

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

CASE 23-W-0111 - Proceeding on Motion of the Commission as to  
the Rates, Charges, Rules and Regulations of  
Veolia Water New York, Inc. for Water Service.

RULING ON SCHEDULE FOR STATEMENTS AND EVIDENTIARY HEARING

(Issued January 11, 2024)

MICHAEL CLARKE and ASHLEY MORENO, Administrative Law Judges:

On January 4, 2024, Veolia Water New York Inc. (Veolia), trial staff of the Department of Public Service (DPS), the City of Rye, the Village of Port Chester, the Village of Rye Brook (the Westchester Municipalities), the Public Utility Law Project of New York State (PULP), the Rockland Business Association, and Laborers' Local 754 filed a Joint Proposal resulting from the parties' settlement efforts in this proceeding.<sup>1</sup>

During a procedural conference on January 10, 2024, a discussion was held regarding further process necessary for bringing the Joint Proposal to the attention of the Public Service Commission for its consideration. Representatives of Veolia, DPS, PULP, the Westchester and Rockland Municipalities,<sup>2</sup> LEAF of Hudson Valley, Boston Post Road Owner LLC and Robert Tompkins participated in the conference, at which we adopted January 26, 2024, as the deadline for statements in support of or opposition to the Joint Proposal and February 6, 2024, as the deadline for reply statements. This ruling confirms our oral

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<sup>1</sup> The Westchester Municipalities and PULP support the Joint Proposal in part.

<sup>2</sup> The Rockland Municipalities are the County of Rockland, Town of Clarkstown, Town of Haverstraw, Town of Orangetown, Town of Ramapo and the Town of Stony Point.

ruling, to which no party objected.

On the above filing deadlines, the parties must email their statements to us and to each other and file them with the Commission's Secretary by 4:30 P.M. As Joint Proposal proponents have the burden of proving that the proposed settlement is in the public interest, their statements should set forth the rationale underlying their support, as well as how the settlement of issues compares to both their litigated position and what they regard as the likely outcome of litigation. Parties are encouraged to refer to the Commission's Settlement Guidelines in preparation of their statements.<sup>3</sup>

An evidentiary hearing will commence at 10:30 A.M. on Tuesday, February 13, 2024. The hearing will be held at the Public Service Commission's Albany offices. All persons who intend to attend the hearing, and who are not Department of Public Service employees, must provide their name via email to Aisha Hammer (Aisha.Hammer@dps.ny.gov), prior to 2:00 p.m. on Friday, February 9, 2024, and must be prepared to show valid photo identification upon arrival at 3 Empire State Plaza. These procedures are necessary to comply with building security requirements.

We will provide instructions for pre-hearing and evidentiary hearing processes at a future date, and we will consider due dates for post-hearing briefing at the conclusion of the evidentiary hearing.

(Signed)

MICHAEL CLARKE

(Signed)

ASHLEY MORENO

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<sup>3</sup> Cases 90-M-0255, et al., Procedures for Settlements and Stipulation Agreements, Opinion 92-2 (issued March 24, 1992).