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PSC MONTHLY MEETING - 2-16-2017- Albany, NY
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

MEETING OF THE PUBLIC SERVICE COMMISSION

Thursday, February 16, 2017
1:00 p.m.
Three Empire State Plaza
Agency Building 3, 19th Floor
Albany, New York

COMMISSIONERS

AUDREY ZIBELMAN, Chair
GREGG C. SAYRE
PATRICIA L. ACAMPORA
DIANE X. BURMAN

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2 (The meeting commenced at 1:09 p.m.)

3 CHAIR ZIBELMAN: Any changes to the
4 final agenda?

5 SECRETARY BURGESS: There are no
6 changes to this afternoon's agenda.

7 CHAIR ZIBELMAN: Thank you.

8 Before we -- before we begin on the
9 agenda, which is a short one, I do -- I just want to take
10 a minute -- last week -- this past week, it seems, not
11 last week, was NARUC. And I just wanted to just note my
12 appreciation for the work that Commissioners Burman and
13 Sayre have done at NARUC this year, two, I think, very
14 important items. First is in terms -- you know, one of
15 the things that NARUC does has all the states get together
16 and they pass resolutions on matters that they believe are
17 important to the -- to the nation. And so it has a -- our
18 ability to represent that is -- can be very important.

19 So one of the resolutions that was
20 passed that -- that Commissioner Burman developed was
21 about gas safety, which is, of course, something that is
22 very critical to us. And it was to make it sort of for
23 all the states to recognize that gas safety is much more
24 than just rule compliance, but it's really understanding
25 and making sure that safety remains at the top of -- of

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2 everyone's agenda and to ensure that there is
3 communication both across the industry, among regulators,
4 and among the federal government and the state governments
5 and PHMSA.

6 So I -- I just think that was a very -
7 - I think that's really important and I'm appreciative of
8 your leadership in getting that done because it's
9 something that is -- is very important to this state.

10 The second resolution was pushed
11 through by Commissioner Sayre and this is related to a
12 matter that the state worked on last year, which is --
13 concerns F.C.C. repayments -- payments for CAF funding.
14 And the issue there was simply whether or not, if a
15 particular utility, in this case Verizon in our case,
16 declined the funding for Lifeline where would the monies
17 go? Would they go back to the nation at large, or to the
18 state? And we pushed the issue here with the F.C.C. We
19 worked in conjunction with the broadband office to make
20 sure that whatever monies Verizon gave up were given back
21 to New York where they belonged.

22 And Commissioner Sayre then took the
23 issue a step further so that the F.C.C. would do that in
24 the case of all the states. And I think that's also
25

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2 important that these Lifeline monies get back to the
3 states.

4 So I appreciate that effort, as well.
5 Thank you.

6 So with that, let me move on to the
7 consent agenda. And we have -- first question is does
8 anyone want to recuse from any items on the consent
9 agenda?

10 COMMISSIONER SAYRE: No.

11 CHAIR ZIBELMAN: Okay. So I do want
12 to -- I just want to take a minute and I think my fellow
13 commissioners are of similar mind. We do have an item on
14 the consent agenda. It's Item 167 which is a settlement
15 of the Commission's review of the East Harlem gas
16 explosion.

17 And, you know, I think that I can
18 speak for everyone who is here today that our thoughts and
19 prayers are with the families and individuals who were
20 victims of that incident. I also know that there's really
21 nothing we can say that can even approach their pain. And
22 we feel that deeply in our -- in our compassion.

23 For us, public safety is always at the
24 top of our priorities, as I was just saying, and we do
25 expect our utilities to remain fully compliant with the

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2 rules and procedures that are designed to protect both the
3 public and the utility workers. We absolutely have zero
4 tolerance at this Commission for noncompliance and will
5 use our authority to protect the public and utility
6 workers in any -- and -- and to make sure that our goals
7 are achieved.

8 And so, you know, what things that we
9 do then is -- is in focus -- is focus both on compliance
10 and then on the remediation measures that are necessary.
11 And, you know, while we, you know, always recognize that
12 things can happen, our goal and what we want to achieve
13 throughout with safety, particularly gas safety, is zero
14 incidences. And so we use every opportunity we have to
15 look at what happened, to hold utilities and their
16 shareholders accountable, and to make sure that we
17 continue to adopt best practices to make sure it never
18 happens again.

19 In this particular item, we've reached
20 a substantial agreement on the actions that Con Ed has
21 taken and will continue to take to remedy the failures
22 that we found and to avoid the risk of any further such
23 events.

