

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Proceeding on Motion of the Commission of an
Investigation into Consolidated Edison Company
of New York, Inc.'s July 2019 Southeast Brooklyn
Customer Service Outages

Case 20-E-0587

Proceeding on Motion of the Commission of an
Investigation into Consolidated Edison Company
of New York, Inc.'s July 2019 Manhattan
Customer Service Outages

Case 20-E-0588

**STATEMENT OF THE CITY OF NEW YORK
REGARDING MANHATTAN AND BROOKLYN OUTAGES**

The City of New York (“City”) offers these comments regarding the electric system outages that occurred in July 2019 in Manhattan and Brooklyn.

In short, these outages disrupted the lives of tens of thousands of New Yorkers, resulted in substantial economic losses, and, as demonstrated by the *Investigation Report on Con Edison’s July 2019 Outages in Manhattan and Brooklyn*, released November 19, 2020 in these proceedings, could have been avoided. The City respectfully urges the Public Service Commission (“Commission”) to direct Consolidated Edison Company of New York, Inc. (“Con Edison”) to implement more robust communications protocols during outages so that the public, emergency management officials, and first responders can better understand the nature and magnitude of outages and their expected duration.

While the Brooklyn outage occurred during a heat wave, Con Edison’s December 21, 2020 response to the Commission’s Order to Show Cause does not discuss the events that caused the Flatbush network to be in a second contingency or the reasons why feeders continued to fail, leading to a seventh contingency. With climate change, extreme heat events are expected to become more frequent and extend for longer periods of time. Therefore, it is imperative that the Commission thoroughly investigate the root cause of the multiple contingencies during the Brooklyn event and, more broadly, the impact of extreme heat on electric infrastructure. Based on that analysis, the Commission should direct Con Edison to take actions to prevent or minimize similar events in the future.

Background

The New York City Emergency Management Department (“NYCEM”) works closely throughout the year with Con Edison on preparing for and responding to utility outages and incidents. Its operations center is staffed on a 24x7 basis and maintains direct communication with Con Edison at all times. There are procedures in place to receive and process information in order to inform interagency partners, elected representatives, and the general public of outages, planned maintenance, and utility emergencies when they occur.

During large-scale utility emergencies, like those experienced in Manhattan on July 13 and in the Flatbush and Mill Basin neighborhoods of Brooklyn and the Jamaica neighborhood in Queens on July 21 through July 23, Con Edison personnel are embedded in the City’s Emergency Operations Center (“EOC”) and NYCEM personnel are embedded in Con Edison’s Corporate Emergency Response Center (“CERC”).

It should be noted that the setting surrounding the two outages differed. The Manhattan outage occurred during normal conditions. However, the Brooklyn outage occurred during an extreme heat event in which the EOC already had been activated. Because of the heat event, NYCEM and Con Edison were in constant communications prior to the time the Brooklyn outage commenced, and there were ample opportunities for Con Edison to share its plans and options with NYCEM. As discussed below, the Company did not do so until it began to de-energize the areas.

Key Concerns

During the heat wave that occurred in July 2019, Con Edison did not provide timely information to NYCEM or other City officials, and that failure put public safety at risk. In particular, on July 21, 2019 Con Edison shed power to over 30,000 customers in Brooklyn and Queens. Inasmuch as one customer may encompass multiple individuals or families (*e.g.*, master-metered apartment buildings), the number of people impacted was substantially larger. However, Con Edison provided no advance warning to NYCEM or other City officials despite being in communication with them shortly before that action was taken. Instead, the Company notified NYCEM only as the outage commenced. The lack of advance notice from Con Edison inhibited the City’s ability to warn the public of the impending outage and stage first responders and emergency equipment (*e.g.*, generators, light towers) in the area to ensure a rapid response and the safety and welfare of the affected residents.

The outages of July 2019 were the largest the City had experienced since Hurricane Sandy. With Sandy, there was advance notice and the City was able to plan and prepare for it to protect the public, and provide the public with information about what to do in the event they lost power. In contrast, the Manhattan outage was a no-notice event. The Brooklyn/Queens outage occurred during a forecasted excessive heat event; because of that event, the City had prepared personnel and resources for immediate response during the heat wave. However, the deployment of personnel and resources to the affected area was delayed due to the communications problems discussed below.

Manhattan No-Notice Power Outage – July 13, 2019

NYCEM began seeing reports via social media and 911 calls of a major power outage in Manhattan at approximately 6:47 pm on July 13, 2019. While these reports consistently referred to a major power outage on the West Side of Manhattan, the exact boundaries of the outage area were not known. Within minutes of receiving the initial reports, NYCEM dispatched Citywide Interagency Coordinators, senior agency leadership (including the NYCEM Commissioner), and its mobile Interagency Command Center to that area to establish a field interagency command post. The EOC was activated and NYCEM directed more than 20 City, State, and partner agencies to send representatives to it. Additionally, the City’s Generator Task Force was mobilized. Once Con Edison informed NYCEM that it was activating its CERC, a NYCEM representative was immediately dispatched to that location to serve as a liaison.

