

1 6/17/2024 - Orange & Rockland - 24-E-0060, 24-G-0061

2 STATE OF NEW YORK

3 PUBLIC SERVICE COMMISSION

4 CASE 24-E-0060 - Proceeding on Motion of the  
5 Commission as to the Rates, Charges, Rules and  
6 Regulations of Orange and Rockland Utilities, Inc.  
7 for Electric Service.

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9 CASE 24-G-0061 - Proceeding on Motion of the  
10 Commission as to the Rates, Charges, Rules and  
11 Regulations of Orange and Rockland Utilities, Inc.  
12 for Gas Service.

13 PUBLIC STATEMENT HEARING

14 DATE: June 17, 2024 at 1:08 p.m.

15 LOCATION: Middletown City Hall

16 16 James Street

17 Middletown, New York 10940

18 BEFORE: ALJ DAKIN LECAKES

19 ALJ ERIKA BERGEN

20  
21  
22  
23 Reported by Danielle Christian

24

25

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2 (The hearing commenced at 1:08 p.m.)

3 A.L.J. BERGEN: I call Case 24-E-0060,  
4 Proceeding on Motion of the Commission as to the  
5 Rates, Charges, Rules and Regulations of Orange and  
6 Rockland Uti --

7 UNIDENTIFIED SPEAKER: I really can't  
8 hear you back here.

9 A.L.J. BERGEN: Okay. Sorry. Would  
10 you like to move up a little too?

11 UNIDENTIFIED SPEAKER: You have a  
12 microphone.

13 A.L.J. BERGEN: It's a recording  
14 microphone, it's not an amplifying microphone. I'll  
15 speak up, but there are some seats too.

16 UNIDENTIFIED SPEAKER: Well, you've  
17 got air conditioners making a lot of racket back  
18 here.

19 A.L.J. BERGEN: Okay. So it might be  
20 better to move you forward too, a little bit.

21 So again, I call Case 24-E-0060,  
22 Proceeding on Motion of the Commission as to the  
23 Rates, Charges, Rules and Regulations of Orange and  
24 Rockland Utilities, Inc. for Electric Service and 24-  
25 G-0061, Proceeding on Motion of the Commission as to

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2 the Rates, Charges, Rules and Regulations of Orange  
3 and Rockland Utilities, Inc. for Gas Service.

4 Good afternoon and welcome. We are  
5 here today for a public statement hearing that was  
6 noticed on May 23rd, 2024. This public statement  
7 hearing concerns the proposed changes in the electric  
8 and gas delivery rates and practices of Orange and  
9 Rockland Utilities.

10 Orange and Rockland filed amendments  
11 to its electric and gas tariff schedules on January  
12 26th, 2024, proposing to increase its annual electric  
13 and gas delivery revenues effective January 1st,  
14 2025. More specifically, the Company seeks to  
15 increase its electric delivery revenues by  
16 approximately 18.1 million dollars or a three point  
17 seven one percent increase in total revenues and its  
18 gas delivery revenues by approximately \$14.4 million  
19 dollars, or a six point three percent increase in  
20 total revenues.

21 These increases would result in total  
22 monthly bill increases for the average residential  
23 customer of approximately \$8.81, or six percent for  
24 electric, and \$12.73 for gas, or eight percent.

25 The Company states that the proposed

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2 increases will enable it to, among other things, make  
3 investments in critical energy infrastructure and  
4 develop and implement initiatives that advance the  
5 goals of the New York State Climate Leadership and  
6 Community Protection Act. Currently the rate case  
7 parties have entered into settlement discussions  
8 regarding the Company's filings.

9 My name is Erika Bergen. I'm an  
10 Administrative Law Judge for the Department of Public  
11 Service. With me on my right is Chief Administrative  
12 Law Judge Dakin Lecakes. We are presiding over the  
13 hearings in this case and the development of the  
14 record on behalf of the New York State Public Service  
15 Commission. At the conclusion of this process, we  
16 will make recommendations to the Commission, which is  
17 the ultimate decision maker in these cases.

18 The Commission, in making its  
19 decision, must consider the Utility's proposal and  
20 may adopt or reject, in whole or in part, or modify  
21 it. The Public Service Commission will decide what  
22 the Company's terms and conditions of service will  
23 be.

24 The Public Service Commission has  
25 currently seven members. The Chairperson, Rory

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2 Christian, and Commissioners James Alesi, David  
3 Valesky, John Maggiore, Uchenna Bright, Denise  
4 Sheehan and Radina Valova. Today, we're fortunate to  
5 have with us Commissioners Valesky and Sheehan.