24 The settlement in dollar amounts is
25 the largest settlement that this Commission has ever

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2 accepted for gas safety violation. And it really reflects
3 both our commitment and even -- and the company's
4 commitment to improve gas service and to remediate for
5 past actions without imposing any cost on consumers.

6 So again, our thoughts and prayers are
7 with the victims and -- but I believe that this settlement
8 is -- is the right thing to do and will help us in the
9 future in this state. I'm happy to entertain any further
10 comments.

11 Commissioner Sayre?

12 COMMISSIONER SAYRE: I completely concur
13 with the Chair's comments. And I can only add my concern
14 and sorrow for the victims of this tragedy and their
15 families. I also reiterate that gas safety is a top
16 priority of this Commission and we will do everything we
17 can do to prevent further tragedies like this one from
18 occurring. I think the settlement in front of us helps us
19 move toward that goal and I support it.

20 CHAIR ZIBELMAN: Commissioner
21 Acampora?

22 COMMISSIONER ACAMPORA: I also agree
23 with the comments that were made today. Gas safety, as we
24 now have a Commissioner who handles the gas safety,
25 Commissioner Burman, has now finally reached the national

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2 scene. And it's something that's really important and all
3 states are looking at this. So hopefully now, not only
4 New York, but other states will put this in the ladder of
5 importance that it so richly deserves.

6 And I would like to also extend my
7 condolences to the families of those who lost their lives
8 and my thanks to all the people who work so hard,
9 including our own staff, on the investigation to make sure
10 that something came through that was going to be helpful.
11 And we'll continue trying to do our best in working with
12 the utilities to make sure that there are more safety
13 measures in place to prevent an accident like this from
14 happening again.

15 CHAIR ZIBELMAN: Okay. Commissioner
16 Burman? And Commissioner Burman, if you have other
17 comments on other matters, because I -- I think you
18 indicated you do, just please just proceed.

19 COMMISSIONER BURMAN: Okay. Thank
20 you.

21 The integrity and reliability of our
22 natural gas system is paramount. At the core of that is
23 safety. There are times that we, as Commissioners, may
24 disagree. There is no disagreement here. As state
25 regulators, we are dedicated to working together to -- to

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2 continue to seek and improve and enhance pipeline safety.
3 Safety is everyone's business and we need to strive for a
4 target of zero incident.

5 I, too, would like to say that my
6 heart goes out to all the families that were affected by
7 this awful incident. I'd like to point out that today's
8 action is about utility services and costs and does not
9 relate to victim compensation. Individuals entitled to
10 such compensation as a result of the incident remain free
11 to pursue their claims and are not in any way affected or
12 foreclosed by this settlement.

13 As a Commissioner, I am committed to
14 the highest standards of gas safety and I support and
15 commend the settlement because it will contribute towards
16 making our communities served by natural gas as safe as
17 possible.

18 Thank you.

19 CHAIR ZIBELMAN: And then if there are
20 other comments you want to make.

21 COMMISSIONER BURMAN: Thank you.

22 Now I'm going to move to -- just hold
23 on for --.

24 In Item 265, there's a reference to
25 Case Number 15-E-0050 which references an order for March

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2 17, 2016. These two -- the item in 265 is not dealing
3 with that issue. It still has a pending petition for
4 rehearing and was not part of the original SAPA. And I
5 just am reflecting that I concurred on that item and will
6 be looking forward to addressing that in some future. I
7 just wanted to make that reference.

8 The next item is Item 270. This is
9 Case Number 13-M-0449 and deals with in the matter of
10 focused operations audit of the internal staffing levels
11 and the use of contractors for selected core utility
12 functions at major New York energy utilities. I reference
13 that this item is helping to put forward the plans that
14 the utilities have submitted.

15 Following the submission of these
16 plans, Staff will be reviewing them and then these plans
17 will then be issued for notice and comment. And then it
18 will come back to the Commission for consideration. So we
19 will be addressing it at that time on the sufficiency of
20 those plans.

21 The next item is -- or Items 271-A and
22 271-B. I note that this is dealing with the low-income
23 order, which I did not vote for the original low-income
24 order. Here, we're dealing with addressing eligibility
25 issues in the utility discount programs.

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2 I do note that I still feel strongly
3 that my original decision on the low-income order was the
4 proper one. But to the extent that these orders are
5 moving forward and looking at improving the discount
6 programs and address issues raised by the parties to
7 ensure successful implementation, I am supportive.

