the right people on your  
12 staff who can have a deep understanding of water and  
13 learn about our issues here in the county. So thank  
14 you very much.

15 A.L.J. MORENO: Thank you very much.  
16 And may I ask Ms. Drechsler, we did call Ms.  
17 Decresenzo a little while ago. It is -- and I didn't  
18 know whether you were on the same line.

19 MS. DRECHSLER: We're on the same  
20 phone and we were having trouble. There was no  
21 button to press to raise my hand on this system. So.  
22 But Jocelyn is here.

23 MS. DECRESENZO: I'm -- I'm going --  
24 my name is Jocelyn Decresenzo and I plan on speaking  
25 at the meeting on the 17th, I think was.

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 MS. DRECHSLER: We hope we're  
3 registered.

4 MS. DECRESENZO: I know we're  
5 registered. I hope you can check on that.

6 A.L.J. MORENO: And Ms. Decresenzo,  
7 would you like to speak this evening or would you  
8 like to wait until the next date?

9 MS. DECRESENZO: I'd say little -- I'd  
10 like to say a little something because --.

11 A.L.J. MORENO: Please go right ahead.

12 MS. DECRESENZO: It seems as if our  
13 lives, my sister and I, our lives are so entwined  
14 with water from the beginning of our life to now  
15 we're 60 -- almost 65 years old, and we have been  
16 battling for clean, safe, healthy water in Rockland  
17 County for at least 20, 25 years now. And I do  
18 believe that, as my sister said, the people who've  
19 been on these calls for the most part, the people who  
20 believe what we believe are supremely intelligent  
21 beings and -- and experts in their fields and their  
22 voices need to be listened to. Their information  
23 needs to be pored over because it is proper and true  
24 information. It's not misinformation. It's not  
25 produced by the company that wants to raise the rates

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 and gives out the wrong information to prove their  
3 case, so to speak.

4 And I'm really tired, actually,  
5 honestly, of the P.S.C.'s lack of response to the  
6 people of Rockland County regarding our water. I'm  
7 upset that we -- that -- I -- I -- I do believe the  
8 issue of have -- having our own water authority needs  
9 to be explored again. I understand that timing  
10 wasn't exactly right economically, but things seem to  
11 be improving. So I do believe -- I do believe that  
12 that's a very important thing to look at in the  
13 future, in the near future. And I'm very tired of  
14 the P.S.C. not listening. I'm very tired of the  
15 P.S.C. taking what the utilities say as the truth of  
16 the matter and going along with the utility every  
17 time much to the dismay, and the inability of many  
18 customers to actually pay out for the water company's  
19 bad decisions, ala the desalination plant.

20 Now, I -- I have to say this one other  
21 thing for the desalination plant. You know, when a  
22 company takes a risk on trying something that they  
23 want to do because it's good for their bottom line  
24 and their stockholders, and that doesn't pan out, the  
25 people who are the rate payers are not supposed to be

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2 the ones that pay the bill on that. The stockholders  
3 and the company from their own profits are supposed  
4 to pay the bill. Now we in Rockland County are still  
5 paying that bill, and I'm pretty furious about it.  
6 And I believe that the P.S.C. did not do due  
7 diligence in that case. And I -- unfortunately, I  
8 have a really dreadful feeling that you're not going  
9 to be doing due diligence in this case.

10 And that upsets me because you're  
11 supposed to protect the people. I know you have to  
12 also look out for the utility companies but they're  
13 getting away with murder, and it's still up to you.  
14 Thank you. So we -- we both thank you very much.  
15 And we'll let other people speak. I -- one other  
16 thing that I'd like to say is, you know, I couldn't  
17 register initially for these hearings. The website  
18 was down. I was very frustrated. I must have tried  
19 20 times. Then I finally did get registered, and  
20 then someone from the -- the DPS did call me back and  
21 made sure I was registered. So I do appreciate that.  
22 And they did admit that there was a problem with the  
23 site, but this is the most unwieldy, wieldy system.

