

1 Monthly Meeting - 2-17-22

2 STATE OF NEW YORK

3 PUBLIC SERVICE COMMISSION

4 MONTHLY MEETING

5
6 Thursday, February 17, 2022

7 10:31 a.m. until 11:12 a.m.

8 ESP, Building 3, 19th Floor Boardroom

9 Albany, New York

10

11 COMMISSIONERS:

12 RORY M. CHRISTIAN, Chair

13 DIANE X. BURMAN

14 TRACEY A. EDWARDS

15 JAMES S. ALESI

16 JOHN B. MAGGIORE

17 DAVID J. VALESKY

18 JOHN B. HOWARD

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2 (The meeting commenced at 10:31 a.m.)

3 CHAIRMAN CHRISTIAN: Good morning. I
4 call this session of the Public Service Commission to
5 order. Secretary Phillips, are there any changes to
6 the final agenda?

7 SECRETARY PHILLIPS: There are no
8 changes to the final agenda.

9 CHAIRMAN CHRISTIAN: Thank you,
10 Secretary Phillips. Before moving to the agenda, I
11 would like to conduct a roll call of commissioners.
12 When I call your name, please confirm that you are
13 present. Commissioner Diane Burman?

14 COMMISSIONER BURMAN: Here.

15 CHAIRMAN CHRISTIAN: Thank you.
16 Commissioner James Alesi?

17 COMMISSIONER ALESI: Present.

18 CHAIRMAN CHRISTIAN: Thank you.
19 Commissioner Tracey Edwards?

20 COMMISSIONER EDWARDS: I am here.
21 Good morning.

22 CHAIRMAN CHRISTIAN: Good morning.
23 Thank you. Commissioner John Howard?

24 COMMISSIONER HOWARD: Here.

25 CHAIRMAN CHRISTIAN: Thank you.

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2 Commissioner David Valesky?

3 COMMISSIONER VALESKY: Here.

4 CHAIRMAN CHRISTIAN: Thank you. And
5 Commissioner John Maggiore?

6 COMMISSIONER MAGGIORE: Here.

7 CHAIRMAN CHRISTIAN: Great, thank you.

8 I will first ask Kevin Wisely, the Director of the
9 Office of Resilience and Emergency Preparedness, to
10 provide an update on the impact and restoration
11 related to the recent winter weather event.

12 MR. WISELY: Thank you, sir. Good
13 morning, chairperson and commissioners. As you know,
14 New York State, in particular our Mid-Hudson region,
15 was once again heavily impacted by a winter weather
16 event. During the first week of the month, we were
17 affected by snow, freezing rain, sleet, and radial
18 ice secretion from Winter Storm Landon, as the system
19 passed through New York State. The event began in
20 the western portions of state, Thursday, 3 February,
21 with snow accumulating across Upstate.

22 Freezing rain and icing began early
23 Friday morning, and continued in Ulster County and
24 surrounding Mid-Hudson region counties through Sunday
25 the sixth. The latest winter storm produced heavy

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2 snowfall -- generally eight to eighteen
3 inches -- north and west of the I-88 corridor,
4 freezing rain, sleet, and an eventual icing in the
5 Mid-Hudson region of the state, south and east of the
6 I-88 corridor, where icing rains from a tenth of an
7 inch to localized half-inch to three-quarter inches.

8 The snow, freezing rain and icing
9 caused power outage to approximately eighty thousand
10 statewide, downed trees and tree limbs, downed poles
11 and conductor, and significant damage to public and
12 private property in the severely impacted areas of
13 Ulster County. The forecast for this weather system
14 continued to be refined throughout the week leading
15 up to the event, with the transition line from snow
16 to freezing rain and sleet remaining essentially
17 along the I-88 corridor.

18 The forecast of snow range called for
19 between ten to eighteen inches of snow over the
20 course of the forty-eight-hour-plus event in the
21 Western Finger Lakes, central Mohawk Valley, and
22 North Country regions. For the southern capital
23 region, and the Mid-Hudson regions, the forecast
24 called for ranges of widespread tenth to potentially
25 localized ice secretion of over a quarter of inches

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2 of ice, with a potential for up to four-tenths of an
3 inch of icing in and around the Kingston area.

4 Preparations for Winter Storm Landon
5 included continuous communications with utilities
6 regarding the evolving forecast, appropriate utility
7 instant classification, and establishment of utility
8 command structures, and appropriate internal and
9 external staffing for utility infrastructure impacts.
10 National Grid secured two hundred external F.T.E.s.
11 Central Hudson secured external contract
12 F.T.E.s -- fifty external contract F.T.E.s -- and New
13 York State Electric and Gas shifted approximately
14 fifty F.T.E.s into their Western New York divisions,
15 prior to the storm impacts.

