

1 5/10/2023 - Veolia Water New York, Inc. - 23-W-0111
2 STATE OF NEW YORK
3 PUBLIC SEERVICE COMMISSION
4 CASE 23-W-0111 - Proceeding on Motion of the
5 Commission as to the Rates, Charges, Rules and
6 Regulations of Veolia Water New York, Inc. for
7 Water Service.
8 PUBLIC STATEMENT HEARING
9 DATE: May 10, 2023 at 1:00 p.m.
10 VENUE: WebEx
11 BEFORE: A.L.J. MICHAEL CLARKEE
12 A.L.J. ASHLEY MORENO
13
14 ALSO PRESENT:
15 JOHN MAGGIORE, Commissioner
16 SANGEETHA KAILAS
17 ESMIN BROWN-ANDERSON
18
19
20
21
22
23 Reported by Anthony McClain
24
25

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

3 THE REPORTER: We are on the record.

4 A.L.J. CLARKE: Okay. I call case 23-
5 W-0111. Proceeding on motion of the Commission as to
6 the rates, charges, rules, and regulations of Veolia
7 Water New York Incorporated for water service. Good
8 afternoon, everyone. My name is Michael Clarke.
9 I'm an Administrative Law Judge for the Department of
10 Public Service. With me today is Administrative Law
11 Judge Ashley Moreno. Together we are responsible for
12 presiding over the hearings in this case and
13 developing a complete record throughout the
14 proceeding. We're also joined by Sangeetha Kailas,
15 and Esmin Brown-Anderson from the Department's Office
16 of Consumer Services, who'll be pro -- providing
17 technical assistance. This is a public statement
18 hearing for which a notice was issued on April 14th,
19 2023.

20 The hearing concerns proposed changes
21 in the water delivery rates and practices of Veolia
22 Water New York Incorporated. More specifically,
23 Veolia seeks to increase its delivery revenues by
24 approximately 18.4 million dollars in the New York
25 District, and by 14.1 million dollars in the

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2 Westchester District. Pursuant to Veolia's proposal,
3 the New York District would be comprised of customers
4 in the former Suez Water New York system, the former
5 Suez Owego-Nichols system, and the Heritage Hill
6 system. The Westchester District would be comprised
7 of customers in Rate District 1 and Rate District 2
8 of the former Suez Water Westchester System.

9 Under New York State law, the Public
10 Service Commission must consider a utility's proposal
11 and may adopt it or reject it in whole or in part or
12 modify it. We're holding this hearing today so you
13 can provide your comments on Veolia's proposal for
14 The Commission's consideration. Commission consists
15 of seven members, the chairperson, Rory Christian,
16 and Commissioners Diane Burman, James Alesi, Tracey
17 Edwards, John Howard, David Valesky, and John
18 Maggiore. We're fortunate this afternoon to have
19 Commissioner Maggiore with us. Would you like to
20 make any comments, Commissioner?

21 MR. MAGGIORE: Thank you, Judge
22 Clarkee. I just want to thank anyone who has joined
23 us today to participate. I, as a Commissioner, I
24 value public input that we get through these sessions
25 and I look forward to what people have to say.

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2 You're not here to hear me. I'm here to listen to
3 you. So I just once again would like to reiterate my
4 thanks for you participating in this process and --
5 and that -- that's it on my end, Judge Clarke. Thank
6 you again.

7 A.L.J. CLARKE: Thank you very much,
8 Commissioner. As I stated earlier, the purpose of
9 today's hearing is to provide you with an opportunity
10 to tell the Commission your thoughts on the proposal.
11 It is not an evidentiary hearing or a question and
12 answer session, but a forum to hear comments from
13 you. Any statements you make today will become part
14 of the case record. We have a court reporter on the
15 line who will prepare a transcript of the hearing,
16 which will be included in the official record of this
17 proceeding, so that your comments can be considered
18 by all members of the Commission. When it's ready,
19 the transcript will be available for you on the
20 Department of Public Service website.

21 I'd like to stress that this is not
22 the only opportunity for comment. If you did not
23 register to speak in today's hearing, but you would
24 like your views included in the record, there are a
25 variety of other ways to comment that were listed in

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2 the public notice for today's event. You can do so
3 by submitting comments on the department's website,
4 by email, by regular mail, or by phone. Regardless
5 of how comments are submitted, they will be given
6 equal consideration. Turning back to today, we have
7 12 people registered to speak. We will not impose a
8 time limit, but I do request that you provide your
9 statement in a reasonable amount of time and try to
10 avoid repeating yourself.

11 When we call your name, we will unmute
12 your line and notify you that you've been unmuted.
13 Please remember that if you have put your own line on
14 mute, you will also have to unmute your end before
15 you begin to speak. Please state your name and speak
16 slowly and clearly so that the court reporter can
17 accurately record your statement. If you're speaking
18 on behalf of an organization, please also provide the
19 organization's name. All right. We're -- we're
20 ready to begin. Just so everybody knows what to
21 expect, I believe in the chat box, the order of
22 people in which I intend to call them is listed. If
23 people aren't here, then I may jump around, but that
24 might be helpful for you to -- to look at, to see
25 when you can expect to be called upon. Our first

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2 registered speaker is Robert Tompkins.