6 Commissioners, welcome.

7 MS. SHEEHAN: Thank you.

8 MR. VALESKY: Thank you.

9 A.L.J. BERGEN: Would you like to make  
10 a statement?

11 MS. SHEEHAN: Sure.

12 MR. VALESKY: Sure.

13 MS. SHEEHAN: Thank you.

14 COMMISSIONER VALESKY: Thank you very  
15 much, Judge Bergen. Thank you, Judge Lecakes, both  
16 of you for presiding over this hearing. And I want  
17 to thank all of you for taking time out of your busy  
18 day to be here and to comment.

19 Judge Bergen explained to all of you  
20 why we are here. It is part of a statutory process  
21 that the Department of Public Service and the Public  
22 Service Commission has used for decades to consider  
23 rate proposals. I would like to just take the  
24 opportunity to very briefly tell you how important  
25 this component of this process is, and by this

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2 component, I mean public statement hearings.

3 It is critically important for us as  
4 Commissioners, for our Administrative Law Judges, to  
5 hear directly from you. And I would add that if you  
6 have additional comments after today, if you have  
7 friends or colleagues or family members who would  
8 like to -- to offer their comments, there are two  
9 other in-person opportunities, one later today, at  
10 six o'clock, I believe, right here and one tomorrow  
11 afternoon in New City.

12 But we can and will -- will take  
13 comments, either online at our website, which is  
14 dps.gov, or by regular postal service mail, or by a  
15 toll free telephone line, up until November 29th. So  
16 again, if, as you are having conversations with  
17 others in the community and you know of people who  
18 are interested in participating in this process, I  
19 would encourage you to encourage them to reach out to  
20 us and -- and -- and give us their thoughts as well.  
21 Thank you again.

22 Thank you, Judge.

23 A.L.J. BERGEN: Thank you.

24 Commissioner Sheehan?

25 COMMISSIONER SHEEHAN: Yes. Good

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2 afternoon, everyone. Thank you very much for joining  
3 us today. I want to add my thanks to Judge Bergen  
4 and to Judge Lecakes, who are overseeing this  
5 process. I -- you know, Commissioner Valesky pretty  
6 much said everything I would say, but I do want to  
7 just add my thanks that you're here, that you're here  
8 to provide comment. It's important to us in the  
9 decision making process to hear from the public on  
10 your concerns with respect to the proposal from  
11 Orange and Rockland.

12 We, as part -- as Commissioners,  
13 fundamentally the decision will come to us about  
14 what's been proposed, but we want to hear from you.  
15 This is part of the process and it's a really  
16 critical, important part. So thank you in advanced  
17 for joining us today and for sharing your thoughts  
18 and concerns. So, thank you.

19 A.L.J. BERGEN: Thank you,  
20 Commissioners.

21 So again, as the Commissioners stated,  
22 the purpose of today's hearing is to provide the  
23 public with an opportunity to share with the  
24 Commission your thoughts on the rate filings.  
25 Statements that you make today will become part of

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2 the record. We have a court reporters who will  
3 prepare a transcript. When the transcript is ready,  
4 it will be posted on the Agency's website for view on  
5 the -- the Document Matter Management System. So the  
6 website is [www.dps.ny.gov](http://www.dps.ny.gov), just to make little  
7 correction --

8 COMMISSIONER VALESKY: I think I left  
9 the N.Y. out.

10 A.L.J. BERGEN: You left the N.Y. out.  
11 And that information is also available on the press  
12 release for today's event. But today's hearing is  
13 not a question and answer session, but a forum,  
14 again, to hear your comments on the -- on the  
15 Company's proposal. If you do have questions,  
16 however, related to your account, Orange and Rockland  
17 has provided assistance in the form of consumer  
18 services and outreach of members so that if you do  
19 have questions, again, about your -- your account,  
20 you can see Enver Acevedo, who's counsel, and he'll  
21 point you in the right direction to one of their  
22 representatives to help you with your -- your  
23 concerns.

24 If you don't want to speak today at  
25 the hearing, as Commissioner Valesky noted, there are



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2 other ways to comment. Again, they are in the press  
3 release. I think we have a copy of that here with  
4 us, but it's also -- the press release is available  
5 on the website. And you can do so by submitting them  
6 through the website, through D.M.M., through -- by  
7 regular mail or by phone. Regardless of how comments  
8 are submitted, they are all given equal weight. So  
9 don't feel that if you submit them online or via  
10 phone or mail, that they're given less weight than  
11 comments today. They're all considered equally. And  
12 again, the deadline for comments to ensure Commission  
13 consideration is November 29th, 2024.

