STATE OF NEW YORK
DEPARTMENT OF PUBLIC SERVICE

CASE 24-M-0586 - In the Matter of the Establishment of Extreme Heat Protections, Practices and Procedures.

DEPARTMENT OF PUBLIC SERVICE STAFF REPORT AND RECOMMENDATIONS REGARDING UTILITY CUSTOMER PROTECTIONS DURING EXTREME HEAT EVENTS

(Filed May 20, 2025)

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Department of Public Service Staff Report and Recommendations Regarding Extreme Weather Practices and Procedures of Major New York Electric Utilities

(Filed May 20, 2025)

INTRODUCTION

On January 23, 2025, the Public Service Commission (the Commission) commenced a proceeding regarding procedures and protections for New York State's residential utility customers during extreme heat events. Electric utilities' existing practices and procedures were established in individual rate proceedings, resulting in a distinct lack of uniformity across New York State in what weather conditions qualify as an extreme heat event and what protections apply during such events. When initiating the Utility Extreme Heat Protections Proceeding,[1] the Commission stated the primary purpose of the proceeding is to review the established extreme heat-related practices at the largest investor-owned electric and water utilities (the Utilities)[2] and develop a standardized, consistent approach to ensuring New Yorkers are protected during extreme heat events.

The Commission directed Department of Public Service staff (Staff), in consultation with the Utilities and interested stakeholders, to convene discussions, investigate current practices, identify potential areas of improvement, and develop recommendations for the standardization of protections during extreme heat events.[3] In addition, the Commission directed

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1 Case 24-M-0586, Order Instituting Proceeding (issued January 23, 2025) (Initiating Order).

2 The Utilities are: Central Hudson Gas and Electric Corporation (Central Hudson); Consolidated Edison Company of New York, Inc. (Con Edison); Liberty Utilities (New York Water) Corporation (Liberty Water); Niagara Mohawk Power Corporation d/b/a National Grid (National Grid); New York State Electric & Gas Corporation (NYSEG); Orange and Rockland Utilities, Inc. (Orange & Rockland); Rochester Gas & Electric Corporation (RG&E); and, Veolia Water New York, Inc. (Veolia Water).

3 Initiating Order, p. 11.

Staff to file a report within 90 days, detailing recommendations for standardizing utility processes, practices, protections, and procedures. As discussed herein and listed in Appendix A, Staff has developed 16 recommendations to expand or standardize the existing extreme heat protections across New York State electric utilities and to establish protections at two water utilities. In addition, to increase consistency across the State, Staff recommends that PSEG Long Island (PSEG LI) and the Long Island Power Authority (LIPA) consider extending any protections adopted by the Commission to Long Island electric ratepayers.

BACKGROUND

As climate change increases the frequency and intensity of heatwaves, extreme heat has become a growing public health concern. Prolonged periods of extreme heat result in higher human body temperatures, which can lead to fainting, dizziness, confusion, nausea, and other more serious adverse health impacts, such as heat stroke or death.[4] A study released by the Environmental Health Journal determined that adverse heat effects can persist for as many as six days after the day of exposure, and both urban and rural areas of New York are at significant risk of adverse health impacts due to extreme heat.[5] According to the U.S. Centers for Disease Control and Prevention, heat stress in individuals occurs in conjunction with metabolic heat, what a person is wearing, and the environmental heat.[6] Heat stress is the first step that can result in heat-related illnesses like heat cramps, heat exhaustion, heat stroke, or even death.[7]

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4 New York State Department of Health, Keep Your Cool During Summer Heat, available at https://www.health.ny.gov/publications/1243/ (accessed May 1, 2025).

5 Adeyeye, T.E., Insaf, T.Z., Al-Hamdan, M.Z. et al. Estimating policy-relevant health effects of ambient heat exposures using spatially contiguous reanalysis data. *Environ Health* 18, 35 (2019). https://ehjournal.biomedcentral.com/articles/10.1186/s12940-019-0467-5.

6 U.S. Centers For Disease Control and Prevention, Heat Stress and Workers, available at https://www.cdc.gov/niosh/heat-stress/about/index.html (accessed April 10, 2025).

7 National Oceanic and Atmospheric Administration, "Heat Exhaustion or Heat Stroke? Know the Signs of Heat Illness," last modified July 27, 2022, available at https://www.noaa.gov/stories/heat-exhaustion-or-heat-stroke-know-signs-of-heat-illness (accessed April 10, 2025); U.S. Centers for Disease Control and Prevention, About Heat and Your Health, available at https://www.cdc.gov/niosh/heat-stress/about/index.html (accessed April 10, 2025).

The National Weather Service cautions the public to avoid prolonged exposure to outside temperatures and/or physical exertion, when the heat index is between 80 and 90 degrees Fahrenheit as it may result in fatigue.[8] When the heat index is between 90 and 103 degrees,[9] the National Weather Service advises the public to take extreme caution to avoid continued exposure and/or physical activity, as it is possible for individuals to experience heat cramps, heat exhaustion, or heat stroke. The likelihood of heat-related symptoms increases as the temperature rises, as does the potential risk of death, since the heat is more likely to aggravate underlying conditions.[10]

The impacts of extreme heat are not uniform across customer populations, as some populations are impacted more significantly than others. New York residents in more urban areas, or "heat islands,"[11] as discussed later in this Staff Report, suffer the impacts of extreme heat for longer than other New York residents. Additionally, more vulnerable customer populations, such as seniors, infants and children, and those with chronic and severe medical conditions, are at greater risk of experiencing more significant impacts.

Many heat-related symptoms can be avoided or mitigated if individuals can relocate to a cool place, increase their water intake, or take a cool bath.[12] When addressing extreme temperatures, the U.S. Centers for Disease Control and Prevention recommends that individuals use fans or air conditioning for cooling, but warns that in temperatures above 90°F, a

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8 National Weather Service, What is Heat Index, available at https://www.weather.gov/ama/heatindex (accessed April 10, 2025).

9 All references to degrees throughout this Staff Report will be in Fahrenheit unless otherwise noted.

10 New York City Environment & Health Data Portal, 2024 NYC Heat-Related Mortality Report, last updated April 2, 2025, available at https://a816-dohbesp.nyc.gov/IndicatorPublic/data-features/heat-report/ (accessed May 1, 2025).

11 Per the United States Environment Protection Agency, or EPA, a "heat island" occurs when developed areas, such as cities, are impacted by higher temperatures than nearby rural areas, or when certain areas within a city are impacted by higher temperatures. United States Environmental Protection Agency, What are Heat Islands, last updated on April 3, 2025, available at https://www.epa.gov/heatislands/what-are-heat-islands (accessed May 1, 2025).

12 U.S. Centers for Disease Control and Prevention, About Heat and Your Health, available at https://www.cdc.gov/niosh/heat-stress/about/index.html (accessed April 10, 2025).

fan can increase body temperature.[13] For that reason, uninterrupted access to electric and water utility service is vital for New York residents to be able to use air-conditioning and obtain clean drinking water during extreme heat events.[14] The Commission has also stated, "it is utilities' obligation to provide safe and adequate service … during periods of extreme heat."[15] Therefore, averting heat-related illnesses and fatalities is in the public interest, and can be accomplished by establishing uniform extreme heat protections, and enhancing proactive measures to limit the impact of extreme heat.

Home Energy Fair Practices Act

New York State established the Home Energy Fair Practices Act (HEFPA) in 1981 to provide residential energy customers, such as those obtaining service from electric or gas utilities, with certain protections related to utility services. HEFPA regulates the Utilities' practices, procedures, and protections related to the application for services, customer billing, customer payments, terminations, medical protections, and complaint procedures. HEFPA prohibits terminating any account without giving at least 15 days' notice to the customer, either in writing or in person, unless specified criteria are met, and establishes a cold-weather period from November 1 to April 15, annually during which utilities' must meet enhanced customer notice requirements to safeguard customers against the termination of heat-related service during the winter months. However, HEFPA does not specifically address customer termination protections during periods of extreme heat, which, as discussed within this Staff Report, are becoming increasingly more common throughout the State.

Statewide Extreme Heat Initiatives

In the 2022 State of the State message, Governor Kathy Hochul directed multiple State agencies to form a working group that would develop an extreme heat action plan through interagency investments with the goal of mitigating community climate impacts and prioritizing

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[13] U.S. Centers for Disease Control and Prevention, About Heat and Your Health, available at https://www.cdc.gov/heat-health/about/index.html (accessed April 10, 2025).

[14] Initiating Order, p. 5.

[15] Initiating Order, p. 5.

assistance to disadvantaged communities that were extremely susceptible to heat vulnerability.[16] A group of New York state agencies, including the Department of Public Service, created the Extreme Heat Action Plan Working Group (EHAP Working Group).

The EHAP Working Group developed and submitted an Interim Recommendation Report on May 2, 2022.[17] This Interim Recommendation Report found that extreme heat does not affect all New Yorkers and communities with the same severity, and overall heat-related fatalities correlate with "poor housing conditions, poverty, impervious land cover, high land-surface temperatures, and lower access to air conditioning."[18] As a result the EHAP Working Group issued several recommendations aimed at reducing the impact of extreme heat on New York residents. The Interim Recommendation Report tasked the Department of Public Service with developing standard utility heat provisions.[19] The Commission established this proceeding to address this recommendation and lay the foundation for standardized procedures at the Utilities.

The "Extreme Heat in New York State: Summary Impacts and Vulnerabilities Report" (Summary Report) was subsequently filed and emphasized the effects of extreme heat on public health, especially in urban areas. The Summary Report concluded "[e]xtreme heat will increase the demand on water supply and infrastructure" and detailed the need for increased water availability during extreme heat events.[20]

The EHAP Working Group published a report, "Extreme Heat Action Plan: Adaptation Agenda for 2024-2030" (Action Plan) in June 2024,[21] that adopts a roadmap for New

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16 Governor Kathy Hochul's 2022 State of the State Address, (January 6, 2022), pp. 163-164, available at https://www.governor.ny.gov/sites/default/files/2022-01/2022StateoftheStateBook.pdf.

17 New York State Department of Environmental Conservation (DEC) and New York State Energy Research and Development Authority (NYSERDA), Interim Recommendations: Preparing for Extreme Heat (2022), available at https://extapps.dec.ny.gov/docs/administration_pdf/ehapinterimrecommendationsreport.pdf.

18 Id., p. 6.

19 Id., p. 18.

20 Id., pp. 21.

21 New York State. 2024. *Extreme Heat Action Plan: Adaptation Agenda for 2024–2030.* Available at https://dec.ny.gov/environmental-protection/climate-change/effects-impacts/extreme-heat.

York agencies to "equitably address extreme heat and its impacts, reduce vulnerability, and build community capacity."[22] The Action Plan prioritizes access to cooling based upon the finding that regions throughout the State that already experience extreme heat events will see increases in the "severity, frequency, and duration" of such events by 2050.[23]

The Action Plan prescribes several steps for State agencies to address the impacts of extreme heat. As part of Action Track 3: Built Environment, the Action Plan charges the Department of Public Service with exploring, "options for strengthening consumer protections during heat waves." Several actions described within the Action Plan will take several years to complete, however, this proceeding aims at improving and enhancing uniform protections for New York customers during extreme heat events.

In addition, the Department of Public Service is a supporting agency on three measures in Action Track 3 led by Homes and Community Renewal (HCR). These three actions include: (1) coordinating thermal resilience, weatherization, and decarbonization for residential buildings across state programs; (2) incorporating cooling-related cost shift protections; and (3) supporting the installation of renewable energy sources in public housing, shelters, group homes, and living facilities. These actions involve incorporating measures and strategies to address extreme heat in buildings that are dependent on energy efficiency and clean energy solutions. Currently, ratepayer-funded programs like the New York State Affordable Multifamily Energy Efficiency Program and Empower, both offered by New York State Energy Research and Development Authority (NYSERDA), provide incentives for residential decarbonization and weatherization efforts, as the relationship between housing and energy present a need for interagency collaboration. Staff will continue to work with lead agencies through the EHAP Working Group to develop strategies that align with Commission objectives and increase impact of ratepayer funds, where possible.

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[22] Id., p. 10.

[23] New York State. 2024. *Extreme Heat Action Plan: Adaptation Agenda for 2024–2030*, p. 16, available at: https://dec.ny.gov/environmental-protection/climate-change/effects-impacts/extreme-heat.

