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August 1, 2008

Jaclyn A. Brillling,  
Secretary,  
New York State Public Service Commission,  
Three Empire State Plaza,  
Albany, New York 12203-1350

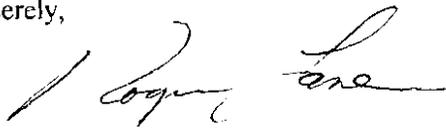
RE: CASE 04-M-0159 – Proceeding on Motion of the Commission to Examine the Safety of Consolidated Edison Company of New York, Inc.'s Electric Transmission and Distribution Systems.

NOTICE SOLICITING COMMENTS (Issued July 8, 2008)

PSC,

The following document is in response to the PSC's request for comment on changes to the Commission's Electric Safety Standards contained in Case 04-M-0159.

Sincerely,



Roger Lane  
The Jodie S. Lane Public Safety Foundation

## Summary of Recommendations to PSC

### **From The Jodie S. Lane Public Safety Foundation**

### **In Response to the PSC's Request for Comment Issued July 8, 2008 Regarding the Commission's Electric Safety Standards Contained in Case 04-M-0159**

If the goal of the PSC is to “ensure that the public is protected from stray voltage to the maximum extent possible”, then the following is needed:

- Look for Stray Voltage Frequently
- Find Stray Voltage Frequently
- Mitigate Stray Voltage frequently

The PSC can insure that this happens by requiring the following two actions:

**1. The PSC must require all Utilities to test for SV repeatedly during the year [as in NYC]**

**2. The PSC must require all utilities to use the best methods for SV detection. Today the best method is mobile SV detection with the SVD2000 [as in NYC]**

- The SVD 2000 is superior to manual testing in many ways
  - Manual testing is asset list based. However 40% of energized objects are not on the asset list and therefore not found. The SVD2000 is not limited in this manner and finds energized objects both on and off the asset list.
  - In 2008, for every 1 Energized Object found by manual testing, mobile detection found 9 more. Mobile detection as used in NYC is 900% more effective than manual testing. In NYC during the first six months of 2008 “manual” testing with the HD probe found 430 Energized Objects and while the SVD2000 found 3,850. Not using the SVD2000 would have left 3,850 energized objects in the pedestrian walkway.
  - Mobile testing is scalable and cheaper than manual testing

Upstate NY Utilities do a single manual Stray Voltage test each year and they do not use mobile testing with SVD2000.

Based on NYC data, manual testing finds only 11% of Energized Objects and mobile detection with the SVD2000 finds 89%. Since Upstate NY Utility's only use one manual test per year, it is almost certain that Upstate is finding less than 11% of the SV on their systems. Therefore they are mitigating less than 11% of the risk to the pedestrian. **Not performing mobile detection is equal to ignoring 89% of the danger.**

How can the PSC explain that they are providing/requiring 900% better SV mitigation in NYC than in Buffalo?

**Not using mobile SV detection in upstate NY when it is more effective, less costly and scalable is negligent.**

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The PSC's request for comments listed a variety of topics. The following is the summary response to these topics.

1. Mitigation on all voltage findings greater than or equal to 1 volt is appropriate.
2. A requirement to test all metallic structures within a minimum 30 foot radius of that facility is inappropriate. More than 20% of energized objects are not metallic [e.g. sidewalks]. A requirement to test all structures within a minimum 30 foot radius of that facility is appropriate.
3. Categorizing & reporting repairs for Inspection detected deficiencies is appropriate. The definition of "categories" is at risk if defined solely by the Utility. This process and reporting should also be done for repairs created by Testing.
4. Reporting on a calendar year is appropriate. All reporting must be done based on the count of Energized Objects not Sources of SV. Reports must be collectively exhaustive and mutually exclusive.
5. Mobile testing is efficacious. It finds 89% of all Energized Objects in NYC. Not using mobile detection is the equivalent of ignoring 89% of all energized objects. Not using mobile detection for all Utilities in NY State is negligent.
6. Stray Voltage should be defined as an Energized Object that under expected/normal circumstances should not be energized. Tying the definition to "electric facilities" ignores 40% of the energized objects.

7. A single manual SV test performed annually is grossly insufficient to ensure that the public is “protected from stray voltage to the maximum extent possible”. Look more often, Find more often, and Mitigate more often leads to a safer pedestrian / rate payer.