16 The rain, freezing rain, and cold
17 temperatures lingered mainly in the Ulster, Dutchess
18 and Columbia County areas, with Ulster County bearing
19 the brunt of the severe and extensive damage. As
20 mentioned earlier, there were reports that areas of
21 localized icing of half to three-quarter inches
22 occurred in pockets of the region, as a weather front
23 transition line stalled in the Mid-Hudson region.
24 This is a level of radial ice secretion that will
25 cause significant damage to trees, tree limbs, poles

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2 and wires.

3 Of the eighty thousand electric
4 customers impacted statewide, sixty-seven thousand
5 four hundred and four were impacted in just the
6 Central Hudson gas and electric service territory.
7 Central Hudson incurred ninety-eight broken poles,
8 and more than two thousand cases of wires down, the
9 majority of which were concentrated in Ulster County.

10 National Grid and New York State
11 Electric and Gas sustained only minimal damage from
12 the same weather event. By day three of this event,
13 Central Hudson had assembled over a thousand line and
14 tree personnel to respond, repair and restore
15 customers - again, the majority of which were
16 concentrated in Ulster County. This was the largest
17 workforce contingent the Central Hudson Gas and
18 Electric has ever assembled in over their hundred-
19 year history of their company.

20 The large contingent of workers moving
21 into a concentrated area such as this does pose
22 logistical challenges and significant coordination,
23 particularly with housing and feeding the crews.
24 Central Hudson was however able to coordinate housing
25 throughout the region for this event, and it has

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2 continuous plans in place, if a future need arises,
3 to house additional workers at local universities and
4 colleges, as well as the ability to have large-scale
5 tented housing units set up to support an incoming
6 workforce.

7 Also, as part of this response effort,
8 in support of customers, Central Hudson established
9 dry ice and bottled water distribution centers, as
10 required by their emergency response plan, in the
11 Town of Ulster, Rosendale and Woodstock, while Ulster
12 County opened five warming centers -- two in
13 Kingston, one each in New Paltz, Rosendale and
14 Saugerties. Once full restoration was completed,
15 Central Hudson released the contract to mutual
16 assistant line resources. However, they retained the
17 tree resources for the remainder of the week, to
18 conduct additional feeder sweeps, and remove any
19 lingering tree and/or tree limb issues that would
20 cause future damage and outages.

21 As detailed in utility emergency
22 response plans, all utilities coordinated effectively
23 to, prior to, and throughout the storm, which aided
24 in safe repair and restoration efforts. National
25 Grid, New York State Electric and Gas, Orange and

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2 Rockland, all provided contracted mutual assistance
3 to Central Hudson.

4 Due to the severity of impact in
5 Central Hudson service territory, D.P.S. staff
6 continued to review preparedness and response actions
7 taken by Central Hudson. In addition, Central Hudson
8 will be submitting a detailed storm report within
9 sixty days, as required by Title 16 of the New York
10 Code, Rules and Regulations, Part 105.

11 During the event, municipal officials
12 were kept abreast of pre-event forecast and
13 preparedness, and kept aware of the status of
14 response, repair and restoration efforts throughout
15 the event. Focused coordination calls between
16 Central Hudson and the Ulster County Executive, his
17 county's emergency management personnel, the
18 Governor's Office, and New York State Division of
19 Homeland Security and Emergency Services began
20 Saturday morning, and continued every four hours
21 through Tuesday afternoon.

22 These meetings enhanced effective
23 communication between the parties involved, and went
24 a long way in fostering cooperative and collaborative
25 working partnership through the event. Overall, the

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2 utilities responded, repaired and restored customers
3 as quickly and safely as possible, with the damage
4 and icing conditions that were experienced.

5 These major weather events once again
6 highlight the need for the utilities to continually
7 reassess infrastructure vulnerabilities across the
8 entirety of their service territories, to determine
9 appropriate storm hardening and resilience projects
10 to mitigate potential weather risks, and make their
11 infrastructure more adaptable to these very real
12 weather extremes. Thank you for the opportunity to
13 provide this informational briefing. I'm available
14 for any questions.