Historical Extreme Heat in New York

According to the National Oceanic and Atmospheric Administration (NOAA), 2024 was "the planet's warmest year on record."[24] Figure 1, below, is a world map with color blocks that show the global average land and ocean temperatures for 2024, with dark red blocks showing record-warmest areas.[25]

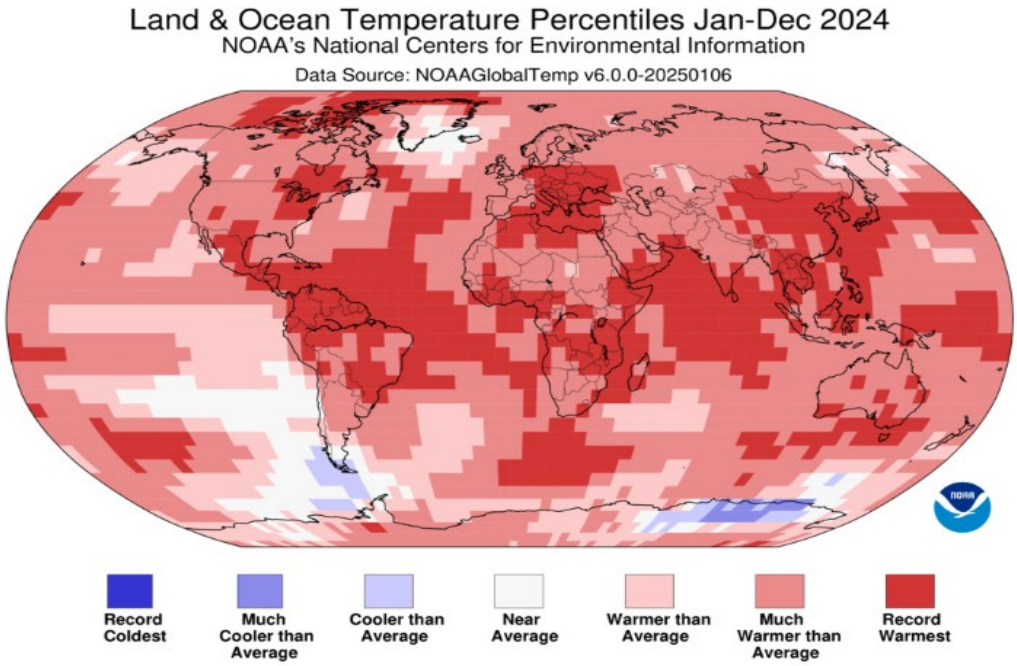

Figure 1 – Global Heat Map

As shown in Figure 2, below, New York has also experienced record heat temperatures throughout 2024 and was one of 17 states that had their warmest year on record.[26] This is a grave cause for concern, because, according to NOAA, extreme heat, particularly heat

[24] National Oceanic and Atmospheric Administration, "2024 was the world's warmest year on record," last updated January 10, 2025, available at https://www.noaa.gov/news/2024-was-worlds-warmest-year-on-record (accessed April 11, 2025).

[25] Id.

[26] National Oceanic and Atmospheric Administration, "2024 was the world's warmest year on record," last updated January 10, 2025, available at https://www.noaa.gov/news/2024-was-worlds-warmest-year-on-record (accessed April 11, 2025); National Centers for Environmental Information, Climate Monitoring: U.S. Maps, available at https://www.ncei.noaa.gov/access/monitoring/us-maps/ (accessed January 7, 2025).

waves, kill more people than other weather events such as tornadoes, hurricanes, and floods combined.[27] In addition, according to the New York State Climate Impacts Assessment, "[e]xtreme heat poses risks to people's health, as well as wildlife, infrastructure, and the economy. Extreme heat is especially dangerous when it lasts for several days. In the United States, extreme heat causes more deaths than any other type of extreme weather. Heat waves affect all New Yorkers, but especially low-income households with less access to air conditioning, outdoor workers, older adults, children, unhoused people, and people with medical conditions."[28]

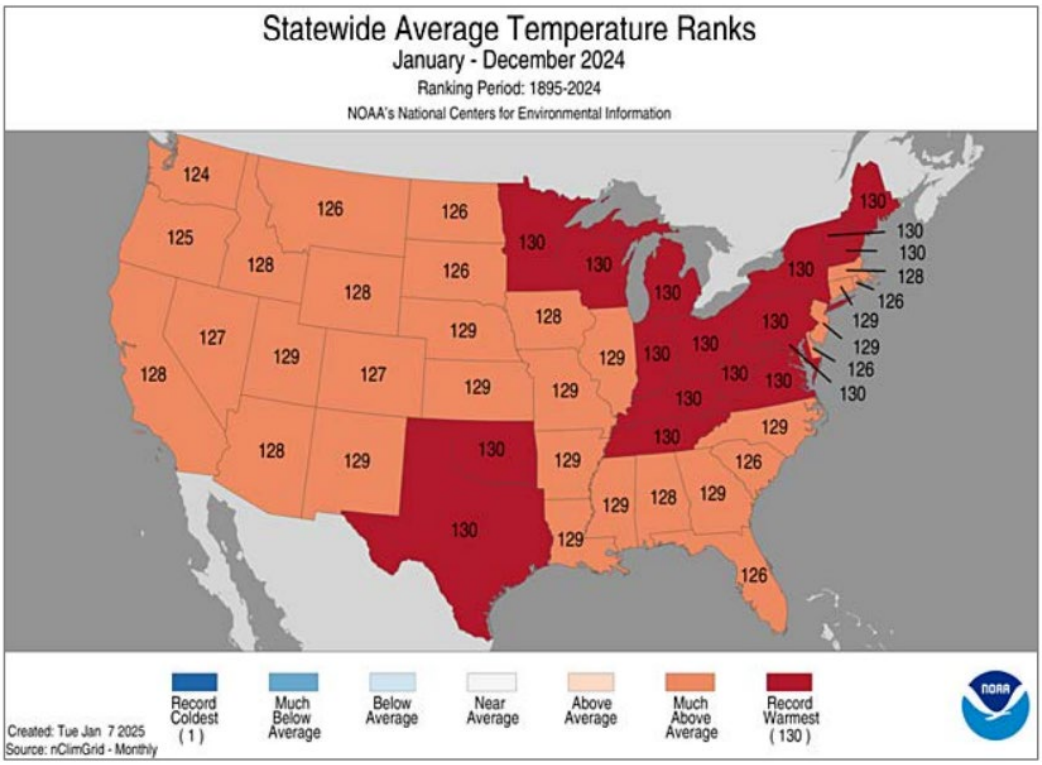

Figure 2 – Map of Record Average Temperature Rankings

[27] National Oceanic and Atmospheric Administration, "Heat Index," last updated September 20, 2023, available at https://www.noaa.gov/jetstream/synoptic/heat-index (accessed April 11, 2025).

[28] New York State Climate Impacts Assessment, Temperature, available at https://nysclimateimpacts.org/explore-the-assessment/new-york-states-changing-climate/nysc-temperature/ (accessed on May 8, 2025).

Staff performed an analysis of the number of days that temperatures in various cities around New York State reached or exceeded 90 degrees from 1994 to 2024. In 2024, Albany had 13 days in which the temperature was above 90 degrees,[29] while Syracuse experienced 20 days over 90 degrees[30] and New York City saw 21 days where the temperature was at or in excess of 90 degrees.[31] Figure 3, below, shows the average number of days over 90 degrees for several cities across New York in each of the preceding 10-year periods. This demonstrates that multiple cities in New York have experienced an increased frequency in the number of days the temperature exceeded 90 degrees between 1994 and 2024, with a higher increase in the last 10 years, from 2014 to 2024.

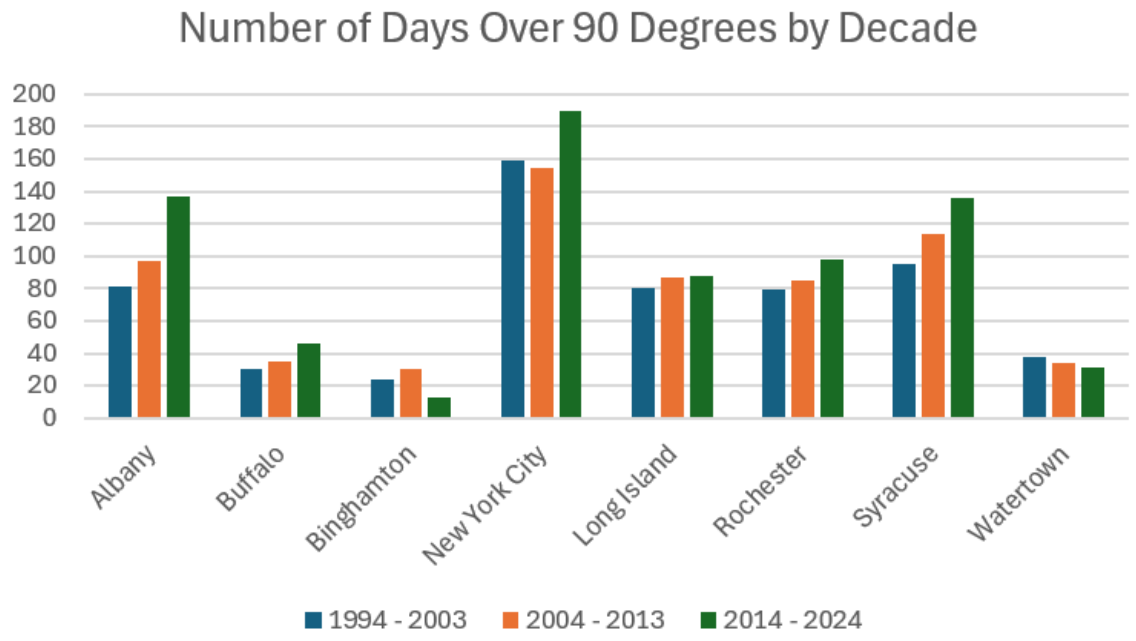

Figure 3 – Historical Days Exceeding 90 Degrees for Cities in New York

[29] National Weather Service, 90+ Degree Days Albany, New York, last updated January 2025, available at https://www.weather.gov/media/aly/Climate/90DegreeDays.pdf (accessed April 10, 2025).

[30] Extreme Weather Watch, Number of Days 90 F in Syracuse by Year, available at https://www.extremeweatherwatch.com/cities/syracuse/yearly-days-of-90-degrees (accessed May 1, 2025).

[31] National Weather Service, 90 Degree Day Information at Central Park (1869 to Present), last updated January 22, 2025, available at https://www.weather.gov/media/okx/Climate/CentralPark/90DegreeDays.pdf (accessed May 1, 2025).

Figure 4, below, depicts the average number of days exceeding 90 degrees between 1981 and 2010 in different New York cities, and projects that the number of days in excess of 90 degrees will increase significantly over approximately the next 25 to 50 years.[32]

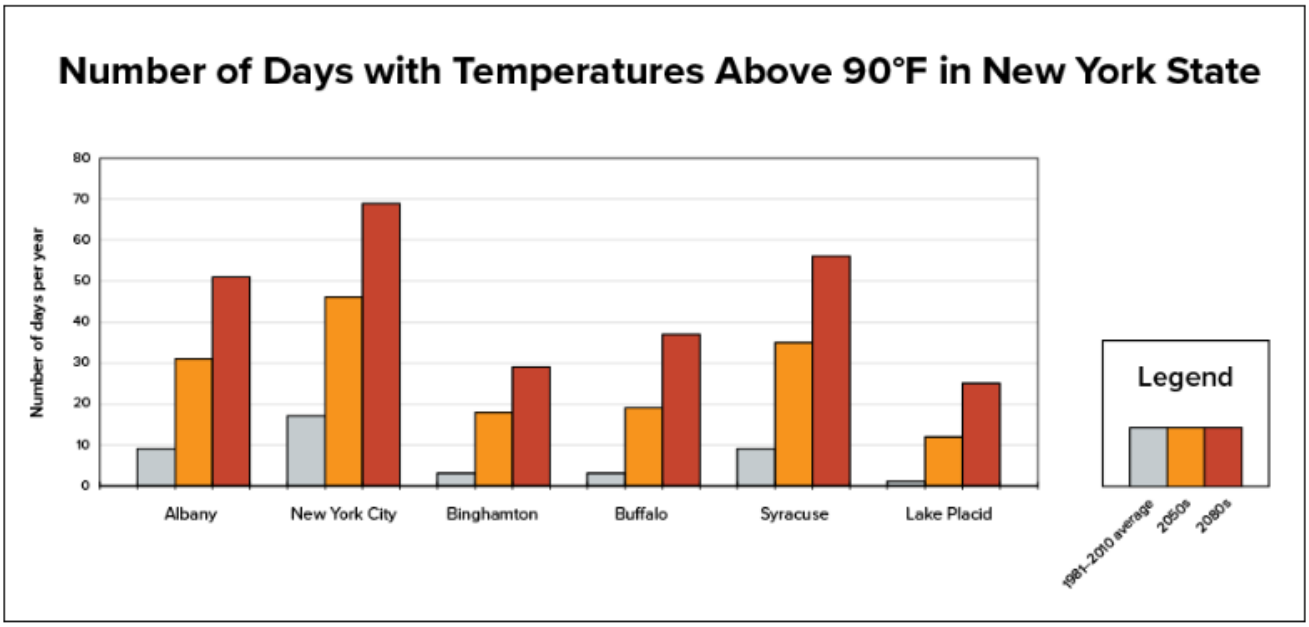

Figure 4 – Historical Average and Forecasted Number of Days Exceeding 90 Degrees in New York

Figure 5, below, is a chart from the New York State Department of Health chart that shows that in 2017 through 2019, there is a direct correlation between increased average temperatures across New York state during the summer months and heat-related emergency department visits.[33] The costs to an individual for an emergency room visit and/or

[32] New York State Climate Impacts Assessment, Temperature, available at https://nysclimateimpacts.org/explore-the-assessment/new-york-states-changing-climate/nysc-temperature/ (accessed on May 8, 2025).