8 However, I do note that I would like
9 to also ensure that we look at all the different items
10 that we're doing on low income.

11 Someone's cell? Okay.

12 There is a report on alternative
13 approaches to providing low and moderate income clean
14 energy services. It was issued February 3rd, 2017. In
15 it, there are many different recommendations that seem to
16 touch upon many, many different proceedings and issues.
17 And to the extent that we really do, again, get to the
18 heart of a comprehensive look at all of these different
19 issues, I welcome this report being brought before the
20 Commission.

21 And I also am concerned in making sure
22 that we make sure in all of our different items that we
23 are holistically looking at it from a global perspective
24 and not just looking at it on an individual basis. And
25 how they all affect each other is very important.

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2 With that being said, my main concern
3 is always on the individual low-income citizen. And I do
4 point out in Item 365, where we're addressing an issue,
5 which I understand there is a -- an individual who had
6 arrears and then she went onto public assistance. And
7 then when she got off of public assistance, she still had
8 these arrears which were before she went on public
9 assistance.

10 So I'd like to just point out that,
11 for me, while I understand that she still is owed -- still
12 has to pay back those arrears, it's important for us,
13 through our consumer services and through our outreach,
14 that we make sure that all individuals that are going
15 through this understand what they can do if they can't pay
16 their arrears. And what we should be doing is providing
17 and making sure that we not just answer the -- the appeal,
18 but we make sure that this person has the resources and
19 all others who may come before us has the resources at
20 their fingertips so that there is working on helping the
21 individual low-income customer.

22 And I know that Staff is always
23 diligent on those issues, but I do just want to reflect
24 that I, as a Commissioner, am very concerned on that.

25

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2 COMMISSIONER ACAMPORA: Can I just
3 expand on that?

4 COMMISSIONER BURMAN: Yeah.

5 COMMISSIONER ACAMPORA: You know, are
6 you going to move on to something else?

7 COMMISSIONER BURMAN: Yes.

8 COMMISSIONER ACAMPORA: I just want to say
9 on 271-A and -B, that I -- it just goes to prove the point
10 that when we feel that certain parties need more
11 clarification, that that's exactly what is in this order.
12 It clears some question marks for those who had questions
13 when we originally did the low-income order. So I
14 appreciate that.

15 Thank you.

16 COMMISSIONER BURMAN: 374-A and 370-B,
17 I'll take up at the same time. In 374-A, which is dealing
18 with Related Companies and Oxford Properties on standby
19 service rates, as well as the other one also Related
20 Companies and Oxford Properties, in here, in both -- in
21 both of these orders, we reference that, while we are
22 denying the petition, we are not precluding looking at the
23 issue in another case.

24 In 374-A, we say that this does not
25 preclude the development of alternative rate designs in

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2 the future that could include standby rate demand charges
3 to campuses that are applied to coincident demands with
4 corresponding cost allocations. And in 374-B, we
5 reference that we will be looking at this in -- during the
6 second phase of the Value of D.E.R. proceeding.

7 And I just want to reflect upon the
8 fact that, for me, it's imperative that we do focus on
9 items where we are not addressing them or we're denying in
10 -- in an order, but then looking at it to resolve in a
11 future order that there is a need for us to keep track of
12 that. Since it's not in the ordering clauses as a
13 tracker, we do need to be mindful that there are times
14 that there are items in orders that may get lost if
15 they're not, in some fashion, tracked specifically. So
16 I'm just laser-focused on that issue because I do know
17 these are two important issues, not just for the
18 petitioners in this case, but in other cases, as well.

19 So thank you. Otherwise, I support
20 the item.

21 381-A, -B, and -C deal with the Clean
22 Energy Standard implementation plans.

23 These are just dealing with the
24 implementation plans and are not dealing with the
25 underlying order, December 2016. So to the extent that

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2 these are dealing with those, the implementation plan and
3 moving forward on them and are reflective, I do point out
4 that in the August 1st, 2016 order, I did not vote with
5 the majority, but concurred reflective of my comments at
6 session. As well as at the December order, I did not vote
7 with the majority, but abstained.

8 To the extent that these are just
9 looking at the implementation of the Clean Energy
10 Standards and the plans, I am supportive because it is the
11 path forward. I do want to note, though, that there
12 remain open issues including, but not limited to, existing
13 biomass, hydropower, and other existing facilities that
14 are still being reviewed, as well as some clarifications.
15 And these implementation orders, since they're not dealing
16 with those outstanding issues, we will be looking forward
17 to dealing with them at a future time -- well, Gregg and
18 I.

