

1 1/24/2024 - National Fuel & Gas, Corp. - 23-G-0627
2 STATE OF NEW YORK
3 PUBLIC SERVICE COMMISSION
4 CASE 23-G-0627 - Proceeding on Motion of the
5 Commission as to the Rates, Charges, Rules and
6 Regulations of National Fuel Gas Distribution
7 Corporation for Gas Service.
8 PUBLIC STATEMENT HEARING
9 DATE: January 24, 2024 at 6:01 p.m.
10 LOCATION: Buffalo & Erie County Public
11 Library
12 1 Lafayette Square
13 Buffalo, New York 14203
14 BEFORE: ALJ DAKIN LECAKES
15 ALJ TARA KERSEY
16
17
18 Reported by Annette Lainson
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2 (The hearing commenced at 6:01 p.m.)

3 A.L.J. LECAKES: Okay. Let's go on
4 record. I call to order case 23-G-0627. This is the
5 proceeding on the motion of the Commission as to the
6 rates, charges, rules, and regulations of National
7 Fuel Gas Distribution Corporation for gas service.
8 Good evening, everyone.

9 A.L.J. KERSEY: Good evening.

10 ALL: Good evening.

11 A.L.J. LECAKES: My name Dakin
12 Lecakes, I'm the Chief Administrative Law Judge for
13 the New York State Department of Public Service and
14 Public Service Commission. I work in the
15 Commission's Buffalo offices here at Ellicott Square
16 Building, just down the block on the 10th floor. As
17 the Chief Administrative Law Judge, I oversee the
18 office of hearings and supervise the judges in that
19 office. With me tonight is one of the judges that is
20 assigned to this case, Judge Tara Kersey.

21 Also assigned to this case who could
22 not be with us tonight because of weather conditions
23 and travel is Judge Michael Clarke. Together, Judges
24 Kersey and Clarke are responsible for presiding over
25 the proceedings and hearings of this case, as well as

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2 developing a record for the Commission's action.

3 Before we begin, I would really like to thank the
4 Buffalo Public Library for allowing us the use of
5 this wonderful auditorium for this hearing tonight.

6 I would also like to thank Scott Dean
7 and the rest of the Department of Public Service
8 Office of Consumer Services for helping us make the
9 arrangements for this proceeding, this hearing, as
10 well as for being available to greet you when you
11 came in and take your names if you wish to speak
12 tonight. We are here today for a public safety
13 hearing that was noticed on December 6th, 2023. On
14 October 31st, 2023, National Fuel Gas Distribution
15 Corporation, N.F.G., filed a proposal to increase its
16 annual gas delivery revenues by approximately 88.8
17 million.

18 If N.F.G.'s requests were allowed in
19 total, the average N.F.G. residential customer would
20 see -- would receive a monthly bill increase of
21 approximately \$11.31 while the average small
22 commercial customer would see a monthly increase of
23 approximately \$16.65. Under New York State law, the
24 Public Service Commission must consider a utility
25 proposal and may adopt or reject it in whole, or in

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2 part, or make modifications.

3 This hearing is being held so you can
4 provide your comments on N.F.G.'s proposal for the
5 Commission to consider when it determines whether to
6 adopt it or to reject it or to modify it in some way.
7 While the Judges to this case oversee the process,
8 they do not make any final decisions. The final
9 decisions on N.F.G.'s proposal are made by the Public
10 Service Commission, which is made up of six members.

11 Currently the Chairperson, Rory
12 Christian and five Commissioners, Diane Burman, James
13 Alesi, John Howard, David Valesky, and John Maggiore.
14 The purpose of today's hearing is to provide you with
15 an opportunity to tell the Commission your thoughts
16 on N.F.G.'s proposal. Any statements made today are
17 part of the case record. And we have a court
18 reporter with us today who is seated at the end of
19 the table with us, who is recording your statements.

20 Those recordings will be included in
21 the official recording -- record of this proceeding
22 through a written transcript that will be made, which
23 will also be placed on the Department of Public
24 Services internet webpage which we refer to as the
25 Document and Matter Management system or D.M.M. That

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2 can be located at d.s. -- I'm sorry, dps.ny.gov. The
3 hearing tonight that we're holding is not an
4 evidentiary hearing or a question-and-answer session.

5 Instead, it is a forum just to hear
6 your comments. This is not the only opportunity to
7 comment on N.F.G.'s proposals or requests. If you do
8 not wish to speak at today's hearing, but you still
9 want your views to be included in the record, there
10 are other ways to comment and they're listed in the
11 public notice for today's event, which can -- is
12 available at the rear table that is manned by our
13 Office of Consumer Services.

14 Those ways include submitting your
15 comments through the department's website or by
16 email, regular mail, or by phone and the information
17 to access any of those is out at the table.
18 Regardless of how the comments are submitted, they
19 are given equal consideration by the Commission and
20 Commissioners. Comments can be submitted and will be
21 considered throughout the entire proceeding which
22 lasts approximately 11 months where it can be
23 extended.

24 If you do want to make a statement
25 here today, as I noted, there is an Office of

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2 Consumer Representative that is out back, that is
3 ready to hand you a card, you can put your name on
4 it, and we will call on the individuals that wish to
5 comment in the order that the cards are received.
6 When I do call your name, please come up to one of
7 the two microphones on either side of the stage.
8 They're both left on and speak slowly and clearly so
9 that the court reporter can accurately capture your
10 statement for the record.

11 And before we get -- begin tonight, I
12 just want to remind everybody that there may be some
13 people that provide comments that are different than
14 the opinions that you may hold with regard to certain
15 aspects of the company's filing, I just ask that you
16 all show them respect and that we demonstrate
17 appreciation for the process that we're here for
18 tonight.

19 We do really appreciate your
20 understanding and thank you very much for coming here
21 tonight. So, with that said, I'm going to call our
22 first speaker. Our first speaker tonight from
23 Buffalo is Brian Talley. Mr. Talley?

24 BRIAN TALLEY: Hi, my name is Brian
25 Talley. I'm with Imperishable Ministries. I'm also

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2 a native in the resident of Buffalo, New York. I've
3 been here all my life. I can't believe that you're
4 trying to raise this 29 percent. My gas bill right
5 now today is -- I just got one for \$429. I just paid
6 \$300 last month. If they raise it, if they raise it
7 30 percent more, that's another \$150 on top of it. I
8 mean, it's affordable I know. I'm -- right now, I'm
9 on disability, you know, I have a fixed income.

10 There's no way I can afford that. I
11 don't believe anyone here can afford that. You know,
12 what's going on right now, you know, with these gas
13 companies is -- is really ridiculous. It's a
14 monopoly. I mean, it seems the gas company are in
15 cahoots with the government. As soon as you get a
16 bill, they tell you, like today when I called them on
17 the phone, I tell them, listen, I just paid \$300 last
18 week. Now you want me to pay another \$400? They
19 told me to go down to HEAP. So I put up to the HEAP
20 to cover.

21 So I thought about that. I said, wait
22 a minute, you know, the only people making the money
23 that the government is sitting here is the gas
24 company. If nothing is coming to the community,
25 we're just the pawns that they're using to get their

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2 money. So if they send five million dollars here to
3 us in New York in order to help the community, and
4 yet the gas company is taking it off, you know,
5 they're taking their money, you know.

6 And it's leaving us, like I just
7 filmed right outside, outside right there, I just
8 filmed about a hundred people who are homeless, who
9 have no place to go and yet the gas company is using
10 this money and taking this money from these people.
11 We are the ones who have to pay these bills. We are
12 the ones who get our money and we can't do anything
13 with it, much to buy, you know, it, it's a shame.

14 You know, I gave my - I've been giving
15 my life to this country, trying to do everything I
16 can in this city, in this community. We built this
17 country ourselves. You know, we built this city and
18 to come in here with fracking and doing all of this
19 and not doing anything for the community is wrong.
20 And I hope that this bill is not passed. I hope it
21 isn't. Thank you very much.