3 MR. TOMPKINS: Hello. Thank you,
4 Honorable Judges, Administrative Law Judges, and
5 Honorable Commissioner. Thank you very much for
6 giving me this opportunity in the public to share
7 what our thoughts are regarding this rate case. I've
8 actually been a party to several cases before, and my
9 background is as a -- presently a retired certified
10 public accountant with a master's degree in public
11 administration. And I've also been with in the past
12 California municipalities, a senior budget analyst
13 and a senior administrative analyst. So I'm looking
14 at this case from an analytical point of view.
15 However, I just want to focus philosophically as
16 well, as to what the obligation should be of Rockland
17 customers in terms of paying for other small water
18 systems' costs.

19 Thus, I object to the idea of bringing
20 in an Upstate water system, which is the Owego-
21 Nichols one in particular, and I think there's a
22 second one. I can sympathize with small water
23 systems in terms of the cost, particularly with the
24 mitigation for water treatment with PFAS and PFOS. I
25 can see that for one well in that Upstate small water

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2 system cost \$3.3 million. I don't know what the
3 future will bring. I think philosophically it's
4 unfair to expect the -- the New York District to have
5 to assume costs outside traditionally what has been
6 the district. And you wonder why is it that Veolia
7 has said that or proposed that Rockland County
8 customers should be paying for it. Why not
9 Westchester companies?

10 And I'm understanding from the
11 testimony of the Vice President that that may be a
12 future proposal. Thus, it's a slippery slope in a
13 sense where the company appears to be heading to have
14 one uniform rate throughout all the districts,
15 including, I guess, Putnam County, in Westchester, in
16 Orange County, in Rockland, in Upstate counties as
17 well. Philosophically, I disagree with it. I think
18 it's blatantly unfair. Rockland County customers,
19 according to the State Comptroller's report from
20 several years ago, some years ago, are among the
21 highest water rates in the State of New York. And
22 given that there's -- these small systems have to
23 incur high cost, particularly with the PFAS and
24 probably other costs as well.

25 As you may know, it can cost as much

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2 as a million dollars to -- to dig a well. It is very
3 disconcerting when you have Upstate, in this case,
4 about 5,500 customers. While in Rockland County, we
5 have 108,000. We should only be paying for what we
6 are consuming, and this is only going to increase the
7 cost to -- to Rockland. And I can understand what
8 they're trying to do in terms of harmonizing their
9 rates for the -- for up -- Upstate, but it's making
10 it more affordable for them. And unfortunately,
11 there's many, many grants available from the federal
12 government and the State government that private
13 utilities do not qualify for. If they were a
14 municipal system, and I'm understanding there's five
15 municipalities Upstate. If they were a municipal
16 system, they could be applying for those grants from
17 the federal government and the State government.

18 Unfortunately, it appears that private
19 entities cannot do that. Thus, it's -- it's becoming
20 a burden, more of a burden for them in terms of
21 higher costs for water. And it's frankly unfair for
22 Rockland customers to have to absorb some of that.
23 So I am bringing this subject up that I hope that
24 there's a special emphasis in analyzing it and
25 looking at philosophically what it's about, and also

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2 that the impact on cost and why aren't they not
3 including Westchester districts as well if they're
4 going to go down that route. It's unfair. And just
5 to finally mention that, as you are probably aware
6 that we have a surcharge because of the failed
7 Haverstraw desal -- desalination plant. So we have
8 that going too.

9 I'm not really clear if they would be
10 sharing those costs, but that's kind of moot in a
11 way. We should be paying that -- Rockland should be
12 paying that, not other entities. So again, I thank
13 you for giving me this opportunity to share my
14 thoughts, and I hope the Commission and the
15 Department of Public Service takes a -- a close look
16 at this -- the idea of other districts paying for
17 Upstate small water systems. Thank you very much.

18 A.L.J. CLARKE: Thank you, Mr.
19 Tompkins. Our next speaker is Laurie Wheelock.

20 MS. WHEELLOCK: Yes. Good afternoon,
21 Administrative Law Judges Moreno, and Clarkee. And
22 thank you Commissioner Maggiore for being present
23 today. My name is Laurie Wheelock. I'm the
24 Executive Director and Counsel for the Public Utility
25 Law Project. We go by PULP for short, and my pronouns

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2 are she/hers. PULP is a 40-year-old nonprofit with
3 the mission of educating, advocating, and litigating
4 on behalf of New York's low-income utility customers.
5 We thank the Department of Public Service for the
6 opportunity to testify today in relation to Veolia
7 Water New York's pending rate case.

8 We have submitted our status request
9 to become a party to the water rate case, but as a
10 small nonprofit and intervener in three existing
11 energy rate cases, several policy proceedings before
12 the department and NYSERDA as well as all of our work
13 helping low-income customers with direct cases, we do
14 not know whether or not we'll be able to submit the
15 level of testimony PULP traditionally seeks to
16 achieve when participating in a rate case. Today
17 though, I wanted to focus on three specific issues
18 that we are concerned about. The first being
19 affordability in light of the proposed rate increase,
20 the development of the low-income water assistance
21 program, which we see as vital, and austerity
22 measures.