## Detailed Recommendations to PSC

### From The Jodie S. Lane Public Safety Foundation

#### In Response to the PSC's Request for Comment Issued July 8, 2008 Regarding the Commission's Electric Safety Standards Contained in Case 04-M-0159

PSC Notice Soliciting Comments	Comments from the Jodie S. Lane Public Safety Foundation [Roger Lane, director]
<p>STATE OF NEW YORK PUBLIC SERVICE COMMISSION 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.</p> <p>NOTICE SOLICITING COMMENTS (Issued July 8, 2008 )</p> <p>The Commission's Electric Safety Standards contained in Case 04-M-0159 have been in place since January 2005. Through experience and lessons learned over the past three years, several areas in the standards that require clarification and elaboration have been identified. As a result, we will issue for comment revisions that encompass several necessary modifications including: uniform reporting requirements for stray voltage testing and electric system inspections; clarification and enhancement of mitigation and repair procedures for stray voltage testing and system inspections; the extent of stray voltage testing to include structures in proximity to the companies' facilities; migration to a calendar year testing cycle; and independence between testing or inspection personnel and those performing quality assurance activities. No other revisions other than those in the attached document are being proposed at this time. The Commission would like input from interested persons on the proposal and associated issues before determining the measures that the utilities must undertake to ensure that the public is protected from stray voltage to the maximum extent possible. NOTICE is hereby given that the Commission is interested in receiving comments on the attached revisions to the standards including:</p>	
1) Performing mitigation efforts on any and all voltage findings greater than or equal to one volt.	Mitigation on all voltage findings greater than or equal to 1 volt is appropriate.  Mitigation is the 3 <sup>rd</sup> step of a 3 step process of Look, Find, and Mitigate. The objective is to find Energized

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	<p>Objects in the pedestrian pathway and make them safe. Based on NYC history of about 14,000 detected Energized Objects, a trigger level of 1 volt is reasonable. Less than 1 in 1000 objects meet this criterion or 99.99% will not trigger. The trigger is selective. More importantly, the existence of an energized object is not common nor is it expected. <u>Therefore every energized object represents a warning that something is wrong with the delivery of electricity to the ratepayer. In NYC almost all of the detected Energized Objects were caused by "Contact Voltage". This is the most lethal form of Stray Voltage and always requires mitigation.</u></p> <p>If a location hits this "trigger voltage" the object must be mitigated or it must be proven safe by engineering analysis.</p> <ul style="list-style-type: none"> <li>• This engineering analysis must be serialized.</li> <li>• If an object is proven safe then the engineer who certified this must be recorded along with the voltage detected.</li> <li>• A tag must be placed on the object indicating that any voltage in excess of the originally detected voltage must be considered unsafe and therefore mitigated. E.g. "This object may have up to 1.5 volts. Measurements above 1.5 volts must be mitigated ...engineering analysis # 000305".</li> </ul> <p>This tag will avoid repeat triggers on the same object.</p>
<p>2) In the event of a voltage finding on an electric facility, a requirement to test all metallic structures within a minimum 30 foot radius of that facility.</p>	<p>The use of the term "test all metallic structures" is not appropriate. Based on 2008 ConEd data, the most frequently energized object after Streetlights were sidewalks. Since a sidewalk is not metallic, they would be omitted from testing based on the proposed definition. Sidewalks represented 18% of all validated Energized objects.</p> <p>The correct action to take when you find an Energized Object is to look for other Energized Objects within 30 feet of the original detection. An object does not have to be metallic to be energized and dangerous.</p>
<p>3) Implementing the proposed prioritization system for inspections, which include defined repair guidelines.</p> <p style="padding-left: 40px;">["As part of the inspection process, deficiencies identified shall be categorized by the time period for the repair based on the severity of the condition. Utilities will prioritize deficiencies</p>	<p>The concept makes sense strategically however the criterion used to define the placement of a particular Inspection deficiency into one of the 3 categories is not apparent. Without knowing this criterion, any judgment on this proposal is without merit.</p>

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<p>by three categories: Level I – repair as soon as possible but not longer than one week, Level II – repair within 6 months of discovery, or Level III – repair within two years. When prioritizing deficiencies, utilities should carefully account for the safety and operational effects should the facility fail prior to repair.”]</p>	<p>The criterion should not be left up to the Utility.</p>
<p>4) Accurately tracking repair activities in response to inspection findings.</p> <p>[The PSC also wrote “As part of the inspection process, deficiencies identified shall be categorized by the time period for the repair based on the severity of the condition. Utilities will prioritize deficiencies by three categories: Level I – repair as soon as possible but not longer than one week, Level II – repair within 6 months of discovery, or Level III – repair within two years. When prioritizing deficiencies, utilities should carefully account for the safety and operational effects should the facility fail prior to repair.”]</p>	<p>Tracking repair activities is essential. It will ensure visibility and highlight deficiencies to repair in a timely manner.</p> <p>This tracking must be done for repairs caused by Inspection and those caused by Testing. Refer to Exhibit D and Exhibit E.</p>
<p>5) Changes to testing, inspection, and quality assurance practices needed to comply with the proposed changes.</p> <p>[Reporting: contains a breakdown of the voltage findings in a tabular format as detailed in Appendix B;]</p>	<p>Appendix B [Detected Energized Objects] must:</p> <ul style="list-style-type: none"> <li>• Indicate the calendar year [1/1/YYYY through and including 12/31/YYYY].</li> <li>• Contain the count of <u>all</u> Reported Energized Objects not the “Sources” of Stray Voltage.</li> <li>• Contain the total number of Energized Objects not validated.</li> <li>• Contain the total number of Energized Objects validated.</li> <li>• Be formatted to be mutually exclusive and collectively exhaustive.</li> <li>• A sample of the improved report is attached</li> </ul>
<p>[contains a breakdown of the shock reports received from the public as detailed in Appendix C;]</p>	<p>Appendix C [Shock Reports From All Sources] must:</p> <ul style="list-style-type: none"> <li>• Indicate the calendar year [1/1/YYYY through and including 12/31/YYYY].</li> <li>• Contain the count of <u>ALL</u> Reported Shocks [regardless of Source]</li> <li>• A shock report is a report of and a <u>count of every Energized Object</u> that came in contact</li> </ul>