[33] New York State Department of Health, Heat Stress, revised May 2025, available at https://apps.health.ny.gov/statistics/environmental/public_health_tracking/tracker/index.html#/hsMonthandYear (accessed May 1, 2025).

hospitalization due to a heat-related illness was between $757 and $14,900.[34] Additionally, heat-related illnesses or illnesses exacerbated by extreme heat cost the nation $997,967,999 in 2020.[35] These high healthcare costs can be reduced by temporarily suspending electric and water service terminations during extreme heat events, ensuring customers could utilize fans, air conditioners, and cool drinking water during times of high temperatures.

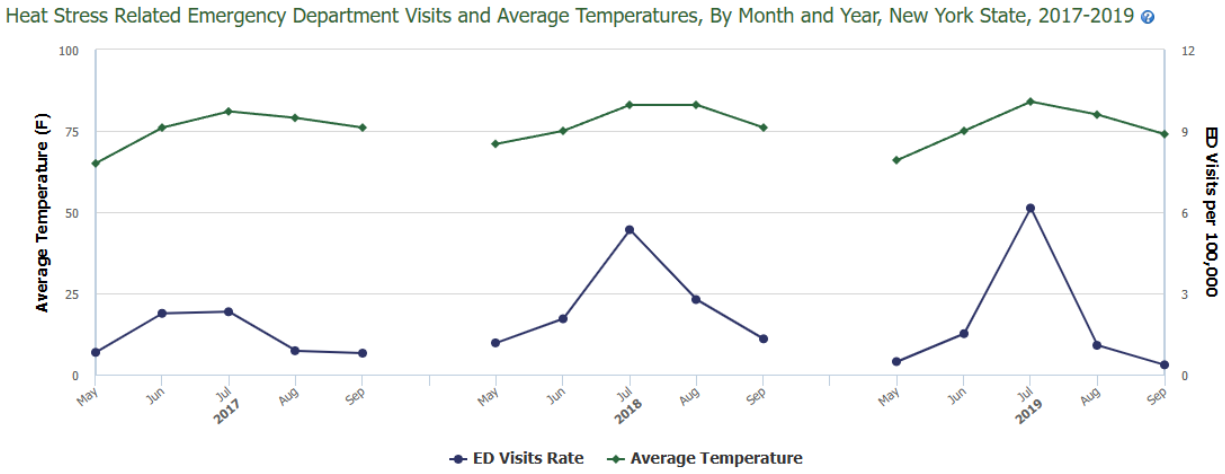

Figure 5 – Comparison of Hospital Emergency Department Visits with Average Daily Temperatures in New York State from 2017 to 2019

Given these trends, Staff remains concerned that the number of extreme heat events could increase. As these events may result in harms and costs, such as more visits to hospital emergency departments, as demonstrated in Figure 5, above, Staff recommends the Commission adopt the recommendations contained within this report for consistent protections for residential utility customers across the State to address this growing concern and protect the health and safety of New York residents.

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[34] The Center for American Progress, The Health Care Costs of Extreme Heat, released June 27, 2023, available at: https://www.americanprogress.org/article/the-health-care-costs-of-extreme-heat/ (accessed on May 15, 2025).

[35] The Center for American Progress, The Health Care Costs of Extreme Heat, released June 27, 2023, available at: https://www.americanprogress.org/article/the-health-care-costs-of-extreme-heat/ (accessed on May 15, 2025).

Federal Government Initiatives

In 2024, the White House released a report, Extreme Heat Call to Action, which encouraged participating states and various governmental organizations to provide support for "[u]pdating policies, programs, and laws to account for extreme heat … [and] ensuring access to water during heat events."[36] Currently, 19 states prohibit the termination of utility service to customers during extreme heat events.[37]

In July 2024, the National Integrated Heat Health Information System and Extreme Heat Interagency Working Group Principals, submitted the 2024-2030 National Heat Strategy (Strategy) , which included the United States Department of Health and Human Services, the Centers for Disease Control and Prevention, NOAA, and the Federal Emergency Management Agency. The goal of the Strategy was to lessen the impacts of extreme heat and improve outreach of heat-related risks, while developing solutions to improve "capacity, communications, and decision-making to ensure a thriving, heat-resilient nation."[38]

Extreme Heat Protections for Utility Service in Other States

At the time of this report, 19 states and the District of Columbia have extreme heat protections, policies, and/or regulations. States that have extreme heat protections with climates similar to New York's, such as those in the Northeastern quadrant of the United States, include Delaware, the District of Columbia, Maryland, New Jersey, Rhode Island, and Virginia. As relevant to Staff's recommendations, some have protections for just electric service, while others also protect water service during extreme heat events.

The State of Delaware's utility heat protections became effective on January 1, 2004. The Delaware Public Service Commission's regulations establish a "cooling period" of

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[36] The White House National Archives, Extreme Heat Call to Action: A Partnership to Achieve a Heat-Resilient Nation (2024), pp. 3-4, available at https://bidenwhitehouse.archives.gov/wp-content/uploads/2024/09/2024-09-12-Heat-Call-to-Action-Explainer.pdf, (accessed April 10, 2025).

[37] See Summer Shutoff Protections and Bill Support Fail to Adapt to a Warming World, National Energy Assistance Directors Association, (July 2024), available at https://energyprograms.org/wp-content/uploads/2024/07/shutoffprotections.pdf.

[38] 2024-2030 National Heat Strategy. July 2024. National Integrated Heat Health Information System and Interagency Working Group on Extreme Heat.

June 1, through September 30, during which an electric or natural gas utility will pause service terminations if the heat index equals or exceeds 105 degrees.[39]

The District of Columbia amended its Consumer Protections Act of 1999, through the Extreme Temperature Safety Amendment Act of 2015, to prohibit the disconnection of service during extreme temperatures.[40] This amendment defines extreme temperatures as when the NOAA's National Weather Service forecasts the temperature in the District of Columbia to be equal to or exceed 95 degrees at any time of the day. If the National Weather Service forecasts an extreme temperature for the day, the District of Columbia prohibits gas and electric utilities from disconnecting a residential customer the day before and day of the forecasted extreme temperature event.[41]

Maryland established electric and gas utility termination restrictions that prevent service disconnection during extreme weather periods or if the temperature is forecasted to be at least 95 degrees in a customer's area.[42] Maryland's definition of an extreme weather period is the "72 hours beginning at 6 a.m. on any given day comprised of three consecutive 24-hour segments during any one of which the temperature, as forecast,…is expected to be 95 degrees Fahrenheit or above."[43]

Rhode Island Public Utilities Commission established regulations on December 19, 2006, which went into effect on February 1, 2007, to prevent electric, gas, and water utilities from terminating service to residential customers due to the non-payment of bills during extreme heat events and prescribed the criteria to halt terminations during the summer.[44] These summertime protections would prevent the public utilities from terminating residential customers on days where the National Weather Service issues a Heat Advisory or Excessive Heat Warning for the state of Rhode Island.[45]

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39 26 Code Del Regs 3002-6.0.

40 DC Code Ann § 34-1506.01.

41 Id.

42 Md Code Regs 20.31.03.04.

43 Md Code Regs 20.31.01.02(9).

44 810 RI Code R 10-00-1.17

45 Id.

Similarly, New Jersey's Board of Public Utilities recently updated its protections to state all residential customers' electric, gas, water, and wastewater service will not be disconnected when there is a forecast high temperature of 90 degrees or greater during any period following the 48 hours after a disconnection would have occurred.[46] This prohibits termination of customers for reasons that include: nonpayment, failing to pay a security deposit or guarantee in cash, or failing to comply with a deferred payment agreement (DPA).[47]

In 2024, the State of Virginia amended the Code of Virginia by establishing protections preventing electric and water utilities from disconnecting consumers prior to extreme heat events.[48] Virginia states that an electric, wastewater, or water utility may not disconnect service if the temperature is forecasted to reach 92 degrees within the 24 hours following a residential customer's scheduled disconnection. In addition, the statue requires each utility to refer to the forecasted local temperature provided by the National Weather Service where the customer to be disconnected is located.[49]

Washington State, in 2023, amended its state Revised Code to protect electric and water utility customers from service disconnection due to non-payment during times of extreme heat.[50] The law now prohibits electric or water utilities from disconnecting customers due to a lack of payment on any day where the National Weather Service has or will issue a heat-related alert for the customer's location.[51] Additionally, a residential customer whose utility service was disconnected for lack of payment may request that the utility reconnect service on any day for which the national weather service has issued or has announced that it intends to issue a heat-related alert.[52]

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46 NJ Admin Code 14:3-3A.2(e)3.

47 Id.

48 Va Code Ann § 56-245.1:3.

49 Id.

50 Wash Rev Code Ann. 80.28.010; 2023 Wash. Legis. Serv. Ch. 105.

51 Wash Rev Code Ann. 80.28.010(8)(a).

52 Wash Rev Code Ann. 80.28.010(9). In these situations the utility shall promptly make a reasonable attempt to reconnect service but may require the residential user to enter into a payment plan prior to reconnecting service.

A bill was recently introduced to the Florida Senate that would establish protections for residential water utility customers during extreme heat events.[53] This bill would prevent water utilities from disconnecting a customer's service if the heat index is at or in excess of 90 degrees within 48 hours after the scheduled termination.[54] Additionally, the utility would be required to waive reconnection fees and late fees for residential customers attempting reconnection of service following a disconnection due to the non-payment of bills if the heat index is at or in excess of 90 degrees on the day of the termination.[55] The utilities would obtain the forecasted information from the National Weather Service for the customer's location. As of the date of this Staff Report, the Florida state Senate has not passed this bill. While New York will likely not have the same number of extreme heat days as Florida,[56] New York still has the potential for heat waves that may result in increased risk to customers.

EXISTING UTILITY PROTECTIONS AND PRACTICES

The Commission's Instituting Order provided an overview of the electric utilities' current residential customer protections during extreme heat events.[57] Over the past six years, Staff has worked with the major electric utilities and intervening parties within individual rate case proceedings to establish and enhance customer protections during extreme heat events. Rate plans for all the major electric utilities now include language, adopted by the Commission, which prohibits the termination of electric service for the incomplete or non-payment of bills during extreme heat events. Consequently, some New York utilities have established protections and procedures similar to many of the nearby states detailed above, such as: utilizing the National Weather Service for forecasting temperatures; halting terminations the day of as well as the days surrounding potential extreme heat events; and establishing similar temperature

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53 Florida Senate Bill 330, available at https://www.flsenate.gov/Session/Bill/2025/330 (accessed May 1, 2025).

54 Id.

55 Id.

56 See Extreme Weather Watch, Number of Days of 90°F in Orlando by Year, available at https://www.extremeweatherwatch.com/cities/orlando/yearly-days-of-90-degrees (accessed April 10, 2025) (noting that Florida had 142 days in 2024 above 90 degrees).

57 Initiating Order, pp. 8-10.

thresholds that trigger halting service terminations. However, other states' protections differ in quality and scope, such as Rhode Island, where, due to the state's small size, the entire state halts terminations.[58]

While New York's current customer protections may be robust and detailed depending on the utility, there is a lack of standardization. This differentiation in procedure resulted from their development in individual rate cases over time and from various settlement positions in specific utility rate proceedings. Additionally, the large New York water utilities do not have extreme heat protections in place.

The following section details the utilities' current extreme heat protections for residential customers. **Appendix B** summarizes these protections and illustrates the differences in protections across the applicable utilities. Staff notes that in various rate proceedings, parties have sought heightened protections, such as lower temperature thresholds above which the utilities would not terminate customers for non-payment.[59] As noted above, current protections adopted by the Commission have resulted from the give and take of negotiations that resulted in joint proposals.

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[58] Given the increased land area size and large customer population in New York when compared to Rhode Island, as well as the vast differences in the applicable utilities' service territories' geographies and weather patterns, it would not be feasible let alone reasonable to halt terminations for the entirety of New York state.