19 And then 382, I just want to note for
20 the record that on the underlying orders, I abstained from
21 voting. And consistent with my comments at those
22 sessions, I will be doing the same.

23 And then on Items 461, 462, and 463, I
24 do note that New York American Water has been actively
25 acquiring several small water companies in New York. And

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2 this is not a bad thing. And in fact, such acquisitions
3 may be helpful not just to New York American Water, but to
4 the troubled small water companies, their customers, and
5 to the impacted communities.

6 However, I do reference that on August
7 8th, 1994, in Case 93-W-0962, the New York State Public
8 Service Commission at that time issued a statement of
9 policy on acquisition incentive mechanisms for small water
10 companies. This policy was to encourage the acquisition
11 of smaller troubled water systems by larger systems and
12 included a number of options to provide incentives for
13 such acquisitions.

14 The stated policy of consolidating
15 where appropriate, the industry had the goal of thereby
16 achieving safe, adequate, and reasonably priced water
17 service for the long term.

18 Then on December 17th, 2015, this
19 Commission commenced a generic proceeding in case 15-W-
20 0562 to review this policy and look at the landscape of
21 what is happening in this area. This -- both the policy -
22 - the existing policy, as well as the December 17th, 2015,
23 proceeding were referenced in all three of these. The
24 final decision we make in that generic proceeding can have
25 a significant impact on how we move forward on such

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2 acquisitions and provide consistency in achieving our
3 policy objectives and impact positively our actual water
4 systems.

5 Normally, I would not want to decide
6 this type of specific proceeding while we are still
7 examining that policy in the ongoing 2015 generic
8 proceeding. However, I am cognizant that here, we do have
9 a need to ensure safe and adequate service and the long-
10 term viability of the source supply of the water systems.
11 So therefore, I approve these three items, but I do
12 reference that I want to be kept informed on the water
13 system and the status and the -- on the immediate and
14 long-term infrastructure issues. And I do look forward to
15 resolution of the ongoing generic proceeding.

16 That's it.

17 CHAIR ZIBELMAN: Thank you.

18 May I just -- just two quick points.

19 One is I just concur with Commissioner Acampora's
20 observation that the work of our gas safety staff is
21 excellent and see that you guys are sort of sitting back
22 there. So -- but there's no question that -- that your
23 diligence and -- and your working so closely and so
24 quickly was very, very helpful, both to -- to this
25

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2 Commission, as well as the federal government. So thank
3 you very much.

4 And then also on the low-income, in
5 addition to clarifying, we've actually also responded to a
6 request that we expand the program to address the -- an
7 issue associated with the HEAP payments in New York City.
8 So I'm mindful of the fact that, just as Commissioner
9 Acampora always reminds us, that we also are not perfect.
10 And when we do make errors and we need to adjust to
11 reflect concerns, we should be prepared to do so. And we
12 are doing so in -- in this case.

13 So with that, let me move to ask --
14 move to the consent agenda vote. And all those in favor
15 of the recommendations, please indicate by saying aye.

16 COMMISSIONER SAYRE: Aye.

17 COMMISSIONER ACAMPORA: Aye.

18 CHAIR ZIBELMAN: Aye.

19 COMMISSIONER BURMAN: Aye, except to
20 the extent that I reference my comments.

21 CHAIR ZIBELMAN: Okay. With your
22 comments and there being no opposition, the
23 recommendations are adopted. Thank you.

24 Let me -- so we have another matter in
25 front of us today before we close, which is a resolution

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2 for Commissioner Acampora. And before I proceed with the
3 resolution and -- and also, I know that my fellow
4 Commissioners also want to make comments, I do want to
5 make a few comments, myself.

6 So you know, Pat is -- we've been
7 talking about this for a few days now. But -- but, you
8 know, you -- just for -- for those who aren't aware, but
9 Pat has -- has been in service for -- for New York in
10 various position for 34 years. And for many of us, she
11 really exemplifies what public service is all about. For
12 12 years -- and we discovered that Pat seems to have an
13 affinity for the number 12 -- she served as assemblywoman
14 representing the First District of Long Island and for 12
15 years she's been at this Commission, including her
16 position as chair.