14 Those of you who wanted to make a  
15 statement today have filled out a card. This is not  
16 your only opportunity. If you didn't fill out a card  
17 and you later want to make a statement, you can get  
18 up and fill out a card at any time, that's fine. And  
19 I'll call the cards as they were received, so in  
20 order.

21 Please speak slowly and clearly so we  
22 can capture your statement for the court reporter.  
23 And if you have an unusual spelling of your last name  
24 or your first name, please spell it so that we can  
25 accurately reflect that on the transcript.

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2 So with that, we'll begin the  
3 speakers. The first speaker is Valarie Vandermeulen,  
4 and I will apologize in advance if I mispronounced --

5 MS. VANDERMEULEN: That's all right.

6 A.L.J. BERGEN: Feel free to --

7 MS. VANDERMEULEN: That's all right.

8 A.L.J. BERGEN: -- to correct me.

9 Okay. Thank you. I'm not sure we have  
10 amplification.

11 MS. VANDERMEULEN: Okay.

12 A.L.J. BERGEN: We just have the --  
13 the lower one for recording purposes.

14 MS. VANDERMEULEN: My name is Valarie  
15 Vandermeulen, V-A-N-D-E-R-M-E-U-L-E-N.

16 A.L.J. BERGEN: Thank you.

17 MS. VANDERMEULEN: You're welcome.  
18 Good afternoon. My name is Valarie Vandermeulen and  
19 I'm a local resident.

20 A.L.J. BERGEN: Just -- I'm sorry, Ms.  
21 Vandermeulen, can you slow down a little, tiny bit?

22 MS. VANDERMEULEN: Okay.

23 A.L.J. BERGEN: Okay, thanks.

24 MS. VANDERMEULEN: I'm a local home  
25 owner, mother of four, husband of thirty-nine years.

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2 I've noticed a lot of changes within O and R, and so  
3 the \$8.81, six percent electric change, would cause  
4 great grief to me. I've made all of the necessary  
5 changes within my home. My home was built in 1939,  
6 so I have added insulated doors, insulation all  
7 throughout the house, new windows, new finish --  
8 appliances that are energy efficient and I'm still  
9 not seeing any changes within O and R itself.

10 So my average -- my average bill runs,  
11 I would say, \$139, my budget. My average bill is  
12 approximately \$19 a month, with a \$72 service  
13 delivery charge. My actual bill was \$1,677.98, used.  
14 My delivery charged was \$1,005.82, actual energy use  
15 was \$672.16. So the -- the six percent electricity  
16 would increase my bill, not only for my electric, but  
17 for the delivery charge itself. So I am here today  
18 because I feel that the increase would -- would hurt  
19 my family. Okay. I thank you very much.

20 A.L.J. BERGEN: Thank you for your  
21 comment. The next speaker is Danielle Gibson.  
22 Welcome.

23 MS. GIBSON: Hi.

24 A.L.J. BERGEN: Hi.

25 A.L.J. VALESKY: Hi.

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2 MS. GIBSON: I'm going to read.

3 A.L.J. BERGEN: That's okay.

4 MS. GIBSON: My name is Danielle  
5 Gibson. I've been a customer of Orange and Rockland  
6 Utilities for 37 years. A little over a year ago, I  
7 called Orange and Rockland to discuss my utility  
8 bill. I was told by the representative that I was  
9 speaking with that perhaps I should reduce my energy  
10 usage. It was at that very moment I realized the  
11 delivery charges on my energy bill were insanelly  
12 higher than the actual amount of my usage.

13 At that time, my usage for electricity  
14 was \$37.50, with a delivery fee of \$90.14. And my  
15 actual usage for natural gas was \$3.82, with a  
16 delivery fee of \$31.54. I began to monitor my bills.  
17 December 2023 through January 2024, my electric usage  
18 was \$73.52. My electric delivery was \$92.59. My  
19 natural gas usage, \$148.25, with a \$312.27 in  
20 delivery.