[59] See, e.g., Cases 23-E-0418 and 23-E-0419, Central Hudson Gas & Electric Corporation – Electric and Gas Rates, Direct Testimony of William D. Yates, CPA, for the Public Utility Law Project of New York, Inc. (filed November 21, 2023), p. 72 (recommended reducing a temperature threshold to 85 degrees and expanding the number of days terminations are halted); Cases 22-E-0317, et al., New York State Electric & Gas Corporation and Rochester Gas & Electric Corporation – Electric and Gas Rates, Testimony of William D. Yates, CPA (September 26, 2022), pp. 66-68 (proposed reducing the temperature threshold and establishing additional protections for heat islands); and, Cases 24-E-0060 and 24-G-0061, Orange and Rockland Utilities, Inc. – Electric and Gas Rates, Order Adopting Terms of Joint Proposal and Establishing Electric and Gas Rate Plans (issued March 30, 2025), pp. 56-58 (Noting that PULP opposed adoption of a joint proposal and instead proposed reducing the threshold to a heat index of 90 degrees and extending the period during which terminations would be halted).

Central Hudson

In 2021, the Commission's rate order for Central Hudson adopted protections consisting of suspending terminations when the National Weather Service forecasts heat index temperatures of 93 degrees or higher, including on the calendar day before, or if the heat index reaches 93 degrees or higher on a singular day.[60] In its 2024 rate order for Central Hudson, the Commission continued these protections without modification.[61]

Con Edison

In 2023, the Commission approved a rate plan for Con Edison that adopted a heat index temperature threshold of 90 degrees.[62] Additionally, that rate plan required the Company to include language on its disconnection notices informing customers of its weather protections. Con Edison has language within its tariff that details these protections on the prohibition of terminations during extreme heat.[63]

National Grid

The Commission adopted a rate plan for National Grid in 2022 that preclude National Grid from terminating residential customers for non-payment in any specific region of its service territory if the National Weather Service declares a "heat advisory," which is defined

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60 Cases 20-E-0428, et al., Central Hudson – Electric and Gas Rates, Order Adopting Terms of Joint Proposal and Establishing Electric and Gas Rate Plan (issued November 18, 2021), Attachment 1 (Joint Proposal), p. 63.

61 Cases 23-E-0418 and 23-E-0419, Central Hudson Gas & Electric Corporation – Electric and Gas Rates, Order Establishing Rates for Electric and Gas Service (issued July 18, 2024), p. 93.

62 Cases 22-E-0064 and 22-E-0065, Consolidated Edison Company of New York, Inc. – Electric and Gas Rates, Order Adopting Terms of Joint Proposal and Establishing Electric and Gas Rate Plans with Additional Requirements (issued July 20, 2023), pp. 47-48.

63 Con Edison Tariff Leaf 117.1 (effective August 1, 2023).

as when the heat index is forecasted at 95 degrees for two or more consecutive days, and/or when the heat index is forecasted to be 100 degrees or more for at least one day.[64]

NYSEG and RG&E

The Commission adopted a rate plan for NYSEG and RG&E in 2023 that restricted NYSEG and RG&E from terminating customers for the non-payment of service in a geographic region on days when the temperature is forecasted by the National Weather Service at or above 85 degrees.[65] NYSEG and RG&E's tariffs establish special emergency procedures surrounding residential customer terminations and reconnections during extreme heat.[66] The tariff leaves detail the restrictions preventing the utilities from terminating customers due to the non-payment of bills in a geographic region on days when the temperature is forecasted by the National Weather Service to be at or exceed 85 degrees.[67]

Orange & Rockland

In its 2025 order setting rates for Orange and Rockland, the Commission required that Orange and Rockland halt terminations for residential customers due to the non-payment of bills, on days for which the heat index be forecasted to reach 93 degrees or higher and on the

[64] Cases 20-E-0380, et al., Niagara Mohawk Power Corporation d/b/a National Grid – Electric and Gas Rates, Order Adopting Terms of Joint Proposal, Establishing Rate Plans and Reporting Requirements (issued January 20, 2022), pp. 41-42; Attachment 1 (Joint Proposal), p. 101.

[65] Cases 22-E-0317, et al., New York State Electric & Gas Corporation and Rochester Gas & Electric Corporation – Electric and Gas Rates, Order Adopting Joint Proposal (issued and effective October 12, 2023), pp. 70-71; Attachment 1 (Joint Proposal), p. 36.

[66] NYSEG Tariff Leaf 69.2, Revision 8 (effective November 1, 2023).

[67] NYSEG Tariff Leaf 68, Revision 2 (effective November 1, 2023); RG&E Tariff Leaf 91, Revision 2 (effective November 1, 2023).

preceding day.[68] In that order, the Commission highlighted the efforts within this generic extreme heat proceeding, which aims to standardize utilities' extreme heat protections.[69]

PSEG LI

LIPA's tariff does not contain a provision pertaining to extreme heat, and PSEG LI is not required to provide any extreme heat related protections. However, PSEG LI does halt terminations when the National Weather Service forecasts the heat index to be at 95 degrees for two consecutive days, the forecasted temperature is 100 degrees or above, or when a "Heat Advisory" or "Excessive Heat Warning" has been issued.[70] PSEG LI has established an Extreme Weather webpage where customers can find extreme heat information, as well as details for establishing payment arrangements should customers' service be terminated prior to a heat event, as well as safety tips, and methods to save energy.[71]

Water Utilities

As noted in the Commission's Instituting Order,[72] there are currently no customer protections established for Liberty Water and Veolia Water. During the discovery process, both Liberty Water and Veolia Water stated that neither utility had documented processes or procedures regarding extreme heat. In its response to DPS-03, Liberty Water stated that it may pause terminations in the event of extreme cold weather events, widespread billing issues, on a day before the Public Service Commission is closed, or due to any circumstances outlined within 16 NYCRR Part 14. This demonstrates that the utility has the ability to halt terminations and

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68 Cases 24-E-0060 and 24-G-0061, supra, Order Adopting Terms of Joint Proposal and Establishing Electric and Gas Rate Plans (issued March 30, 2025), Attachment 1 (Joint Proposal), p. 59.

69 Cases 24-E-0060 and 24-G-0061, supra, Order Adopting Terms of Joint Proposal and Establishing Electric and Gas Rate Plans (issued March 30, 2025), pp. 56-58.

70 See PSEG LI's response to IR DPS-06.

71 Extreme Weather, PSEG Long Island, https://www.psegliny.com/safetyandreliability/stormsafety/extremeweather (accessed May 2, 2025).

72 Initiating Order, pp. 9-10.

setting protections to pause terminations due to extreme heat would not be an entirely new process that would unduly burden the utility.

STAFF RECOMMENDATIONS

To develop its recommendations, Staff held several technical meetings with the Utilities and interested stakeholders in the first quarter of 2025.[73] These collaborative discussions aided Staff in the development of potential areas of uniformity through informal feedback on utility process improvements to determine best practices for extreme heat utility customer protections across the State. Throughout this process, stakeholders also provided Staff with useful references to studies and data that are referenced in this report. Additionally, as part of the discovery process, Staff submitted a series of information requests to the Utilities, to gather information related to current practices and procedures. The responses to those requests referenced in this Staff Report are included within **Appendix D**.

Staff's recommendations span several areas, including refining the utilities' existing protections, adjusting the temperature or heat index threshold that would trigger specific protections, and establishing new protections for water customers. Staff recommends that these protections apply to all residential customers and accounts with residential end-users, e.g., accounts that serve two-family dwellings and multiple dwellings **(Staff Recommendation No.**

[73] Staff held three separate technical meetings with stakeholders and the Utilities on the following dates: Thursday, February 20, with representatives from Central Hudson, Con Edison, Liberty Water, National Grid, NYSEG, RG&E, Orange & Rockland, and Veolia); Friday, February 28, with representatives from New York State Department of State's Utility Intervention Unit, Public Utility Law Project, City of New York, New York City Department of Health, New York City Mayor's Office of Climate and Environmental Justice, American Association of Retired Persons, New York State Department of Health, WeAct for Environmental Justice, New York State Energy Research and Development Authority, and Natural Resources Defense Council; and Wednesday, March 26, with representatives from: Central Hudson, Con Edison, Liberty Water, National Grid, NYSEG, RG&E, Orange & Rockland, PSEG Long Island/Long Island Power Authority, Veolia, City of New York, New York City Department of Health, Public Utility Law Project, New York City Mayor's Office of Climate and Environmental Justice, WeAct for Environmental Justice, New York State Energy Research and Development Authority, American Association of Retired Persons, New York State Department of Health, Utility Intervention Unit, and Natural Resources Defense Council.

1).[74] These protections would apply, regardless of the utility customer's service classification. Additionally, Staff presents recommendations regarding outreach and customer communications, inclusion of extreme heat protections in the utilities' tariffs, and other implementation matters.[75]

Heat Index, Dew Point Temperature, Wet Bulb Temperature, or Temperature

When an individual gets hot, the body's response to cool down is sweating, which creates water particles on the skin, or perspiration, that evaporate into the air, cooling the body.[76] If the moisture content in the air is too high, it is more difficult for those water particles to evaporate because the air is already being saturated and cannot absorb as much water.[77] This in turn makes an individual's natural cooling process less effective, keeping them feeling warm despite the actual ambient temperature. As explained herein, Staff's concern is that the consideration of temperature alone is not sufficient to adequately protect the public health, as New York State's climate conditions, particularly humidity, impacts residents' ability to self-regulate their internal temperatures.

In developing these recommendations, Staff reviewed numerous datasets from NOAA that provided the daily average relative humidity for several major New York State metropolitan areas. Staff's analysis, which is depicted in Figure 6, shows a range of the relative humidity levels for the summer months for the years 2019 through 2024. This data demonstrates that across New York, humidity levels in the summertime are in the higher range,[78] and thus must be taken into account when assessing daily temperatures.[79]

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74 PSL §§33 and 34 impose specific protections from disconnection for non-payment of "two-family dwellings" and "multiple dwellings."

75 For example, some utilities may include the majority of residential customers in a single service classification, while providing service to some residential customers, such as those with time-of-use rates, through another service classification.

76 National Weather Service, What is Heat Index?, available at https://www.weather.gov/ama/heatindex (accessed April 10, 2025).

77 National Weather Service, What is Heat Index?, available at https://www.weather.gov/ama/heatindex (accessed April 10, 2025).

78 National Weather Service, Dew Point vs Humidity, available at https://www.weather.gov/arx/why_dewpoint_vs_humidity (accessed April 28, 2025).

79 National Weather Service, What is the Heat Index, available at https://www.weather.gov/ama/heatindex (accessed April 28, 2025).

City	June	July	August	September
Albany	59% - 73%	60% - 86%	67% - 83%	68% - 83%
Binghamton	68% - 71%	67% - 81%	71% - 81%	73% - 82%
Buffalo	63% - 67%	64% - 75%	63% - 73%	65% - 75%
Long Island (Islip)	70% - 77%	72% - 80%	71% - 79%	70% - 79%
New York City (Central Park)	61% - 65%	60% - 72%	61% - 70%	63% - 71%
Rochester	62% - 69%	64% - 77%	66% - 76%	72% - 79%
Syracuse	61% - 66%	60% - 70%	67% - 73%	67% - 77%
Watertown	67% - 75%	68% - 78%	71% - 79%	72% - 80%

Figure 6 – New York State Major Cities' Average Relative Humidity (2019-2024)

Staff considered several methods for ascertaining the outdoor temperature threshold, such as determining the dew point temperature, incorporating relative humidity for heat index, and calculating the wet bulb globe temperature. Ultimately, Staff decided to utilize a regionally based heat index threshold, as it incorporates the variances in humidity across New York utilities' service territories. In addition, a majority of the electric utilities already use the heat index for their existing protections, so a standardized heat index threshold should be relatively easy for the Utilities to implement.

While Staff also considered using dew point temperature as a threshold, ultimately, this would provide an inapt threshold. Dew point is the temperature that "air needs to be cooled to (at constant pressure) in order to achieve relative humidity of 100%," or to be fully saturated.[80] A higher dew point temperature is when there is a greater amount of moisture in the

[80] National Weather Service, Dew Point vs. Humidity, available at https://www.weather.gov/arx/why_dewpoint_vs_humidity (accessed April 29, 2025); Relative humidity is a function of both moisture content and temperature that represents the ratio of the amount of atmospheric moisture present relative to the amount that would be present if the air were saturated.

air which correlates to how comfortable a person will feel outside. Generally, a higher dew point is less comfortable because there is more moisture in the air and sweat cannot evaporate off of an individual's body, particularly in the summer months when the dew point is over 55 percent.[81] While dew point is straight forward to calculate and is available from a variety of weather sources, dew point alone is not correlated to the risk of adverse health impacts. For example, a 60-degree day with high humidity would not pose an extreme heat risk but would have a higher dew point than a 100-degree day at low humidity, which does pose an extreme heat risk. Other weather data would be needed to determine when dew point conditions pose a sufficient risk to the public for utilities to terminate service.