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	<p>with a human or animal</p> <ul style="list-style-type: none"> <li>• Be formatted to be mutually exclusive and collectively exhaustive.</li> <li>• A sample of the improved report is attached</li> </ul>
<p><b>Accurately tracking repair activities in response to inspection findings.</b></p> <p><b>c)  Each utility shall develop procedures and protocols to track the permanent repairs made based on inspection data and whether the repairs were made in the appropriate timeframe. An inventory of outstanding repairs by priority level should also be maintained.</b></p> <p><b>(d) Each utility shall develop procedures and protocols to track temporary repairs made on the system and whether these locations were permanently repaired.</b></p>	<p>Appendix D which is a Summary of Repair activity should be re-titled “Summary of Deficiencies and Repair Activity Created by the <b>Inspection Process</b>”. This table is mutually exclusive from “Testing and Mitigation of Energized Objects”.</p> <p>There should be another Report for the Summary of Deficiencies and Repair Activity Created by the <b>Testing Process</b>”. This table is mutually exclusive from Summary of Deficiencies and Repair Activity Created by the Inspection Process. Expected mitigation time frames are different but the report is similar.</p>
<p><b>In addition, although not included as a revision to the Safety Standards at this time, we are soliciting comments on the efficacy of utilizing mobile stray voltage testing technology (currently only used by Con Edison) on a statewide basis.</b></p>	<p>Mobile testing is efficacious.</p> <p>Mobile testing is 9 times more effective than manual testing at finding energized objects.</p> <p>Not using mobile testing in upstate NY is negligent.</p> <p>As I understand the term, efficacy is the capacity or power to produce a desired effect. When testing for “Stray Voltage” the desired effect is to find objects that are energized in the pedestrian walkway.</p> <p>This is part of a three step process of</p> <ol style="list-style-type: none"> <li>1. Look</li> <li>2. Find</li> <li>3. Mitigate</li> </ol> <p>This process is required for two reasons:</p> <ol style="list-style-type: none"> <li>1. Electrical distribution systems are not automatically aware of their failures.</li> <li>2. Thousands of new failures are created every year by the aging of the system</li> </ol> <p>As such you must look for and find Energized Objects and then mitigate the cause of these dangerous objects in the pedestrian walkway.</p> <p>The question then is “Is the mobile detection system</p>

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	<p>effective in finding Energized Objects?"</p> <p>The simple answer is <b>YES</b>.</p> <p>There are three reasons for this conclusion. These reasons have been proven by the use of mobile detection in the last 4 years in NYC. More than 7 complete scans were done in 2005 through 2007. In 2008 another 6 have been completed to date. More than 14,000 Energized Objects have been detected by mobile testing and validated by ConEd.</p> <ol style="list-style-type: none"> <li>1. For every 1 Energized Object that was found by manual testing, 9 more were found with mobile detection. In the first 6 months of 2008 89% of all detected Energized Object were found by mobile detection. More to the point, without mobile detection only 11% of Energized Objects would have been found. Data for 2007 indicates a similar benefit of mobile detection.</li> <li>2. Mobile detection is not asset list based. The mobile detector finds all Energized Objects in the pedestrian's pathway not just those on the Utility's asset list. In the first 6 months of 2008, about 40% of the detected Energized Object were not on ConEd's asset list and would likely not have been found with manual detection.</li> <li>3. Mobile detection is an easily scalable methodology. The concept is Look more, Find more, Mitigate more. This can be done with mobile testing and it cannot be done practically for manual testing.</li> </ol> <p>The empirical data proves that mobile detection is effective. It is also scalable and less expensive than manual testing.</p> <p>Not using mobile detection for all of NY State is a clear case of not using the best technology to ensure the safety of the ratepayer.</p> <p><b>Is this negligence?</b></p> <p>As I understand the definition of negligence, it require 4 elements; duty, breach, causation, and damages.</p> <p>Duty: The Utility has an obligation to provide power safely. The PSC has an obligation to ensure the safety of the rate payer and economical rates. Current data indicates a high level of detected Energized Objects in all of NY State.</p> <p>Breach: The Utility's in upstate NY are choosing not to implement mobile detections in spite of its better value i.e. more energized object detections per dollar of test cost. The rate payer is 9 times more</p>