22 A.L.J. LECAKES: Thank you very much.
23 The next party, I have Rev. Dr. Majadi Baruti.

24 REV. DR. MAJADI BARUTI: Greetings,
25 greeting, greetings. I'm Rev. Dr. Majadi Baruti.

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2 I'm the climate justice organizer at PUSH Buffalo.
3 Here today, I'm speaking as a citizen of the City of
4 Buffalo, citizen of Western New York. I'm in the
5 14222 area zip code considered to be a higher end
6 area of the city. But the ministry that I have along
7 with my fiancé, we've been given service to folks in
8 the community, folks that are on drugs, and need food
9 and that type of thing. I had a spiel. I don't have
10 one now.

11 All I have is my soul. I had to pay.
12 I mean, I heard the brother just mention, what he
13 paid. And mine was just a little less than that for
14 the winter. I had my fiancé do a survey of the house
15 today because I knew I was coming here and we've been
16 talking to our landlord about fixing some of these
17 dynamics. But I have some means to do this, to pay
18 this rate but it is difficult.

19 And I like to eat, I've become
20 accustomed to it over my 54 years. I'd like to
21 continue to be able to do it. But I understand that
22 there are people in fact, I was here in the library
23 for the last two, three days trying to organize folks
24 to get here. There were folks that I spoke to, three
25 different people who were homeless because of not

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2 only the -- the rent itself, but because literally of
3 the bills with National Fuel Gas.

4 When I explained to them what we were
5 doing today, they were afraid to come. They thought
6 they would be further persecuted. That this kind of
7 vibration is happening to the poor and to the
8 homeless is a shame. Now, I understand that
9 multinational corporations and corporations don't
10 have the ability to experience shame because they
11 don't have a soul. I understand that that's not a
12 thing. So a heart doesn't work there at all.

13 But perhaps somewhere in the scrapings
14 of the corporate structure here, there is someone who
15 can hear the plea of black, brown, indigenous women
16 and children whom I serve throughout my ministry and
17 they can say, you know what? Maybe we shouldn't do
18 this. I have these things of hope as a priest of the
19 divine family, I have these ideas of hope. And
20 sometimes when I deal with National Fuel Gas as a
21 part of my climate work, climate justice work, I
22 realized that hope is something that I'm just holding
23 on to and it's almost nebulous. It's almost without
24 form. I can't touch it.

25 I can't put my hand on it because then

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2 I see the faces of my elders who could suffer and who
3 could perish like a 50 plus. That's according to the
4 community, the 50 plus people that passed away in the
5 Buffalo blizzard of last year; that is not a natural
6 occurrence. I'm a climate guy. I know what I'm
7 looking at. I'm also a farmer, descendant of
8 farmers. I can feel it on my body. This is not a
9 natural construct. It is a dynamic of the
10 interrelations between the fossil fuel industries,
11 the banks that invested in them, and absolute
12 corporate greed.

13 People died and will continue to
14 perish. This is a soft winter. But this softness is
15 not normalizing from what I'm understanding and what
16 my body feels, this is not a normal thing for
17 Buffalo. It's heavy water, but the crystallized form
18 of water, as -- as snow is a little bit lighter than
19 what it has been but people are afraid. I hear it.
20 They're afraid. There are people who die in their
21 cars.

22 I've spoken to elders who were afraid
23 that they would fall face first into the snow and
24 that they could not get lifted up out of the snow
25 because no one would see them. This is all in part,

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2 it's only in part because you got to deal with the
3 U.S. military and other militaries around the planet,
4 you know, everybody in America, we kind of love war.
5 We like fighting in the United States. Everybody
6 likes fighting. You love it.

7 Love is a little thing that you have -
8 - you kind of have an aversion to, but fighting
9 everybody seems to like that. That's the soul of
10 what America's about. U.S. military is one of the
11 greatest polluters on the planet and so is National
12 Fuel Gas, so is the fossil fuel industry and we can't
13 do this. We're destroying our planet. I want to
14 grow sunflowers and collard greens for my elders to
15 feed them and I want my children, I have two
16 grandchildren, I want them to be able to live on a
17 planet that's peaceful and soft and nothing, one that
18 embraces them, not one where they're paying a \$400,
19 \$357 bill to a monster, a behemoth, as we call them
20 at PUSH Buffalo a behemoth we call National Fuel Gas,
21 that's our nickname for them. We can't do this.

22 I'm pleading, asking, and I don't want
23 to go to the next step, you know, with protestors,
24 you know, we go into demand and that means there's an
25 or else. We haven't figured that part out yet. But

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2 we've been out here fighting, PUSH Buffalo has been
3 at this for a long time. I want to move into another
4 form of engagement. I don't want to keep doing this
5 like this.

6 So I'm suggesting strongly, I'm urging
7 National Fuel Gas to turn that leaf to reach way down
8 into the crevices of its souls and try to find some
9 dynamic of decency and make sure that people don't
10 perish anymore by your ways. I know you've got your
11 yachts to support, the trips to Monaco and all that.
12 But people have died at their hands. So I'm asking
13 the Public Service Commission, turn this down, turn
14 this away, throw it in the garbage, put it into the
15 trash bin, relegate to the trash bin of history on
16 behalf of these black, brown, and indigenous folks
17 that I'm servicing, specifically these women and
18 these children.

19 Like the one I'm going to go home to,
20 this Afro indigenous woman who is the victim of three
21 different climate constructs, starting from Hurricane
22 Katrina to Rita and then flooding in Tennessee, then
23 she moved to Toronto and because she's indigenous,
24 she had to deal with the smoke. And she said to me
25 one day, babe, my sisters are running out of the

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2 forest with their babies on their back. I don't care
3 about your stupid legislation in New York. So I got
4 -- I got the climate issue in my house. She's in my
5 house.

6 And you know, you would do whatever
7 you could for your family to protect them. Thank
8 you.

9 A.L.J. LECAKES: Thank you very much.
10 Our next speaker is Lucy Velez.

11 LUCY VELEZ: I reserved my time.
12 Okay. Lower that a little. I know because --
13 because it's going to take me a minute here. Put
14 some of these up here. Okay. Okay. Just like it
15 here. Okay. Grab some. Okay. All the way across.
16 Put it all the way across. Here's more. No, this is
17 my keys. They displayed my house. These two are on
18 the side over here only because these are supplements
19 that need to be -- okay. Okay. These are my
20 injectables. And these are not duplicates. I want
21 you to know, none of these are duplicates.

22 Some of these have to work together.
23 No, they, yeah, you put them on. Okay. And I want
24 you to see them. Okay. Thank you. Okay. Thank
25 you. All right, thank you. Okay. Good evening.

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2 Okay. As was said, my name is Lucy Velez and the
3 issue that I want to impress around people is in
4 terms of this rate hike, this rate hike affects a lot
5 of our community. We look at our children and we
6 look at the high cost of asthma, bronchitis, and
7 elderly like me, COPD all the things that go wrong in
8 a community when we don't prioritize safety.

9 I'm a victim of environmental racism.

10 I used to live near the Peace Bridge and this was
11 before there were tighter and stricter emission
12 standards. So in that case, I suffered from a lot of
13 emission, carbon monoxide poisoning. In the process,
14 I've learned to have to live taking all these
15 medications from injectables, to supplements that
16 have to work with other medications, to trying to
17 make sure that I eat healthy so that these
18 medications can work. I don't want to keep taking
19 these medications, but I have to. And when you look
20 at them, none of them are duplicates.

21 You look at the high cost of
22 healthcare, and co-pays, and doctor visits, and
23 specialists, and you look at how much this is
24 happening because when you look at the rate of a hike
25 that National Fuel wants, it may not seem like a lot,

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2 but when you look at the economics of families and
3 the fact that everyone's in somebody's pocket, at
4 some point you realize that everybody is tight
5 economically. When you look at the cost of dirty
6 fossil fuel, that could have avoided me having to
7 deal with this and a lot of our elders having to deal
8 with these kinds of problems. Our children, we have
9 a very high rate of asthma, bronchitis and we say to
10 ourselves, why?