15 CHAIRMAN CHRISTIAN: Thank you, Kevin.
16 I appreciate your time today, and I know you worked
17 tirelessly with the various individuals to
18 make -- apologies, my mic was off. As I was saying,
19 thank you, Kevin. Appreciate your efforts in working
20 with the various agencies to effect a response, and
21 to minimize the impact on our customers. Appreciate
22 your efforts, and the efforts of the others involved.
23 Thank you. I'd like to ask, I know there's another
24 storm coming. Can you talk to the expectations of
25 that storm that we anticipate this Friday, I believe?

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2 MR. WISELY: Certainly, sir. We're
3 going to have the storm that's been moving across the
4 entire country. It's going to begin to impact the
5 state this afternoon, into the overnight period. And
6 we have a range of potential impacts from potential
7 flooding in the western part of the state, to high
8 winds in the North Country and down in Suffolk
9 County. Wind advisories are posted across the state.

10 With the system, we're going to have
11 the warming that we're feeling today. As the front
12 moves across, it's going to be very breezy and windy,
13 with gusts up to forty-five to fifty miles per hour,
14 potentially. We're going to see some heavy rain,
15 which will aid in the snow melt, particularly in the
16 western region of the state, and the Finger Lakes and
17 the central that have had a higher snow accumulation.
18 And with the cold weather we've had, we've had a lot
19 of freezing and icing of the creeks and rivers.

20 With this warm weather, the rain, the
21 snow melt, that will all add to the input of the
22 water into these bodies of water, potentially leading
23 to ice jams. Our bigger exposure is to the potential
24 for the winds. As they continue to move across, the
25 utilities -- National Grid, and New York State

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2 Electric and Gas -- have secured additional line
3 resources that we've brought in from Canadian
4 contractor crews that are dispersed throughout the
5 Upstate regions, and we have approximately sixty-one
6 hundred and fifty workers available to respond across
7 the state, amongst all of our utilities.

8 CHAIRMAN CHRISTIAN: Thank you.

9 MR. WISELY: You're welcome.

10 CHAIRMAN CHRISTIAN: Okay. And with
11 that, do any of the commissioners have any questions
12 or comments? I'll start with Commissioner Burman.

13 COMMISSIONER BURMAN: Thank you so
14 much. So thank you very much for your update,
15 Kevin -- not only on the storm that predominantly
16 affected Central Hudson's territory, but on the
17 upcoming storm. It seems to me that Central Hudson
18 performed extremely well in the face of what was a
19 serious storm, with unprecedented icing. Obviously
20 the sixty day report will give us a window into where
21 there were challenges, and how we can all evaluate
22 and learn from that.

23 To me, this was a great example of the
24 New York utilities really helping a fellow utility.
25 National Grid, NYSEG and O & R sent crews, or

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2 provided assistance, to Central Hudson. It was
3 really nice to see that. Obviously, not every storm
4 utilities are able to do that, if they're also being
5 impacted, and that's why we have really a critical
6 need with mutual assistance, and how we engage on
7 that front is important. So it was really nice to
8 see in this case, and kudos to the utilities for
9 working so well together.

10 But also, frankly, it was really nice
11 to see that we didn't have the administration calling
12 for an investigation while the storm was still
13 happening. For me, it reinforced what I believe is
14 really important, that collaborative efforts during
15 events like this are really important to focus on the
16 event itself, and to get through that. So it's
17 refreshing that the utilities were left to work with
18 folks like yourselves and others, and other state
19 agencies and local agencies, and the local officials
20 and the customers, during that, so that they can plan
21 and manage during the event without interference or
22 being scared of an investigation that was coming,
23 that might make it even harder to just focus on what
24 was there.

25 So, as we look towards the future, I

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2 think we need to keep that in mind, and see how that
3 collaborative effort really helped to reinforce
4 success in this case. And that, I think, goes into
5 really what we're doing when we are in our case
6 number 21-E-0567, which is our emergency response
7 plans that have been SAPA'd. And we'll be looking at
8 those, as we do every year, in the spring, and under
9 the law -- Public Service Law, section 66,
10 subdivision 21, and our regulations, part 105 -- for
11 us to approve those.

12 And really, I think being mindful of
13 the intent behind the law and the regulations, but
14 also now the focus of us working together for the
15 improvement of us, for the customers' benefit, and
16 ensuring that we're doing all we can for planning and
17 getting through an event, and then ready for the next
18 events that may come.

19 I do think it is also important to
20 look at, as we are looking at, our workforce
21 challenges -- not only at the utilities, but also
22 internally, at our own commission, and also knowing
23 that throughout the relevant state agencies, but also
24 at the local level, that we are losing a lot of
25 seasoned people. And so, as we bring on folks, it's

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2 not just the entry level positions that we need.

