

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1/17/2024 - National Fuel Gas Corp. - 23-G-0627

STATE OF NEW YORK

PUBLIC SERVICE COMMISSION

CASE 23-G-0627 - Proceeding on Motion of the
Commission as to the Rates, Charges, Rules
and Regulations of National Fuel Gas
Distribution Corporation for Gas Service.

PUBLIC STATEMENT HEARING

DATE: January 17, 2024 at 1:01 p.m.

VENUE: WebEx

BEFORE: ALJ TARA KERSEY

ALJ MICHAEL CLARKE

Reported by Monique Hines

1 1/17/2024 - National Fuel Gas Corp. - 23-G-0627

2 (The hearing commenced at 1:01 p.m.)

3 A.L.J. CLARKE: On the record. I call
4 case twenty-three G zero six two seven, Proceeding on
5 Motion of the Commission as to the Rates, Charges,
6 Rules and Regulations of National Fuel Gas
7 Distribution Corporation for Gas Service. Good
8 afternoon and welcome. 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 Tara Kersey, also from the Department of Public
12 Service. Together we are responsible for presiding
13 over the hearings in this case and the development of
14 a complete record in the proceeding. Assisting us
15 today are Esmine Brown-Anderson and Sangeetha Kailas
16 from the Department's Office of Consumer Services.
17 We're all here today for a public statement hearing
18 that was noticed on December 6th, 2023.

19 I'm going to briefly provide some
20 background information and then we'll get right into
21 the hearing. National Fuel Gas Distribution
22 Corporation, or N.F.G., filed amendments to its gas
23 tariff schedules on October 31st, 2023, proposing an
24 increase to its annual gas delivery revenues by
25 approximately eighty-eight point eight million

1 1/17/2024 - National Fuel Gas Corp. - 23-G-0627
2 dollars, which would result in an estimated total
3 monthly bill increase of approximately eleven dollars
4 and thirty-one cents for the average residential
5 heating customer and approximately sixteen dollars
6 and sixty-five cents for the average small commercial
7 customers.

8 Under New York State Law, the Public
9 Service Commission must consider a utility's proposal
10 and may adopt or reject it, in whole or in part, or
11 modify it. This hearing is being held so you can
12 provide your comments on N.F.G.'s proposal for the
13 Commission's consideration.

14 The Public Service Commission has six
15 members. The Chairperson, Rory Christian and
16 Commissioners Diane Burman, James Alesi, John Howard,
17 David Valesky and John Maggiore. As I mentioned
18 earlier, the purpose of today's hearing is to provide
19 you with an opportunity to tell the Commission your
20 thoughts on N.F.G.'s rate proposal. This is not an
21 evidentiary hearing or a question and answer session,
22 but a forum to hear comments from you. Any
23 statements made today will become part of the case
24 record. We have a court reporter joining us who will
25 prepare a transcript of the hearing which will be

1 1/17/2024 - National Fuel Gas Corp. - 23-G-0627
2 included in the official record in this proceeding.
3 When it's ready, the transcript will be available on
4 the Department of Public Service website.

5 If you prefer not to speak at the
6 hearing, there are a variety of other ways to bring
7 your comments to the attention of the Commission. As
8 indicated in the December 6th notice, you can do so
9 through the Department's website, by regular mail or
10 by phone. Regardless of how comments are submitted,
11 they will be given equal consideration.

12 Okay. We're ready to begin and have
13 three people registered to speak. When I call your
14 name, please speak slowly and clearly so that the
15 court reporter can accurately capture your statement
16 for the record. Please state your name and if you're
17 speaking on behalf of an organization, the name of
18 the organization. Although we are not imposing a
19 time limit, we request that you try to be concise and
20 avoid repeating yourself. Our first registered
21 speaker is John Brown. I don't see Mr. Brown on the
22 list of electronic users. So Mr. Brown, if you're
23 calling in, please press star three on your phone, we
24 can identify you and allow you to give your comment.
25 All right, we're going to move on to Daniel Russell.

1 1/17/2024 - National Fuel Gas Corp. - 23-G-0627
2 Esmin, would you please unmute Mr. Russell?

