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July 15, 2010, 5:40 pm

## Con Ed to Pay \$1 Million to Settle Inquiry Into Fatal Explosion

By [PATRICK MCGEEHAN](#)



State utilities regulators agreed on Thursday to allow Consolidated Edison to pay \$1 million to end an investigation into an [April 2009 gas explosion](#) that destroyed a house in Queens and killed one of its residents.

The state's Public Service Commission approved a settlement that calls for the utility to take the money from its shareholders and set it aside for customers. The commission has not yet decided whether the money should be used to offset an impending increase in Con Edison's gas rates or if it should benefit customers in another way.

The state's Department of Public Service investigated the explosion, which occurred after Con Ed workers arrived at the site in the Floral Park neighborhood in [response to a report of gas odor](#). A report of the investigation concluded that the company had violated its procedures for responding to gas leaks. The explosion killed Ghanwatti Boodram, 40, a nurse and the mother of three.

The \$1 million settlement came in lieu of any penalties the commission might have levied against the utility for its handling of the gas leak. It is equivalent to the maximum \$250,000 penalty the commission could have sought for each of the four violations Con Ed was cited for.

"This resolution of the penalty issues related to the alleged gas safety code violations obtains the maximum amount that the commission could have obtained had it fully litigated a civil penalty action in this case," said Garry A. Brown, the public service commission chairman. "This

decision is in the interest of ratepayers because it provides a direct benefit to ratepayers that could not be achieved under an enforcement action.”

In a statement, Con Edison said: “We expect today’s agreement with Public Service Commission will fund a variety of new equipment and public safety improvements that will enhance emergency response and communications.”

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## 6 Comments

1. July 15, 2010 8:32 pm [Link](#)

Con Ed fined \$1M and set aside for customers. What difference does it make? It might as well be a \$0 fine since the cost is passed to the customers anyway.

Fire some people! That will make everyone working at Con Ed pay attention.

— AN

2. 2. July 15, 2010 11:52 pm [Link](#)

Gee, \$1,000,000 and how many customer accounts are there? So each account will (or would) get what? A dollar? \$5 bucks?

But as AN (#1) said, any fine is going to end up being paid for by us (and even if we use an ESCO, Con Ed still has us by the short ones when it comes to the delivery charge). Even if the 'shareholders' are charged with paying it.

Remember, Fram Oil Filters? "Pay me now or Pay me later," and implied was... but you're going to pay me.

— Stephen – NYC

3. 3. July 16, 2010 10:15 am [Link](#)

This seems like an ideal opportunity for Con Ed to use the money to improve safety and efficiency and remove the electrical cables across the Bronx Kill that are an obstacle to navigation and submerged in water, creating a nuisance and a danger and greater potential problems and liabilities for NYers and ratepayers.

(<http://www.nytimes.com/2008/09/07/nyregion/thecity/07kaya.html> )

— Lars

4. 4. July 17, 2010 2:14 pm [Link](#)

And NONE of this money is going to the family of the person who died? NONE of this money is going to the owner of the property that was destroyed? Why is that, exactly?

— SKV

5. 5. July 18, 2010 6:13 pm [Link](#)

privatize these idiots along with the MTA. No other option.

<http://www.wrmnyc.blogspot.com/>

— Tony Keegan

6. 6. July 18, 2010 6:17 pm [Link](#)

The last paragraph contraindicates the previous information in the article. It is mentioned several times that the money will benefit customers.

In the last paragraph -

“ ... today’s agreement ... will fund a variety of new equipment and public safety improvements that will enhance emergency response and communications.”

Con Ed is responsible for funding “new equipment and public safety improvements” from their own funds, not from the fine (or “agreement” in newspeak).

First Responders are responsible for “people” first... Con Ed did not follow basic gas emergency procedures. If they followed acknowledged industry practice, the customer would not be dead.

To SKV (commenter #4) – the family still has their civil lawsuit against Con Ed. Whatever payout is made there should come from Con Ed shareholders, not the rest of “us” customers in the city.

And to the NY Times – where is the link to the report?

Here it is:

<http://www3.dps.state.ny.us/W/PSCWeb.nsf/All/04769ECA97D7664985257687006F3905?OpenDocument>

— *John F*

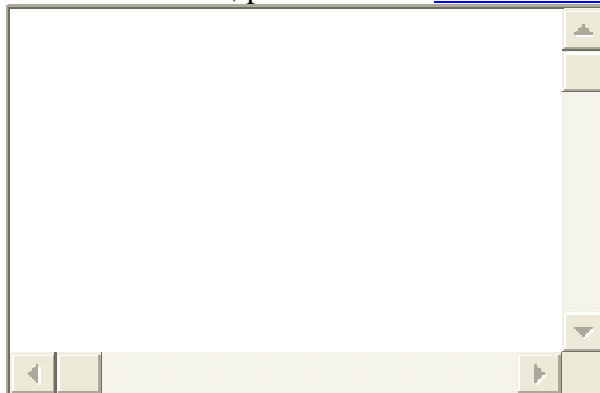
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