17 She also has more experience than many
18 of us in working for governors, having served under four
19 governors and done so very, very well. And so, you know,
20 I started to think about all of the attributes that you
21 bring to public service. And since you like the number
22 12, I narrowed myself to 12. So I'd like to go -- go
23 through them now because it's -- I think it's important.

24 So one is -- one is her recognition of
25 the role of Staff. We talk about this a lot, but, you

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2 know, we couldn't do anything at this Commission without
3 Staff. And one of the things that I've -- I've learned
4 and -- and I mean -- and Pat exemplifies is the
5 recognition that the people who work for you are your
6 biggest assets and that your job as a leader is really to
7 help cultivate people, develop people, give them
8 opportunities, give them honest feedback, and make them do
9 better at what they do every day. And Pat has been
10 wonderful.

11 I've had -- you know, just listening
12 to the people who have worked for her, with her, and what
13 she's -- what you've done to really develop careers. And
14 many people sitting in this room owe their career to Pat.
15 And it's because she recognizes talent and she develops
16 talent and she rewards talent and she helps talent become
17 better. So I appreciate that.

18 The second is her continued -- and --
19 and fidelity to recognize that a good part of what we're
20 doing is -- is in protection of the consumers of the
21 services and her focus on -- on consumer service. And one
22 of the things that Pat has always done and always does is
23 always look at the consumer position. She -- she's been a
24 huge advocate of the consumer services division.
25 Recognition that, you know, while many of us toil over

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2 investigations, over testimony, over orders, it's our
3 consumer services division who really are the feet on the
4 street for us, the people who really talk to the public
5 and really listen to the public and really just in that --
6 that in many ways their job is the hardest because they
7 have to deal with people having real issues. And that's
8 as many -- anyone who's been in that position knows, it's
9 -- it's not an easy task.

10 The third is in water advocacy. Pat
11 has been a leader, both in New York, as well as in the
12 nation in terms of water, water rate cases, what -- what
13 stands for quality water company. And, you know,
14 certainly in these times, we often, you know, spend a lot
15 of time talking about electric and gas and communications.
16 We're not, even though New York isn't a significant case
17 in terms of water utilities, we've become a leader in the
18 regulation of water companies. And that -- that owes it
19 to Pat.

20 The other is in geothermal development
21 which, you know, Pat recognized early on the huge
22 opportunity the state has around geothermal and has been
23 pushing this issue and -- and has worked with me to make
24 me understand it. And now I think we are at the cusp of
25 really seeing strong geothermal development in New York,

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2 which I believe will be hugely valuable both in meeting
3 our Clean Energy goals and also our goals to having low-
4 cost heating for consumers. So I think that's another
5 great legacy you're going to be leaving.

6 Other things that are apparent to many
7 of us is her advocacy for women. If you look at the
8 history -- Pat's history, both at the Legislature and at
9 the Commission, she's been a huge advocate for women
10 professionals, long before people were recognizing the
11 need to have women in leaderships. Pat was an early
12 person on the battlegrounds for that. And that's
13 something I don't think people spend -- understand about
14 you.

15 Her wisdom, which is number six for
16 those who are trying to keep track and wondering when I'm
17 going to be done, but it's -- that's not -- I think we can
18 spend the afternoon, is Pat's been -- is -- is extremely -
19 - has been, for me, one of the -- a go-to person for
20 challenging issues and for being able to get to the heart
21 of issues and really kind of keeping us balanced.

22 And that also is number seven, her
23 leadership. You know, there's people who lead loudly and
24 there are people who lead quietly and -- and are much --
25 and are effective at that. And Pat sort of is one of

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2 these -- is one of those great people who's able to get --
3 have a huge amount of influence because of the fact that
4 she's -- she is able to help identify why we should do
5 things, how we should do it, and do it in a way that a lot
6 of -- that people can agree to.

7 As well as her integrity, which is
8 number eight. Pat said something last night when we were
9 -- several of us were having dinner with her, that when
10 she came to the Commission, she realized she needed to
11 keep politics behind her because, as a body, our job is
12 really our statutory responsibility and we need to
13 maintain our integrity about finding the right decisions,
14 rather than the politically expedient decisions. I take
15 that to heart. I really appreciate that. And I think
16 everyone has seen that from Pat.

17 Her humor -- she is very funny. It's
18 that Long Island sarcastic humor that I love, as well as
19 her sartorial excellence, and the fact that Pat has taught
20 us all that we need to maintain a balanced life. And so
21 her relationship to -- to Allen, her commitment to her
22 children, her grandchildren who love her and adore her
23 tell us that she's a real person.