Staff also considered wet bulb globe temperature (WBGT) as criteria for its recommendations after discussions with stakeholders; however a WBGT threshold would be more complex and difficult to implement than a heat index threshold. WBGT estimates the effect of temperature, relative humidity, wind speed, and solar radiation by using a combination of temperatures from three thermometers to indicate the heat stress a human body will experience when in direct sunlight.[82] Wet bulb temperature is the temperature of a wet thermometer experiencing evaporative cooling under ambient conditions. If the wet bulb temperature and dry bulb temperature are the same, then there is 100% relative humidity.[83] Although wet bulb globe temperature could be used to show how effective an individual's natural cooling processes would be, it is an experimental forecasting method using a combination of temperatures from three thermometers and can be difficult to calculate.[84] The following formula is used to calculate WBGT:

WBGT = 10% of the air temperature + 70% of the natural Wet Bulb Temperature + 20% of the Black Globe Temperature

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81 See National Weather Service, Dew Point vs. Humidity, available at https://www.weather.gov/arx/why_dewpoint_vs_humidity (accessed April 29, 2025).

82 National Weather Service, Wet Bulb Globe Temperature: How and When to Use It, available at https://www.weather.gov/news/211009-WBGT (accessed April 29, 2025).

83 National Weather Service, Wet Bulb Globe Temperature: How and When to Use It, available at https://www.weather.gov/news/211009-WBGT (accessed April 29, 2025).

84 National Weather Service, Wet Bulb Globe Temperature: How and When to Use It, available at https://www.weather.gov/news/211009-WBGT (accessed April 29, 2025).

The use of WBGT was developed by the United States military in the 1950s to help with the prevention of heat-related deaths in training camps.[85] The NWS suggests that wet bulb globe temperature is most useful for active, acclimatized people such as outdoor workers, athletes, and anyone else performing strenuous outdoor activities,[86] not necessarily the general public or more vulnerable populations. While WBGT is an accurate way to determine temperature variables, such as wind and humidity, these factors can vary greatly across small distances, which will make this method of measurement more difficult for larger regions,[87] such as regions within the Utilities' service territories. Given the hyperlocal nature of this measurement, in Staff's opinion, this method may not accurately reflect the weather conditions in larger regions of the utilities' service territories.

As noted previously, Staff recommends a threshold based on the heat index, which is "the apparent temperature" or "what the temperature feels like to the human body when relative humidity is combined with the air temperature."[88] Heat index information is readily available from most weather data sources. NOAA published the chart in Figure 7 below to show how heat index is calculated using relative humidity and temperature.[89] As depicted below, the heat index directly correlates to adverse health impacts on individuals. For example, if the outdoor temperature is 86 degrees, but the relative humidity is 90 percent, then it "feels like," or the heat index is, 105 degrees. At such a high heat index, individuals are in danger of heat exhaustion and potential heat stroke with continued exposure even without physical activity.

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85 Ashley Ward and Jordan Clark, Duke: Nicholas Institute for Energy, Environment, & Sustainability, What is Wet Bulb Globe Temperature (WBGT)?, available at https://nicholasinstitute.duke.edu/project/heat-policy-innovation-hub/what-is-wet-bulb-globe-temperature-wbgt (accessed April 29, 2025).

86 National Weather Service, Wet Bulb Globe Temperature: How and When to Use It, available at https://www.weather.gov/news/211009-WBGT (accessed May 13, 2025).

87 Ashley Ward and Jordan Clark, Duke: Nicholas Institute for Energy, Environment, & Sustainability, What is Wet Bulb Globe Temperature (WBGT), available at https://nicholasinstitute.duke.edu/project/heat-policy-innovation-hub/what-is-wet-bulb-globe-temperature-wbgt (accessed April 29, 2025).

88 National Weather Service, What is the heat index?, available at https://www.weather.gov/ama/heatindex (accessed April 11, 2025).

89 National Weather Service, What is the heat index?, available at https://www.weather.gov/ama/heatindex (accessed April 11, 2025).

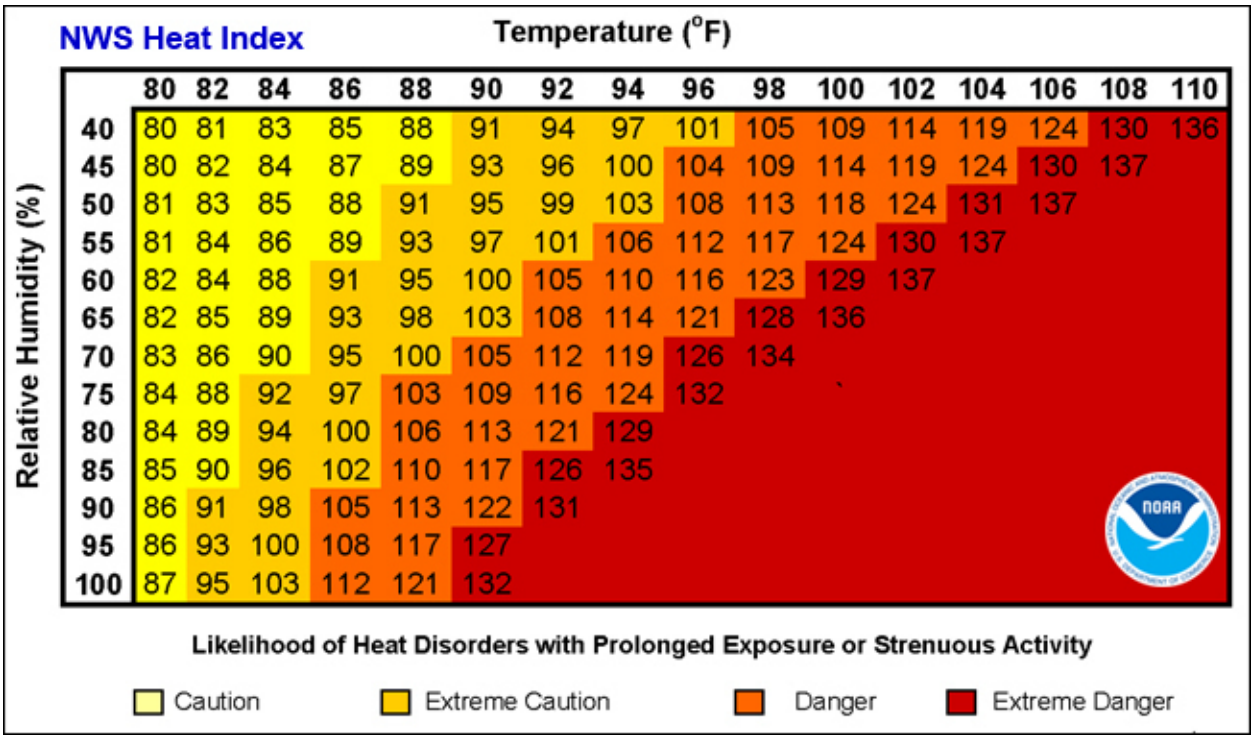

Figure 7 – Chart of Heat Index

Therefore, given that humidity can exacerbate health impacts, several New York cities have a relatively high humidity during the summer months, as shown in Figure 6 above, and utility procedures already utilize heat indexes, Staff recommends the Utilities use the heat index when determining whether to pause residential service terminations during extreme heat events **(Staff Recommendation No. 2)**.

Additionally, Staff recognizes that the precise effects of outdoor temperatures or heat index on indoor environments can be complicated to predict, as "temperature and humidity vary significantly across homes, despite similar outdoor conditions."[90] However, the outdoor heat index provides a readily available and objective standard that will enable the Utilities to implement extreme heat protections consistently across New York. Accordingly, Staff

[90] Quinn, A., Tamerius, J. D., Perzanowski, M., Jacobson, J. S., Goldstein, I., Acosta, L., & Shaman, J. (2014). Predicting indoor heat exposure risk during extreme heat events. *The Science of the total environment*, 490, 686–693, available at https://doi.org/10.1016/j.scitotenv.2014.05.039.

recommends the Commission require the Utilities to rely on the outdoor heat index as the threshold for establishing an extreme heat event **(Staff Recommendation No. 2)**.

Heat Index Threshold for Halting Terminations

Staff took a multi-pronged approach in the development of its recommendation for a standardized heat index threshold for pausing service terminations. Staff evaluated the health impacts on individuals of varying temperature and heat index thresholds, as well as the potential effects on customer arrears balances associated with the suspension of service terminations. The lower the threshold, the greater the number of potential days a utility would suspend service terminations, however the higher the threshold, the greater the impacts on individuals before the protections would be available. As explained below, Staff recommends the Commission establish a single heat index threshold for all the Utilities. Staff further recommends the Commission require the Utilities to halt terminations when the forecast predicts, or the actual heat index reaches or exceeds 90 degrees **(Staff Recommendation No. 2)**.

According to the New York State Climate Impacts Assessment, "Higher heat indexes — and more days with high heat indexes — lead to more risks to human health from heat, such as heat exhaustion or heat stroke."[91] Figure 7, above, illustrates four categories of caution or danger that NOAA recommends individuals should observe during varying levels of outdoor humidity and temperature, which make up the heat index.[92] The first yellow-shaded area, NOAA cautions the public to avoid outside temperatures and/or physical exertion when the heat index is between 80 and 90 degrees as it may result in fatigue. The second light orange area, "Extreme Caution," is a result of the heat index rising between 90 and 103 degrees. In these temperature and levels of humidity, continued exposure and/or physical activity may result in individuals experiencing sunstroke, muscle cramps, and/or heat exhaustion. As the heat index continues to climb to the third area, "Danger," between 103 and 124 degrees, the potential for

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91 New York State Climate Impacts Assessment, Temperature, available at https://nysclimateimpacts.org/explore-the-assessment/new-york-states-changing-climate/nysc-temperature/#:~:text=Historical%20observations:%20Typical%20ranges%20of,year%20over%2095%C2%B0F (accessed on May 8, 2025).

92 National Weather Service, What is the heat index?, available at https://www.weather.gov/ama/heatindex (accessed April 11, 2025).

heat-related disorders, such as sunstroke, muscle cramps, heat exhaustion, and heatstroke, are more than likely. Finally, in the "Extreme Danger" category, when the heat index is 125 degrees or higher, heat stroke or sunstroke are highly likely, and the potential risk of death increases. Given the potential severity of the impacts on New York residents' health when the heat index is above 90 degrees and above, Staff recommends the Commission require the Utilities to use a heat index of 90 degrees as the threshold to pause residential service terminations, so New York residents have access to electric service for cooling and water service for drinking water.

Throughout Staff's research, no Northeastern state uses a heat index threshold below 90 degrees to halt terminations due to the non-payment of utility bills. Upon review of each of New York's applicable electric utility's respective extreme heat protections, Staff found the thresholds varied between a straight temperature of 85 degrees and a heat index of 95 degrees. Currently, two utilities, NYSEG and RG&E, pause disconnections when the temperature reaches 85 degrees without consideration of humidity levels or heat index, which is the lowest straight temperature threshold established within the Northeastern United States. As Staff's recommendation is based on a heat index of 90 degrees or higher, that threshold can be met at a temperature of 85 degrees, depending on the level of humidity.

While the majority of the Utilities confirmed in technical discussions with Staff that terminations would be paused if the actual heat index temperature was to reach the established threshold, even if it was not forecasted to reach the threshold, Staff is concerned that not all Utilities will implement this as a best practice, as most provisions in the currently effective rate plans require a pause in terminations based solely on a forecast. In the response to DPS-06, NYSEG and RG&E reported that they were only using temperature forecasts and not actual readings when determining whether to halt or continue terminations. If the actual temperature within one of NYSEG or RG&E's service regions exceeded the 85-degree threshold at some point during the day, but the forecast, which was taken the day prior or that morning, did not forecast the temperature reaching 85 degrees, then NYSEG and RG&E would disconnect customers' service despite the actual temperature exceeding the threshold. While this is in accord with the current rate plans for NYSEG and RG&E, it does not protect customers, particularly medically vulnerable customers, even though they are actually experiencing an extreme heat event. Therefore, in order to ensure that customers are not disconnected while vulnerable to the impacts of an extreme heat event, Staff recommends the Commission require

the Utilities to halt electric and water service terminations of residential customers and customers with residential end-users due to non-payment on any day for which the forecast predicts, or the actual outdoor heat index reaches or exceeds, 90 degrees, and for the day after a day on which the actual heat index reaches 90 degrees **(Staff Recommendation No. 2)**.

Staff also recommends the Utilities be required to retrieve the forecast information prior to 8 a.m. each day from June 1 through September 30 **(Staff Recommendation No. 4)**. Obtaining the forecasts prior to 8 a.m. will provide the Utilities with sufficient time to adjust their daily operations and inform the affected departments that terminations will be suspended for the day. The utilities should continue to monitor the actual heat index throughout the day and pause further terminations that day should the heat index reach the 90-degree threshold.

Service Territory or Regional/Division Temperatures

Another area of divergence within the Utilities' existing extreme heat protections is whether service terminations will be paused throughout the entire service territory during an extreme heat event, or regional areas within the service territory. Central Hudson and Con Edison currently stop the residential customer disconnect process due to the nonpayment or incomplete payment of bills on extreme heat event days for their entire service territories. However, National Grid, NYSEG, O&R, and RG&E will pause service terminations in specific regions or divisions during an applicable extreme heat event in that specific area.