24 And quite honestly, I have to say  
25 that, you know, I go to the decommissioning oversight

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 for hearings all the time, and we were having the  
3 same issue, and they finally switched over to doing  
4 it by Zoom. There are no big great state secrets  
5 here that require this to be by, you know, this --  
6 this terrible Webex system. And doing it by Zoom,  
7 which most people are familiar with and have will  
8 make this so much easier for public participation. I  
9 really encourage you to consider doing it because it  
10 has been the most frustrating experience. Even today  
11 by being registered, doing it on my phone couldn't  
12 raise a hand, you know, this is just -- please just  
13 do it by Zoom and let the public participate in an  
14 easier way. Thank you very much.

15 A.L.J. MORENO: Thank you very much  
16 for your comments. We appreciate it. I'll just try  
17 once more. We had two more folks who were registered  
18 to speak by phone. I'll just check to see whether  
19 they've joined us. Jackie Drexler. And again, if  
20 you've joined us by phone, if you would press three  
21 on your telephone. And Leann Devine. And again, if  
22 you've called in, if you could press star three.  
23 Okay. With that, I believe that we have gone through  
24 the list of all of the folks who have registered to  
25 speak at this afternoon's hearing. And I'll now open

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 it up to any member of the public who is on the line,  
3 who would like to make a statement but did not  
4 register to speak.

5 If you are joining us by phone and you  
6 would like to make a statement, you can press star  
7 three so that we can identify you. Otherwise, if  
8 you've joined us electronically, you can use the  
9 raise hand function, and that will alert us to your  
10 interest in making a statement. And I am not seeing  
11 any additional hands raised. Oh, we have one more  
12 from Ms. Kurtz.

13 MS. KURTZ: So if it's possible, I  
14 guess I would speak about another topic, if that's  
15 okay.

16 A.L.J. MORENO: Sure.

17 MS. KURTZ: Okay. So I want to shift  
18 to another topic that I spoke about before, and that  
19 is the rate structure. So we are being told by the  
20 company that conservation rates have been very  
21 successful, shifted to conservation rates. I can't  
22 remember exactly which year it was, but it's a number  
23 of years ago. In a report that was filed by Sierra  
24 Club in previous case, conservation expert, Jonathan  
25 Kleinman, who also filed the testimony, stated that

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 in fact, Rockland County Veolia customers show less  
3 of a decline than background New York State trends  
4 and the nationwide trends. Here's what he's reported  
5 four years ago.

6 Wintertime water usage in Rockland  
7 County is falling at a rate slower than the  
8 background or passive fall in water use -- usage  
9 across the State of New York. And that is despite  
10 investments in marketing and outreach, conservation  
11 rate tariffs, and rebate programs. And he also  
12 points out that summertime water usage, which is  
13 critical because it sets peak demand and therefore  
14 system capacity needs has not been declining at all.  
15 I think it's worth repeating. The company claims  
16 that the rates have been effective, but as this rate  
17 expert -- conservation expert points out, the rate of  
18 decline in Rockland is actually less than the passive  
19 rate.

20 That it means that we are doing  
21 absolutely nothing in New York State overall. And in  
22 fact, the summertime rate is not declining at all.  
23 I'm going to be talking next week more about  
24 conservation in general, but I just want to address  
25 the rates briefly. The fact is that most people in



1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 Rockland County do not understand the basic structure  
3 of their rates. I -- I'm going to say 99 point  
4 something or rather 99 percent of people do not  
5 understand. If I go up and down my block, I'm sure  
6 there is not one person who understands the basic  
7 structure of their rates. The whole point of a  
8 conservation rate is that people will conserve if  
9 they understand the way their rates are structured,  
10 that their actual rates are increasing, when they get  
11 to a certain point, they're jumping up a tier.