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	<p>likely to encounter Energized Objects in upstate NY without the use of mobile detection. The rate payer is paying more money per detected Energized Object than would be with mobile detection. The PSC has not approved the mobile testing process for upstate NY. The PSC has not required the Utility's to use this superior technology. The Utility and the PSC knowingly exposes the rate payer to a substantial risk. Furthermore the mobile detector is more efficient and effective at detecting Energized Objects. Not using this capability is a breach of duty.</p> <p>Causation: In order to protect the rate payer/pedestrian you must look for, find Energized Objects and mitigate the risk. If you choose not to use a methodology that is less expensive and 9 times more effective at detection you expose the pedestrian to 89% more risk of injury. Not choosing mobile detection is equal to ignoring 89% of the Energized Objects.</p> <p>Damages: clearly the damages of unsafe power were defined on Jan 16, 2004 with the death of Jodie S. Lane.</p> <p>I believe that reasonable people with a clear knowledge of the facts of the last 4 years would conclude that the upstate Utilities and the PSC are negligent in their duty to deliver safe and economical power in upstate NY.</p>
<p>Persons wishing to submit comments on this matter must do so by submitting an original and five copies of their comments in hand to Jaclyn A. Brillling, Secretary, New York State Public Service Commission, Three Empire State Plaza, Albany, New York 12203-1350 no later than the close of business on August 22, 2008. Comments may also be filed electronically to <a href="mailto:secretary@dps.state.ny.us">secretary@dps.state.ny.us</a> provided hard copy service is made by the due date for comments. (SIGNED) JACLYN A. BRILLING Secretary</p> <p>Attachment</p>	
<p style="text-align: center;"><b><u>STAFF PROPOSAL</u></b> (Proposed changes from existing standards are in bold and bracketed) <b>ELECTRIC SAFETY STANDARDS</b> <b>APPENDIX A</b> <b>SECTION I: DEFINITIONS</b></p> <p>(a) Utilities – The term "utilities" includes all investor-owned and municipal electric</p>	

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<p>corporations subject to the Commission's jurisdiction that own or operate transmission or distribution facilities, whether fully or lightly regulated. As appropriate, the term also includes companies subject to our jurisdiction that own or operate electric generating facilities within the State, whether fully or lightly regulated.</p> <p>(b) Electric facilities – The term “electric facilities” means and refers to all electric plant, as that term is defined in Public Service Law §2(12), that is used to modulate, transmit, and/or distribute electricity, or is related to its modulation, transmission, and/or distribution. The term “overhead facilities” generally includes the electric facilities that are part of a utility’s overhead distribution system (e.g., the system that serves rural areas and includes towers, poles, and aerial cable and conductors). The term “underground facilities” generally includes the electric facilities that are part of a utility’s underground distribution system (e.g., the system that serves urban areas and includes manholes, service boxes, and underground cable and conductors).</p>	
<p>(c) Stray Voltage –The term “stray voltage” means voltage conditions on electric facilities that should not ordinarily exist. These conditions may be due to one or more factors, including, but not limited to, damaged cables, deteriorated, frayed or missing insulation, improper maintenance, or improper installation.</p>	<p>By this definition a sidewalk that was energized would not be a stray voltage as the sidewalk is not part of the electrical facility.</p> <p>Stray Voltage is better described as an Energized Object that under expected/normal circumstances should not be energized.</p>
<p>(d) Streetlights – The term “streetlights” means and includes utility- and municipal owned streetlights located on, along, or adjacent to public thoroughfares and areas and traffic signal poles and devices; it does not include privately-owned light fixtures, such as those located in private parking lots.</p>	
<p>(e) Stray Voltage Testing – The process of checking an electric facility for stray voltage using a hand-held device capable of reliably detecting and audibly and/or visually signaling voltage in the range of 4.5 to 600 volts.</p>	<p>By this definition, mobile stray voltage detection with the SVD2000 is not “Stray Voltage Testing”. Since the SVD2000 is the preferred testing process in NYC the definition needs to be modified to encompass this mobile technology.</p> <p>The current HD probe is not certified by its manufacturer to 4.5 volts. [<b>Sensitivity:</b> Factory set at 5VAC +/- 10% with new batteries installed, 50/60Hz] To my knowledge the HD probe has not undergone real</p>