23 To begin, we are concerned about
24 affordability. During the technical conference, and
25 we thank Veolia for identifying this. They had a

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2 slide about customer impacts. And the proposals are
3 as follows. For Rockland and Orange Counties,
4 customers could see up to 19 cents per day or more on
5 their water rates. For the city of Rye Brook in Port
6 Chester and Westchester County, that could be 38
7 cents per day. Other parts of Westchester, 39 cents
8 per day, Heritage Hills 20 cents per day and Owego 51
9 cents per day. We ask the department staff strictly
10 scrutinize these proposed rates, to be as careful as
11 possible with how we proceed.

12 The truth is, the public cannot afford
13 to wait much longer when it comes to the low-income
14 discount program, especially in light of the proposed
15 rates being as high as they are. Formerly, Suez
16 received a four-year rate case in July, 2020. Back
17 then, the company was tasked by the Commission with
18 identifying low-income customers for the purpose of
19 being enrolled one day in its monthly discount
20 program. The company has been filing reports on
21 their progress, which PULP is reviewing now. The
22 language that was put into the joint proposal did not
23 provide though any guidance for what this future low
24 -income plan would look like.

25 The company was not required to

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2 provide any further information about the creation or
3 the actual steps to institute the plan or how it
4 would work. Again, we're reviewing all the reports,
5 but the one thing that struck us as a good step
6 forward is the company has started to identify low-
7 income customers. As of December, 2022, Veolia had
8 1,999 accounts qualified through the low-income
9 housing water assistance program run by LIHWAP but
10 that's only about 1.78 percent of their residential
11 customer base. So again, PULP is just concerned. We
12 see that the Commission has given Suez and now
13 Veolia, you know, orders to move forward and start
14 identifying customers.

15 But especially in light of the rate
16 increases being what they are proposed, PULP strongly
17 encourages that a workable, implementable, low-income
18 discount program be approved in this rate case so
19 that it can start helping low-income customers as
20 quickly as possible. Something that PULP will be
21 offering is recommendations and examples. Since all
22 the electric and gas regulated utilities do have
23 applications for their own low-income discount
24 programs, we'll be assisting the company by providing
25 examples on how to put out a program and actually

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2 enroll people in it as quickly as possible. The last
3 item I want to discuss was austerity measures. The
4 company maintains in its filing that the proposed
5 rates are necessary due to recent increases in
6 various costs outside of its control, and to ensure
7 that it can continue to deliver safe, adequate, and
8 reliable water service.

9 But PULP counters that with this
10 request, Veolia should be required to explicitly
11 share with the public what austerity measure it's
12 willing to take to help keep costs down for
13 customers. With society and everything the way it is
14 right now, people are being asked to do more with
15 less, and we ask that the utility also find ways that
16 it can do more with less. Thank you so much for the
17 opportunity to testify today.

18 A.L.J. CLARKE: Thank you, Ms.
19 Wheelock. Now our next registered speaker is Terri
20 Thal, T-H-A-L. I do not see Terri Thal on the list
21 of speakers who are participating electronically. If
22 Terri Thal is a call-in user, please press star three
23 on your phone. We can identify you and unmute you
24 and allow you to make your statement. Again, Terri
25 Thal, if you're participating by phone, please press

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2 star three.

3 MS. KAILAS: No, raised hand, Your
4 Honor.

5 A.L.J. CLARKE: Okay. Thank you very
6 much. We'll move on and we'll come back to Terri
7 Thal. The next registered speaker is Susan Shapiro.

8 MS. SHAPIRO: Hello.

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

10 MS. SHAPIRO: Great. Thank you so
11 much. Thank you for holding this hearing. I am for
12 the first time a -- a party, I've been accepted as a
13 party. I submitted comments and I'm waiting for
14 answers. I have -- I have concerns, first of all
15 about how this hearing was being -- how people were
16 able to sign up for this hearing. The Webex system
17 for some reason was very complicated. You had to go
18 back and forth between documents. If this is a
19 public hearing, I ask that you make this simple for
20 people to participate. This was not simple. Many
21 people I know wanted to participate were unable to,
22 because the Webex system was down when they tried to
23 register or they couldn't figure out how to go back
24 to the various documents.

25 It wasn't simple. That -- that --

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2 that's my point, and I'm asking, it should be.

3 There's no reason it shouldn't be. I am an Attorney

4 in Rockland County. I have -- I've -- was born in

5 Rockland County. My father was born in Rockland

6 County. My family's been there for many generations.

7 And I am concerned that the P.S.C. doesn't have the

8 expertise to deal with Rockland County's unique water

9 situation and possibly doesn't understand or know

10 even about the history of Rockland County's water.

11 Because it's very unique and it's different than

12 pretty much every other water system in the State,

13 maybe even in the country.

14 I'm -- I'm just going to give a quick

15 summary here, in case you don't know, that the whole

16 basis of Rockland County's water is that we are only

17 allowed to get our water from within our boundaries.

18 Because when the New York City Watershed was built,

19 we -- Rockland County opted out. And so Rockland --

20 and for that option that they opted out of

21 participating in that system, they are not allowed to

22 import water from any parts of the New York City

23 Watershed, which surround them. So therefore, we're

24 limited to our waters within our boundaries. What is

25 going on right now in Rockland County is

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2 unprecedented growth, uncontrolled, and unprecedented
3 growth.