12 Messaging needs to be -- first of all,  
13 messaging needs to be much more effective. And we've  
14 said this over, and all of us have said this over and  
15 over again. There needs to be clear and repeated  
16 messaging in plain English in the bill, not once a  
17 year, but repeated messaging. People need to see it  
18 over and over again. Those same messages in clear in  
19 plain English. And by the way, why not in Spanish  
20 and in Haitian, in Creole also, and maybe in Yiddish,  
21 should be posted to the website. I post -- I asked a  
22 question, a discovery of interrogatory question in  
23 this rate case about why there was no -- nothing in  
24 plain English about the rate on the case.

25 And I was told, yes, it's -- the

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 tariff structure is -- is posted there. Well, I'm  
3 sorry, but again, no -- most, 99 percent of people or  
4 more do not understand how to read the tariff  
5 structure. They need a plain English explanation in  
6 a few sentences about the tiers that their -- of  
7 their -- of their water usage. It also should be  
8 including messaging, simple messaging about how to  
9 cut usage. For example, directing people to change  
10 the settings on their automated lawn watering systems  
11 to once weekly. They should be particularly  
12 targeting lawn watering, which we know is one of the  
13 key factors in driving up summer usage.

14 There should be automated alerts when  
15 customers are about to exceed a tier up to graduate,  
16 "to a higher water rate." This is done for wireless  
17 customers. I don't know about you, but I know when I  
18 get that text saying that I'm about to exceed my data  
19 for the month, I look at my phone quickly and try  
20 everything I can to cut my usage. This could be a  
21 powerful educational tool, helping people understand  
22 the basic structure of their water usage, giving them  
23 more control over their bills, and helping us to  
24 avoid expensive new water supply sources.

25 The D.P.S. -- the P.S.C. must be

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 requiring less from the wireless companies. I  
3 believe they could do the same for -- for the water  
4 company. There are also basic inequities in the rate  
5 structure, and I'll say more about that in writing,  
6 but I just want to mention quickly the multi-family  
7 rates which charge residents of larger buildings at a  
8 higher rate, simply because they live in a bigger  
9 building. It's just common sense, if you live in a  
10 two-family home or a family -- a multi-family  
11 structure with four unit -- units, you might be able  
12 to stay in that lower rates here.

13           Whereas if you live in a unit -- in a  
14 building with a hundred units, you're going to have a  
15 much harder -- you're -- with one meter, they're go -  
16 - that building is much more likely to exceed  
17 inevitably the first tier and to be in the second  
18 tier, thus paying at a higher rate with -- for  
19 absolutely no reason, except that they live in a  
20 larger building. And I just want to point out that  
21 there's -- there's an environmental justice issue  
22 also, people in apartment buildings in Rockland  
23 County tend not to be affluent or tend to be less  
24 affluent, I would say, than the single family  
25 residential. So in effect, they're sort of helping

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 to subsidize some of the wasteful users in the single  
3 family residential buildings.

4 It's moving on slightly. This was the  
5 water conservation, first water conservation in the  
6 State when it was first put in place. It seemed to  
7 us at that time, so we know that the staff has a lot  
8 of expertise, as Laurie Seeman pointed out earlier on  
9 finances. But we were told explicitly this was the  
10 first water conservation rate in the State. We also  
11 filed a testimony from conservation experts. The  
12 county filed testimony from a water conservation rate  
13 expert that pointed out some of the problems in the  
14 rates. All of that was just completely blown off.  
15 Nobody paid attention to it. We've also been told  
16 several times that nobody on staff looks at best  
17 practices elsewhere.

18 Well, here you have a perfect example  
19 of some of the problems. This is the first water  
20 conservation rate in the State. This was years ago.  
21 And even now, let's say we'll move talking about some  
22 of the problems. And yet nobody's looking at best  
23 practices elsewhere around the country. There are  
24 fixes to these problems. Other communities have  
25 encountered the problem, for example, about the

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 multi-family residential and have handled it in -- in  
3 certain specific ways, such as asking building  
4 managers to report on the number of units in a  
5 building and putting that into their system. But the  
6 company simply says, no, we -- we can't do that.  
7 There's no reason why we should have to do that. And  
8 nobody on staff is weighing the proposal for you.