An initial interagency conference call was conducted by NYCEM with Con Edison and key public safety, health, and human services partners at 7:40 pm to ascertain the scope of the outage, identify any immediate life-safety impacts, and identify resource requests or needs from other agencies. Con Edison initially reported that the Columbus Circle and Hudson networks were impacted. Within a few minutes, NYCEM learned that the outage expanded to the Lincoln Square, Plaza, Rockefeller Center, and Pennsylvania networks.¹

Simultaneously, the New York City Police Department (“NYPD”) and New York City Fire Department (“FDNY”) were reporting an increase in call volume. Of great concern, they received hundreds of calls of people stuck in elevators. Con Edison could not provide any estimated time for restoration of service.

At the field command post, NYCEM, FDNY, NYPD, and the New York City Department of Buildings established an Elevator Task Force to facilitate rapid response and reduce resource duplication to “stuck elevator” calls. Additionally, it was estimated that approximately 200 traffic signals had ceased functioning. The NYPD declared a Level Three Mobilization, meaning that dozens of police officers and traffic enforcement agents were surged into Manhattan to ensure public safety and restore the safe flow of traffic in the affected neighborhoods. For pedestrian safety and to facilitate the response and staging of emergency assets, vehicular traffic was restricted from West 42nd Street to West 71st Street between 8th Avenue and the West Side Highway. It bears mention that these actions were taken on a Saturday night in the summer, when Manhattan was typically busy with people dining, attending shows, and otherwise out in the City.

Separately, the FDNY deployed its Queens and Bronx Tactical Response Groups to the area to handle the increased call volume. In the EOC, NYCEM actions included:

- (i) conducting outreach to healthcare facilities in the affected area;
- (ii) providing information to elected officials and the general public via multiple platforms;

¹ NYCEM later learned that Con Edison intentionally de-energized adjacent networks as a protective measure.

- (iii) coordinating the deployment of over 100 City- and State-owned light towers; and
- (iv) working with emergency contractors, New York State Department of Homeland Security and Emergency Services, and City agencies to identify nearly 200 generators in the tri-State area potentially available for deployment in the event the outage was prolonged.

NYCEM and its partner agencies worked in the EOC until approximately 4:15 am, when Con Edison confirmed that all power was restored, the power grid had stabilized, and no further issues were expected.

Brooklyn No-Notice Power Outage – July 21-23, 2019

The National Weather Service forecasted an extreme heat event for the period July 17 – July 21, 2019. Heat indices were anticipated to be in excess of 105 degrees and overnight temperatures were not expected to drop below 80 degrees. These were the highest forecasted temperatures and heat indices experienced in seven years. Because of this forecast, NYCEM activated the City’s Heat Emergency Plan on July 17, coordinated the opening of nearly 500 cooling centers, and activated the EOC to facilitate a rapid and coordinated response to any incidents that developed during the heat wave. Due to the expected heat indices and in an effort to reduce strain on the electric system, Mayor de Blasio declared a State of Emergency. He ordered office buildings that were 100 feet tall or higher to set their thermostats to 78 degrees and directed City agencies to take all necessary and appropriate steps to protect the security, well-being, and health of City residents.

In preparation for power outages, NYCEM activated one of its emergency contractors and staged six large generators at its Emergency Support Center in Brooklyn. Eight large NYCEM-owned generators and more than 40 generators owned by City agencies that are earmarked for emergencies also were staged for ready deployment. In addition, NYCEM rented 80 portable air conditioning units that could be installed at cooling centers, senior centers, and other facilities if their existing air conditioning systems failed.

Beginning in the late afternoon on July 21, NYCEM was notified by Con Edison that the Company had implemented a pre-emptive voltage reduction in its Flatbush and Brighton Beach networks due to several electric distribution feeders going out of service. Just before 7:30 pm that day, Con Edison advised NYCEM that it would be pre-emptively de-energizing customers in the Flatbush and Mill Basin areas in order to protect the balance of its Flatbush network. Within minutes of that notification, NYCEM learned that approximately 30,000 customers were removed from service.

NYCEM and agency partners in the EOC immediately assessed impacts of the outage. Two private adult care facilities – with a combined census of more than 200 elderly and vulnerable individuals who are at extreme risk for heat-related medical complications – lost power. The applicable New York State regulations did not require these facilities have on-site back-up

generation, and neither had such equipment.² In response to the outage, NYCEM coordinated the deployment of emergency generators and buses to serve as mobile cooling centers. It is important to note that had Con Edison provided advance notice to NYCEM that the electric system in that area was in trouble, NYCEM would have been able to deploy generators to these critical facilities prior to the outage, thereby ensuring the safety and welfare of the more than 200 individuals and avoiding the need to relocate these individuals to buses and other locations.