4 And we understand that, you know,
5 Veolia Suez as a comp -- is a -- is a -- is a company
6 that is a conglomerate that is interested in making a
7 profit, and that they will present to you for your
8 approval, proposals, infrastructure proposals,
9 capital improvements on which they can put a -- a
10 value-added increase, a percentage profit on top of
11 that, because that's in their interest, that's in
12 their interest. And their interest also is just
13 adding on new customers without the -- without
14 considering the sustainability of our water system.
15 Because for them, they -- we have heard them even
16 say, if -- it doesn't matter if it gets polluted or
17 if you run out of water, they'll be an infrastructure
18 costs that will be transferred back to the Rockland
19 County rate payers that will -- will solve that
20 problem.

21 Well, we don't want to spend the
22 money, and I think we as the consumers and as the
23 people who are reliant on this single water supply,
24 have a right for you to -- to protect us. So that's
25 your job. You're the Public Service Commission. And

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2 I understand from your mission statement that your
3 role is to ensure that there are just and reasonable
4 rates while protecting the natural environment.

5 What's going on right now is there is no protection
6 of the natural environment of our watershed. There's
7 no even control over how many willingness to serve
8 letters are being given by Veolia. Anyone who comes
9 to them is given a willingness to serve letter, and
10 there's no tracking of which letters have been given,
11 waiting for it to be built or not -- or not.

12 And they continue to give out letters
13 without the consideration that we have a finite water
14 supply. And there's this history of this finite
15 water supply that put us in the situation we are in
16 now, of paying exorbitant monies for the failed de-
17 sal plant fiasco, which the P.S.C. approved, even
18 though it was found that there was no need at that
19 time to increase our water supply. And it was a -- a
20 pilot plan on which we, the Rockland County rate
21 payers are paying full board plus interest. So one
22 of my questions I'd like an answer to in my comments
23 -- in my questions that I submitted, is Veolia being
24 able to profit off that fiasco as well.

25 And we're very concerned that other

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2 cases like that, other capital projects are going to
3 come out your way from Veolia and we will be left
4 holding the bill. And that's not what we want. What
5 we want is to work with you to develop a sustainable
6 plan for Rockland County. And the other thing I want
7 to raise to you for as a history point, that's very
8 important for you to understand why there's such a
9 deep concern right now with this very large rate
10 increase, that -- and also this merger of Rockland
11 County into other water systems, so that we'll
12 potentially be paying other people's expenses.

13 Is that when the de-sal plant fiasco
14 happened, Ms. Sidell (sic), who was the chair at the
15 time, was very clear that we -- and the -- the P.S.C.
16 told Suez that they needed to participate in the
17 water task force in Rockland County, but then they
18 walked away and there was no oversight by the P.S.C.
19 They just actually walked away. They've not
20 participated in anything, and therefore there has
21 been no planning for Rockland County Water --
22 sustainable Rockland County Water System. And so I
23 really am urging you to take this moment and really
24 let us have a real discussion over what is a
25 sustainable water system. Is a sustainable water

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2 system, maybe not an endless water supply?

3 Maybe we have a finite water supply
4 and we in Rockland County can only build out to what
5 our water supply is. That is a possibility, that's a
6 real truth actually, that we all need to adopt and
7 look at, because we are not allowed to get water
8 elsewhere. We cannot get water from the Hudson
9 River, which is -- I -- I do want to -- which in the
10 pilot plant there was found to be radiation on both
11 sides of the reverse osmosis membrane. So that
12 happened before the planned dumping of one and a half
13 -- 1.2 trillion -- 1.2 million gallons of tritiated
14 water into the Hudson. This is another issue I want
15 you all to think about because here the P.S.C. is on
16 the decommissioning oversight board for Indian Point.

17 The plan is to dump 1.2 million
18 gallons -- the plan that Holtec, the company that now
19 owns Indian Point, wants to dump 1.2 million gallons
20 of -- of tritiated radioactive water into the Hudson
21 River. Two and a half miles north of the Haverstraw
22 Bay, where the de-sal plant was proposed. The P.S.C.
23 had never took the de-sal project off the table. It
24 is still considered an option that if -- if they come
25 back, if -- if Veolia comes back and says we need

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2 more water, that can be restarted, that -- that de-
3 sal proposal. For many reasons, it's probably a -- a
4 ridiculous plan. But any -- in any event, the P.S.C.
5 has left it on the table. So I'm asking that the
6 P.S.C. urgently, immediately take it off the table or
7 end simultaneously, oppose with every bit of its
8 power, the dumping of the 1.2 million gallons of
9 tritiated water into the Hudson River. The d -- the
10 P.S.C. is on the decommissioning board.

11 New York State, just to give you a
12 little background on that nuclear issue, New York
13 State does have rights, especially because we are an
14 agreement State with the Nuclear Regulatory
15 Commission, which means we're allowed to protect our
16 natural resources, specifically the Hudson River. So
17 I'm asking that you take a proactive position on
18 that. We -- going back to this rate case, which is
19 the -- the main topic of discussion, is it all goes
20 into the rate case, because if in fact it turns --
21 they're asking for this very large increase. We're -
22 - we're talking about 14 percent increase of rates in
23 the one-year period and potentially more, doubling or
24 tripling that over the next two to three years.
25 That's a problem for Rockland County users.