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<p>(f) (f) [Findings – Any confirmed voltage reading on an electric facility greater than or equal to 1V measured using a volt meter and a 500 ohm shunt resistor.]</p> <p>(g) [(g) Mitigation – Necessary actions performed by the utility to effectively eliminate the stray voltage findings.]</p> <p>(h) [(h)] Inspection – A careful and critical examination of an electric facility by a qualified individual to determine the condition of the facility and the potential for it to cause or lead to safety hazards or adverse effects on reliability.</p> <p><b>SECTION 2: NATIONAL ELECTRIC SAFETY CODE COMPLIANCE</b></p> <p>(a) The installation, construction, maintenance, and operation of electric facilities shall comply with the latest version of the National Electric Safety Code (NESC), except where a utility’s practices, procedures, and protocols are more stringent.</p> <p>(b) Utilities are not required to retrofit their existing facilities to comply with the latest version of the NESC, unless the latest version of the NESC requires a retrofit.</p> <p>(c) To the extent that projects currently being constructed do not comply with the NESC or a utility’s more stringent standards, exemption from compliance will be considered on a case-by-case basis.</p> <p>(d) If a utility believes that it cannot satisfy any provision of the NESC for a valid technical reason, it may petition the Commission for an exemption from compliance with that provision.</p>	<p>world testing to ensure its capability in the field.</p>
<p><b>SECTION 3: STRAY VOLTAGE TESTING</b></p> <p>(a) Stray voltage testing shall be conducted on all utility facilities that are capable of conducting electricity and are publicly accessible. Testing is not required on customer meters and customer-owned facilities, except municipal-owned streetlights.</p> <p>(b) Stray voltage testing shall be conducted on all streetlights.</p> <p>(c) For underground electric facilities that are publicly accessible, including, but not limited to, manholes, service boxes, and transformer vaults, stray voltage testing shall be conducted on the exposed surfaces of the facilities.</p>	

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(d) Stray voltage testing of streetlights shall be conducted when the light is activated (i.e., at night).	
(e) Stray voltage testing shall be conducted on an annual basis.	<p>A single test, of any kind or method, for stray voltage is insufficient to ensure the safety of the public.</p> <p>A single annual test for stray voltage using the HD probe is insufficient to ensure the safety of the public.</p> <p>Look more often, Find more often, Mitigate more often leads to a safer pedestrian / rate payer.</p>
(f) If a streetlight to which a utility provides service is owned by another entity, and that entity conducts stray voltage testing meeting these safety standards, the utility may substitute that testing program for its own, provided the utility can certify the other entity's results.	
(g) All equipment used for stray voltage testing must be certified by an independent test laboratory as being able to reliably detect voltages of 4.5 to 600 volts.	<p>Certification must be done in a way to test the field use of the device.</p> <p>The HD probe is not certified by its manufacturer to 4.5 volts.</p> <p>The HD probe has not been tested in the field.</p>
[(h) Any facility for which a finding is discovered shall be guarded by the utility immediately and continuously until the utility has performed mitigation and made the area safe.] The utility must [perform mitigation] irrespective of whether the stray voltage is determined to be caused by its own or a customer-owned facility. [Mitigation shall be completed on any voltage findings.]	
[(i) In the event of a finding on an electric facility during stray voltage testing, the utility shall test for stray voltage on all metallic structures that are capable of conducting electricity within a minimum 30 foot radius of the electric facility.]	<p>The use of the term "test all metallic structures" is not appropriate. Based on 2008 ConEd data, the most frequently energized object after Streetlights were sidewalks. Since a sidewalk is not metallic, they would be omitted from testing based on the proposed definition. Sidewalks represented 18% of all validated Energized objects.</p> <p>The correct action to take when you find an Energized Object is to look for other Energized Objects within 30 feet of the original detection. An object does not have to be metallic to be energized and dangerous.</p>
(j) In each instance where stray voltage is determined to be caused by a utility-owned facility, best efforts shall be used to effect a permanent repair of the facility as soon as possible, but not later than 45 days after	

