

Michelle L. Phillips, Secretary

New York State Public Services Commission

[secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

Dear Ms. Phillips,

This is a Request for Rehearing under Title 16, New York Codes, Rules and Regulations § 3.7 and § 3.8. We request a rehearing on the Order Denying Petition for Case # 23-E-0727. We request this rehearing on the grounds that the Commission has made errors of law, and errors of fact, and that there are new circumstances warranting a different determination. The Commission's denial leaves all of us with LED streetlighting that we didn't ask for, have no way to refuse, and which makes many people sick, causing seizures and migraines and headaches.

The Commission cannot leave this problem unsolved as if the Commission has no role or responsibility in fixing it. New York State civil laws, NY State Public Service Laws and NY State Public Health Laws say otherwise.

**Public Service Law 65:**

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

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

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

**Public Service Law 71:**

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

The Commission opened this case upon complaint from **52** New York resident customers of National Grid. Clearly, the petitioners met the criteria to have “customer” status, and standing to compel an investigation into the cause of their complaint under PSL 71. If the petitioners had NOT met the Commission’s criteria, no case would have been opened. Now, three and a half years later, the Commission is denying the petition on the grounds that the Village of Cambridge is the “customer”- not the petitioners after all – and the Village isn’t complaining about the LED streetlights. The Commission cannot simply strip the petitioners of their customer status and standing after the fact. Doing so is an error under the law that gives residents a right and a mechanism to get problems with public services solved by the Public Services Commission.

**New Circumstances that warrant a different determination:**

When the petitioner/customers sent their complaint about the LED streetlights, there were knowledge gaps and general ignorance about the potential for LED lighting to cause disproportionate and unprecedented ill effects on humans and the environment. Now, in 2025, there is an ever-growing mountain of **published research** and an increasing number of individuals suffering LED-induced symptoms proving that outdoor, overnight LED lighting is toxic and harmful, and that measures like lower CCT and shields do not necessarily protect anyone against damaging LED effects. Commentors to the public record have kept NYSPSC updated on these new developments and scientific findings. Fuller knowledge and new evidence make for new circumstances.

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

Thank you for your consideration of this serious issue.

Signed,

Susan Rosen