11 Say, because we are the victims. And
12 I -- and I'm not trying to make it seem as though
13 this, we have a victim mentality, but because of
14 redlining, because we are poor and we can only live
15 in certain areas, we don't always -- we don't -- we
16 don't always -- we can't always afford nice homes or
17 apartments that are insulated or appliances that
18 aren't old or buildings that aren't insulated and
19 then we have to deal with cold, we have to deal with
20 heat.

21 We have to deal with the sensitivities
22 that elders and young people go through. And then
23 you're asking for more money, more money that
24 sometimes we can't afford and it just looks like,
25 okay, 11, 12 bucks, it's no big deal. Yeah, it is a

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2 big deal because copays, doctors, we look at people
3 like that and say, oh, well, you know, they can get
4 Medicaid, they can get Medicare, you know, but the
5 cost to a system across to New York state that, you
6 know, we budget or the government -- the governor
7 budgets, and you look at it and they say, okay, well
8 we got to balance all this out.

9 When we look at the fact that in 2019,
10 I was one of the people, and many of the people here
11 fought for the -- to the passage of the C.L.C.P.A.,
12 okay, which was one of the most aggressive climate
13 legislation. And we were so proud when it passed.
14 And again, National Fuel spits in our face when they
15 break the law because they can get away with it
16 because they have huge lobbyists, okay, that can talk
17 to other legislators, other lawmakers, and find a way
18 to surpass and -- and in order to relegate our
19 arguments that we need clean, renewable, sustainable
20 energy that will keep our community, keep our
21 children, keep our other elders from having to deal
22 with this kind of trauma.

23 Clean energy is something that
24 everybody should be fighting for. We have a
25 benchmark for 2040 or 2050 to make sure that we

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2 switch over. I'm sorry, I have problems with words
3 because of cognitive issues. So please forgive me.
4 So because of the fact that we can't switch over like
5 them, we relegate our people to live in Swiss cheese
6 housing where they have old appliances where they,
7 you know, there's money for new appliances, take my
8 stove. Okay? People are crying about, oh, I don't
9 want them to take my -- take my stove because if
10 you're going to give me something that's energy
11 efficient, if I can put solar on my house so that my
12 bills are not outrageous, I can afford to live a
13 little better. I can afford to eat a little bit.

14 I mean, I -- I don't look like I'm
15 starving. And that's not the case. The case is that
16 good food can keep me from having to take all of
17 this. Good food and holistic treatment can
18 change -- can change the trajectory of a lot of
19 people's lives. So when I look at this rate hike
20 that's been submitted three times, and they just
21 changed it a little, but not effectively enough to
22 make a change that is worth the value of my life or
23 your life or our children's life. So we have to look
24 at that. We have fought, we canvas -- not me I
25 didn't canvas.

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2 I do, I don't want to go up and down
3 the stairs, I leave it for the young folks to do.
4 They canvas. They got over 500 cards, comments
5 stating that, you know, they don't want this kind of
6 legislation, that they -- it needs to be looked at
7 again. And we went to present it downtown to the
8 Public Service Commission, key operative word, public
9 and they tried to deny us entry just to hand in some
10 cards so that you folks would know what -- what we
11 felt and how we felt. And if you change the process,
12 you change the democratic system that we need, that
13 we're glad that you are allowing us to participate in
14 today.

15 So we're grateful that you're here,
16 we're grateful that you're listening, but we also
17 have to balance what's going on. I know the
18 companies go into business to make money, but they're
19 also in business to give good service. And
20 unfortunately, Buffalo seems to be like a one-horse
21 town, one newspaper, one gas company. One
22 electrical. One cable company. Well, now we get
23 another one. But the point being is that we need
24 choice. We need our comments to be valued. We need
25 to have it evaluated and looked at for what it is. I

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2 don't think any of you folks are at the point where
3 you want to have to live like this.

4 I get confused just trying to keep it
5 straight and I got a monthly -- a weekly Calendar --
6 pill dispense organizer four times a week. And I
7 took this medication off, I took it off because eight
8 pills cost over a thousand dollars. When you think
9 about the cost, I may have a lower copay based on my
10 insurance, but you're paying for it too, okay, all of
11 y'all are paying for it too. We need to realize that
12 one way or another, we're all paying for the mistakes
13 if we don't change the system and the way we do
14 things. We cannot have this rate hike go through
15 without you folks evaluating it.

16 Without looking at what it means to
17 our communities and say, let's be even handed about
18 this because a lot of these people make millions of
19 dollars and I was talking to my sister over here.
20 She was saying, with the amount of money that even
21 one executive makes, so many things could be remedied
22 in our community. So I want to -- I don't want to
23 belabor the point, but you know, healthcare is
24 affected by this, you know, the democratic process is
25 affected by this because like I said, the lobbyists,

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2 they got power, we got people.

3 And I just want to say that we need to
4 stand together, all of us, those who are here
5 fighting against it, and those of you who have the
6 power to change the future. So that's all I want to
7 say. Just think about your children, think about
8 yourselves 10 or maybe even 20 years because some of
9 y'all are really young or you look really young to
10 me. So please don't get to a point where this is
11 what your future looks like. Thank you.

12 A.L.J. LECAKES: Thank you Ms. Velez.
13 And just for the record, I'm probably older than you.

14 LUCY VELEZ: Well, you look better
15 than me. You look better than me.

16 A.L.J. LECAKES: Our next speaker is
17 Bill Nowack and Mr. Nowack if you could please just
18 come over here.

19 BILL NOWACK: Sure. Thank you. Is it
20 on?

21 A.L.J. LECAKES: Yes.

22 BILL NOWACK: Speaker is ready?

23 A.L.J. LECAKES: It should be.

24 BILL NOWACK: So my name is Bill
25 Nowack. I am the former executive director of the

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2 New York Geothermal Energy Organization, active in
3 the community with the Sierra Club and here tonight
4 active with PUSH Buffalo's efforts and testimony.
5 You are going to hear about the importance of
6 wringing as much out of this rate increase as you can
7 to protect folks in Buffalo and Western New York.
8 And you have a real opportunity at this point to do
9 that because New York is turning the corner or
10 turning the corner away from the use of fossil fuels
11 like gas to heat buildings and towards
12 electrification.

13 And this can result in an enormous
14 cutback on what this rate increase is -- is intended
15 to do. I urge you to look at the capital expense
16 projections that National Fuel has filed in the long-
17 range planning proceeding that the Public Service
18 Commission has. They've outlined two -- two ways
19 forward, actually a third way as well, a business as
20 usual. But that's not really possible given what's
21 happening with the C.L.C.P.A. But they --in the two
22 ways forward that they looked at, one was called the
23 moderate electrification scenario and that's
24 basically doing what National Fuel would like to do
25 to protect their profits and to keep their system

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2 going as much as they can regardless of whether it
3 fits with the C.L.C.P.A. and whether it meets the
4 goals.

5 And there's another one, which is a
6 high electrification scenario, and that one is in
7 compliance with the C.L.C.P.A. It will move us away
8 from heating with fossil fuels. At this point
9 Natural Gas is responsible for 55 percent of the
10 deadly greenhouse gas emissions that happen in New
11 York State. You heard my brother Majadi talk about
12 the importance of the climate crisis that we are in
13 and natural gas is what is primarily contributing to
14 that in New York State. So if you look at these two
15 scenarios they lay out, one of which is compliant
16 with what the Climate Action Plan came up with and
17 another one of which is not.

18 The one that the Climate Action
19 Council came up with, which is consistent with that
20 is \$1.1 billion less expensive to move forward with.
21 \$1.1 billion that they're going to want to be taking
22 from Western New York rate payers who cannot afford
23 that for unnecessary pipes that are only going to be
24 obsolete if New York State meets its climate goals.
25 Now, I don't know if -- if the testimony in the long-

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2 range planning proceeding automatically makes it into
3 this case, but if -- if you can see to it that that
4 happens and as part of the record, it would be really
5 important.

