

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

**Case 24-M-0586 - Proceeding on Motion of the Commission for the Establishment of
Extreme Heat Protections, Practices and Procedures.**

Offices of:

Robert Jackson

New York State Senator, 31st District

Shelley Mayer

New York State Senator, 37th District

MaryJane Shimsky

New York State Assemblymember, 92nd District

Chris Burdick

New York State Assemblymember, 93rd District

Dana Levenberg

New York State Assemblymember, 95th District

Sarahana Shrestha

New York State Assemblymember, 103rd District

1. Introduction

The following comments are regarding the Department of Public Service Extreme Heat Protections, Practices and Procedures Proceeding 24-M-0586 on behalf of the offices of New York State Senators Shelley Mayer and Robert Jackson and New York State Assemblymembers Dana Levenberg, Chris Burdick, MaryJane Shimsky, and Sarahana Shrestha, which are all party to this case.

2. Comments

We write today to express our concerns regarding the heat island designations filed by utilities across the state in this case. The entire reason for this proceeding is to ensure the safety of some of our most vulnerable populations. This is not the time for a hasty conclusion that could risk lives. We are extremely concerned that the heat island criteria, namely heat vulnerability, energy burden, housing stock etc., proposed in this case by the Public Utility Law Project (PULP) have not been adopted by the Department or utilities in this proceeding. Although other forums and proceedings were cited as alternative venues for concerns raised by PULP, these criteria are environmental factors that are critical to heat vulnerability and should be incorporated into a comprehensive analysis to determine Urban Heat Islands. We agree with PULP and other parties that the utilities' chosen methodology lacks scientific basis, which has allowed them to be selective.

Moreover, we feel there has not been enough time to adequately determine, map, and communicate to customers the locations of Urban Heat Islands. It is unfair to the public that whatever the utilities filed on June 1 will automatically go into effect and the traditional public comment process is not an avenue for fast action. This provides a great deal of power to the utilities, leaving the public with this comment period under the State Administrative Procedure

Act (“SAPA”), before the Commission can even consider voting to amend or change the maps.

As elected officials, we feel strongly that our constituents need to know what is coming, and this proceeding has been rushed and highly favorable to utilities.

This summer has been marked by extreme heat and extreme weather across our state. Now is not the time to reverse course and remove protections from communities in the interest of statewide consistency. The lives of our constituents and the wellbeing of our communities are at stake, and we urge the Commission to consider utilizing a comprehensive analysis, based on environmental factors raised by PULP, to determine Urban Heat Islands that are protective of life and property in our state.

Thank you for your consideration of our concerns, which we share on behalf of our collective constituencies.