3 MR. RUSSELL: Good afternoon,
4 Administrative Law Judges Kersey and Clarke. My name
5 is Daniel Russell and I am a legal aid with the
6 Public Utility Law Project of New York, or PULP, as
7 well as an N.F.G. customer. My pronouns are he and
8 him. PULP is a forty year old non-profit with the
9 mission of educating, advocating and litigating on
10 behalf of New York State low income utility
11 customers. PULP thanks the Department of Public
12 Service for the opportunity to provide a public
13 statement in relation to the recent filing by
14 National Fuel Gas, who is an active party in this
15 case. And we are currently working on our expert
16 testimony, which we expect to file on March 1st.

17 PULP has several concerns that we will
18 be expanding upon in our written testimony, but today
19 we would like to focus on energy affordability. As
20 you stated earlier, on October 31st, 2023, National
21 Fuel Gas filed a rate increase which has the
22 potential to increase delivery bills by thirty
23 percent per month for the average residential
24 customer, up to nearly a hundred dollars a month.
25 The reality is that many N.F.G. customers are already

1 1/17/2024 - National Fuel Gas Corp. - 23-G-0627
2 struggling with affordability. In Erie County alone,
3 around fifty percent of children qualify for free or
4 reduced lunch. And as of November 2023, National
5 Fuel Gas has about fifty-six thousand eight hundred
6 and twenty-four customers sixty days or more in
7 arrears, totaling nearly -- totaling nearly thirty
8 two million dollars. Now that the Company is asking
9 for an additional eighty-eight point eight million
10 dollars in revenue, N.F.G.'s historically low
11 compared to the rest of the State, heating bills
12 could skyrocket along with the above-mentioned
13 numbers. Between the pandemic and natural disasters,
14 customers in N.F.G.'s service territory have been hit
15 hard and a thirty percent delivery bill increase
16 could be the final affordability straw that breaks
17 the household budget of many Western New Yorkers.

18 As such, PULP urges this Public
19 Service Commission, the Department of Public Service
20 Staff, to scrutinize every penny and only improve
21 those costs necessary to ensure that service is safe
22 and reliable. Thank you for your time.

23 MR. CLARKE: Thank you, Mr. Russell.
24 Our next registered speaker is Ms. Colleen
25 Ballacchino. Ms. Ballacchino, if you've called in,

1 1/17/2024 - National Fuel Gas Corp. - 23-G-0627
2 please press star three so we can identify you and
3 unmute your line. I see -- Esmin, do you see Ms.
4 Ballacchino? She's an electronic user. Okay. Ms.
5 Ballacchino, you've been unmuted. Please make your
6 statement.

7 MS. BALLACCHINO: -- and I represent
8 two hundred and twenty-five productive workers
9 employed at National Fuel Gas. Our membership takes
10 great pride in being the face of the Company and its
11 customer relationships. I.B.W. Local 2199 generally
12 supports National Fuel in Rate Case 23-G-0627
13 regarding the proposals for the C.L.C.P.A. goals and
14 for future weatherization programs. We feel the
15 current aggressive public policy initiated to ban
16 natural gas in New York State must be managed in a
17 deliberate, measured manner to fully ensure
18 reliability and safety during extreme winter events.
19 It should also provide affordability for customers
20 and mitigate the negative impact this will have on
21 quality union jobs.

22 National Fuel has a proven history of
23 being experts in the national fuel gas industry and
24 taking all of these factors into consideration and
25 acting thoughtfully for a safe transition, Local 2199

1 1/17/2024 - National Fuel Gas Corp. - 23-G-0627
2 supports their efforts. However, Local 2199 does not
3 support the proposed permanent closing of National
4 Fuel's three customer walk-in offices, which have
5 remained closed since the start of Covid-19. These
6 offices are located in disadvantaged communities
7 within Buffalo, Cheektowaga and Jamestown, whose
8 customers depend on public transportation and rely on
9 the consistency of set hours that are Monday through
10 Friday. Many of these customers do not have internet
11 access, computers, cell phones, bank accounts or
12 credit cards and would like face-to-face contact for
13 billing questions. Customers have consistently asked
14 for the walk-in offices to be reopened either by
15 phone or by physically going to the walk-in offices.
16 In fact, since the temporary Covid closure, many
17 customers still utilize the cash drop boxes at their
18 -- at their centers to make required payments.
19 Payments have ranged up to \$90,000. This example
20 further supports the customer need and our desire to
21 maintain these important customer walk-in offices.