6 This is \$1.1 billion that we don't
7 need to be spending, that we don't need to be pulling
8 out of people's pockets and that if we do spend that
9 money, it's going to be harmful for the climate and
10 it's going to be stranded assets that rate payers are
11 going to be paying for, for the next 50 years. I
12 don't know how much people in -- in the -- in this
13 group understand, but basically at this point,
14 National Fuel gets their revenues from the pipes they
15 invest in. They get a percentage based on the
16 investments they make. They don't get their money
17 from the gas that they -- they buy and sell.

18 It's more on the infrastructure and so
19 much of the infrastructure is not needed at this
20 point and is in fact harmful. So please wring as
21 much out of this great increase as you possibly can
22 and use the clear evidence that is in the Climate
23 Action Plan and in the data that they have already
24 provided you with to do it. That's it. Thank you.

25 A.L.J. LECAKES: Thank you very much.

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2 Our next speaker is Brian Van De Bogert.

3 BRIAN VAN DE BOGERT: Thank you. I
4 want to build on some of the things that we just
5 heard from Bill as well as some of the things that
6 that Mama Lucy was saying just before that. My
7 name's Brian. I'm also a member with -- with PUSH
8 Buffalo. So last year, you know, the gas utilities
9 like National Fuel and Gas, were required to publish
10 their long-term plans for service delivery in
11 compliance with the C.L.C.P.A., as some other folks
12 have mentioned. N.F.G. was the first utility to
13 submit their plan covering the period from now up
14 until 2042 and as we also heard, they've had to
15 submit their plan three times and each version of
16 their plan, and we've seen each version, each version
17 shows no conceivable path towards getting to the 85
18 percent emissions reductions by 2050 as required by
19 law.

20 So it's really clear what National
21 Fuel wants is a license to continue burning fossil
22 fuels with no end in sight. They don't care about
23 that 1.1 billion in savings that Bill was talking
24 about under the high electrification scenario. They
25 want to maintain the expensive, obsolete, leaky

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2 infrastructure that their profit margin depends on.
3 They want to kick the can down the road when it comes
4 to making the transition required by the State.

5 Eventually this road that they're on
6 would result in an abrupt change that burdens
7 customers with even higher costs and leaves many
8 people out of A job. I want to read one quote, which
9 comes from National Fuel themselves, which they
10 printed in response to a question about the financing
11 of their long-term plan. Quote, affordability
12 concerns and or stranded assets in the gas system
13 will necessarily need to be shared by some
14 combination of taxpayers and electricity customers,
15 end of quote.

16 When I hear that, I think National
17 Fuel is basically planning to have a bailout later
18 down the line. The proposed rate increase that we're
19 talking about here tonight kind of feels like an
20 early down payment towards that bailout. It seems to
21 me like National Fuel has done the math and they're
22 getting desperate. They've decided to hang on like
23 hell and only look out for their bottom line rather
24 than do the responsible thing and participate in the
25 transition to a more sustainable future.

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2 MALE SPEAKER: Say it man.

3 BRIAN VAN DE BOGERT: Thank you.

4 A.L.J. LECAKES: Thank you very much.

5 Our next speaker is Reverend Markeisha Jackson.

6 REVEREND MARKEISHA JACKSON: Hi, I'm
7 Reverend Markeisha Jackson. I'm with Imperishable
8 Ministries of Western New York. Also a member and
9 investor with PUSH Buffalo and a Federal
10 Communications Commission. It's disturbing for me to
11 stand here today to know that national -- that a gas
12 company can charge whatever they want to do. They
13 can raise your rates whenever they want to, and as a
14 customer we're obligated to pay it because if we
15 don't pay it, then it's shut off.

16 Our power that we possess as human
17 beings, it should be invigorating. It should be so
18 joyous to wake up every morning, but with a rate to
19 go up 30 percent and with the rates that they are
20 right now, we can't wake up happy. Not everybody
21 does. I'm originally from Rochester, New York, so I
22 experienced Rochester Gas and Electric as well.
23 Being a resident of Buffalo, New York, now it's not
24 much of a difference. My daughter has three
25 children, her and her fiancé. I happened to be in

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2 Rochester about -- this was, I'll say November --
3 around November before the holidays. And Rochester
4 Gas and Electric utility worker came, knocked on the
5 door.

6 She's at work, her fiancé is at work.
7 The children are at school, 5-year-old, 4-year-old,
8 and 2-year-old. Asks, is Amangelique here? No,
9 she's not here, but I'm her mom. He didn't have to
10 disclose the information, but he did disclose the
11 information. He said, I'm here to cut the power off.
12 What you mean -- what you mean? Did -- was a bill
13 sent? Was there a disconnect notice? We sent
14 numerous -- my daughter's been living at 101 Ontario
15 Street for a year and a half.

16 She previously lived at 2350 Culver
17 Road, which is in Irondequoit. They still had her
18 listed at 2350 Culver Road. So she's getting charged
19 for a house that she no longer lives there and a
20 house that she's living in currently. And I'm glad
21 and I was grateful to be in the position to have \$526
22 at that time. When that -- when that worker said,
23 we're shutting this off. No, you're not. Everybody
24 is not in the position to do things like that.

25 And figuratively speaking, I'm not

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2 either in that position because I'm disabled. I get
3 -- I'm on a low-income budget, but God is good. God
4 is good. Okay. That is the ultimate power and we
5 are asking that you make sure go through the budget
6 that they did and you'll see that it is a violation
7 for them to increase the rates on us without telling
8 us why they're doing it. It doesn't have to be done
9 like this. There's lives that are at stake. They
10 are really at stake. The homelessness isn't
11 changing. We need people to be in the house. We
12 don't need them out on the street. But if you're not
13 in the house with power, you going to be on the
14 street.

15 We need this balance brought back into
16 the United States of America, but starting right here
17 in New York. National Gas, National Fuel, National
18 Grid, it's disgusting. And I know we can do better.
19 Thank you.

20 A.L.J. LECAKES: Thank you very much.
21 Next we have Rahwa Ghirmatzion.

22 RAHWA GHIRMATZION: Good evening. For
23 the record, my name is Rahwa Ghirmatzion. I am a
24 longtime Buffalo resident. I am a mom. I'm also on
25 the Climate Justice Working Group, previously former

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2 staff person at PUSH Buffalo, still a member of PUSH
3 Buffalo and a senior fellow at Tishman

4 Environment and Design Center. But
5 I'm here primarily because I'm a mom. I can't tell
6 you how many times I've been to these hearings. I
7 think the last few times I was here, I had my son
8 with me and he'd fallen asleep and it was full of
9 other moms with their children.

10 That is not how we really want be, the
11 kind of parents, but obviously we care about their
12 future. This one was born with asthma, beautiful,
13 magical, little black boy. I think about what the
14 planet is going to look like in his lifetime and it's
15 terrifying, it scares me. And this is not a Buffalo
16 issue. This is a global issue. And science -- it's
17 the science, right? Is that fossil fuel extraction
18 has to stop if we are going to have a livable planet.
19 National Fuel and Gas has been around for over a
20 hundred years in this community.

21 And we've been struggling to work with
22 them and get them to be better stewards for our
23 community for decades. The first ever climate
24 related issue that PUSH Buffalo ever did was because
25 of its residents constantly coming to PUSH, it was

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2 just a brand-new little organization. And people
3 would say, please help me with this because I pay
4 more for my utility bill, my gas bill in the winter
5 months, right, than I do my mortgage or my rent.

6 The national average is about 6%,
7 except here in New York and in Buffalo where we are
8 the second -- the third poorest city in the nation,
9 not in New York, in the nation, right, where we have
10 the second oldest housing stock in the country built
11 beautifully, by the way. Right. But often our homes
12 make us sick because it was built before insulation
13 was ever, you know, we knew what insulation was and
14 how to insulate our homes before it was invented.
15 Many of these homes that were built were more than a
16 hundred years old prior to the '70s when we knew what
17 was going on with lead.