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<p>discovery of the stray voltage condition. A temporary repair to the facility may remain in place for more than 45 days only in extraordinary circumstances, and in such event the utility shall periodically perform site visits the monitor the condition of the temporary repair. All exceptions must be identified and justified as part of the reporting requirements under Section 9.</p> <p>(k) In instances where a stray voltage [finding] is determined to be caused by customer-owned equipment, the area must be immediately made safe. The utility shall immediately notify the customer or a responsible person associated with the premises or the customer-owned facility of the unsafe condition and the need for the customer to arrange for a permanent repair to the customer's equipment.</p>	
<p><b>SECTION 4: INSPECTIONS</b></p> <p>(a) Inspections shall include, at a minimum, visual examination of towers, poles, guy wires, risers, overhead cables and conductors, transformers, breakers, switches, and other aboveground equipment and facilities, and of the interior of manholes, service boxes, vaults, and other underground structures. Where debris or water is found in an underground structure, it must be removed before commencing the inspection so that all of the facilities in the structure, and the structure itself, may be fully inspected.</p> <p>(b) Inspection of equipment should be performed in a manner that allows the inspector to examine its components, except those that are ordinarily encased in sealed compartments. Utilities need not perform destructive testing as part of this inspection program, except as otherwise required by their more intensive inspection procedures.</p> <p>(c) When a visual inspection indicates the need for a more intensive examination, the utilities shall perform infrared testing and/or other inspection procedures.</p> <p>(d) When an inspection reveals a hazardous condition or other problem, whether related to stray voltage or otherwise, the utility must make all repairs necessary to eliminate the condition.</p> <p>(e) All electric facilities shall be inspected at least once every five years. Certain facilities may warrant shorter inspection cycles.</p> <p>(f) Each utility shall develop and implement a formal inspection program that complies with these safety standards.</p> <p>(g) Inspections conducted during routine maintenance and other work not directly related to the inspection program may count as an inspection visit, provided that the inspection is performed using the same safety and reliability criteria and to the same extent as would</p>	

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<p>otherwise be required under these standards. Inspections occurring during these field visits must be properly documented and certified.</p> <p>(h) This inspection requirement is intended to complement, not supplant, the inspections any utility already performs; to the extent a utility's inspection program is broader or more intensive than the program described herein, the utility should continue to follow its own program.</p> <p>(i) The testing and inspection programs may be combined, where practical and feasible, provided the synergy satisfies all the requirements contained within these safety standards.</p>	
<p><b>[(j) As part of the inspection process, deficiencies identified shall be categorized by the time period for the repair based on the severity of the condition. Utilities will prioritize deficiencies by three categories: Level I – repair as soon as possible but not longer than one week, Level II – repair within 6 months of discovery, or Level III – repair within two years. When prioritizing deficiencies, utilities should carefully account for the safety and operational effects should the facility fail prior to repair.</b></p> <p><b>(k) Utilities are expected to permanently repair deficiencies identified by the inspection program within the priority time period established during the inspection.</b></p> <p><b>(l) When a temporary repair is located during an inspection or made by the company, best efforts shall be used to affect a permanent repair of the facility within 45 days. A temporary repair to the facility may remain in place for more than 45 days only in extraordinary circumstances, which may include major storms that require significant repair activity. In such event, the utility shall periodically perform site visits to monitor the condition of the temporary repair. All exceptions must be identified and justified as part of the reporting requirements under Section 9.]</b></p>	<p>Appendix D which is a Summary of Repair activity should be re-titled "Summary of Deficiencies and Repair Activity Created by the Inspection Process". This table is mutually exclusive from "Testing and Mitigation of Energized Objects".</p> <p>There should be another Report for the Summary of Deficiencies and Repair Activity Created by the Testing Process". This table is mutually exclusive from Summary of Deficiencies and Repair Activity Created by the Inspection Process. Expected mitigation time frames are different but the report is similar.</p>
<p><b>SECTION 5: QUALITY ASSURANCE</b> Each utility shall develop a quality assurance program to ensure timely and proper compliance with these safety standards. <b>[The quality assurance program shall be independent of the stray voltage testing and visual inspection programs.]</b></p> <p><b>SECTION 6: RECORDKEEPING</b></p> <p>(a) Each utility shall develop procedures and protocols to track the stray voltage testing dates and results for each electric facility.</p> <p>(b) Each utility shall develop procedures and protocols to track the inspection dates and results for each electric</p>	