3 We really need -- especially in
4 emergency management issues itself, we really need to
5 bring on seasoned folks because it is that critical,
6 and we need folks who really have that experience,
7 have that understanding, and really can dive right
8 into those challenges that lie ahead, and then work
9 with folks.

10 And it's really critical for us to
11 really have not just the approval of the emergency
12 response plans, but truly understand and live and
13 breathe it, and that goes for -- as we see, really
14 what I see as success, is working through the
15 exercises that happen with everyone, and for what I
16 see as the communication to the customers, and the
17 importance of keeping up to date the customer
18 contacts, and then working with the local officials,
19 and getting the word out. So thank you so much,
20 Kevin.

21 MR. WISELY: Thank you.

22 CHAIRMAN CHRISTIAN: Thank you,
23 Commissioner. Commissioner Alesi?

24 COMMISSIONER ALESI: Thank you, Mr.
25 Chairman. I just want to offer my gratitude to Kevin

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2 and the staff for doing a great job working with the
3 local government and the utilities and the D.P.S.
4 staff. Ultimately, it boils down to the work that
5 they do. It helps to keep all of us in New York
6 safe, so you have my personal gratitude, and I'm sure
7 I speak on behalf of those that probably don't know
8 what your department even does, but I will extend
9 their gratitude on their behalf. Thank you.

10 MR. WISELY: Thank you, sir.

11 CHAIRMAN CHRISTIAN: Thank you,
12 Commissioner. Commissioner Edwards?

13 COMMISSIONER EDWARDS: Thank you. I
14 agree with Commissioner Alesi. Kevin, the updates
15 that you provide all times of the night, providing us
16 great updates -- you know, give us the information
17 that we need, when we receive inquiries as well, so
18 that we can know what's going on in real time. So
19 thank you and your staff for always doing what it is
20 that you can do, on behalf of the residents of New
21 York.

22 I agree with Commissioner Burman. It
23 was good to see the partnership, and I hope that all
24 of the other utilities have some lessons learned on
25 how to work in partnership together, to get this

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2 right.

3 MR. WISELY: Thank you, Commissioner.

4 CHAIRMAN CHRISTIAN: Thank you,
5 Commissioner. Commissioner Howard?

6 COMMISSIONER HOWARD: I think actually
7 one of the things we've seen, certainly in the last
8 decade, transition to better emergency response, writ
9 large. You know, it reminds me of -- this event
10 wasn't particularly different than the Rochester
11 event several years ago, which was handled poorly at
12 the time. This was one of these things that lessons
13 learned by all involved, you know, provided a better
14 outcome.

15 One question I have, it's about
16 resiliency, and we're talking a lot about it. And
17 the great desire -- and I believe we are under the
18 statutory mandate to examine greater undergrounding
19 of the utility system, writ large. Being very
20 familiar with the geography of this particular
21 utility, it would seem to me it would be enormously
22 challenging to much of rural Ulster County to
23 underground, and to just sort of say what challenges
24 might exist in the nature of this geography.

25 MR. WISELY: Certainly, in some of our

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2 service and undergrounding -- selective
3 undergrounding -- is, I think, an appropriate way to
4 become more resilient, more adaptable. For an Ulster
5 County area that has some real rural settings and
6 topography of mountains and hillsides, I think it
7 would be a difficult, you know, when you're thinking
8 of -- it's the north of their service territory, in
9 the Woodstock area with the mountains and hills, and
10 perhaps down in Ellenville, in the southern part of
11 the service territory, where you have again the
12 mountains and the hillsides, it becomes a little more
13 difficult, and obviously cost-prohibitive, to do some
14 of that work.

15 However, certainly in areas such as
16 Kingston and the metropolitan -- in the urban
17 settings -- there are some abilities to be able to do
18 focused and coordinated selective undergrounding, but
19 it comes down to really doing an assessment on where
20 we're going to get the most resilience and
21 adaptability out of our system.

22 COMMISSIONER HOWARD: The other
23 question I have is on trees and vegetation
24 management. This service territory, over the last
25 year and a half, has just been battered with a

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2 variety of weather-related events -- most of them
3 straight-line wind events -- and the need and the
4 vigilance on vegetation management because this is
5 all about trees falling on wires. And do you see,
6 particularly in this service territory, moving
7 forward, the need for more enhanced vegetation
8 management, given the experience we've had in the
9 last year and a half?