Staff recommends that the utilities halt terminations based on regional geographic areas **(Staff Recommendation No. 5)**. Specifically, Staff recommends Central Hudson be considered as five regions, which coincides with the divisions in the utility's service territory: Region 1 (Catskill Division), Region 2 (Poughkeepsie Division), Region 3 (Kingston Division), Region 4 (Newburgh Division), and Region 4 (Fishkill Division) **(Staff Recommendation No. 5)**. However, should Central Hudson have alternative regions or divisions that it would prefer to use, it should include these regions, or divisions, within its comments filed in response to these recommendations.

For Con Edison, Staff recommends two regions: (1) New York City and (2) Westchester. During technical discussions with Staff, a Con Edison representative stated that there were historical days where the temperature threshold was not reached for Westchester, but

it was in New York City **(Staff Recommendation No. 5)**. This may be attributed to Westchester having more rural features, such as open fields, farms, lakes, and streams, rather than New York City's urban landscape.

For the remaining electric utilities, National Grid, NYSEG, O&R, and RG&E, Staff recommends that the Commission require them to continue to utilize their preestablished regional areas for determining termination suspensions during extreme heat events **(Staff Recommendation No. 5)**.

For the water utilities, Staff recommends Liberty and Veolia effectuate the extreme heat protections within their service territories **(Staff Recommendation No. 5)**. Liberty and Veolia's service territories contain different water districts, some of which are contiguous and some of which are more spread out. Therefore, Staff recommends the Commission adopt a regional approach for these utilities, as it will allow Liberty and Veolia to implement procedures based on the locations of these respective water districts. Liberty and Veolia should identify their preferred regions in their comments in response to these recommendations.

In addition, Staff recommends that each utility identify the weather station for the respective region/division in which the heat index would be obtained within its tariff **(Staff Recommendation No. 3)**. If the Utilities have alternative suggestions for determining the geographic regions, Staff encourages the utilities to provide this information within their formal comments on this Staff Report **(Staff Recommendation No. 5)**.

Heat Islands

A "heat island" occurs when areas, such as cities, are impacted by higher temperatures, or when certain areas within a city are impacted by higher temperatures.[93] Heat islands tend to be more urban because such areas have a higher concentration of buildings, roads, and other infrastructure that "absorb and re-emit the sun's heat more than natural landscapes such as forests and water bodies."[94] Heat islands have an increased demand for air conditioning, due to the higher temperatures for longer periods, which puts an increase on the electricity

[93] Environmental Protection Agency, Heat Islands Effect, available at https://www.epa.gov/heatislands (accessed May 1, 2025).

[94] Environmental Protection Agency, What are Heat Islands, available at https://www.epa.gov/heatislands/what-are-heat-islands (accessed May 2, 2025).

demand and can overload systems, potentially causing utility brownouts or blackouts.[95] Additionally, utilities may rely on fossil fuels to meet heat island's electricity demands, potentially resulting in increased greenhouse gas emissions.[96]

Due to the characteristics of heat islands, extreme heat temperatures linger longer, particularly in downtown urban areas and in other areas lacking sufficient trees and parks to offset the effects of heat storing pavement, before dissipating when compared to rural or suburban areas, as shown in Figure 8 below.

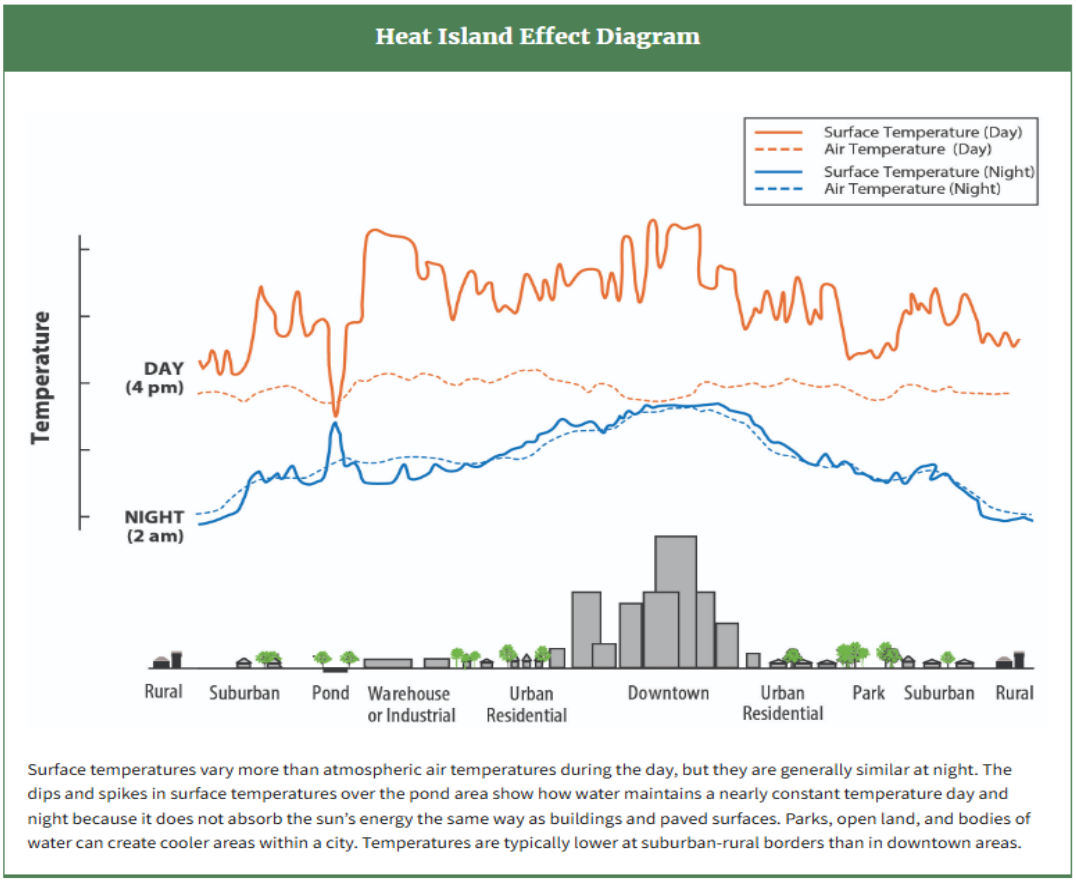

Figure 8 – Effect of Temperature on Heat Islands and Surrounding Geographic Areas

95 Environmental Protection Agency, What are Heat Islands, available at https://www.epa.gov/heatislands/what-are-heat-islands (accessed May 2, 2025).

96 Id.

Under the EPA's definition, an example of a heat island within Con Edison's service territory would be New York City, but not Westchester, which has more forests and suburbs. Other potential examples of heat islands include densely populated cities, such as Albany, Buffalo, Rochester, Schenectady, and Syracuse. The New York State Department of Health published the following chart, shown in Figure 9, to demonstrate specific areas with a high vulnerability to extreme heat.[97]

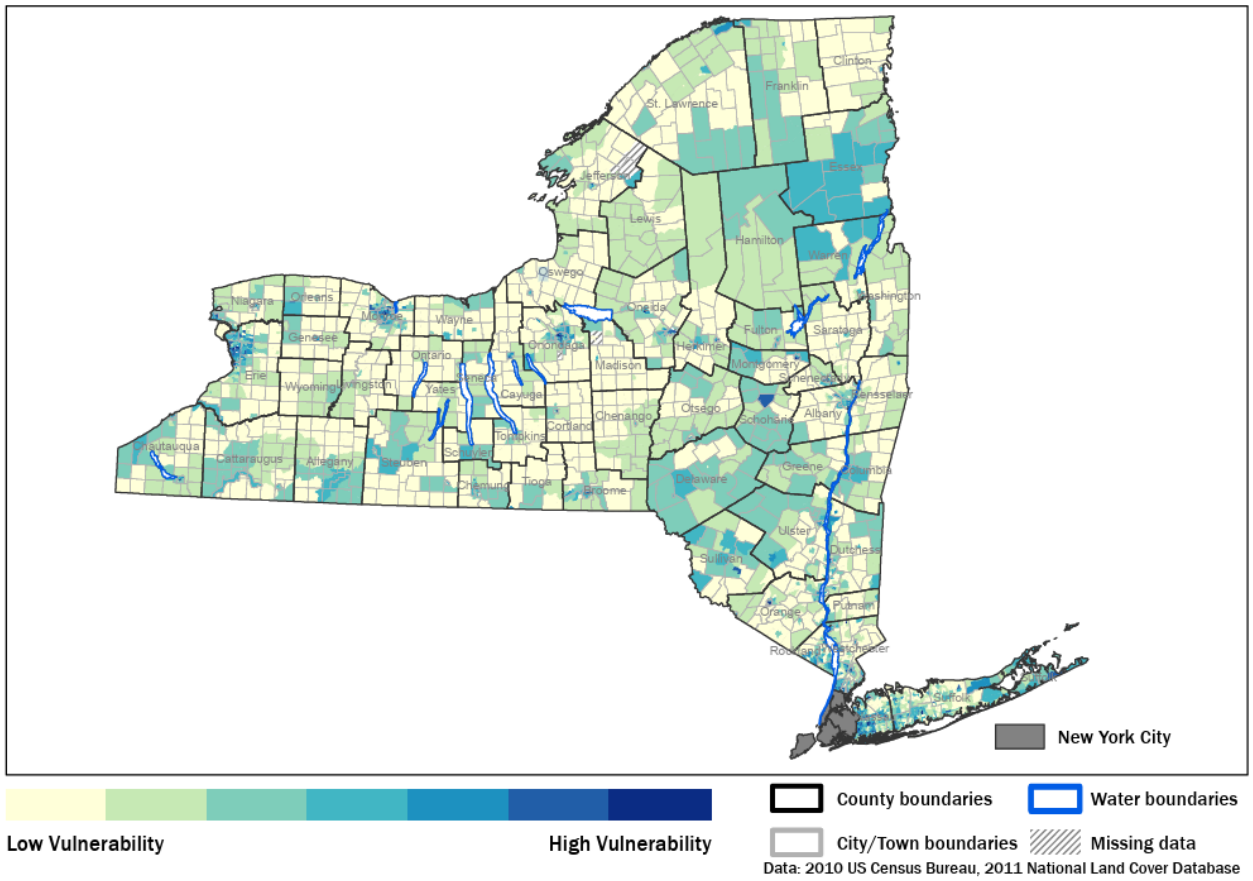

Figure 9 – New York State Heat Vulnerability Index

Staff recommends that the Commission require each of the Utilities conduct an analysis of the historical temperatures in the major cities within their service territories over the last five years and identify all potential heat islands within their respective service territory **(Staff**

[97] New York State Department of Health, Heat Vulnerability Index New York State, available at, https://www.health.ny.gov/environmental/weather/vulnerability_index/docs/nys_hvi.pdf (accessed on May 1, 2025).

Recommendation No. 6). Further, Staff recommends the Commission direct the Utilities to provide a list of these heat islands, a description of the bounds of each heat island, and details of what criteria results in these areas being classified as heat islands, within 30 days following Commission action in this proceeding **(Staff Recommendation No. 6)**. Additionally, Staff recommends that the Commission require the Utilities to update this list every five years thereafter, as urban development and other environmental circumstances continue to change **(Staff Recommendation No. 6)**. Finally, given that the data shows that heat islands experience higher and prolonged heat when compared to rural areas, Staff recommends that for areas identified as heat islands, the Commission require that the Utilities halt electric and water service terminations of residential customers and customers with residential end users due to non-payment on any day for which the forecast predicts, or the actual outdoor heat index reaches or exceeds, 90 degrees, and on the two days immediately following a day on which the actual heat index reaches 90 degrees **(Staff Recommendation No. 7)**.

Weather Data Source

Every Utility, except for Orange and Rockland,[98] currently uses the National Weather Service for weather updates to implement its existing extreme heat protections. A study conducted by ForecastWatch, a weather monitoring and assessment company, compared the accuracy of several weather forecasting sites around the world, including: AccuWeather, Global Weather Corporation, the National Weather Service, The Weather Channel, and more.[99] In this study, ForecastWatch concluded that while the Weather Channel was the best at forecasting high temperatures the day of a heat event, it was not as accurate forecasting 24 hours in advance. The study determined that the Global Weather Corporation was the best at determining 24-hour high temperatures, with AccuWeather as a runner-up.

Staff notes that the National Weather Service website is readily available and easy to access by the Utilities and customers without any training or expertise. Additionally, as most

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98 As stated in Orange and Rockland's response to DPS-06, the Company utilizes www.weather.com to determine the temperature forecasts.