22 Local 2199 also does not support the
23 Company sending New York related customer service
24 calls to a non-union call center in Pennsylvania. We
25 know there are Pennsylvania representatives being

1 1/17/2024 - National Fuel Gas Corp. - 23-G-0627
2 utilized to manage New York calls. We feel that New
3 York related customer service business could be
4 better managed by Local 2199 members residing within
5 New York State's National Fuel Gas territory. Local
6 2199 appreciates the relationship that exists between
7 National Fuel Gas and our membership. We jointly
8 support a measured, deliberate approach in managing
9 the natural gas transition in our service territory.
10 Such an approach is the best -- in the best interest
11 of customers, Local 2199 members and National Fuel by
12 maintaining safe, reliable service. Thank you for
13 giving Local 2199 the opportunity to voice our
14 concerns.

15 A.L.J. CLARKE: Thank you, Ms.
16 Ballachino. We're going to go back to John Brown.
17 Mr. Brown, if you've called in, please press star
18 three. It doesn't appear to me that Mr. Brown is on
19 the line and we are done with all of the speakers who
20 have registered to speak. So we'll open up the
21 hearing to anyone in attendance who would like to
22 make a comment, but who did not register to do so.

23 If you would like to make a comment
24 and you're participating electronically, please press
25 the raise-hand icon on the bottom of your screen. If

1 1/17/2024 - National Fuel Gas Corp. - 23-G-0627
2 you've called in and would like to make a comment,
3 please press star three. I don't see any hands. Ms.
4 Brown, do you see any?

5 MS. BROWN-ANDERSON: No, your Honor.

6 A.L.J. CLARKE: All right. We're
7 going to give one more call to anyone in attendance
8 who would like to make a statement. If you're
9 participating electronically, please press the raise-
10 hand icon at the bottom of your screen. The
11 instructions on how to do it specifically should be
12 shown to you. If you've called in and would like to
13 make a comment, please press star three. Still no
14 hands, Esmin?

15 MS. BROWN-ANDERSON: No. Still no
16 one.

17 A.L.J. CLARKE: Okay, thank you. In
18 that case I'm going to close the hearing, although I
19 did notice that Commissioner Maggiore joined the
20 hearing. Commissioner, would you like to make any
21 comments before we formally close the hearing?

22 COMMISSIONER MAGGIORE: Sure. Thank
23 you. I'm sorry to be late, I was just having some
24 difficulty dialing in. I just wanted to thank those
25 who did show up and participate in this hearing. I -

1 1/17/2024 - National Fuel Gas Corp. - 23-G-0627
2 - I believe that I got to hear most of the comments
3 and I'll review the transcript to see if I've missed
4 any. But I do find public statement hearings very
5 informative when considering issues that come before
6 the Public Service Commission. So to those who
7 either spoke or listened, dialed in and listened, I
8 very much extend my appreciation. Thank you very
9 much.

10 A.L.J. CLARKE: Thank you,
11 Commissioner. All right. I'd like to remind
12 everyone that we'll be holding another virtual
13 hearing this evening at six p.m. and next week on
14 Wednesday, January 24th at one p.m. and six p.m.
15 We'll be conducting in-person hearings at the Buffalo
16 and Erie County Public Library at 1 Lafayette Square,
17 Buffalo, New York.

18 Again, in-person hearings will be held
19 on Wednesday, January 24th at one p.m. and six p.m.
20 at the Buffalo and Erie County Public Library at 1
21 Lafayette Square, Buffalo, New York. We'll also be
22 holding another virtual hearing this evening at six
23 p.m. Please also remember that comments may be
24 submitted through the Department's website, by
25 regular mail or by phone. Thank you again to

1 1/17/2024 - National Fuel Gas Corp. - 23-G-0627

2 STATE OF NEW YORK

3 I, MONIQUE HINES, do hereby certify that the foregoing was
4 reported by me, in the cause, at the time and place, as
5 stated in the caption hereto, at Page 1 hereof; that the
6 foregoing typewritten transcription consisting of pages 1
7 through 12, is a true record of all proceedings had at the
8 hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 22nd day of January, 2024.

11

12 MONIQUE HINES, Reporter

13

14

15

16

17

18

19

20

21

22

23

24

25