18 So a lot of our homes are filled with
19 lead because there's been such a huge disinvestment.
20 Most of the housing stock is in very poor shape,
21 right. And so we leak all that energy out. And
22 oftentimes it's what saves people when they can't
23 afford to pay their utility bill, what they do is
24 they turn on their gas stove and use that at home.
25 Now, imagine if that home actually was weatherized,

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2 right? All that pollution would stay in the house.
3 And do you know how many people have died? Every
4 year we hear people that died from carbon monoxide
5 poisoning. Right, now we are talking about clean
6 natural gas. Right?

7 Which is really methane going into the
8 air and actually wreaking even more havoc because
9 methane burns faster than does oil. Right? Coal.
10 And so, you know, how we are being bamboozled is
11 terrible, on top of which National Fuel coming back
12 and asking for more money from y'all -- from direct
13 payers, even though you use its customer's phone
14 numbers, which I think is illegal to do robocalls,
15 all last year, you know, how many of us had to come
16 and re-defend the C.L.C.P.A., you know, myself, most
17 of the people in this room and thousands of other
18 Buffalonians we wrote the solution. Right?

19 This is what's going to build our
20 beloved community. This is what's going to create a
21 healthy, resilient community for our people. And we
22 have to come time and time and time again to defend
23 it. When does it stop? What is happening with that
24 lawsuit? We have Doreen Harris, who sits on the
25 Climate Action Council. I sit on the climate, you

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2 know, justice working group.

3 The only times we've had to fight that
4 her and two other members decided no against the
5 scoping plan. When it passed anyway, because of all
6 the organizing people continued to do, she is the
7 chair of the -- of the New York State Business
8 Roundtable. And they have said they're investing a
9 million plus dollars to reassess, to assess what is
10 happening with the climate bill. On top of working
11 with powerful ideas and New Yorkers for Clean Energy
12 and all these AstroTurf companies to push out an
13 incredible disinformation campaign.

14 By the way, we have to work double
15 time, not just to understand and write the policies
16 and the solutions, not to come out here and
17 constantly defend what was already passed, but also
18 millions and millions of dollars. They did it in
19 California, they did it in the Pacific Northwest.
20 They brought it here to New York State. We don't
21 have that kind of money. We're dying. So I'm just
22 here to say I'm going to appeal to you because I
23 expect the Public Service Commission to do its job,
24 enough is enough. Con Edison, they see their writing
25 on the wall, they're all about implementing the

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2 C.L.C.P.A. That's the kind of steward and business
3 relationship we would like to have.

4 A.L.J. LECAKES: Our next speaker is,
5 I think it's Aung Aung Hlaing. I can call her back
6 later. Okay. We'll go to Jim Turner.

7 JIM TURNER: Hello, my name is Jim
8 Turner. I am an I.B.E.W. Local 2199 member, and have
9 been -- have been employed at National Fuel Gas since
10 2015. I.B.E.W. Local 2199 generally supports
11 National Fuel Gas initiatives as outlined in rate
12 case 23-G-0627. These programs will help make
13 substantial contributions towards achieving the
14 decarbonization goals of the C.L.C.P.A.

15 These initiatives will be carried out
16 by National Fuel Gas, who will take into
17 consideration customer safety, reliability, and
18 affordability. I.B.E.W. Local 2199 recognizes and
19 supports National Fuel in their sustainability
20 efforts. However, I.B.E.W. Local 2199 does not
21 support the proposed closing of three customer
22 service walk-in offices that are located in
23 disadvantaged communities of Cheektowaga, Buffalo and
24 Jamestown.

25 It's continually mentioned each month

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2 at our union meetings by our members who work at
3 these walk-in centers, that customers have asked for
4 these offices to be reopened by going directly there
5 and pounding on the doors. To note customers also
6 continued to use the National Field dropbox for their
7 payments to be processed, even after being dissuaded
8 by receiving letters in the mail advising them to
9 find other payment options from the company.

10 It needs to be taken into
11 consideration that many customers rely on public
12 transportation. They do not have internet service to
13 look up sporadic outreach events, nor have bank
14 accounts or cell phones and most -- most are elderly
15 in these areas. Over the years, customers have come
16 to rely on National Fuel's set hours on Monday
17 through Friday for these in-person customer
18 interactions for assistance with payment
19 arrangements, HEAP, and many other billing problems.
20 Thank you for allowing me to speak tonight. Your
21 time and attention are truly appreciated on these
22 very important matters.

23 A.L.J. LECAKES: Thank you very much.
24 Our next is going to be -- Alice -- Aung Aung Hlaing
25 did come back? Okay.

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2 AUNG AUNG HLAING: My name is Aung
3 Aung Hlaing. I am refugee from Republic of Yemen.
4 I'm being two years in Buffalo, New York. So I live
5 in 14207 zip code, which you can see more than 40% of
6 the population are minority just like, you know,
7 refugee/immigrants from Burma or Asia. So they're
8 just like me. They work in the entry level jobs. So
9 they live -- paycheck to paycheck they -- after
10 paying the rent and the utility bills with this kind
11 of, you know, this time of inflation, they can barely
12 meet the needs.

13 At the same time, my community
14 members, they have the asthma, just like Mama Lucy,
15 you know, not only the adult people, but also the
16 children. If you look at the, you know, health
17 disparity report of City of Buffalo, you know, 20% of
18 the children has the asthma. So what did it come
19 from is we have the environmental pollution and, you
20 know, they rely on the Medicaid. Medicaid has the
21 prescription for the -- medication for the asthma.
22 If you look at the Medicaid expenses report, one of
23 the prescriptions is asthma medication.

24 So if National Fuel, you know, raise
25 the 30 percent for me, my family cannot afford to pay

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2 for the rate because I need to pay for the rent, I
3 need to pay for another, you know, electricity and,
4 you know, a lot of steps. And let me give you a
5 holistic imagination. If we -- if Public Service
6 Commission approved the request from National Fuel,
7 number one is just like immigrant family, just like
8 us, cannot afford to pay for the rate -- price
9 increase and also New York State government need to
10 spend a lot of money on Medicaid because we have more
11 asthma. And then another scenario is we will have
12 more frequent natural disaster just like this.

13 This last year we had non-white
14 Christmas and then we had the snowstorm last week,
15 you know, who suffer? The low-income family. They
16 couldn't go to work, so they couldn't get paid. They
17 are starving at home. And, you know, they don't know
18 how to deal with that stuff. So at the same time,
19 every county government, C.E.O., Buffalo government
20 need to do a lot of snow shoveling. And, you know,
21 things like that, that will be a bad and over burden
22 everyone, not only on the government, but also for
23 the residents.

24 So I would like to request Public
25 Service Commission to turn up the requests. And for

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2 me is if we let National Fuel raise the rate and, the
3 case scenario is my, the immigrant family will be in
4 deeper in the racial poverty and then we will have
5 more asthma, we will have more environmental disaster
6 and then for me, I won't wait for the poison we were
7 breathing. Thank you very much.

8 A.L.J. LECAKES: Thank you very much.
9 Next, I have Isaac Hakizimana. We'll come back to
10 that one. Thomas James.

11 THOMAS JAMES: I just -- I just turned
12 22 years old and, you know, it's -- it's been kind of
13 hard, man. You guys have the power to change our
14 community seriously and raising that percentage is
15 not going to help. But I'll tell you that right now.
16 It's hard for people like me, you know, I, I live
17 with three other men and we have to -- we have to --
18 we -- we go in on bills and stuff together. And just
19 for one bill alone, it takes -- it takes a lot.

20 You feel me? Like, man, it is a lot
21 of stress and, you know, a lot of people I live with
22 -- the people I live with, looks up to me. And when
23 they see me stressing, it makes it hard on all of us
24 even though we still come together to pay this bill,
25 we still have to go to other people for help. And it

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2 is -- it is quite embarrassing. And it's not even on
3 a like, self-image type of look. It is -- it's a
4 type of look like the simple fact that I have to go
5 borrow from other people or get a loan or something
6 to pay this bill.

7 And not even on me, but the people I'm
8 living with as well, because I -- prices keep getting
9 higher and higher and it's, it's kind of rough. Like
10 we almost faced homelessness as well, you know, going
11 to miss out on rent because we had to pay this bill
12 but we have to be learning stuff and we have to take
13 half showers. We have to cook, have to, you know,
14 and it's hard being young doing this. It is not -- I
15 lost my grandma recently, you feel me? And I'm, I'm
16 on my own for real, for real with the, the people I
17 live with.