10 MR. WISELY: Certainly vegetation is a
11 key part of resilience efforts, and adaptability for
12 the utilities, as well as other measures with
13 different types of conductor and the like. And the
14 utilities have strong vegetation management programs.
15 Certainly the Mid-Hudson region, being the heavily-
16 forested area that it is, it is difficult. It also
17 is esthetically pleasing for the trees and the like.
18 But we're seeing not just tree issues in rights of
19 way. Some of these trees that are coming from
20 outside the right of way, that are falling, and it's
21 not just limbs, so it's a continued effort.

22 We've unfortunately been impacted by
23 the emerald ash borer, and that's moved across the
24 state. That has caused issues with varieties of
25 trees. We're starting to see another more invasive

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2 species in hemlocks, in the western part of the
3 state. So those are all contributing factors also,
4 but a strong vegetation management program is
5 important. The utilities are very focused on that,
6 and we evaluate their programs as we evaluate their
7 rate cases and their tariff filings that have come
8 in, and will continue to do so.

9 COMMISSIONER HOWARD: I look forward
10 to the after-action report when it's filed, but thank
11 you.

12 MR. WISELY: Thank you, Commissioner.

13 MR CHRISTIAN: Thank you.

14 Commissioner Valesky?

15 COMMISSIONER VALESKY: Thank you, Mr.
16 Chair. Kevin, thank you very much for the report,
17 and for the great work as always, and I think as
18 Commissioner Edwards indicated, the constant updates
19 that we received throughout these events was
20 incredibly helpful, so I appreciate that from the
21 perspective of an individual commissioner. Just to
22 highlight a couple of things, in terms of this Winter
23 Storm Landon -- the mutual aid piece, obviously
24 critical, really working.

25 You know, even though the storm had a

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2 wide geographic footprint, the brunt of it was
3 relatively narrow, so perhaps that mutual aid piece
4 was a little easier to do when the geography is not
5 quite what it could be, but that's critically
6 important. And also these emergency response plans,
7 once again, it shows how important they are. I
8 wanted to just ask you one question, as it relates to
9 this next event. I'm not sure it's been named yet,
10 so the unnamed event that has either already begun,
11 or beginning, with higher winds, certainly here in
12 the Capital District and across the state.

13 So at what point do those plans become
14 triggered? Does that happen when the emergency
15 itself happens, and any restoration events have to
16 happen, or have those plans already been triggered in
17 advance of what will happen as today and tonight
18 continue and move into tomorrow, as it relates to
19 rain, wind, higher temperatures, as you described
20 earlier?

21 MR. WISELY: The emergency response
22 plans are triggered right from the preparation, as we
23 start to understand a potential forecasted impact, or
24 even as we're monitoring weather events that are
25 coming from the Midwest, or from the west. As

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2 they're moving across, we begin to look, and
3 utilities have, you know, built-in preparedness
4 activities that are part of the emergency response
5 plans, to assist forecasts to do their internal
6 assessments, and then begin to, if necessary,
7 establish their internal command structure, and their
8 internal operations. So it really begins and are
9 initiated prior to the event, and then maintained
10 throughout the event.

11 But, you know, as we've seen with this
12 winter, it seems they're just constantly referenced
13 every day, as we prepare for various winter weather
14 events.

15 COMMISSIONER VALESKY: So in all
16 likelihood, as it relates to today, most of those
17 plans at the utility level have already been
18 initiated?

19 MR. WISELY: The utilities have all
20 been tracking this event. We've been in close
21 contact with them since the beginning of the week, as
22 we're looking at this event. As I had mentioned, you
23 know, National Grid and New York State Electric and
24 Gas have brought in external contract crews prior to
25 the event, to have them available and dispersed in

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2 the areas that are going to be the most heavily
3 impacted, potentially.

4 COMMISSIONER VALESKY: Thank you,
5 Kevin.

6 MR. WISELY: Thank you, Commissioner.

7 CHAIRMAN CHRISTIAN: Thank you,
8 Commissioner. Commissioner Maggiore?

9 COMMISSIONER MAGGIORE: Thank you, Mr.
10 Chair. Kevin, you know, I'd echo what my colleagues
11 have said. I don't have a whole lot to add to it,
12 but I would like to take the opportunity to say
13 publicly something I thought. You and I have worked
14 together in different capacities in storm response
15 for many years, and I've always thought that you're a
16 pro, and I think you demonstrated that again with
17 this response. And, you know, your team is
18 outstanding, and really terrific for the people of
19 the State of New York.

20 It's a sign that you're not famous,
21 right? It's a sign that you're doing your job
22 because the storm response should not be the news.
23 It should not be problem. And, you know, I just want
24 to acknowledge that, you know, not just in this
25 response, but I've always been impressed by how you

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2 deliver for the people and, you know, your team is
3 outstanding.