24

25

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2 And lastly, but not least, her
3 provision of chocolate to whomever might step by her
4 office.

5 So we're going to miss you very much.
6 Pat has always said that we -- for people who retire, we
7 hope that you have many checks in front of you and we hope
8 you have many checks in front of you as long as -- and I
9 also hope that you have great, great pleasure, long life,
10 health, and enjoyment. So thank you and I'm going to miss
11 you terribly.

12 Mr. Sayre?

13 COMMISSIONER SAYRE: Commissioner
14 Acampora -- Pat has been, for me, a great mentor and a
15 great example of what a Commissioner should be. She
16 brings a strong dose of common sense to this agency --
17 some thought -- something that is sometimes missing, but
18 she makes sure that it's put forward properly. And as the
19 Chair says, she has been the strong voice of the consumer
20 at this agency.

21 She's a very effective Commissioner.
22 There are quite a few things that have happened around
23 here that maybe nobody has noticed, but otherwise, without
24 her, they would not have come out right. I'm going to
25 miss you enormously and I wish there was some way --.

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2 COMMISSIONER ACAMPORA: I'm just a phone
3 call away.

4 COMMISSIONER SAYRE: Well, my first phone
5 call will be come back to the board for the next six
6 years.

7 So you -- you have my -- my warmest
8 thanks and my heartiest best wishes.

9 COMMISSIONER BURMAN: So I had
10 comments, but then I got thrown when Audrey said that she
11 appreciated your sarcastic humor because you're from Long
12 Island. I'm from Long Island.

13 CHAIR ZIBELMAN: And I appreciate your
14 humor, too.

15 COMMISSIONER BURMAN: If I had known
16 that --.

17 Everyone who meets Pat realizes right
18 away how passionate she is about protecting consumers. I
19 am truly fortunate in being able to say that I have known
20 Pat for a very long time. I was a staffer under her when
21 she was a Commissioner. And I was a staffer under her
22 when she was Interim Chair. And I can truly say she's a
23 friend, she's a mentor, and she was and will always be a
24 great colleague.

25

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2 Her stories on Long Island life are
3 truly legendary. And I can vouch for it, being a Long
4 Islander. And they were probably saltier than she let on,
5 too, because I'm from Long Island.

6 I will miss sharing both regulatory
7 perspectives and all perspectives with her. She really
8 helped me many times, as a young mother, and gave me
9 perspective on work life and personal life balance.

10 So thank you. You will be missed.

11 CHAIR ZIBELMAN: So I have two
12 resolutions. One, I'll -- we're going to, I think,
13 incorporate by reference. It's a resolution from the --
14 from NARUC board that they passed this week. And among
15 other things, though, it recognizes the -- the leadership
16 that -- that you've had as a -- at NARUC as a long-
17 standing member of the Committee for Consumer Affairs and
18 the Committee on Water, as well as your work on -- on
19 MACRUC. But it's the board -- it's the body's
20 appreciation for your service, both to New York and to the
21 nation at large at NARUC.

22 And then we have a resolution, as
23 well, from this Commission which I will read if -- because
24 I'd like to get it into the record.

25

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2 So whereas Patricia Acampora served
3 the citizens of the State of New York as Commissioner
4 since June 16, 2005, and as Chair from December 1st, 2006,
5 through January 2nd, 2008, with great distinction and
6 whereas the consummate -- as the consummate public
7 servant, Commissioner Acampora's dedication to the people
8 of the State of New York spans 34 years, including serving
9 for 12 years at the New York state Legislature as the
10 Assemblywoman representing the First Assembly District on
11 Long Island, during which time she was a ranking member of
12 the Labor Committee and a member of several other
13 committees, noting and including the Consumer Affairs and
14 Protection Committee,

15 and whereas Chair Acampora's
16 leadership is reflected in the over 800 orders issued
17 during her tenure -- that seems small -- I think it was
18 800 this year -- including items initiating the Energy
19 Efficiency Portfolio Standard and revenue decoupling,
20 establishing a long reign electric resource plan and
21 infrastructure planning process, reviving the utility
22 management and operations audit process, and reviewing the
23 acquisition of KeySpan by National Grid, as well as
24 overseeing prudence investigations of Long Island city
25 power outage and the steam pipe rupture in New York City,