99 *Global and Regional Weather Forecast Accuracy Overview 2017-2020*, ForecastWatch by Intellocations, LLC, available at https://www.forecastwatch.com/wp-content/uploads/Global_and_Regional_Weather_Forecast_Accuracy_Overview_2017-2020.pdf, (accessed May 2, 2025).

of the Utilities already use the National Weather Service as their source for information, it will not result in significant delays in implementing procedures, which could cause future issues during potential heat events. Therefore, Staff recommends the Utilities use the National Weather Service as their primary source for the forecasted and actual regional temperatures **(Staff Recommendation No. 4)**. As of the date of this Staff Report, changes to the federal government's funding of several federal agencies have resulted in upward of 1,000 personnel being terminated from NOAA, the governmental agency responsible for National Weather Service.[100] It is unclear to Staff whether further budgetary reductions may occur at NOAA or National Weather Service within the next few years. Given the uncertainty regarding funding of federal and state programs, Staff recommends that the Commission require the Utilities to establish procedures that rely on a backup source for determining temperatures should the National Weather Service become unavailable. In the event National Weather Service forecasts are not available, Staff recommends the Utilities use either the Weather Channel, AccuWeather, or contact local meteorologists to determine regional temperatures prior to and during extreme heat events **(Staff Recommendation No. 4)**.

Costs Associated with Halting Service Terminations

Pausing service terminations due to the well-being and safety of customers is a primary concern. However, a balance must be struck between halting disconnections and the potential long-term costs, such as arrears and uncollectible expense increasing when balances are not collected from customers at the time of termination. Halting terminations may result in increases in customer arrears until termination can occur at a later date. Should the Utilities not collect arrears, and these customer accounts turn into uncollectibles, these costs are borne by all ratepayers when they are, eventually, added into base rates. According to discussions with the Utilities during technical meetings, oftentimes due to other workload demands at the Utilities, if a service termination does not occur as planned, the customers may not be disconnected until

[100] Garrison, J. (2025, March 12). NOAA lays off 1,000 employees as President Trump escalates federal cuts. *USA TODAY*. Available at https://www.usatoday.com/story/news/politics/2025/03/12/noaa-layoffs-trump-federal-government-cuts/82305736007/%20 (accessed May 2, 2025).

weeks, or even months, after the initial termination was halted, which could result in a build-up of arrears.

Below the heat index threshold, the Utilities conduct "hard" collection activity, such as disconnecting service, which stops a customer's arrears from continuing to increase from continuing usage if service remains connected. When the Utilities halt terminations during extreme heat events, they continue to conduct "soft" collection field activities for residential customers.[101] These include, but are not limited to, posting notices, engaging customers to establish DPAs, and performing collections calls. Additionally, when Utilities have halted terminations, they continue other field work such as compliance and safety training for field personnel, survey work, no-access tasks for legacy meters, meter reading appointments, and meter exchanges. Staff attempted to quantify the number of potential days that service terminations could be paused based on a various heat index thresholds compared to straight temperature thresholds. Despite a majority of the Utilities' existing extreme heat protections already using the heat index as a threshold, the electric utilities were unable to provide the historical data detailing information on hypothetical scenarios where they would have halted terminations if the heat index was at various intervals between 82 and 100 degrees.[102] Therefore, Staff could not fully consider the potential impacts of differing thresholds for extreme heat protections on customer arrears levels.

Staff requested that the Utilities provide their estimates of the average daily cost for halting residential service terminations during extreme heat events. In their responses to DPS-08, Central Hudson, National Grid, NYSEG and RG&E used a similar methodology to estimate their daily costs for halting terminations by multiplying the daily stops made by each field collector by the average arrears in those stops, for each day terminations were halted due to extreme heat. Central Hudson calculated a potential loss in revenue of approximately $500,000 per day. National Grid, NYSEG and RG&E calculated the average daily amount in lost revenue to be approximately $276,100, $543,640 and $398,305, respectively. Con Edison and O&R, in their responses to DPS-08, calculated estimates of the costs as the amount of total dollars collected from field visits for terminations divided by the number of days the Company can

[101] The Utilities provided this information during a technical meeting with Staff held on February 28, 2025.

[102] See responses to DPS-08.

terminate in the year. Based on Con Edison's calculation, it approximated the average daily cost for halting residential service terminations to total $255,880. Orange and Rockland calculated daily costs averaging around $109,600.

Staff's goal was to use the responses to attempt to learn how delays in terminations affected the utilities' revenues and arrearage balances, which were not definitively determined. The figures the Utilities provided cannot be verified at this point, as there is not a standardized or uniform approach of analyzing the data related to the halting of terminations. Additionally, it is not clear that the calculated amounts are truly lost revenue, or if they are instead "delayed" revenue, which makes it difficult to determine a true cost or effect on customer arrears balances, and to what extent a pause in service terminations for extreme heat would impact uncollectibles. However, as a means to minimize potential impacts of the extreme heat protections on customer arrears and uncollectibles, Staff recommends the Commission require the Utilities to develop methods for decreasing residential customer arrears and residential customer uncollectibles while implementing extreme heat protections **(Staff Recommendation No. 8)**.

Reconnection of Service During Extreme Heat

HEFPA and the regulations implementing it direct utilities to restore service to residential customers within 24 hours of one when the utility receives: the full payment amount of the customers arrears; an arrangement is reached between the utility and customer for a DPA; a Commission, or its designee, directive to provide service; a commitment for a direct payment or written guarantee of payment from the Department of Social Services (DSS); or, the utility is informed a resident of the premises will have a health or safety issue if service is not restored.[103]

The major electric utilities each have a policy in place to restore service within 24 hours to customers, unless there are circumstances beyond their control, if the customer meets certain criteria outlined in HEFPA. The Utilities provided Staff with the circumstances that they will reconnect service for residential customers within 24 hours. According to their responses to DPS-05 for the electric utilities and DPS-02 for Liberty Water and Veolia, the Utilities' current procedures do not provide reconnection to customers for the sole reason there is an extreme heat

[103] 16 NYCRR § 11.9.

event. However, the electric utilities, Central Hudson, Con Edison, National Grid, NYSEG and RG&E, provide reporting on same-day service reconnections as part of their respective Rate Orders.

Staff reviewed the Utilities' performances on successfully reconnecting service to customers. In the last quarter of 2024, some, such as Central Hudson, reported a 100 percent same-day reconnection rate,[104] while others, such as NYSEG and RG&E, reported a same-day reconnection rate of approximately 84 percent.[105] In its response to DPS-09, National Grid stated the number of customers it was unable to reconnect within 24 hours had increased significantly in the last two years, from 554 in 2022 to 2,287 in 2024. National Grid cited field resource availability, visibility of the due dates on work orders, new system reporting issues, incorrect work order types, emergency work orders that took priority, and weather conditions, as reasoning for the delays.[106]

The water utilities, Liberty and Veolia, do not have reporting requirements associated with same-day reconnections for residential customers. Liberty stated in its response to DPS-02 that it will reconnect customers who provide a "satisfactory payment or agree to a suitable payment arrangement on their balance…" Veolia Water's response to DPS-02 detailed that for it to reconnect a residential customer's service, "the customer must make a payment in full, or contact the company to enter into a deferred payment agreement or provide financial hardship documentation…."

As several utilities file same-day reconnection reports, it is apparent that many customers elect to have their service reconnected quickly following a disconnection of service, typically within 24 hours of disconnection. While Staff acknowledges that without electricity for air conditioning units and fans, health concerns of individuals during extreme heat can become exacerbated, the Utilities state there are safety concerns with reconnecting electric service without a customer's knowledge and appropriate notice. In responses to DPS-09 and DPS-10,

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[104] Case 23-E-0418, et al., Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Central Hudson Gas & Electric Corporation for Electric Service, Q4 2024 Same Day Reconnection Report (filed January 29, 2025).

[105] Case 19-E-0378, et al., Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of New York State Electric & Gas Corporation for Electric Service, NYSEG-RGE Qtr 4 Same Day Reconnects Report (filed January 10, 2025).

[106] National Grid response to DPS-09.

the Utilities explained that their concerns with restoring service following a disconnection due to non-payment included, but were not limited to: the potential risks of fire; electrical hazards; legal liabilities; public and crew safety concerns; the customer no longer residing at the premises; there is no access to the meter; incorrectly connected generators resulting in a safety concern; and appliances that may have been left on following disconnection. The Utilities demonstrated in these responses that the majority of customers who request a reconnection have service restored within 24 hours, absent extenuating circumstances. The electric utilities stated that they may be unable to connect a customer's service within 24 hours due to: no access being provided to the meter after a payment was made; vicious animals; breakers were not turned off to allow for a safe reconnection; customer did not provide the proper documentation to apply for service; a substandard condition found at the meter pan which may require an electrician before it can be reconnected; tampering at the meter; and weather emergency and/or storm restoration processes are activated.

Given the existing 24-hour reconnection policies in place at the electric utilities, Staff recommends the Commission require the Utilities to work expeditiously to restore service to customers who meet such eligibility before a forecasted heat event. Staff also recommends the Utilities conduct additional outreach to customers at risk of service disconnection via automated phone calls or emails to determine if these customers need financial assistance, to offer a DPA, to refer customers to emergency services, and inform customers of cooling centers available in their area prior to and during heat events (**Staff Recommendation No. 9**).

Vulnerable Customer Populations

As part of the Extreme Heat Action Plan Working Group, NYSERDA, Department of Environmental Conservation (DEC), Office of Temporary and Disability Assistance, and Department of Health provided additional details on customer groups that are most vulnerable to health risks during extreme heat. These groups include seniors, children, infants, and customers with medical issues. Currently, the Utilities use their customer information or billing systems to code a customer's account and/or meter as a vulnerable customer, with designations for elderly, blind, and/or disabled customers; medical emergency customers; customers with special needs; or a Life-Support Equipment customer.

Under HEFPA and regulations implementing it, customers who experience a medical emergency, who require Life Support Equipment, and/or customers who are elderly, blind, or disabled receive additional protections against service termination due to non-payment. HEFPA defines an individual as elderly if they are over the age of 62; blind if their central visual acuity is 20/200 or less; or considered disabled if they have had a disability that is defined in the State's Human Rights Law.[107] When a utility has coded a customer in its billing system as elderly, blind, or disabled, the utility is required to make a diligent effort to contact an adult resident, by telephone or in person, at least 72 hours prior to the scheduled termination to create a plan moving forward. That plan may consist of either a DPA, or a payment or guarantee of payment from another agency. If the utility and the customer are not able to develop a plan, the utility must contact the local Department of Social Services (DSS) with the name, address, and termination date of the customer. The utility is also required to provide service for a minimum of 15 business days from the time they make the referral to DSS in order to allow time for the customer and DSS to work together to remedy the situation and avoid a service termination.

If a utility terminates a customer's service and the utility was unaware that this customer falls under these Medical Emergency, Life Support Equipment, or Elderly, Blind, or Disabled protections, but becomes aware of the circumstances after the fact, then the utility is required to make a diligent effort to contact the customer within 24 hours. The purpose of reaching out to the customer is to develop a plan to restore service by coming up with an arrangement to pay the late bill. If the customer and the utility are unable to agree to a plan, the utility must contact DSS and make a referral, so that the customer and DSS can create a plan to restore services. While providing Life Support Equipment or Medical Emergency certification will halt a customer's potential termination for a period of time, the customer is still responsible for the charges accrued and should work with the utility to obtain an affordable deferred payment arrangement.

Though HEFPA provides robust protections for vulnerable populations, Staff is concerned about the Utilities' communications to these customers during extreme heat events. Outreach is essential for customers to understand their protections for utility service. Therefore, Staff recommends the Commission require the Utilities to establish at least one alternate method

[107] Executive Law §292(21); PSL §32(3)(a) and (b); 16 NYCRR §11.5(b)(1).

of additional communication to attempt to contact vulnerable customers, such as those classified as Elderly, Blind, or Disabled, Medical Emergency, or Life Support Equipment customers, informing them of a predicted heat event, within 24 hours of a forecasted heat event for which terminations would be halted **(Staff Recommendation No. 10)**. These communications should reiterate that cooling centers may be open and to check with their local municipality for more details, or to advise the customer to make alternative arrangements during these events. The Utilities should also inform customers of payment assistance and bill payment programs, should the customer indicate they are having financial hardship.

Documenting and Maintaining Temperature Logs

Upon review of the Utilities' practices and procedures, Staff found that not all of them maintain daily temperature logs, and those that did, did not consistently maintain records of these daily logs. Central Hudson and PSEG LI did not maintain any temperature logs, while Con Edison, National Grid, NYSEG/RGE, and Orange & Rockland kept temperature logs a minimum of three years. The Utilities' lack of maintaining these logs made it difficult for Staff to review the number of days a utility was affected by varying temperature thresholds within its service territory or region. Furthermore, this lack of documentation has the potential to create an issue if a customer claims they were erroneously terminated during an extreme heat event, the utility would not be able to provide sufficient proof via the temperature logs for auditing purposes.

Therefore, Staff recommends the Commission require that the Utilities document the daily heat index within their service territories and any applicable regions, and to retain these logs for at least five years **(Staff Recommendation No. 11)**. An Excel spreadsheet detailing the daily heat index should suffice and serve as a record of the historical heat index in each region while keeping implementation costs low.