4 You know, this is the way a storm
5 response should be and, you know, it's never news
6 when nothing happened. You know, the storm itself
7 was news, but the response I think was, you know,
8 commendable. And that's really all I have to say, so
9 thank you for your good work, and hopefully you hit a
10 double with this storm that's coming, so thank you.

11 MR. WISELY: Thank you, Commissioner.

12 CHAIRMAN CHRISTIAN: Thank you,
13 Commissioner, and thank you, Kevin, for all your hard
14 work.

15 MR. WISELY: Sure.

16 CHAIRMAN CHRISTIAN: All right.
17 Before moving to the consent agenda, I want to
18 acknowledge a few things. In addition to thanking
19 Kevin for his hard work, and recognizing the work of
20 others in the storm response, I also want to
21 acknowledge that consumers are currently experiencing
22 high commodity prices in both their electric and gas
23 bills. As you know, neither the utility nor the
24 Public Service Commission controls the price of the
25 supply component of utility bills, but that is of

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2 little consolation to the individuals who've seen
3 their bills double from one month to the next. This
4 level of price volatility is of concern to all, and
5 is of concern to this commission.

6 Those of you who regularly tune in to
7 our monthly sessions, will recall in our October
8 meeting, we discussed the projected supply increased
9 that would be impacting consumers this winter, and
10 the importance of consumer outreach and education
11 regarding utility and state-assistance programs.
12 Since then, hopes for a mild winter have vanished.
13 Inflation is materializing at levels not seen in a
14 generation. Increasing economic output and
15 international conflict have created conditions where
16 energy prices spiked to record levels.

17 In January, the Department partnered
18 with other agencies, and held numerous workshops
19 around the state for community leaders, elected
20 officials and others, focused on helping people
21 assess available financial assistance programs. The
22 utilities have also been proactively communicating
23 with their customers about these price increases, and
24 available assistance.

25 The bill impacts that Con Edison

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2 customers experienced were exacerbated by a unique

3 billing methodology used by the company, which we

4 have requested that they reassess, with the goal of

5 reducing such volatility in the future. This

6 experience serves as a reminder that we must consider

7 energy affordability in every action we take. We

8 will have many important decisions to make in the

9 coming months and years, as we implement the

10 C.L.C.P.A. in the timeline as required by law, review

11 rate plans, and ensure adequate investments are being

12 made for resilience and reliability. And all of this

13 will need to be done in an inflationary environment,

14 where the U.S. energy markets are more exposed to

15 geopolitics than ever before. Our focus -- the focus

16 of this commission -- will be on finding the most

17 cost-effective solutions to these challenges, and

18 partnering with all of government to protect

19 vulnerable customers and support New York's economy.

20 Okay, and with that, we will move to

21 the consent agenda. And I'd like to highlight two

22 items for further explanation, specifically items

23 number 370 and 378, as they pertain to the Champlain

24 Hudson Power Express project, which was one of the

25 projects selected through NYSERDA's competitive

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2 solicitation under tier four of the Clean Energy
3 Standard. These contracts are subject to further
4 review by the Commission, and are not before us
5 today, just to be clear.

6 Item 370 grants modifications to the
7 company's article seven permit, and item 378 is
8 approval of the company's proposed financing under
9 section 69 of the Public Service Law. With that, I
10 ask, do any commissioners wish to comment on, or
11 recuse from, voting on any items on the consent
12 agenda? With that, I'll begin with Commissioner
13 Burman.

14 COMMISSIONER BURMAN: Thank you so
15 much, Chair. I will be speaking on a number of
16 different items very briefly. The first item is item
17 370. Thank you for the summary of what it is, and
18 what it is not. I will be voting no, without
19 prejudice. I do believe that we should be looking at
20 it more holistically, and we'll be getting under the
21 hood when we do look at the more thornier issue
22 there.

23 Item 371 -- which is the U.S.
24 Department of Veterans Affairs' petition for modified
25 interconnection agreement -- I am going to be voting

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2 in favor of this. I just did want to comment that I
3 thought this was a perfect example of working with an
4 entity, in this case the Veterans Affairs -- the
5 Department of Veterans Affairs -- in modifications
6 that needed to be made, to help with coming together
7 on their interconnection agreement.

8 I know that there are a number of
9 parties who have some concern themselves on how to
10 work better, for them to be able to enter into such
11 agreements, and to the extent that there are some
12 challenges. It may be an opportunity for us to look
13 at that. Item 377 -- excuse me. Before we get to
14 that, I'm going to item 375, which is Generation
15 PSEG. I'm going to be voting in favor of this.