9 So they're looking at the proposal  
10 from the company in the abs -- in the vacuum, in the  
11 absence of any input from elsewhere. They seem to be  
12 disregarding the expert testimony or the -- the  
13 comments from the public. And they are all also not  
14 looking at best practices elsewhere, which would make  
15 eminent good sense. And the Commission should really  
16 be directing. This is really on the Commission. The  
17 onus is on the Commission to really reorient some of  
18 these practices at D.P.S. and to really direct them  
19 that they should be looking to best practices  
20 elsewhere, so that they're not looking at the  
21 company's proposals just in a vacuum in effect,  
22 simply relying on what the company is telling them.

23 It's time to take a closer look at  
24 some of the underlying pro -- problems that were  
25 pointed out by experts when it was first introduced.

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 It's time for DPS to require much more effective  
3 public education, serious public education around the  
4 rates. Not that just kind of going through the  
5 motions kind of thing that's -- that's currently  
6 done. I want to mention that Veolia did an excellent  
7 job of messaging last summer around the drought  
8 surcharge, which resulted in an immediate and  
9 dramatic public response. Water use during the  
10 drought was reduced by, I don't know, I've read two  
11 different numbers, 11 percent, I've read 15 percent,  
12 whichever it is. That was -- it was a distinct and  
13 immediate public response.

14 So it really shows what that public  
15 messaging, what effective public messaging can do  
16 when they -- when Veolia uses the tools at their  
17 disposal, including bills and emails and texts. They  
18 can, and they should be doing much better at helping  
19 people understand the rates. And I believe they  
20 should -- we believe that they should be doing --  
21 there should be a reexamination of some of the  
22 underlying inequities and problems with -- with the  
23 rates, which I will point out in write -- in writing.  
24 One of the problems is that that drought surcharge is  
25 layered on top of the underlying rates, so it

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111  
2 exacerbates any inequities in the rates. Thank you  
3 very much. I will be putting in fuller comments  
4 about the rates in writing and thank you for  
5 listening.

6 A.L.J. MORENO: Thank you very much.  
7 Okay with that, I did not see any additional hands  
8 raised to indicate the other members of the public  
9 would like to speak this evening. So I just want to  
10 take this opportunity to remind members of the public  
11 that you may submit comments throughout the  
12 proceeding by the other means that were described  
13 earlier and are also included in the notice of the  
14 public statement hearing that was issued on April  
15 14th. We will also be hosting, as I mentioned  
16 earlier, additional public statement hearings on May  
17 17th at one o'clock and five o'clock. Thank you all  
18 very much for your participation here today. We also  
19 appreciate the assistance of Esmin Brown-Anderson,  
20 Sangeetha Kailas, and Maureen Jukes from our Office  
21 of Consumer Services for administering the session,  
22 and of course our court reporter as well. So with  
23 that, thank you all very much. Have yourselves a  
24 good evening. The hearing is concluded. We are  
25 adjourned.

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 THE REPORTER: We are off the record,

3 Your Honor.

4 (The meeting concluded at 6:12 p.m.)

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1           5/10/2023 - Veolia Water New York, Inc. - 23-W-0111

2 STATE OF NEW YORK

3 I, ANTHONY MCCLAIN, do hereby certify that the foregoing  
4 was reported by me, in the cause, at the time and place,  
5 as stated in the caption hereto, at Page 1 hereof; that  
6 the foregoing typewritten transcription consisting of  
7 pages 1 through 55, is a true record of all proceedings  
8 had at the hearing.

9                           IN WITNESS WHEREOF, I have hereunto  
10 subscribed my name, this the 17th day of May, 2023.

11

12 ANTHONY MCCLAIN, Reporter

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