21 January '24 through February '24, my  
22 electric usage, \$53.24. My electric delivery,  
23 \$76.63. Natural gas usage, \$109.96, with a \$280.28  
24 delivery. February '24 through March '24, my  
25 electric usage, \$47.26. My electric delivery,

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2 \$92.59. My natural gas usage, \$61.66, with a \$213.98  
3 delivery fee. In March 2024 to April 2024, my  
4 electric usage was \$39.51, with an electric delivery  
5 of \$87.68. Natural gas usage, \$45.45, with \$173.55  
6 in delivery. April 2024 to May 2024, my electric  
7 usage was \$45.79, with an electric delivery of  
8 \$109.01. My natural gas usage was \$8.65, with a  
9 \$55.24 delivery fee, which is 630 percent more than  
10 my actual usage.

11 I'd also like to point out that both  
12 my December '23/January '24 and my March/February '24  
13 bills, the electric portion shows both of them have a  
14 delivery charge of \$92.59. With different supply  
15 charges, respect -- respectfully, \$73.52 and \$47.26  
16 for actual usage. But for those both actual usages,  
17 I was charged the same amount for delivery, \$92.59.

18 In the last five months, I have paid  
19 \$259.32 for actual usage, with a delivery fee of  
20 \$458.50. I paid \$373.97 for actual natural gas  
21 usage, with a delivery fee of \$1,035.32. Combined, I  
22 have paid \$1,493.82 for delivery of \$633.29 of the  
23 actual commodity.

24 I understand that the utility  
25 companies are looking to increase -- for the

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2 increases to update their infrastructure, knowing  
3 that New York State has mandated public schools to  
4 have all electric fleets by 2035. The grids don't  
5 have the ability to support that, but at who's  
6 expense? The residential customers of Orange and  
7 Rockland Utilities. These are the same people whose  
8 school taxes are going to go up to comply with those  
9 -- with those rules.

10 The property taxes will increase  
11 because the counties will be requiring more funds  
12 based on the need to establish resources and  
13 accommodate potential public safety issues that may  
14 arise by everything being electric. New construction  
15 is going to be all electric. Cars are turning all  
16 electric.

17 Then our State tax will increase to  
18 continue to put funds into programs such as HEAP,  
19 where people who can't afford their utility bills,  
20 get help. So perhaps if we were not feeding Orange  
21 and Rockland so well, every day residents might be  
22 able to afford their utility bills, minus the very  
23 high delivery charges because then these increases  
24 trickle down to the renter. There's no rent  
25 stabilization here. Just more people that this will

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2 effect.

3 Then it effects the grocery stores,  
4 production increases. It needs a pause. A regroup,  
5 if you will. Everyone has to understand that there's  
6 an action and that has the consequences, and we're  
7 talking about thousands of households that will be  
8 impacted.

9 In addition to the increases that  
10 Orange and Rockland is asking for, how is it that the  
11 average Orange and Rockland residential customer is  
12 expected to absorb all of these costs with minimal  
13 effect on their own families and their own lives?

14 In the big picture, if every household  
15 paid \$100 in delivery fees on one street of 20  
16 houses, that's \$2,000 a month in delivery fees. If  
17 there are 200 streets in one town, that is \$400,000  
18 per month, from one town, in delivery fees. That is  
19 \$4.8 million dollars in one year in delivery fees.  
20 My delivery fees don't really go under \$100.

21 We are truly feeding the beast of  
22 greed, either out of our own pockets or through  
23 agency's such as HEAP, which, again, ripples down to  
24 the New York State resident and taxpayer who, on an  
25 average, does not receive a three point seven to an

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2 11 percent annual increase in their salary.

3 In my humble opinion, not only should  
4 Orange and Rockland be refused their request for this  
5 request, they should also be encouraged to seek  
6 federal and/or state grants to assist them in their  
7 quest for compliance with New York State.

8 Additionally, I would ask that the New  
9 York State Department of Public Service Commission  
10 could seek to be more restrictive in the revenues  
11 earned by Orange and Rockland via their delivery  
12 fees. This is insensible. For me specifically, I  
13 have the same delivery charge for two amounts of  
14 usage. Thank you.

15 A.L.J. BERGEN: Thank you. Thank you  
16 for your comment. The last speaker card I have is  
17 David --

18 MR. JETTE: Jette.

19 A.L.J. BERGEN: Jette, thank you.

20 MR. JETTE: Yeah. I've been a  
21 resident and a user --

22 COURT REPORTER: I'm sorry, you have  
23 to come up.

24 MR. JETTE: No, that's okay.

25 A.L.J. BERGEN: It's won't be captured



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2 on the record.