18 Like we all -- we all going through
19 this together, but it's only so much we can do when
20 in our life, not even -- not even talking about fun
21 stuff or going out to celebrate anything. I'm
22 talking about everyday struggles that we still have
23 to deal with because of bills like this. And it's
24 not right. It's not. And, you know, most of the
25 people in here, we're all low income so it's not hard

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2 on just me because I'm young or whatever and I spend
3 my money on stuff, but it's -- people been going
4 through this before I even was going through this and
5 I never understood it until now. And it's quite
6 hard, you know I'm just -- you guys have the power to
7 change our communities and our lives for the better.

8 A.L.J. LECAKES: Thank you. Next, I
9 have Courtney Friedline.

10 COURTNEY FRIEDLINE: I'm much shorter
11 than this guy. I'm Courtney Friedline. I am a first
12 and foremost, I'm a resident of this city and a child
13 of the city. I'm also a PUSH Buffalo organizer. A
14 couple months ago I attended a winter weather prep
15 event where National Fuel employees encouraged
16 residents to apply for HEAP to help pay their gas
17 bills. I want to wrap our minds around that for a
18 minute. This gas giant is paying its employees to
19 encourage residents to apply for public assistance to
20 essentially pay their salaries instead of just doing
21 the right thing and charging reasonable rates.

22 It's unfortunate that Buffalo
23 residents continue to be under the thumb of National
24 Fuel. We're spending valuable time tonight and lots
25 before this, that should be used to take care of

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2 ourselves and our families to fight -- instead to
3 fight this beast of a corporation. National Fuel is
4 getting ready to put forth another increase when what
5 they should be doing is working to reduce gas usage.
6 We already know that many Buffalo residents can't
7 afford gas bills.

8 We've been supplementing National Fuel
9 with corporate welfare through entitlement programs
10 like HEAP for decades. And why? So that National
11 Fuel Executives can continue to rake in millions
12 annually so that their shareholders can make, take
13 home more profits. They don't need to raise rates,
14 they want to. They want to keep making their
15 millions on our backs. And if a resident isn't one
16 of the folks who can't afford the rate increase,
17 they'll be one of the ones supplementing it through
18 the federal funding it's going to take to pay the
19 National Fuel bills.

20 As a kid in the '80s, I watched my mom
21 jump through hoops to get assistance to make sure the
22 gas stayed on or jumping through hoops when the gas
23 shut -- got shut off. That was back when residents
24 had to stand outside in line all day to get approved
25 in the snow and in the cold. Stop making poor people

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2 do the work to pay their salaries, stop making
3 taxpayers fill their coffers through entitlement
4 programs. The Public Service Commission needs to
5 hold National Fuel and others like them accountable
6 to moving the needle in the right direction, not the
7 wrong one. Thank you.

8 A.L.J. LECAKES: Thank you very much.
9 Next, I have Teresa Pierpaoli.

10 TERESA PIERPAOLI: Hello. Thank you
11 for having the opportunity to speak with you this
12 evening. I am with I.B.E.W. 2199.

13 A.L.J. KERSEY: Can you speak --?

14 A.L.J. LECAKES: Could you please
15 just move a little bit closer to the microphone?

16 TERESA PIERPAOLI: Oh, sorry.

17 A.L.J. LECAKES: You're fine.

18 TERESA PIERPAOLI: Thank you. I'm
19 with local I.B.E.W. Local 2199 and my name is Terry
20 Pierpaoli and I've worked for National Fuel as a
21 customer service representative at the Williamsville
22 office for five and a half years. I'm the Union
23 Steward for the call center, and I've been elected
24 into the local 2199 executive board and I look to
25 offer the best customer service that we can. I

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2 support National Fuel and their C.L.C.P.A. proposals
3 because we do care about safety, affordability, and
4 reliable service. Because of this, I'm against the
5 permanent closing of the three National Fuel Customer
6 Service walk-in offices that provide face-to-face
7 contact for our customers.

8 From my personal experience as a phone
9 representative speaking with rate payers on the phone
10 on a daily basis, I'm continually asked when the
11 National Fuel will reopen the customer walk-in
12 service centers. And why they remain closed? We
13 definitely know there's a public need and want these
14 offices to be reopened. Constantly people are
15 calling and saying that they need help with paying
16 their bills, with looking for installment plans, with
17 being able to find the best way to work with National
18 Fuel.

19 And without the walk-in centers, we
20 can't give them the customer service that they need
21 and deserve, because some of our customers don't have
22 internet access. They can't afford internet access.
23 They might not have cell phones, or if they do have
24 cell phones, they have limited cell phone minutes.
25 So when we invest time on the phone with them, I feel

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2 like we're taking away from their cell phone minutes,
3 their valuable time, and they in the - in the
4 interpersonal face-to-face customer service that we
5 can deliver in the call center, in the walk-in
6 center.

7 So I definitely hope that we can
8 consider keeping the Walk-in Centers reopened for our
9 customers to give the best customer service that we
10 can and continue to offer the safe and reliable
11 service that we have done.

12 A.L.J. LECAKES: Thank you. The next
13 speaker I have is John Buckley.

14
15 (Off the record 7:03 p.m.)

16 (On the record 7:03 p.m.)

17 JOHN BUCKLEY: My name is John Buckley
18 and I'm a member of PUSH for several years. I was on
19 the board for 13 years and I was actually a member of
20 PUSH when National Fuel asked for their last rate
21 increase back in 2007, I think it was when gas
22 prices were plummeting because of, you know, the
23 excess gas fracking was put in the process. But when
24 they were asking for a rate increase the last time
25 there was something called a conservation incentive

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2 program demanded of the company asking for the rate
3 increase. Are you familiar with that?

4 A.L.J. LECAKES: Yes, I actually,
5 yeah.

6 JOHN BUCKLEY: Is National Fuel
7 required to do a conservation incentive program in
8 order to get this rate increase?

9 A.L.J. LECAKES: The programs that are
10 applicable to the company have changed over the
11 years. There's similar incentives to those that
12 apply to the company.

13 JOHN BUCKLEY: Like what?

14 A.L.J. LECAKES: I -- I don't have the
15 information really available offhand.

16 JOHN BUCKLEY: The -- I know the last
17 time they -- first thing they did when they got the
18 rate increase was to tack a surcharge onto
19 everybody's bill and raise an extra \$10 million to
20 themselves without any increases of services or
21 products, you know, to the public. And with that \$10
22 million, they started running, you know, high-end,
23 very expensive TV commercials promoting National Fuel
24 and promoting themselves and telling people to turn
25 down the lights and turn off the -- turn down the gas

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2 at night.

3 And that was their conservation
4 incentive program, along with, some -- advertising
5 some high-end efficiency, you know, products. We met
6 with the conservation or with the Public Service
7 Commission at the time and recommended something that
8 would actually conserve fuel and that is a whole
9 house weatherization program where you actually
10 weatherize these houses that have very little
11 insulation in them. And you can conserve a lot of
12 fuel, keep people warm and, you know, don't have to
13 burn as much fuel.

14 I don't know, at the time I think the
15 Public Service Commission said PUSH could use, maybe
16 it was something like 5 percent of that -- that \$10
17 million to run a, you know, whole house
18 weatherization program, which was very successful.
19 And, you know, I just wondered if anything like that
20 is in the works or are they just going to run some
21 more TV ads or?

22 A.L.J. LECAKES: So right now the
23 proposals from the company are made and Judge Kersey
24 has the staff file testimony? All right. So as it
25 exists right now in the rate case it's just a company

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2 proposal. What happens for the process is that the
3 other parties that participate, including the
4 Department of Public Service staff, are allowed to
5 provide testimony and proposals of their own and
6 that's how the rate case will develop. And so all of
7 the proposals that are anticipated to be considered
8 by the Commission haven't been brought forward yet
9 because we haven't heard from parties like PUSH
10 Buffalo.