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2 We already pay the highest water rates
3 in the State. That has to be factored into any
4 consideration of an increase. We have a very -- we
5 have a system that is not being properly managed as
6 far as I'm concerned. We have a system where --
7 there was a study done regarding the Evergreen fire
8 where sadly there were -- there were two deaths
9 caused by the lack of pressure, which your study
10 doesn't find, and the fire department has sent you a
11 report, and there's been no response to that report.
12 So I think before we move forward on any rate
13 increases, we need to have a full comprehensive
14 discussion about the state of Rockland's water and
15 the state of what -- how Veolia is managing that
16 water. So those are my big concerns.

17 And I have overriding concern also, is
18 I understand the -- that your expertise are in rates.
19 I understand that it's primarily gas and electric
20 rates that you focus on, that that's your -- that's
21 your bailiwick, that's what you really work on.
22 Water issues are different. Water issues are that
23 you have to protect wet -- wetlands. You have to
24 protect watersheds. You have to look at aquifers.
25 There's a whole bunch of other unrelated mechanical

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2 aspects of water. There's also contamination in
3 water, which the company doesn't mind because they
4 can profit off of cleaning our water. We want them
5 to protect our water and not let it get contaminated,
6 so we don't have to pay the surcharges for cleaning
7 it.

8 So we have to look at water
9 differently than other utilities. And one of the
10 concerns we have is -- I don't know whether there's
11 expertise on your board. From what I've read, I
12 don't see the expertise in water usage. And I think
13 that the Department of Health needs to be brought in
14 and fully participating in this rate case and in any
15 decisions regarding Rockland's water. And so I'm
16 asking you to bring them on board on this rate case
17 and on any decisions regarding how our water is
18 distributed and sold to back to us, as Rockland
19 County users.

20 And my last point is we have a lot of
21 questions as -- as you can hear, and I know I
22 submitted quite a few questions, I know -- already
23 know that I've seen other people who've submitted
24 questions, who have gotten re -- no responses
25 basically, it's being told that question where -- is

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2 outside of scope. That's too broad. We're not going
3 to answer it. If the Public Service Commission isn't
4 going to answer the public's question, what's the
5 purpose of the Public Service Commission? I ask you
6 to answer our questions. If you don't know the
7 answers to the questions, that's fine. We can
8 understand that. But let's then discuss what or how
9 to find those answers. Let's have that conversation.
10 That's what I'm looking for.

11 I'm looking for a transparent, open
12 discussion with the P.S.C. and the Commission to
13 really make sure that we get Rockland's water right
14 for a sustainable future. Thank you very much.

15 A.L.J. CLARKE: Thank you very much,
16 Ms. Shapiro. Next registered speaker is Joe
17 Beckerle. Joe Beckerle.

18 MS. KAILAS: Joe Beckerle, if you have
19 -- okay, I see him.

20 MR. BECKERLE: Hi, can you hear me?

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

22 MR. BECKERLE: Hi. Thanks for taking
23 a few minutes and letting me speak here.

24 A.L.J. CLARKE: No problem. Thank
25 you.

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2 MR. BECKERLE: I live in Rockland
3 County. My family's been here for many generations,
4 also own a small business here in the county. And I
5 certainly understand the impact of inflation.
6 Everything's going up, taxes, costs of everything.
7 You go to the grocery store, you can't miss it. But
8 in my opinion, the cost of water here in Rockland is
9 actually very affordable. When I get my monthly
10 bills, that's the least of my bills. When you want
11 to talk about other utilities like gas and electric,
12 you want to talk about, you know, gas for your car,
13 you want to talk about any -- you know, your phones,
14 your television, whatever. Those are all outrageous.
15 But I find that, you know, the water bill for -- for
16 the amount that we have and what we use it for,
17 that's actually, in my opinion, you know, pretty
18 reasonable.

19 I -- I know Veolia is -- is new and
20 they took over for Suez, but I know it's a lot of,
21 you know, the same people who are -- who are carried
22 over, the same management. And I think they, as a
23 Suez company, they were doing a great job, but --
24 here locally and as Veolia, they're doing a great job
25 here locally. I -- I understand they're going to

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2 invest a ton of money in infrastructure up to
3 something like a half a billion dollars, which is
4 sorely needed to be able to provide, and continue to
5 provide the services and -- and upgrade the systems,
6 and -- and keep -- still keep the cost of water
7 relatively low. And again, you know, the lowest of
8 by far, of all my monthly household bills. You know,
9 I think we can trust Veolia.

10 I think, you know, we need more
11 companies like Veolia, that are good corporate
12 citizens and good for our community as corporate
13 citizens, and we can trust that they will rebuild and
14 -- and build and work on the infrastructure of their
15 systems and -- and help with all sorts of different
16 things in our community. So you know, we love
17 Rockland. It's a great place to live. We want to
18 cons -- preserve the quality of life. And I think
19 Veolia as a, again, a corporate citizen in our
20 community will do a great job, reliable service, and
21 affordable service. And I think we're lucky to have
22 them. And like I said, the bottom line is, you know,
23 I -- you know, I'm somebody who's willing to pay a
24 little bit more, if that means we will have good
25 quality service. And I think in this case, it's --

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2 it's reasonable. Thank you.