16 I think it is appropriate here that we
17 set some conditions. This is an order authorizing
18 certain financing, pursuant to section 70 and section
19 69, looking at the financing transaction, and
20 realizing that we had to set some conditions in here
21 for it to be appropriate for us to feel comfortable
22 authorizing the financing. I have no issue with
23 that, and I think it's appropriate, as we've done in
24 the past. However, I do put a note here because it
25 does reference some concern I have with item 378.

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2 Item 377, I'm going to be voting in
3 favor of this. This is a tariff filing, making
4 revisions to the smart home rates in their respective
5 electric tariff schedule. I just want to point out
6 in this case that the order is approving tariff
7 filings regarding revisions to the smart home rate.
8 I am concerned that we may need to be looking and
9 examining more holistically because we are seeming to
10 make some modifications across the board in what
11 we're doing, not just in ConEd's territory, but in
12 others in their different demonstration projects,
13 where we're either withdrawing them, or modifying
14 them, or eliminating them.

15 That's all fine, but I do think that
16 we need to, as a commission, kind of take a look at
17 what lessons are learned, and maybe figure out, you
18 know, what some general pathways forward are that we
19 can make some general assessments, especially as it
20 relates to the cost for a lot of these demo projects
21 as we go forward, especially as it relates to battery
22 storage, et cetera. But I'm going to be voting in
23 favor of that.

24 As we get to item 378, I'm going to be
25 voting no. This relates to, as the chair said,

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2 financing to support construction of C.H.P.E.
3 project. My concern here relates to -- on page two
4 and three it is allowing us approving the proposed
5 financing, and authorizing requested flexibility in
6 the financing arrangements. It's requesting
7 flexibility to modify, without prior commission
8 approval, the identity of the financing entity's
9 payment terms, and the amount financed.

10 I have some concern with this. I
11 don't think that we should be approving this with
12 that flexibility. I think we should be putting in
13 some conditions, or having them come back to us if
14 they are going to be changing some of that. I
15 understand the need for some flexibility. I think we
16 can address that as we move forward, when we get into
17 the more thornier issues, and the other items that
18 are not before us.

19 So I would say that, to the extent
20 that there are challenges with that, folks should be
21 thinking about that as they move forward in the other
22 items. But, for now, I can't be in favor of this
23 financing without those conditions, especially as
24 we're approving item 375, while different, and you
25 can make some rational arguments why they're

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2 different. In 375, we took great pains to set out
3 some appropriate conditions. I think we should have
4 set out some appropriate conditions here, and be
5 mindful of that. I can't vote in favor of this.

6 On item 380, this is a tariff filing
7 to implement a new rider, dealing with high-density
8 load service. I will be voting in favor of that. I
9 am pointing it out though because we do have to
10 address high-density load service areas. Here we are
11 very mindful of the fact that high-density load
12 service does have some issues for customers. It's
13 not just related to their many different types of
14 high-density load customers, not just crypto, but,
15 you know, you can think of a whole host of H.D.L.
16 customers.

17 And we really do have to be critically
18 thinking about what that means, and how to address
19 it, not only in terms of dealing with the impacts in
20 serving those customers, but also the impact on
21 energy service and the cost, and the rates to other
22 customers that are dealing with that issue. So with
23 that, thank you so much, Chair.

24 CHAIRMAN CHRISTIAN: Thank you,
25 Commissioner. Commissioner Alesi?

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2 COMMISSIONER ALESI: Mr. Chairman, I
3 have nothing to add. I just will state, for the
4 record, I'll be supporting the consent agenda in its
5 entirety.

6 CHAIRMAN CHRISTIAN: Thank you,
7 Commissioner. Commissioner Edwards?

8 COMMISSIONER EDWARDS: No questions,
9 thank you very much. I will be supporting the
10 consent agenda.

11 CHAIRMAN CHRISTIAN: Thank you,
12 Commissioner. Commissioner Howard?

13 COMMISSIONER HOWARD: I just want to
14 thank you for pointing out the two Clean
15 Path -- excuse me, not Clean Path. CHPE items are
16 tangential to the tier four question and, yeah, I
17 will be supporting them. And one thing I do want to
18 also point out, it is important, as we go through our
19 broadband exercises, in helping guarantee all New
20 Yorkers get adequate broadband service -- that the
21 continuing need for us to vote on orders of entries
22 in the buildings.