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2 and whereas as Commissioner she
3 participated in an additional 7,740 Commission orders --
4 now there you go -- where she brought her knowledge,
5 insight, and guidance to bear, always insisted on a high
6 level of customer service for all utility customers, and
7 was cognizant of the evolving nature of regulation and the
8 need to be flexible in order to respond to the needs of
9 residential and business customers, while balancing their
10 responsibilities and requirements of regulated companies,
11 and whereas Commissioner Acampora
12 appreciated the gravity of the decisions of the Commission
13 on the financial health of companies by regularly
14 inquiring how the street would consider a Commission
15 decision,
16 and whereas Commissioner Acampora
17 shared her wisdom with others in the National Association
18 of Regulatory Utility Commissioners through membership and
19 its Committee on Consumer Affairs and Committee on Water,
20 and as a member of the board and secretary and treasurer
21 of the Mid-Atlantic Conference of Regulated -- Regulatory
22 Utility Commissioners, and as chair of its Committee on
23 Water on the board of Women of Communications, and -- in
24 Communications and Energy,

25

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2 and whereas Commissioner Acampora is a
3 national leader and steadfast advocate for low-income
4 consumers, supporting increased funding of programs that
5 promote affordability of a central utility services and
6 assisting other states in the enrollment of eligible
7 customers for the Lifeline program,

8 and whereas Commissioner Acampora has
9 been a champion and ardent supporter of all Staff at the
10 Department of Public Service, providing guidance and
11 support, taking fair and decisive actions, encouraging
12 diversity among leadership and offices, making time to
13 connect with and inspire Department employees, and always
14 expressing her deep appreciation, publicly and privately,
15 for Staff's work,

16 and whereas she will now have more
17 time to travel and be with her family to which she is
18 devoted, including Allen, her husband, her daughter, and
19 step-daughters, five grandchildren, and collect many
20 retirement checks,

21 it is resolved that the New York State
22 Public Service Commission expresses its deepest
23 appreciation to Patricia L. Acampora for her leadership as
24 a member of the Public Service Commission and her faithful
25 service to the citizens of the State of New York as

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2 demonstrated by her unwavering commitment to the mission
3 of the Commission to ensure safe, secure, and reliable
4 access to electric, gas, steam, telecommunications, and
5 water services for all of New York's residential and
6 business consumers, at this session of the Public Service
7 Commission, February 16, 2017.

8 Thank you, Pat.

9 COMMISSIONER ACAMPORA: Thank you.

10 Well, this is finally it. You know,
11 we've done this for a lot of people and I've sat here and
12 I stood up and I clapped. And I knew this day would
13 finally come and, you know, I'm -- I'm ready for it. I
14 really am. This has been 12 years of a great run. It
15 really has. And I've had the honor to work with talented,
16 smart, and dedicated professionals right here in this
17 agency.

18 And I always thought that every job I
19 had was the best job. I thought when I was a legislator,
20 it couldn't get any better. And then I came here and this
21 is where I found this was the best job I've ever had. You
22 almost didn't have to pay me to do it. But the travel was
23 a bit tough, I have to admit.

24 CHAIR ZIBELMAN: They almost didn't
25 pay you.

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2 COMMISSIONER ACAMPORA: Well, that's
3 true. We still fight about the travel stuff, but we'll
4 overlook that. That's not within the agency.

5 There have been so many wonderful
6 accomplishments that have been done during the 12 years
7 that I've been here. And the work that goes into doing
8 what is done here, I don't think anybody outside of this
9 agency realizes because when you say the Department of
10 Public Service, the Public Service Commission, people have
11 no idea what that entails. Just the small group of us, we
12 know what it does and you know how hard you work and I
13 talk about that all the time when, you know, I talk to
14 some of the people in the halls and on the elevator and in
15 the city, or I go in the back every day that I'm there.
16 And they're all working hard for the people of New York
17 State. And I don't know how much luckier people can be
18 about that.

19 And Audrey had mentioned my love of
20 consumer affairs. Really, those people, boots on the
21 ground, and you know when someone is calling, they are not
22 happy. And trying to take a phone call with someone who
23 is not in a nice mood and trying to keep them calm, while
24 gathering the information, but as has been a regular
25 occurrence and whoever was running the office of consumer

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2 services does share with the Commissioners a lot of the
3 thank yous that come in. And so that you know that being
4 on that phone and when a new Commissioner comes in -- and
5 I think you've all done it, you've sat in that call center
6 and you listen to what happens.