Several New York City Housing Authority (“NYCHA”) developments were identified as being in the same general area. Because of the lack of information from Con Edison on the bounds of the outage area, NYCHA dispatched personnel to check on the status of those facilities. Additional personnel were dispatched from the New York City Department of Education (“DOE”) and American Red Cross to open an overnight shelter in a nearby school. Further, NYCEM deployed Citywide Interagency Coordinators and its mobile Interagency Command Center to the area to coordinate the City’s response and provide assistance to area residents. Portable light towers were brought in to aid the effort. The local Community Emergency Response Team deployed several members that worked alongside City workers long into the night.³

NYCEM observed a large and increasing number of customer outages in the Jamaica section of Queens and worked with DOE and the American Red Cross to open an additional overnight shelter in that area. Additionally, NYCEM issued updates to the public and elected officials via multiple platforms and continuously monitored the status of critical facilities within the outage area for the duration of the outage.

The EOC remained activated until 5:00 pm on July 23, 2019, once the majority of customers were restored.

Communication and Coordination with Con Edison

Subsequent to the Manhattan outage, NYCEM learned that Con Edison intentionally de-energized some networks to prevent even larger outages. However, Con Edison never shared that information with the City before taking such action, or at any point during the outage. In Brooklyn, Con Edison intentionally de-energized some areas to prevent larger outages, but it only provide a few minutes of advance notice to the City. The City defers to Con Edison to take the actions it considers to be prudent to prevent or minimize outages, and that action is not the issue of concern. The problem is Con Edison’s failure to notify NYCEM of its intended actions. When Con Edison plans, or even considers, taking actions could adversely affect New York City residents, it should advise NYCEM of its intentions. Doing so would provide NYCEM and other City agencies the ability to prepare and deploy resources to the affected areas

² The City recognizes that the Commission does not have jurisdiction over critical facilities, but it should attempt to work with its sister agencies to modify these regulations and require all critical facilities to install on-site back-up power supplies.

³ The Community Emergency Response Team is a group of trained community members who provide community disaster support, traffic control, and other activities in support of the NYPD, FDNY, and NYCEM.

More generally, the two outages revealed communication, coordination, and information gaps that must be resolved, including:

- (i) clear, timely, and understandable information from Con Edison regarding the vulnerability of portions of its electric system to power outages;
- (ii) advance warning from Con Edison when pre-emptive power outages are being considered so the City can communicate to the public, mobilize and stage resources, and identify available shelter locations close to areas of potential impact;
- (iii) specificity on the boundaries of a power outage, or potential power outage, in real time to allow NYCEM and first responders to efficiently target the deployment of resources where they are needed; and
- (iv) identification of steps the City can take, or ask New York City residents and businesses to take, to help protect the integrity of the electric system.

The City respectfully urges the Commission, as part of these proceedings, to explore ways in which Con Edison can improve its communications, coordination, and real-time data sharing with NYCEM and other City agencies. The Commission should order Con Edison to implement or effectuate any improvements that are identified. Inasmuch as inadequacy of the Company's communications and coordination with the public and governmental officials has been a recurrent problem, a Commission Order and its attendant consequences for non-compliance arguably are needed to induce Con Edison to make real improvements to its processes.

Further, Con Edison is progressing on its multi-year effort to deploy advanced metering infrastructure ("AMI") throughout its service territory and for all of its customers. The City has supported this effort in part because of the opportunities AMI presents to improve outage awareness and outage management. For both of the Manhattan and Brooklyn events, the lack of specificity as to the geographic location and scope of the outages hindered the ability of NYCEM to identify the resources needed and efficiently deploy those resources. In the case of the Brooklyn outage, the lack of details caused first responders to take time to check on critical facilities and customers who did not lose power. The Commission should require that as Con Edison deploys the AMI technology, it share the information gleaned from such technology in real-time with NYCEM, other emergency management personnel, and first responders. During every outage event, as Con Edison processes the information received to plot the location of the outage, those details should be shared simultaneously with emergency management personnel.

Closing Comments

The City thanks the Commission for instituting these investigations and carefully examining and assessing the reasons for the Manhattan and Brooklyn outages. Global warming and aging infrastructure are likely to exacerbate the threat of power outages in the future. After the Manhattan and Brooklyn outages, and on a continuing basis, NYCEM conducts internal and interagency reviews to identify and prioritize gaps, highlight best practices, and develop improvement plans. The Commission should require Con Edison to undertake similar efforts – both internally and jointly with NYCEM and other emergency management personnel.

The climate is changing now. The Manhattan and Brooklyn outages, and more recently the Tropical Storm Isaias outages, demonstrate the impacts climatological events can have on the electric system. Moreover, the testimony provided at the January 26, 2021 public forum reveals that residents and businesses were deeply impacted by the outages and collectively incurred millions of dollars of damages. All of this information establishes the need for improvements in Con Edison's performance before, during, and after outage events. Because the same problems seem to happen in each event, Commission action is needed to ensure that the improvements are made.

It is imperative that every reasonable action be taken to minimize the potential for similar outages to occur again and to give NYCEM and first responders access to the information needed to protect the safety and welfare of millions of New Yorkers. The Commission has the authority to mandate such actions and it should exercise that authority once the appropriate actions are identified.

Respectfully submitted,

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Dated: February 8, 2021
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Dated: February 8, 2021
New York, New York