11 We haven't heard from parties like the
12 Public Utility Law Project yet, we haven't heard from
13 the Department of Public Service staff yet. So those
14 -- so those programs are brought up. So I think
15 what's most helpful tonight is if you could provide
16 your recommended guidance to the Commission as to
17 what programs you would support based on your
18 experience and history participating in previous
19 National Fuel Gas rate cases.

20 JOHN BUCKLEY: We'll -- we'll,
21 definitely, I thought the conservation incentive
22 program proposed by National Fuel is totally how it
23 pays --.

24 A.L.J. LECAKES: With regard to
25 advertising --.

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2 JOHN BUCKLEY: Yeah. And advertising
3 themselves and -- and telling people to turn down the
4 lights. I mean, it is a little ridiculous, but
5 whereas whole house weatherization is a proven way
6 to, you know, conserve fuel and -- and make people
7 more comfortable, very cost efficient. So yeah, I
8 would definitely recommend that. I would not
9 recommend a rate increase, however, that -- if that
10 seems totally off base at this time, when there is
11 the C.L.C.P.A. that's demanding that we, you know,
12 decrease our carbon dioxide output and National Fuel
13 is proposing to build all these, you know, pipelines
14 and so on.

15 And we have to get beyond this deal.
16 I mean, we can -- those pipelines that are going to
17 be investing millions and millions of dollars in
18 things that are going to be totally useless, you
19 know, in a few years down the road. I think
20 businesses can't be built, you know, I think it's in
21 2035 that using any fossil fuels, they have to be
22 electrified. So I don't think that, you know, it
23 makes sense to invest, you know, in infrastructure --
24 very expensive infrastructure to an industry that it
25 needs to be, you know, phased out.

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2 And I know Bill, he was talking about
3 geothermal, the wind production, you know, solar
4 energy and the sun. The sun itself, you know,
5 provides more energy than the entire world can
6 utilize. We just need to, you know, tap into that.
7 We really need to -- I mean, it -- it is actually New
8 York State law. We need to phase out this as quickly
9 as possible so that, you know, our grandchildren have
10 a place to live. Thank you.

11 A.L.J. LECAKES: Thank you very much.
12 Next, I have Ben Siegel.

13 BEN SIEGEL: Good evening. I live in
14 Buffalo, in the city of Buffalo. I've lived in the
15 city of Buffalo for about 17 years, born and raised
16 in Williamsville and for the last 17 years, I've
17 worked in marketing, and branding, and
18 communications, and business strategy, and have
19 helped many local -- locally owned businesses and
20 large corporations, as well, sell their product and
21 sell their brand. And I understand marketing
22 messaging very well, and most of it is bullshit.

23 A number of years ago I worked -- for
24 a long time I worked for a local branding and
25 strategy agency, and one of our clients was National

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2 Fuel. I worked directly with their senior marketing
3 strategists, including people who are in this room
4 tonight. I know that people have jobs to do, I know
5 that they have bosses to please, and shareholders to
6 pay, and I know that people on the front line of
7 those jobs, including union workers and customer
8 service representatives, want to do their very best
9 in the customers that they serve, in the communities
10 that they live and work in.

11 I understand all that, and I know that
12 -- I know how the business entity makes all that
13 happen is because they tell lies and they tell
14 stories to people about how -- how -- why their
15 products are the best and why their business model is
16 correct and I know what probably those marketing
17 individuals here and elsewhere are thinking when they
18 hear the stories of community members like you're
19 hearing tonight. They're thinking, they just don't
20 understand how it works. They don't understand. I
21 feel -- I feel for them.

22 I really feel for them, but that's got
23 nothing to do with what we do. How is a snowstorm
24 connected to gasoline pipes. It's all connected.
25 It's all connected and it's made exponentially worse

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2 when the people whose lives are on the front lines of
3 communities that are in disrepair and that don't have
4 the protection and the comfort that folks like me
5 have, frankly and folks like I imagine you do as
6 well. And the rest of the Public Service Commission.

7 They don't understand -- they don't
8 connect those dots and they take for granted the fact
9 that their customers are smart people and there's a
10 saying in the organizing world that we know what we
11 need, where we live -- where we all live. I know
12 that because I work at PUSH Buffalo and I'm their
13 director of communications and I'm on the other side
14 of that fence now. And I understand that marketing,
15 when used correctly, can do a lot of good. Marketing
16 can connect, and messaging, and stories, and truth
17 telling can really work when you're actually telling
18 the truth.

19 So those who are on the side of
20 National Fuel, those who work for National Fuel and
21 make the decisions, and those on the Commission that
22 are sympathetic to National Fuel and their -- their
23 needs as an entity, need to trust the fact that those
24 same customers that are giving them all of their
25 money are right here telling you and have been

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2 telling you for years that they're dying because of
3 those lies and nothing else should matter than that.
4 Nothing else should matter than the stories of real
5 people telling you the real truth. National Fuel is
6 not the only entity to blame for the -- the -- the
7 struggles that real people face.

8 And no one's saying that either. No
9 one's saying National Fuel is solely to blame for --
10 for people's woes. But they are a huge component of
11 it. And even if they weren't, why would they add to
12 that? I understand that corporations -- some people
13 believe corporations are people and they're not. But
14 I do respect everybody who works there. Take any
15 ounce of whatever soul you know you have, and listen
16 to what people are saying and decide what is more
17 important to you and to this community because when
18 the waters flood our city, we will be in that flood
19 as well and everybody will lose because of your
20 greed. Thank you.

21 A.L.J. LECAKES: Thank you. One of
22 the last of the cards that I received, although we do
23 have two people that I called on that did not show
24 up. Oh, wait, we also have another card that's
25 coming out, but is Hawa, H-A-W-A Sophal here? Okay.

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2 Isaac Hakizimana.

3 ISAAC HAKIZIMANA: Hello. Can you
4 hear me?

5 A.L.J. LECAKES: Yeah, maybe point it
6 up a little bit more toward you. Is it on?

7 A.L.J. KERSEY: I think you turned it
8 off.

9 A.L.J. LECAKES: Yeah, I think you
10 just turned it off. You can go over to this mic.
11 This one is working.

12 ISAAC HAKIZIMANI: Yeah, it's not.

13 RALPH GALANTI: This one's working.

14 ISAAC HAKIZIMANI: Hello? Can you
15 hear me now?

16 A.L.J. KERSEY: Yep.

17 A.L.J. LECAKES: Yes, perfectly.
18 Thank you.

19 ISAAC HAKIZIMANI: So my name is Isaac
20 and I'm a career student right now. And I'm like,
21 I'm the artist in the -- in the house. So like,
22 well, my parents are just like they own a lot of
23 business, just like they're like -- they're like
24 pushing like sixty or something like that. So just
25 like they all work a lot now, just like they work

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2 like also like two -- two times a week. So like for
3 the rent, just like for now it's getting hard for us.

4 So me like what, just like for me, I
5 don't -- I don't make a lot of money now, just like
6 for the rent, it's just hundred. Yeah. So like a
7 500, so like, that's like almost my whole paycheck.
8 So it was just very hard for me. So as a student,
9 just like, I look for myself too, just for myself.
10 So, yeah. That's it.

11 A.L.J. LECAKES: Thank you very much.
12 Clarke Gocker.

13 CLARK GOCKER: Good evening. Thanks
14 for the opportunity to testify tonight. Yeah, my
15 name's Clark Gocker. I'm a 20-year resident of the
16 city of Buffalo from Western New York. I'm born and
17 raised in Rochester. And yeah, I've come to -- to
18 love the city here. And yeah, I'm a homeowner. I've
19 owned my home since 2006. I've got a couple of
20 apartment units in the house I live in and, you know,
21 each of the apartments are -- are separately metered.

22 So, you know, I hear from my tenants
23 you know, their -- their struggles and in, you know,
24 paying gas bills. You know, I've done a lot of the -
25 - the work on my house has been done, kind of D.I.Y.