3 A.L.J. CLARKE: Thank you, Mr.
4 Beckerle. The next registered speaker is Glenn
5 McCreedy.

6 MR. MCCREEDY: Can you hear me?

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

8 MR. MCCREEDY: Yes. Thank you for
9 having me today. I appreciate the opportunity to
10 speak. I'm a business owner and customer in Rockland
11 County, and I would like to extend my full support to
12 the Veolia Water rate case filing. And continue to
13 give my gratitude for the -- the great success that
14 Veolia Water has and will continue to provide. What
15 many people don't remember is that, you know, there
16 were multiple water systems in this county that were
17 slowly aggregated under, you know, the original
18 United Water umbrella. And since then, the -- you
19 know, the aggregated system has transferred
20 ownerships, which we all know, you know, Suez and now
21 Veolia. But that does not, you know, take away from
22 what that company's goal has been, is to provide
23 clean and sustainable water to its customers.

24 You know, in a county like this, in
25 Rockland, which is ever expanding in its population,

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2 you know, companies like Veolia are vital to continue
3 to provide the technical resources, and slowly, you
4 know, integrate the system into the 21st century like
5 -- like it should be. So I fully support the rate
6 case and I think that the P.S.C. should look
7 favorable -- favorably on. Thank you.

8 A.L.J. CLARKE: Thank you, Mr.
9 McCreeedy. Next speaker is Vivienne Rollins.

10 MS. KAILAS: Vivienne, you have called
11 in, please press star three on your phone so I can
12 locate you --

13 A.L.J. CLARKE: Sangeetha, I'm seeing
14 Vivienne on a list that I have at the very bottom. I
15 don't know if you see the same list.

16 MS. ROLLINS: Okay. Can you -- can
17 you hear me now?

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

19 MS. ROLLINS: Okay, great. Thank you.
20 My name is Vivienne Rollins. I've lived in the
21 county since 1984, and as was previously mentioned,
22 went through a number of different iterations of
23 different companies taking over the -- the water
24 resources. And I think the -- the merger purchase of
25 Veolia from Suez has actually benefited the county

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2 because both companies are very, very well thought of
3 when it comes to water resources and knowledge about
4 water. And so we -- we have the best of both
5 companies having a lot of the same employees as well.
6 And I think that that's a really -- a good thing that
7 we need to take into consideration. I also feel that
8 there are a few points that should be noted in
9 considering the rate case that I -- I'd like to
10 mention.

11 Veolia has been very active and
12 committed to the communities, both Rockland, and
13 Westchester, and some of the other areas that they
14 service. And their efforts to support the people who
15 were struggling through the pandemic were certainly
16 noteworthy. I believe it was mentioned before that
17 there's a -- a low-income program from Veolia. And
18 as we came out of the pandemic, there were -- were a
19 number of low-income households that were really
20 struggling and had bills that were in arrears. And
21 Veolia contributed 30 percent of the balance that was
22 in arrears for more than 60 days for those active
23 residential customers.

24 And I can tell you, I have firsthand
25 knowledge of a family that was really having a tough

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2 time and were extremely grateful to be able to take
3 advantage of that sort of support. So that's
4 something that I think is certainly noteworthy and
5 they're looking to continue and perhaps expand. Also
6 something that I don't think a lot of people are
7 aware of, and I think that should be of note for the
8 rate case as well, and consideration. Veolia has
9 donated 20,000 dollars to each of three local
10 Rockland and Westchester hospitals totaling 60,000,
11 to Montefiore Nyack, Good Samaritan Hospital, and
12 Montefiore -- Montefiore New Rochelle. So their
13 commitment to their community really continues and
14 will be expanded, and I think that's something that
15 we should take into consideration and I definitely
16 support this rate case. So I thank you very much for
17 hearing my thoughts.

18 A.L.J. CLARKE: Thank you. The next
19 speaker is Jacquelyn Drechsler.

20 MS. DRECHSLER: Can you hear me?

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

22 MS. DRECHSLER: Okay. Well, I wanted
23 to thank all of you for these opportunity to speak
24 today to Judges Clarkee and Moreno and to
25 Commissioner Maggiore. Thank you for the

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2 opportunity. So --.

3 A.L.J. CLARKE: No problem. Thank you.

4 MS. DRECHSLER: You're welcome. So
5 first of all, I must say that having gone through the
6 stress of proving to the Public Service Commission,
7 that the desalination plant that had been proposed by
8 then Suez, with Suez having provided the misleading
9 and false information to the P.S.C. on the
10 sustainability of the Rockland water supply, and with
11 the P.S.C. falling for that and not doing their due
12 diligence, we are still and forever paying off the
13 debt that was a debt from a private water company,
14 part of their bad decision making. I would like an
15 answer to this question, and I know you won't answer
16 it now, but I'm hoping -- hoping that it will be
17 answered at some point. Is Veolia collecting our
18 taxpayer money on the cost of the bill and denied
19 plan, including the seven percent interest rate?