PSC Notice Soliciting Comments	Comments from the Jodie S. Lane Public Safety Foundation [Roger Lane, director]
<p>facility.</p> <p>(c) [Each utility shall develop procedures and protocols to track the permanent repairs made based on inspection data and whether the repairs were made in the appropriate timeframe. An inventory of outstanding repairs by priority level should also be maintained.</p> <p>(d) Each utility shall develop procedures and protocols to track temporary repairs made on the system and whether these locations were permanently repaired within 45 days after making or locating a temporary repair.]</p> <p>[(e)] These records shall be kept in a manner that is readily accessible and searchable, continuously updated, and subject to review and audit by Staff and the Commission.</p>	
<p>SECTION 7: CERTIFICATION</p> <p>(a) Written certification of the completion and results of every stray voltage test and inspection undertaken and that all unsafe conditions identified have been remediated shall be made by an appropriate utility employee.</p> <p>(b) The President or officer of each utility with direct responsibility for overseeing stray voltage testing shall provide an annual certification to the 5 CASE 04-M-0159 Commission that the utility has tested all of its publicly accessible electric facilities and all streetlights.</p> <p>(c) The President or officer of each utility with direct responsibility for overseeing facility inspections shall provide an annual certification to the Commission that the utility is in compliance with its inspection program and has inspected the requisite number of electric facilities. Additionally, at the end of five-year inspection cycle, the officer shall certify that all of the utility's electric facilities have been inspected at least once.</p> <p>(d) Each utility shall maintain its written certifications and other documentary proof of its testing and inspections at its corporate office located within the State of New York. These documents shall be available to the public for review upon request and without conditions.</p> <p>SECTION 8: NOTIFICATION REQUIREMENTS Each utility shall comply with the Event Notification Requirements attached hereto.</p>	
<p>SECTION 9: REPORTING REQUIREMENTS</p> <p>(a) Each utility shall file a comprehensive report by [February] 15 each year that:</p> <p>[1. details the results of stray voltage tests and inspections conducted over the 12-month period ending December 31 of the prior calendar year;]</p> <p>2. addresses the performance mechanism specified in</p>	<p>All reporting of stray voltage should be the count of Energized Objects [EO] not the Sources of SV.</p> <p>See recommendations for Exhibit B, C, D, E</p>

PSC Notice Soliciting Comments	Comments from the Jodie S. Lane Public Safety Foundation [Roger Lane, director]
<p>Section 10;</p> <p>3. contains the certifications described in Section 7;</p> <p><b>[4. contains a breakdown of the voltage findings in a tabular format as detailed in Appendix B;</b></p> <p><b>5. contains a breakdown of the shock reports received from the public as detailed in Appendix C;]</b></p> <p>6. discusses the analyses undertaken on the causes of stray voltage within the utility's electric system, the conclusions drawn therefrom, the preventative and remedial measures identified, and the utility's plans to implement those measures;</p> <p><b>[7. describes the priority levels used to gauge the severity of a deficiency, including repair timeframes;</b></p> <p><b>8. contains a breakdown of facilities to be inspected, unique inspection conducted per year, and the cumulative number of unique inspections conducted to meet the five year requirement;</b></p> <p><b>9. contains a breakdown of the deficiencies found, permanent repair actions taken by year, whether the repair was completed within the required timeframe, and the number of deficiencies awaiting repair. The information should be provided on a yearly basis by priority level and by equipment groupings as detailed in Appendix D;</b></p> <p><b>10. contains a review and analysis of the inspection results. Areas of concern should be identified along with remedial actions or future plans to alleviate inadequacies in current programs or assets; and]</b></p> <p>11. includes all other information that is pertinent to the issues addressed by the safety standards.</p>	
<p>SECTION 10: PERFORMANCE MECHANISM</p> <p>(a) The annual performance target for stray voltage testing shall be 100% of all electric facilities and streetlights that must be tested. Facilities that are inaccessible and which pose no risk to public health and safety will not be considered in the determination of whether the target has been achieved.</p> <p>(b) Failure to achieve the annual performance target for stray voltage testing shall result in a rate adjustment of 75 basis points.</p> <p>(c) The annual performance target for inspections shall be based on the percentage of the average number of electric facilities that must be inspected each year in order to comply with the five-year inspection cycle. That is, the target is based on the one-fifth of the total number of the utility's electric facilities. The specific targets will be as follows:</p> <p>First year inspection goal 85% of annual target.  Second year inspection goal 90% of annual target.  Annual inspection goal thereafter 95% of annual target.  Fifth year inspection goal 100% of all facilities to be inspected.</p> <p>(d) Failure to achieve the annual performance target for</p>	

<b>PSC Notice Soliciting Comments</b>	<b>Comments from the Jodie S. Lane Public Safety Foundation [Roger Lane, director]</b>
inspections shall result in a rate adjustment of 75 basis points.	

Proposed Exhibit B Revisions:

**Summary of Stray Voltage Findings** 01/01/YYYY through and including 12/31/YYYY

The count of ALL reported Energized Objects- Validated and NOT Validated

	Findings from 1-4.4 V	Findings from 4.5-24.9 V	Findings 25V and above Totals	Totals
<b>Reported Energized Objects, Not Validated &amp; Validated</b>	<b>391</b>	<b>421</b>	<b>626</b>	<b>1,438</b>
<b>Reported Energized Objects, Not Validated</b>	<b>35</b>	<b>30</b>	<b>200</b>	<b>265</b>
<b>Reported Energized Objects, Validated</b>	<b>356</b>	<b>391</b>	<b>426</b>	<b>1,173</b>
<b>Validated Distribution Facilities Total</b>	<b>35</b>	<b>40</b>	<b>45</b>	<b>120</b>
Pole	1	2	3	6
Ground	4	5	6	15
Guy	7	8	9	24
Riser	10	11	12	33
Other	13	14	15	42
<b>Validated Underground Facilities Total</b>	<b>70</b>	<b>77</b>	<b>84</b>	<b>231</b>
Service Box	1	2	3	6
Manhole	4	5	6	15
Padmount Switchgear	7	8	9	24
Padmount Transformer	10	11	12	33
Vault – Cover/Door	13	14	15	42
Pedestal	16	17	18	51
Other	19	20	21	60
<b>Validated Street Lights / Traffic Signals Total</b>	<b>35</b>	<b>40</b>	<b>45</b>	<b>120</b>
Metal Street Light Pole	1	2	3	6
Traffic Signal Pole	4	5	6	15
Control Box	7	8	9	24
Pedestrian Crossing Pole	10	11	12	33
Other	13	14	15	42
<b>Validated Substation Fences Total</b>	<b>5</b>	<b>7</b>	<b>9</b>	<b>21</b>
Fence	1	2	3	6
Other	4	5	6	15
<b>Validated Transmission (Total)</b>	<b>35</b>	<b>40</b>	<b>45</b>	<b>120</b>
Lattice Tower	1	2	3	6
Pole	4	5	6	15
Ground	7	8	9	24
Guy	10	11	12	33
Other	13	14	15	42
<b>Validated Miscellaneous Facilities Total</b>	<b>176</b>	<b>187</b>	<b>198</b>	<b>561</b>
Sidewalk	1	2	3	6
Gate/Fence/Awning	4	5	6	15
Traffic Sign	7	8	9	24
Scaffolding	10	11	12	33
Bus Shelter	13	14	15	42
Fire Hydrant	16	17	18	51
Phone Booth	19	20	21	60
Traffic Control Box	22	23	24	69
Water Pipe	25	26	27	78
Riser	28	29	30	87
Other	31	32	33	96
<b>Grand Total Validated</b>	<b>356</b>	<b>391</b>	<b>426</b>	<b>1,173</b>

Proposed Exhibit C revisions

Summary of **ALL** Reported Shocks [Public, NYFD, NYPD, ConEd employees, Contractors, Cable TV etc]  
**01/01/YYYY through and including 12/31/YYYY**

A shock call is a report of and a count of each energized object that created a shock.

	Total	Unsubstantiated	Normally Energized	Stray Voltage
I. Total shock calls received:	33	5	3	25
1b Entity shocked (Reported)	33	5	3	25
Person	18	1	2	15
Animal	15	4	1	10
II Injuries Sustained/ Medical Attention Received	33	5	3	25
Person	15	1	1	13
Animal	9	2	0	7
none	9	2	2	5
V. Voltage Source:	25			25
<b>Utility Responsibility Total</b>	<b>20</b>			<b>20</b>
Issue with primary, joint, or transformer	1			1
Secondary Joint (Crab)	2			2
SL Service Line	2			2
Abandoned SL service line	2			2
Defective service line	3			3
Abandoned service line	3			3
OH Secondary	2			2
OH Service	1			1
OH Service neutral	1			1
Pole	1			1
Riser	1			1
Other	1			1
<b>Customer Responsibility Total</b>	<b>2</b>			<b>2</b>
Contractor Damage	1			1
Customer Equipment/Wiring	1			1
<b>Other Utility/Gov't Agency Responsibility Total</b>	<b>3</b>			<b>3</b>
SL Base Connection	1			1
SL Internal Wiring or Light Fixture	1			1
Overhead Equipment	1			1
VI. <b>Voltage Range Total:</b>	<b>28</b>		<b>3</b>	<b>25</b>
1.0V to 4.4V	15		0	15
4.5V to 24.9V	5		0	5
25V and above	8		3	5

Exhibit D

	Summary of Deficiencies and Repair Activity Created By The Inspection Process														
	2005			2006			2007			2008			2009		
	Within 1 week	Within 6 mos	Within 2 years	Within 1 week	Within 6 mos	Within 2 years	Within 1 week	Within 6 mos	Within 2 years	Within 1 week	Within 6 mos	Within 2 years	Within 1 week	Within 6 mos	Within 2 years
Categories															
Number of Deficiencies															
Repaired in Time Frame															
Repaired - Overdue															
Not Repaired - Not Due															
Not Repaired - OverdueLightning															

Exhibit E

	Summary of Deficiencies and Repair Activity Created By The Test Process														
	2005			2006			2007			2008			2009		
	Within 24 hours	Within 48 hours	Within 7 days	Within 24 hours	Within 48 hours	Within 7 days	Within 24 hours	Within 48 hours	Within 7 days	Within 24 hours	Within 48 hours	Within 7 days	Within 24 hours	Within 48 hours	Within 7 days
Categories															
Number of Deficiencies															
Repaired in Time Frame															
Repaired - Overdue															
Not Repaired - Not Due															
Not Repaired - OverdueLightning															