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2 I've done a lot of the -- the insulation and you
3 know, other repairs to -- it's a, you know, 120-year-
4 old home. And that's taken a lot of time, lot of
5 sweat equity. It's taken me 20 years just to restore
6 what was a house that was in pre-foreclosure when I
7 purchased it in 2006 and -- and uninhabitable to --
8 make it a home for myself and for the other folks
9 that had lived in the house.

10 And yeah, I had a bit of a scare this
11 summer. My tenant she called me in the morning her -
12 - her partner happened to be a firefighter in
13 Buffalo, and she's like, you know, I think I smell
14 gas in the house. And so she called me very
15 concerned, said, you know, Alan, can you check it
16 out? So I come downstairs in her foyer, sure enough,
17 real thick, really thick smell of gas. So I didn't
18 waste any time called, you know, National Fuel. And
19 -- and to the credit of their workforce and their
20 employees and their maybe the, you know, operations,
21 like, they dispatched workers to the house, super
22 courteous and professional and they responded, you
23 know, as -- as first responders, they, you know,
24 diagnosed the issue.

25 It was on their side of the

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2 distribution line. And so they mobilized the crew to
3 the house to come to repair the -- the service line
4 from the gas main. And, you know, I was kind of, you
5 know, I didn't have high expectations. I hold a
6 certain opinion of the company but I learned a lot
7 about their -- their workers and gained a lot of
8 respect that day for quality of service that they
9 provided. But never -- nevertheless that they came
10 in, they -- you know, I advised them on, you know,
11 where I would like meters placed, had the opportunity
12 to relocate some meters outside the -- that were in
13 the basement to outside of the house.

14 And they did that. They again,
15 courteous, professional but what I found really
16 interesting, and I feel like this is a narrative the
17 company is now promoting. And a lot of the -- the
18 marketing that's been described and some others have
19 talked about here, the misinformation is that, you
20 know, the transition to a equitable renewable energy
21 economy is going to rob all of us of choice. And I
22 found myself in that moment without a choice. If I
23 had my, you know, my druthers, I would've preferred
24 to, you know, maybe abandon the gas system on my
25 property.

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2 And that's kind of an aspiration of
3 mine to electrify my home, to fully weatherize it,
4 but that wasn't even an option that was presented.
5 And, and it may be one of the cons I wonder what it
6 costs to send three, you know, maybe they were
7 I.B.E.W. members, you know, three union workers to my
8 house for a 10-hour day with a back hoe you know,
9 with other equipment that, you know, probably cost
10 more than I earn, you know, in a year, if not, you
11 know, five years of employment.

12 And so just imagining like if we, you
13 know, want to strategically, you know, downsize this
14 gas system, decommission the infrastructure, I think
15 we're missing a lot of opportunity. And so, you
16 know, my comment here is really it's very granular.
17 You know, I support all the -- the -- the big
18 picture, you know, I think the -- the struggle and
19 the yearnings and the visions that other folks
20 tonight have shared, but I just wanted to share this
21 like more so of kind of, it's very concrete
22 experience that I think there could be a real
23 opportunity to not really non-emergency situations.
24 Yeah.

25 Emergency in the sense that there's a

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2 gas leak to stabilize that, but then in terms of, you
3 know, replacing in kind the that distribution
4 infrastructure without providing a homeowner, a
5 business owner, maybe even the community with -- with
6 a choice. And -- and it turned out, you know, you
7 know, then I, you know, brought to mind like, I think
8 a neighbor had a gas leak like two months prior, and
9 then just maybe a month ago, like three doors down,
10 another gas leak. And so clearly the -- the strain
11 on that one you know, distribution line that fed off
12 the main was compromised. And so I feel like there
13 could have been again strategic action taken maybe at
14 a block level in that moment. And it wasn't
15 diagnosed in that way.

16 And I think that to me, it just
17 illustrated like some of the inherent, maybe kind of
18 structural flaws of how the system is designed to
19 kind of self-perpetuate to be kind of kept in
20 service. And so would urge the Commission in this
21 rate case to keep an open mind about, you know,
22 alternatives to decommissioning the system that that
23 may not be, you know, front of mind at the moment.
24 And I'll, you know, also a -- an employee of PUSH
25 Buffalo and I think we do have plans to, to file for

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2 party status in the case.

3 We're not parties currently. We --
4 we are parties in the long-term gas plan case, and I
5 would echo Bill Nowak's recommendation that you know,
6 all the -- the -- the matter material in the long-
7 term plan case be transferred over to the -- to the
8 rate case. There's some really valuable information
9 there. I know Bill quoted, you know, the -- the \$1.1
10 billion of cost savings on the higher electrification
11 pathway. Again, by the company's own admission in
12 that case over the next eight years, they anticipate
13 spending \$1.3 billion of our money just to maintain
14 existing gas infrastructure.

15 And that's crazy, right? That to me -
16 - that just violates the law, right, in spirit and
17 letter. So, you know, here we are. And so I urge
18 the Commission like waste no more time; listen to the
19 community, right? We're the community, we're the
20 constituents of New York State. We're the ones that
21 fought hard, is -- is, you know sister Lucy over
22 there said to -- to win the C.L.C.P.A. So you know,
23 I'll -- I'll stop there, but yeah, I look forward to
24 -- to collaborating with the -- the Commission to,
25 you know, find the solutions that are community

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2 specific.

3 A.L.J. LECAKES: Thank you. The next
4 party I have, is it Richard Dread?

5 RICHARD DREAD: My name's Richard
6 Dread. I'm a proud new member of PUSH Buffalo, but
7 I'd like to try to bring this home as far as making
8 it more real to not only some of my colleagues, but
9 to you guys as well. I come from a family of 13 and
10 I'm the baby of the siblings. My family -- we moved
11 18 times before I got out of high school, 18 times
12 because we were on the social services and things
13 like that. We were -- they wasn't able to keep up
14 with the rent, so we had to go. Each one of those
15 times, we moved, the gas company, light company was
16 part of that. We couldn't afford to pay that either.
17 Okay.

18 Which forces families like mine to --
19 to be involved with the criminal activity as I look
20 at it in later life, criminal activity. Since that
21 it was 18 of us, each one of us where we moved, that
22 that bill was transferred to the other sibling's
23 name. So you had it growing up as a child, you had a
24 gas bill, you know what I mean? And that continued
25 and that's what happened in our community. The

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2 reason why it's so important for you to see the
3 realization of it now is because those bills were not
4 paid and cannot be paid, which happens nowadays when
5 you try to get an apartment. If you got a gas bill,
6 something like that, you didn't pay, you can't get an
7 apartment they won't rent to you.

8 This is a devastating -- devastation
9 that's happening in our community, and you guys are
10 part of it. You're forcing us to become criminals in
11 order to survive. We shouldn't have to do that. It
12 shouldn't be, you know, and I want to be real about
13 it. We're going to survive because in the past when
14 we did with -- with the utilities, I hooked my phone
15 my -- my line up to yours and vice versa and it
16 perpetuates, it keeps going. And it shouldn't have
17 to -- we shouldn't have to live like that. Thanks
18 for letting me share.

19 A.L.J. LECAKES: Thank you very much.
20 All right. That's the extent of the speakers that we
21 have tonight. I'd like to thank everyone for their
22 participation, and for showing up tonight, and
23 providing the public comments. But I want to remind
24 everyone that even if you didn't speak tonight, it is
25 not too late to provide comments to the Public

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2 Service Commission. Public comments are going to be
3 taken in throughout the proceedings by any other
4 means that we described earlier or that's in the
5 notice of public statement hearing which include
6 telephone calls, email, providing a comment on the
7 website.

8 We also would like to thank our Office
9 of Consumer Services for administering this session,
10 helping out with the logistics and again, the public
11 library for providing this wonderful auditorium to
12 use. Thank you everyone tonight. And please be safe
13 going home. Thank you.

14 (The hearing concluded at 7:28 p.m.)
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2 STATE OF NEW YORK

3 I, ANNETTE LAINSON, 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 62, 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 30th day of January, 2024.

11

12 ANNETTE LAINSON, Reporter

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