3 MR. JETTE: You don't use a  
4 microphone.

5 A.L.J. BERGEN: It's right here.

6 MR. JETTE: You haven't used it. I've  
7 been a resident here for over 20 years --

8 A.L.J. LECAKES: Excuse me, this  
9 microphone isn't connected to a system that is audio  
10 capable.

11 MR. JETTE: It didn't enhance, I had  
12 to move.

13 A.L.J. LECAKES: No, excuse me.  
14 Excuse me, sir. The microphone picks up for our  
15 court reporter. The only way we can get your  
16 statement on the record is if you speak so that that  
17 microphone right in front of you can catch you. It's  
18 not the microphone with the -- the bulb on it that we  
19 need you to use, it's the other microphone so that we  
20 can hear you.

21 MR. JETTE: I hope you can explain the  
22 delivery thing to me just that detailed too. Because  
23 that's the mystery we're having here, is these rates  
24 keep going up. Did you not just get an increase on  
25 2021?

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2 A.L.J. LECAKES: All I'm trying to  
3 explain to you is we would like your comment to be  
4 reflected in our record, a written record that shows  
5 that you got up and made a comment. So that the  
6 Commissioners that aren't here, can read what you  
7 have to say.

8 MR. JETTE: Well, you've had an  
9 increase in 2021 --

10 A.L.J. LECAKES: I'm sorry, we're the  
11 Administrative Law Judges for the New York State  
12 Public Service Commission. We don't increase  
13 anything. The utility might have had an increase.

14 MR. JETTE: Well, I'm just trying to  
15 get -- establish something here.

16 A.L.J. LECAKES: Right.

17 MR. JETTE: They had a rate increase  
18 on 2021.

19 A.L.J. LECAKES: Okay. Thank you.

20 MR. JETTE: Is this true? I'm -- I'm  
21 looking for a little support --

22 A.L.J. LECAKES: I was not involved --

23 MR. JETTE: You -- you -- you've no  
24 input at all?

25 A.L.J. LECAKES: I was not involved in

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2 any 2021 case for Orange and Rockland.

3 MR. JETTE: But there was an increase,  
4 yes?

5 A.L.J. LECAKES: Okay. I will take  
6 your word for it.

7 MR. JETTE: Oh, you will take my word?  
8 Well, anyway, at this rate, the increase in 2021,  
9 look at the chaos. I mean I have solar, I was  
10 charged \$1.44 for supply and delivery was \$28.00.  
11 This is -- I have money, I feel sorry for the people  
12 that don't and struggle. You have single and  
13 homeless and it's just chaos what this delivery  
14 charge is doing. It's -- I don't know. And all you  
15 do is just listen.

16 Anyway, that's my point. The delivery  
17 charge is crazy and it's getting worse. And it's  
18 going to be chaos. Thank you.

19 A.L.J. BERGEN: Thank you. Thank you  
20 for your comment.

21 I don't have any other speaker cards.  
22 If anybody in the audience would like to make a  
23 statement, I'd welcome you to come to the microphone  
24 so we can record your statement.

25 Okay. With that, we will go off the

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2 record, please.

3 (Off the record)

4 (On the record)

5 A.L.J. BERGEN: Excuse me, if we can  
6 come to order, please. Thank you. We're on the  
7 record. So we've -- went off the record for about 30  
8 minutes to wait to see if other members of the public  
9 would show up to make a comment. We've had no  
10 additional attendees arrive, so at this point I'd  
11 like to remind everyone who did attend today and for  
12 the record, that there are other ways to comment.  
13 Again, you can submit comments until November 29th,  
14 either on the website, by telephone or by mail. The  
15 information on how to do that is in the press release  
16 and in the notice, which, again, I think we have  
17 copies of here today and, if not, it is available  
18 online in the case record.

19 So I want to thank you all for coming  
20 out today to provide your comments for the  
21 Commission's consideration. I appreciate it very  
22 much. On behalf of the staff, thank you. We are off  
23 the record.

24 (The hearing concluded at 2:04 p.m.)

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3 I, DANIELLE CHRISTIAN, do hereby certify that the  
4 foregoing was reported by me, in the cause, at the time  
5 and place, as stated in the caption hereto, at Page 1  
6 hereof; that the foregoing typewritten transcription  
7 consisting of pages 1 through 20, is a true record of all  
8 proceedings had at the hearing.

9                           IN WITNESS WHEREOF, I have hereunto  
10 subscribed my name, this the 21st day of June, 2024.

11  
12 DANIELLE CHRISTIAN, Reporter

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