7 And so to me, that has always been the
8 thermometer of how, as a Commissioner, you can gauge where
9 are areas you need to concentrate more, particularly when
10 a rate case comes along and a certain utility might have
11 not been doing what they're supposed to do, and we've been
12 taking the brunt of their consumer calls, because they
13 have not been up to par. And that's something we can
14 accomplish.

15 And thanks to the utilities, they
16 always have taken our suggestions in the correct manner,
17 not as a criticism, but as a way, again, to make sure New
18 Yorkers are best served.

19 And I have served under four governors
20 and it's always been a pleasure. And that's why I said
21 last evening when we were out, politics don't come here.
22 Who cares? And it's something I used to say in the
23 legislature when we all go, nobody has on their tombstone
24 or whatever placard they may choose to have, or their
25

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2 little jar, it doesn't have your name and it doesn't have
3 R, D, C, I, or whatever else there is.

4 So we do this job just thinking about
5 what is right for the people and what is right for the
6 businesses of our state because that's something that's
7 really important to us.

8 And so I thank each and every person
9 who has interacted with me over the years. You've all
10 been great -- again, true professionals, always willing to
11 educate a Commissioner because when we come in here, we
12 really don't have a blueprint and there's a lot to learn.
13 And I think now, after 12 years, I finally got it. So I
14 don't know what I'm going to do with all of this
15 information, but I'm happy to share it with anybody.

16 And I really appreciate all the
17 kindnesses over the years on everyone's behalf in trying
18 to help me be a better commissioner. So to you all, I
19 will miss all of you, but I will look forward to -- it's
20 another step in life. And believe me, I won't be sitting
21 still long. As many of you know me, I like to go. I may
22 not be traveling six hours on the railroad to get to my
23 office in the city, or four and a half hours to come up to
24 Albany, but I'll sure be doing something and it will have
25

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2 something to do with trying to make things better for the
3 public at large.

4 So I -- I thank you all. It's been a
5 great sendoff. And I really appreciate all the love that
6 I received over 12 years. So God bless you all. It's
7 been an honor.

8 And let me say one more thing because
9 I won't be here for the March meeting and someone else
10 will be leaving. And I have to thank Audrey for all her
11 help and assistance in really pushing my geo project. I
12 mean without this lady's leadership -- and she really has
13 put New York on the map again. For so many years, New
14 York wasn't on the map in much of anything when you went
15 to NARUC and MACRUC. But through Audrey's leadership, she
16 really has spurred an interest, through REV, about what is
17 New York doing. And so to Audrey and to Richard Kauffman
18 and to the Governor for showing that New York can still
19 lead, I think that's something I don't want to not be in
20 the record.

21 So thank you very much.

22 CHAIR ZIBELMAN: Thank you. That's
23 very nice.

24 I just want to -- when you're in
25 Florida and you want to make new friends, don't talk to

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2 them about whether they like DCF. analysis or anything
3 like that.

4 Thank you, Pat. We are going to miss
5 you -- miss you greatly.

6 With that, Secretary Burgess, is there
7 anything else in front of us today?

8 SECRETARY BURGESS: There's nothing
9 else in front of us. But if I could just ask one
10 clarifying question of Commissioner Burman for her voting
11 because I wasn't clear from the record, were you voting
12 aye on all matters with additional comments?

13 COMMISSIONER BURMAN: No.

14 SECRETARY BURGESS: With the two --
15 abstention on 382. Is that correct?

16 COMMISSIONER BURMAN: Yes.

17 SECRETARY BURGESS: And the other
18 abstention was --?

19 COMMISSIONER BURMAN: I'd have to look
20 at the item number.

21 SECRETARY BURGESS: 381, CES?

22 COMMISSIONER BURMAN: 381-A, -B, and -
23 C.

24 CHAIR ZIBELMAN: Thank you.

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And one more. Commissioner Burman,
thank you for taking care of the resolutions at NARUC. I
appreciate that.

SECRETARY BURGESS: And the rest were
all ayes? Thank you.

CHAIR ZIBELMAN: Good?

Okay. With that, we are adjourned.
Thank you.

(The meeting adjourned at 1:52 p.m.)

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STATE OF NEW YORK
I, LESLIE TOMPSON, do hereby certify that the foregoing
was reported by me, in the cause, at the time and place,
as stated in the caption hereto, at Page 1 hereof; that
the foregoing typewritten transcription consisting of
pages 1 through 35, is a true record of all proceedings
had at the hearing.

IN WITNESS WHEREOF, I have hereunto
subscribed my name, this the 23rd day of February, 201.

LESLIE TOMPSON, Reporter

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