20 Secondly, I wonder if this P.S.C. is
21 aware of the D.O.B., which Susan Shapiro mentioned,
22 the oversight board for Indian Point decommissioning.
23 And if anyone there is connected those dots and
24 realize that dumping this tritiated water into the
25 Hudson River can have very serious consequences. So

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2 she already mentioned that it was proved that Tritium
3 was found on both sides of the membranes for that
4 pilot plant. And also, she didn't actually say this,
5 but it -- it is a very ecologically sensitive
6 habitat, the Haverstraw Bay for the Atlantic
7 sturgeon, and that's where the water comes to. And
8 so as she said, and I just want to reiterate because
9 it never hurts to say it twice, the de-sal has never
10 been taken off the table. And that this Tritium
11 irradiated water will be, you know, it takes 120
12 years for it to decay to the point where it's safe.

13 So let's just say for the next a
14 hundred years, if that happens, we are going to be
15 having Tritium wafting back and forth in front of our
16 area, in front of Rockland County, and especially at
17 the Haverstraw Bay. And so I believe that the P.S.C.
18 must enjoin in the dumping of this radioactive
19 wastewater from Indian Point, because as -- as it
20 goes downstream here into Rockland, it is actually a
21 higher level of Tritium. And so I'm requesting that
22 you take the de-sal option off the table. Thirdly,
23 what is this harmonization? It's such a lovely word.
24 I feel though it's the greenwashing of a privatized
25 company buying up other distressed water companies,

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2 and that -- what harmonizing means to us is that we
3 will be paying higher rates for Veolia to own more
4 and to use our money to fix another's problem while
5 they make a profit on the interest rate and make
6 money on their newest infrastructure project.

7 Because that's what all utilities do.
8 They make money on their infrastructure projects. As
9 an aside, I also request that the P.S.C. review, once
10 again, letting Rockland County have and be its own
11 water authority. Paying off 55 million dollars for
12 failed and denied de-sal plant along with the
13 exorbitant rate, the interest rate, and having just
14 had the four-year rate case, which was what? I think
15 34 percent, and now this rate hike of 14 percent is
16 costing Rockland County residents hugely. And we
17 actually have stinking, undrinkable, un-un-un-
18 batheable water with contaminants that are dangerous
19 to everyone. And Veolia, just like Suez has not
20 really even gotten started on the remediation. They
21 get extensions and they cite supply chain issues.
22 That might be true, but from what I understand, it's
23 going to take them many, many, many years for the
24 PFAS to be cleaned up.

25 Lastly, we are paying the highest

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2 rates for water in New York State, while we are
3 actually getting the worst quality water from a
4 company that for years now has not mitigated the
5 water quality issue of the PFAS and other
6 contaminants, does not have a climate resiliency
7 plan, has not worked on their conservation planning.
8 And there's more, which other people have touched on,
9 which Paul touched on, and which Susan has touched
10 on, and other people have. So we are getting slapped
11 upside the head with another rate hike, and I feel it
12 is grossly unfair. Your role P.S.C., should you
13 accept, is to protect the public from usury by
14 utilities. Please reject this proposal and hold.
15 And please do your job, protect us from exorbitant
16 rate hikes, and let us protect our resources here in
17 Rockland County. They are so small for so many
18 people that we really need to protect our water.
19 Thank you very much.

20 A.L.J. CLARKE: Thank you. Our next
21 speaker is John Moolick. John Moolick, if you've
22 called in, please press star three. If you're a
23 call-in user, please press star three. John Moolick,
24 we can identify you and unmute you. Okay. I'm going
25 to move on. We'll come back to Mr. Moolick. The

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2 next registered speaker is Barbara Rodensinger.
3 Again, Ms. Rodensinger if you're a call-in user,
4 please press star three. Looks like we have a hand,
5 Sangeetha.

6 MS. RODENSINGER: Hello? Can you hear
7 me?

8 A.L.J. CLARKE: Yes, we can hear you.
9 Please identify yourself.

10 MS. RODENSINGER: Hi, my name is
11 Barbara Rodensinger. I'm a resident of the town of
12 Orangetown. I wanted to give you -- I wanted to say
13 thank you very much for giving me the opportunity to
14 speak. I wanted to express my support for the
15 Veolia's rate filing. The reliable water service
16 that Veolia provides to Rockland County is critical
17 to the high quality of life that we enjoy here in
18 Rockland County. Not only does the company do great
19 work with our water, they are also very charitable --
20 they are also a very charitable company. In this
21 case, Veolia is proposing to fund a low-income
22 program with 1.5 million to help residents who are
23 struggling financially. They are also contributing
24 another four million to offset the impact of the
25 inflation and rising costs from affecting customer's

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2 water rates. I think Veolia is a great company and
3 we're lucky to have them in Rockland County. Thank
4 you.

5 A.L.J. CLARKE: Thank you. Our next
6 registered speaker is Rudolph Zodda. I'm sorry, but
7 Ms. Rodensinger if you could press star three again,
8 and Sangeetha it seems like we may have Mr. Zodda on
9 the line.

10 MR. ZODDA: Good afternoon. My name
11 is Rudy Zodda, and I'm a lifelong Rockland resident.
12 And I'm calling to thank Veolia for its commitment to
13 the future of Rockland County.