23 So it's not just passing a building;
24 it's getting into the building, and provide service
25 to customers within that building. And I think and

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2 hope, as we do our broadband mapping and
3 investigations, that we'll see that trying to
4 identify those buildings that are a problem, not
5 just -- that's part of the geography where no
6 broadband exists at all. So with that, thank you.

7 CHAIRMAN CHRISTIAN: Thank you,
8 Commissioner. Commissioner Valesky?

9 COMMISSIONER VALESKY: I have no
10 comments, and will be supporting the items on the
11 consent agenda.

12 CHAIRMAN CHRISTIAN: Thank you,
13 Commissioner. Commissioner Maggiore?

14 COMMISSIONER MAGGIORE: Thank you. So
15 I'd also like to acknowledge items 370 and 378. In
16 my assessment, the items before us today are very
17 narrow matters regarding the CHPE, and not the
18 project overall, as Commissioner Howard and yourself
19 had indicated. I know that there were many public
20 comments on item 370 in particular, and I felt like
21 many of the issues raised were compelling. However,
22 I don't think, by and large, that they address the
23 issues on the table today.

24 I myself have some very serious
25 questions and concerns about the overall project.

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2 However, I don't so much have issue with the specific
3 items before us today, so I will be voting yes on the
4 motion. I would also like to just make note of item
5 472, the South Crossroad Water Company rate case.
6 It's a case in which the water company has been
7 granted a substantial rate increase, as a matter of
8 percentage, and actually more than it asked for. And
9 those two facts made me sort of take note.

10 However, I'm satisfied that there's
11 good reason, which is that the rate is set to
12 accommodate legitimate needs and costs, and to make
13 sure that the math actually works. Further, I read
14 the absence of any public comment as a sign that the
15 customers of this company are not dissatisfied with
16 the situation. So I did want to make note of that,
17 but I will be voting in favor of that, as well as the
18 entirety of the consent agenda. So thank you, Mr.
19 Chair.

20 SECRETARY PHILLIPS: Chair, before we
21 move on, may I just clarify? Commissioner Maggiore,
22 I think you said 472, but you might have meant 462.
23 Can you please clarify?

24 COMMISSIONER MAGGIORE: Yes, I'm
25 sorry. I said 472. That was an error. I did in

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2 fact mean 462.

3 SECRETARY PHILLIPS: Thank you.

4 CHAIRMAN CHRISTIAN: Thank you. Okay,
5 with that, I will bring the call for a vote. My vote
6 is in favor of the recommendations on the consent
7 agenda. Commissioner Burman, how do you vote?

8 COMMISSIONER BURMAN: I vote in favor
9 of the consent agenda, except for where I voted no.

10 CHAIRMAN CHRISTIAN: Sorry, just to be
11 clear, that's items 370 and items 378?

12 COMMISSIONER BURMAN: Item 370 and
13 378, I vote no.

14 CHAIRMAN CHRISTIAN: Thank you.
15 Commissioner Alesi?

16 COMMISSIONER ALESI: I vote yes on the
17 entire agenda.

18 CHAIRMAN CHRISTIAN: Thank you,
19 Commissioner. Commissioner Edwards?

20 COMMISSIONER EDWARDS: I vote yes.

21 CHAIRMAN CHRISTIAN: Thank you,
22 Commissioner. Commissioner Howard?

23 COMMISSIONER HOWARD: I vote yes.

24 CHAIRMAN CHRISTIAN: Thank you,
25 Commissioner. Commissioner Valesky?

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2 COMMISSIONER VALESKY: I vote yes.

3 CHAIRMAN CHRISTIAN: Thank you. And
4 Commissioner Maggiore?

5 COMMISSIONER MAGGIORE: I vote yes.

6 CHAIRMAN CHRISTIAN: Excellent. Thank
7 you, Commissioners. The items are approved, and the
8 recommendations are adopted. Secretary Phillips, is
9 there anything further to come before us today?

10 SECRETARY PHILLIPS: There is nothing
11 further.

12 CHAIRMAN CHRISTIAN: Great, and thank
13 you. And, with that, I conclude today's meeting.
14 Thank you, everyone.

15 (The meeting concluded at 11:12 a.m.)

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2 STATE OF NEW YORK

3 I, HANNAH ALLEN, do hereby certify that the foregoing was
4 reported by me, in the cause, at the time and place, as
5 stated in the caption hereto, at Page 1 hereof; that the
6 foregoing typewritten transcription consisting of pages 1
7 through 35, is a true record of all proceedings had at the
8 hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 19th day of February, 2022.

11

12

13 HANNAH ALLEN, Reporter

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