Internal Communication and Customer Outreach

Depending on the utility, Staff found minimal to no communications with customers about active extreme heat events or existing protections. Currently, only Con Edison includes language in its disconnection notices so that customers are aware that their service will not be terminated in the event of extreme heat. Meanwhile, the electric utilities all have internal communication methods to notify all personnel when terminations are halted due to high

temperatures. Staff strongly believes such communications must also be made to customers. Increased customer outreach prior to and during a heat event has the potential benefit of providing customers with an opportunity to pay their bill or enter into a deferred payment agreement to avoid service termination altogether.

Staff recommends the Commission require that the Utilities establish a communication plan that includes both internal and external communications regarding extreme heat events **(Staff Recommendation No. 12)**. For customer communications, the Commission should require the Utilities to inform customers about deferred payment agreements, the utility's same-day reconnection policy, and the temporary pause in service terminations during extreme heat events. Staff recommends that the Commission require the Utilities to develop this communication plan for increasing customer communication during extreme heat events and coordinating with municipal officials. Staff's recommended template for this outreach is included in Appendix C **(Staff Recommendation No. 12)**.

The Commission should also require the Utilities to develop a brochure/bill message to communicate customers' payment options and bill assistance, which the Utility would provide to customers during a utility's soft collections efforts. Staff recommends that the Commission direct the Utilities to provide additional communications on potential bill assistance programs, such as the Energy Affordability Program, and payment plan options to customers prior to, during, and after extreme heat events and potential terminations or disconnections due to the non-payment of bills. Informing customers of how they can enter into DPAs or enroll in assistance programs, or ways to pay their utility bill, prior to the collections process flagging them for termination may decrease arrears and prevent terminations from occurring in the first place, as customers may not know all of the options afforded to them. Increasing this outreach is an important step to potentially reducing customer arrearages and preventing terminations before a heat event.

Dedicated Utility Webpages

In the summer of 2023, Staff coordinated with the electric utilities to establish dedicated webpages that provide each utility's respective extreme weather protections and practices. The information on these webpages includes, at a minimum, the temperature at which the utility would halt service terminations due to extreme heat, how the utility determines the

temperature to halt terminations, and links to webpages informing customers about the Energy Affordability Programs and other utility assistance programs that may assist customers in resolving arrears.

Staff recommends the electric utilities continue to maintain and update these pages in perpetuity. Additionally, Staff recommends the Commission require Liberty Water and Veolia Water to develop webpages detailing any protections for residential customers during extreme heat events **(Staff Recommendation No. 13)**. The information on these webpages will be used to inform customers, and other agencies and community organizations, who can direct their clients to utility webpages for information about extreme heat, bill payment options, and payment assistance programs.

Implementation of Extreme Heat Protections and Inclusion in the Utilities' Tariffs

The Commission should require that the Utilities implement any new or modified extreme heat protections that the Commission adopts in this proceeding within 90 days of a Commission order adopting those protections. If the Utilities anticipate that they will not be able to complete implementation of the recommendations contained herein due to customer billing system limitations or personnel constraints, that utility should provide an explanation of why and potential alternatives for how and when it expects it will be able to implement the recommendations in its comments responding to this Staff Proposal.

Staff recommends that any Commission action adopted within this proceeding would supersede the protections established within the Utilities' existing rate plans as of 90 days after the Commission's action (**Staff Recommendation No. 14**). Additionally, Staff recommends that the Commission make clear that any future changes to the extreme heat protections should be addressed in this proceeding, Case 24-M-0586, and not in individual rate proceedings (**Staff Recommendation No. 14**).

Staff has reviewed the tariffs of the utilities with existing extreme heat protections and found that the protections are inconsistently included or described. While the extreme heat practices and protections information is frequently found within a utility's rate plan, i.e., in the Commission's order setting rates or an underlying joint proposal, often this information is not memorialized within a utility's tariffs. Staff recommends that the Commission require all the Utilities to update their respective tariffs to include their extreme heat practices and procedures

within 90 days of an order adopting such protections within these proceedings (**Staff Recommendation No. 15**).

PSEG LI

PSEG LI currently has customer protections in place for extreme heat events similar to the rest of New York's utilities. Given this similarity, Staff recommends LIPA and PSEG LI modify their existing extreme heat protections to mirror those adopted by the Commission for the Utilities in this proceeding (**Staff Recommendation No. 16**).

CONCLUSION

The continued efforts of Staff, stakeholders, and the Utilities will ensure that customers continue to receive essential protections against loss of service during extreme heat events. In Staff's opinion, the recommendations within this Staff Report will improve transparency and communications for New York residents who are affected by extreme weather. Staff also seeks stakeholder input with how these changes can complement ongoing programs and looks forward to the continued engagement of all interested stakeholders.

LIST OF STAFF RECOMMENDATIONS

1. Staff Recommends the Commission require Central Hudson Gas and Electric Corporation (Central Hudson); Consolidated Edison Company of New York, Inc. (Con Edison); Liberty Utilities (New York Water) Corporation (Liberty); Niagara Mohawk Power Corporation d/b/a National Grid (National Grid); New York State Electric & Gas Corporation (NYSEG); Orange and Rockland Utilities, Inc. (O&R); Rochester Gas & Electric Corporation (RG&E); and, Veolia Water New York, Inc. (Veolia), referred to collectively below as "the Utilities," to implement uniform extreme heat protections from June 1 through September 30 of each year for residential electric and water customers and accounts with residential end-users, regardless of their service classification.

2. Staff recommends the Commission require the Utilities halt electric and water service terminations of residential customers and customers with residential end users due to non-payment on any day for which the forecast predicts, or the actual outdoor heat index reaches or exceeds, 90 degrees, and for the day after a day on which the actual heat index reaches 90 degrees.

3. Each utility should identify the weather station(s) for their respective region(s) or division(s) in which the heat index would be obtained within its tariff.

4. Staff recommends the Commission require the Utilities retrieve their weather forecast information from the National Oceanic and Atmospheric Administration's National Weather Service as their primary source prior to 8 a.m. each day and to continue to monitor the actual heat index throughout the day. Staff also recommends the Commission direct the Utilities to establish procedures to use either the Weather Channel, AccuWeather, or contact local meteorologists as a secondary source to determine regional temperatures.

5. Staff recommends the Utilities halt terminations based on regional geographic areas. Specifically, Staff recommends the following:

    a. Central Hudson be considered as five regions, which coincides with the divisions in the utility's service territory: Region 1 (Catskill Division), Region 2 (Poughkeepsie Division), Region 3 (Kingston Division), Region 4 (Newburgh Division), and Region 4 (Fishkill Division);

    b. Con Edison be considered two regions: (1) New York City and (2) Westchester; National Grid, NYSEG, O&R, and RG&E continue to utilize their preestablished regional areas for determining termination suspensions during extreme heat events

    c. Liberty and Veolia effectuate extreme heat protections within their service territories adopting a regional approach based on their respective water districts; and

    d. In their comments, the Utilities should each address the regions they recommend using, whether they are those listed above, in current use, or new proposed regions, why those regions should be used, and the location/weather station to be used to establish the forecasted and actual heat index for each region.

6. Staff recommends that the Commission require each of the Utilities conduct an analysis of the historical temperatures over the last five years in the major cities within their service territories and identify all potential heat islands within their respective service territories. The Utilities should provide a list of these heat islands, a description of the bounds of each heat island, and details of what criteria results in these areas being classified as heat islands, within 30 days following Commission action in this proceeding and every five years thereafter.

7. For areas identified as heat islands, Staff recommends the Commission require the Utilities to halt electric and water service terminations of residential customers and customers with residential end users due to non-payment on any day for which the forecast predicts, or the actual outdoor heat index reaches or exceeds, 90 degrees, and on the two days immediately following a day on which the actual heat index reaches 90 degrees.

8. Staff recommends the Commission direct the Utilities to develop methods for decreasing residential customer arrears and residential customer uncollectibles that result from implementing extreme heat protections.

9. Staff recommends that the Commission direct the Utilities to conduct additional outreach to customers at risk of service disconnection via automated phone calls or emails on potential bill assistance programs, such as the Energy Affordability Program, to offer a deferred payment agreement, and to inform customers of cooling centers that are available in their area prior to and during heat events.

10. Staff recommends the Commission require the Utilities to establish at least one alternate method of additional communication to attempt to contact vulnerable customers, such as those classified as Elderly, Blind, or Disabled, Medical Emergency, or Life Support Equipment customers, informing them of a predicted heat event, within 24 hours of a forecasted heat event for which terminations would be halted.

11. Staff recommends the Commission require the Utilities document the daily heat index within their service territories and any applicable regions, and to retain these logs for at least five years.

12. Staff recommends that the Commission require the Utilities to establish a communication plan that includes both internal and external communications, for customers and with municipal officials, regarding and during extreme heat events. Staff's recommended template for this outreach is included in Appendix C.

13. Staff recommends the Commission direct the Utilities to develop, maintain, and/or update dedicated extreme weather webpages detailing any protections for residential customers during extreme heat events.

14. Staff recommends that any Commission action adopted within this proceeding supersede the protections established within the Utilities' existing rate plans as of 90 days after the Commission's action. Additionally, Staff recommends that the Commission make clear that any future changes to the extreme heat protections should be addressed in this proceeding, Case 24-M-0586, and not in individual rate proceedings.

15. Staff recommends that the Commission require all the Utilities to update their respective tariffs to include their extreme heat practices and procedures within 90 days of an order adopting such protections within these proceedings.

16. PSEG Long Island (PSEG LI) and the Long Island Power Authority (LIPA) should consider extending any protections adopted by the Commission to Long Island electric ratepayers.

EXISTING EXTREME HEAT PROTECTIONS

	Central Hudson	Con Edison	National Grid	NYSEG	RG&E	Orange & Rockland	Liberty Water	Veolia Water
Industry	Electric	Electric	Electric	Electric	Electric	Electric	Water	Water
Heat Index or Temperature (Fahrenheit)	93 degrees (heat index)	90 degrees (heat index)	95/100 degrees (heat index)	85 degrees (temperature)	85 degrees (temperature)	93 degrees (heat index)	N/A	N/A
Customer Type	Residential	Residential	Residential	Residential	Residential	Residential	N/A	N/A
Time Period of Shut Off	Day before and day of forecasted heat event	Day before, day of, and two calendar days after forecasted heat event	Day of forecasted heat event	Day of forecasted heat event	Day of forecasted heat event	Day of forecasted heat event and day before forecasted heat event	N/A	N/A
Time Period to Determine Pause in Service Terminations	N/A*	N/A*	95 degrees on two or more consecutive days or 100 degrees on one or more days	N/A*	N/A*	N/A	N/A	N/A
Source Used	National Weather Service	National Weather Service	National Weather Service	National Weather Service	National Weather Service	N/A	N/A	N/A
Location	Service Territory	N/A	Regional	Regional	Regional	N/A	N/A	N/A
Other	N/A	N/A	“Heat Advisory”	N/A	N/A	N/A	N/A	N/A
Case Number	23-E-0418	22-E-0064	20-E-0380	22-E-0317	22-E-0319	24-E-0060	23-W-0235	23-W-0111

OUTREACH & EDUCATION PLAN TEMPLATE

1. Outline of Utility-Specific Heat-Related Protections
    a. Summary of Heat-Related Protections
    b. Summary of the Internal Utility Procedures for Determining Terminations are Halted on Specific Days
2. Communications to Customers
    a. Disconnection Notices
        i. Sample Disconnection Notices
            1. Language regarding Pause in Terminations During Heat Events
    b. Heat-Related Webpages
        i. Screenshots of the Heat-Related Protection Webpage
    c. Outreach to Elderly, Blind or Disabled customers, Customers with Medical Emergencies, and customers with Life Support Equipment
        i. Wellness Calls to Vulnerable Customers Prior to Heat Events
            1. Scripts to these Customers to Inform them of Impending Heat Events and Reiterate Open Cooling Center Locations
            2. Scripts for if Customers Need Bill Payment Assistance Information.
    d. Communication on Assistance Programs
        i. Details on the Company's Current Outreach for Energy Assistance Programs, Payment Arrangements, and Payment Options and How the Utility Will Increase Outreach and Awareness
            1. Sample Bill Messages
            2. Sample Brochures
            3. Sample Text Pushes/Notifications
            4. Sample Emails
            5. Sample Scripts
        ii. Details on the Documents Provided to Customers During Soft Collection Activities
            1. Sample Bill Messages
            2. Sample Brochures
            3. Sample Text Pushes/Notifications
            4. Sample Emails
    e. Cooling Centers
        i. Information on open cooling centers in the utility's service territory.
            1. Information to be included on their websites and social media.
            2. The frequency of these communications with the public for the duration of the heat event, particularly when the heat days are longer than forecasted or if there are outage events.