14 A.L.J. CLARKE: I'm sorry, Mr. Zodda,
15 we lost you there for a second.

16 MR. ZODDA: All right. Am I back on
17 now?

18 A.L.J. CLARKE: Yes.

19 MR. ZODDA: Okay. I -- I'm not sure
20 where I lost you, so I'll repeat. My name is Rudy
21 Zodda. I'm a lifelong Rockland resident. And I'm
22 calling to thank Veolia for its commitment to the
23 future of Rockland County. I read in the newspaper
24 that Veolia is -- is planning to invest nearly \$500
25 million in upgrading the water infrastructure over

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2 the next few years. Investing in infrastructure has
3 many benefits. I believe it will improve the quality
4 of the water service, if not the water itself
5 perhaps. And it creates jobs. And these jobs also
6 have a positive impact on the county and the small
7 businesses that service the -- the workers.

8 In my opinion, the cost of water in
9 Rockland County is and has remained affordable,
10 especially when you consider that Veolia is investing
11 so much money into the infrastructure. I believe
12 they invested \$440 million approximately in the last
13 few years. And when you add the increased
14 investment, it's going to approach a billion dollars
15 that they've invested in our community. I think it's
16 important to be sure that this investment is included
17 in the public record of this hearing. Thank you.

18 A.L.J. CLARKE: Thank you. Our next
19 speaker is Sheri Shaw. Sheri Shaw, if you've called
20 in -- we have a hand, Sangeetha. Do you see it?
21 Okay. Ms. Shaw, I think you've been unmuted.

22 MS. SHAW: Okay. So you can hear me,
23 is that correct?

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

25 MS. SHAW: All right. Thank you so

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2 much for your time this afternoon. My name is Sheri
3 Shaw. I work in Rockland County and I'm also a
4 resident. I just wanted to call in to discuss the
5 Veolia Water Company. I know that some people always
6 complain when, you know, utilities try to increase
7 rates for customers, but I have a different opinion
8 about this. I think Rockland County is fortunate to
9 have a company like Veolia, and the reason why I say
10 that is because the company is one of the largest
11 employers in the county and also one of the largest
12 taxpayers. I believe I saw something that they pay
13 over 24 million in property taxes per year. On top
14 of that, they are a global company with extensive
15 resources to help give us the best service.

16 And then they're also willing to
17 invest almost half a billion dollars in improving the
18 water infrastructure in Rockland. Our water pipes,
19 tanks, and meters are getting old and need to be
20 replaced. I mean, I know I'm receiving notifications
21 about, you know, something being worked on or being
22 replaced, and I feel like they do a really good job
23 of providing those notifications about what's going
24 on in the area. You know, water is still very
25 affordable, you know, in comparison to other utility

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2 bills. So you know, I think people kind of just have
3 to understand that rates need to go up a little to
4 help pay for any improvements that are made in the
5 water system. And that was all that I had to add
6 today.

7 A.L.J. CLARKE: Thank you very much.
8 That's it for the registered speakers. I will go
9 back, I don't believe they're here based on what I
10 see, but just in case. Terri Thal, if you are
11 participating via the phone, please press star three,
12 we can identify you and unmute you. Same goes for
13 John Moolick. Terri Thal or John Moolick, if you are
14 on the phone, please press star three. Sangeetha,
15 I'm not seeing anybody, are you?

16 MS. KAILAS: No, Your Honor.

17 A.L.J. CLARKE: Okay. In that case,
18 I'm going to move on. I'd like to, again, thank
19 everyone who registered in advance to speak this
20 afternoon. We'll now open up the hearing to anyone
21 in attendance who would like to speak but did not
22 pre-register to do so. If you would like to make a
23 statement, please click the raise hand icon in the
24 bottom right corner of your screen. Or if you're a
25 phone user, please press star three. Either option

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2 will enable us to identify you and unmute you so you
3 can make your statement. Electronic users, the
4 procedures are on the screen for pressing that right
5 hand icon. If you're calling in and would like to
6 make a statement, please press star three.
7 Sangeetha, I don't see any hands, do you?

8 Okay. I'll give everyone one more
9 opportunity to use the raise hand function if you
10 want to make a statement at today's hearing. For
11 electronic users, the instructions are on the screen,
12 should be an icon on the bottom right. If you're
13 calling in and would like to make a statement, please
14 press star three on your phone. Okay. Doesn't look
15 like we have any takers. I'd like to, again, remind
16 the public -- members of the public that they may
17 submit public comments throughout this proceeding by
18 the other means described earlier and in the notice
19 of public statement hearing issued on April 14th,
20 2023. We request that comments be filed by June
21 19th, 2023. We will be holding additional public
22 statement hearings this evening at five o'clock as
23 well as next Wednesday, May 17th at one p.m. and five
24 p.m.

25 Judge Moreno and I would like to thank

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2 everyone for their participation here today,
3 especially staff of our Consumer Services Office and
4 our court reporter. The hearing is now concluded and
5 we are off the record.

6 THE REPORTER: We are off the record,
7 Your Honor.

8 (The meeting concluded at 1:53 p.m.)
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2 STATE OF NEW YORK

3 I, ANTHONY MCCLAIN, do hereby certify that the foregoing
4 was reported by me, in the cause, at the time and place,
5 as stated in the caption hereto, at Page 1 hereof; that
6 the foregoing typewritten transcription consisting of
7 pages 1 through 40, is a true record of all proceedings
8 had at the hearing.

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

11

12 ANTHONY MCCLAIN, Reporter

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