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STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
CONSUMER PROTECTION BOARD

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August 22, 2008

Jaclyn A. Brillling  
Secretary  
New York State Public Service Commission  
Three Empire State Plaza  
Albany, New York 12223-1350

2008 AUG 22 PM 1:49

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Re: Case 04-M-0159: Proceeding on Motion of the Commission to Examine the Safety of Consolidated Edison Company of New York, Inc.'s Electric Transmission and Distribution Systems.

Dear Secretary Brillling:

By Notice dated July 8, 2008, the Public Service Commission ("PSC" or "Commission") invited comments on proposed revisions to the Commission's Electric Safety Standards, which have been in place for more than three years. The proposed changes, which build on the experience and lessons learned in recent years, include improved mitigation and repair procedures for stray voltage testing and inspections, additional requirements to test structures in proximity to the utilities' facilities for stray voltage, and uniform reporting requirements for stray voltage testing and electric inspections. In addition, the Commission explicitly solicited comments on "the efficacy of utilizing mobile stray voltage testing technology (currently only used by Consolidated Edison) on a statewide basis."<sup>1</sup> The Consumer Protection Board ("CPB") submits this letter in response to the Commission's invitation. In general, the PSC's proposed modifications appear reasonable and well-supported, and will help ensure that the public is protected from stray voltage.

The CPB recommends, however, that the PSC take further action to reflect the ability of advanced technology to enhance public safety. In particular, we urge the PSC to apply the lessons learned by Consolidated Edison Company of New York Inc. ("Con Edison") from its use of mobile stray voltage detectors, to other utilities in the State. Con Edison uses a stray voltage sensor mounted on a motor vehicle, to rapidly detect stray voltage from underground systems and on non-Company structures located up to 30 feet away. In recently submitted testimony, Con Edison notes that "the mobile stray voltage detector performs excellently in detecting stray voltage in underground network

<sup>1</sup> Case 04-M-0159, Notice Soliciting Comments, p.2.



areas.”<sup>2</sup> It also testified that since mobile stray voltage testing began in 2005, 7,440 instances of stray voltage have been detected, including 4,449 stray voltage conditions from customer facilities. The utility concluded that “the mobile stray voltage program has been the most significant contributor to the 80% reduction in reported electric shocks caused by Company-owned facilities over the last three years.”<sup>3</sup> As a result, Con Edison formally asked the Commission for approval to substitute mobile stray voltage testing for manual stray voltage testing in underground networks areas where mobile testing is very effective.<sup>4</sup>

The Commission has recognized the success of Con Edison’s mobile stray voltage program and has taken action to expand this initiative. In Con Edison’s last rate case, the Commission ordered Con Edison to conduct twelve system-wide mobile stray voltage testing sweeps each year, instead of the eight proposed by the Company.<sup>5</sup> The PSC concluded “because stray voltage is a critical public safety issue, and because testing methods are relatively new, the Commission will take notice of recent developments and will take a more proactive approach than that which was initially proposed by the Company.”<sup>6</sup> The PSC, however, has not approved the use of mobile stray voltage testing technology for companies other than Con Edison.

Other utilities in the State also have underground facilities, although not nearly as extensive as for Con Edison. Reports submitted by these entities show that stray voltage has been detected from their underground systems through use of manual testing. For example, NYSEG reported 69<sup>7</sup> and National Grid reported 26<sup>8</sup> instances of stray voltage in their underground systems in 2007. The experience of Con Edison suggests that the manual approach is far less effective in identifying instances of stray voltage than the new mobile technology.

The manual approach to detecting stray voltage on underground systems used by utilities other than Con Edison does not test for stray voltage on customer facilities, unlike the approach approved by the PSC for Con Edison under which approximately

<sup>2</sup> Case 08 –E-0539, Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York Inc. for Electric Service, Testimony of Infrastructure Investment Panel, including, among others, Mr. John F. Miksad, Senior Vice President, Electric Operations; Mr. William Longhi, Senior Vice President, Central Operations; Mr. Victor Gonnella, Vice President, Maintenance & Construction Services; and Mr. John Mucci, Vice President, Engineering and Planning, Electric Operations, p. 202.

<sup>3</sup> Id., p. 203.

<sup>4</sup> Id., p. 201.

<sup>5</sup> Case 07-E-0523, Proceeding on Motion of the Commission as to the Rates, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Electric Service, Order Establishing Rates for Electric Service, March 25, 2008, p. 80.

<sup>6</sup> Id.

<sup>7</sup> NYSEG’s Stray Voltage Test and Inspection Report, 2007, p. 17, Table 4.

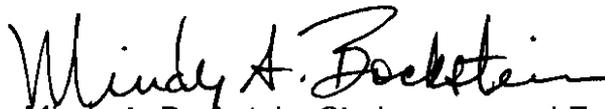
<sup>8</sup> National Grid’s 2007 Annual Report, p. 12



60% of the instances of stray voltage incidents were found to be on customer facilities. Thus, the experiences and lessons learned from Con Edison, appear to be applicable to the underground systems of the State's other electric utilities.

Accordingly, the CPB recommends that the Commission take more comprehensive action so that consumers throughout the State can reap the benefit of advanced technology to detect stray voltage. We urge the PSC to direct each of the utilities with underground systems, to use mobile stray voltage testing technology to conduct at least one sweep to detect and mitigate stray voltage conditions within the next 90 days.<sup>9</sup> The results of this "pilot" should be reported to interested parties and the Commission, and used to help determine the extent to which this technology should be more broadly used by all utilities. Although the CPB recognizes that underground systems represent a relatively small portion of the total electric networks of the State's utilities other than Con Edison, it is imperative that technology which has proven to be effective in enhancing public safety for the utility with the most extensive underground network in the State, be applied Statewide.

Respectfully submitted,



Mindy A. Bockstein, Chairperson and Executive Director  
 Douglas W. Elfner, Director of Utility Intervention  
 Nancy Nugent, Attorney

<sup>9</sup> Utilities should acquire the capability to conduct these tests in the most cost effective manner, such as by contracting with other utilities or third parties.

