

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

CASE 20-E-0586 - Proceeding on Motion of the Commission of an Investigation into the Utilities' Preparation for and Response to August 2020 Tropical Storm Isaias and Resulting Electric Power Outages.

NOTICE OF PUBLIC FORUMS AND REQUESTING COMMENTS CONCERNING ALLEGED HARM TO RATEPAYERS AS A RESULT OF ELECTRIC SERVICE PROVIDERS' PERFORMANCE IN RESPONSE TO TROPICAL STORM ISAIAS

(Issued December 4, 2020)

Public comment is sought by the New York State Department of Public Service (DPS) and the DPS Special Counsel for Ratepayer Protection (Special Counsel), regarding potential damages and harm suffered by ratepayers, if any, as a result of electric service providers' performance in response to Tropical Storm Isaias (TSI). Comments will be part of the official record and may be utilized by the Special Counsel as part of direct testimony admitted into the record in the above-referenced proceeding.

On the afternoon of August 4, 2020, TSI struck New York, bringing strong winds and heavy rain that particularly impacted the Mid-Hudson Valley, New York City, and Long Island regions. TSI caused extensive damage to electric distribution infrastructure that, in turn, led to lengthy outages for a substantial number of New York utility customers. Peak outages in New York State due to TSI reached approximately one million customers, and roughly 1.5 million New York customers experienced power outages during this event. On August 5, 2020, Governor Andrew M. Cuomo directed DPS to investigate the electric service providers' performance in response to TSI,

including of Central Hudson Gas & Electric Corporation (Central Hudson), Consolidated Edison Company of New York, Inc. (Con Edison), Orange and Rockland Utilities, Inc. (O&R), and PSEG Long Island, LLC (PSEG LI).

As a result of that investigation, the Public Service Commission (Commission) issued an Order directing Central Hudson, Con Edison, and O&R to show cause why they should not be penalized and sanctioned for allegedly violating various obligations to ratepayers, including, among other things, allegedly failing to properly track TSI and secure adequate staffing to promptly restore power; properly communicating with, and receive complaints from, the public; and properly ensuring the safety of Life Support Equipment customers. Separately, DPS and the Special Counsel have urged the Long Island Power Authority to similarly take appropriate action in connection with PSEG LI's alleged failures to properly prepare for and respond to TSI.

Accordingly, DPS and the Special Counsel seek comments on the following questions:

- How were you affected by the outages, including but not limited to (i) concrete and measurable economic and material impacts, and (ii) physical, emotional, or social impacts?
- Did you received timely, accurate and adequate information from your utility company about what was happening before, during and after the service outages?
- Did you attempt to contact your utility for information or assistance immediately before, during or after the outages, and did you get the response you were requesting?

This list is not exhaustive and comment may be made on other issues deemed important for consideration.

**PLEASE TAKE NOTICE** that **virtual public forums** will be held as follows before the Special Counsel to receive comments regarding potential damages and harm suffered by ratepayers, if any, as a result of electric service providers' performance in response to Tropical Storm Isaias (TSI). Please note that each forum will focus on the performance of a specific utility.

**1. CENTRAL HUDSON:**

Date: Thursday, December 17, 2020

Time: 4:00 pm

Electronic Access: [www.webex.com](http://www.webex.com)

Event number: 179 900 1523

Event password: Dec17-4pm

Phone-Only Access: 518-549-0500

Access Code: 179 900 1523

**2. O&R:**

Date: Tuesday, December 22, 2020

Time: 4:00 pm

Electronic Access: [www.webex.com](http://www.webex.com)

Event number: 179 774 9015

Event password: Dec22-4pm

Phone-Only Access: 518-549-0500

Access Code: 179 774 9015

**3. CON EDISON:**

Date: Tuesday, January 5, 2021

Time: 4:00 pm

Electronic Access: www.webex.com

Event number: 179 182 5113

Event password: Jan5-4pm

Phone-Only Access: 518-549-0500

Access Code: 179 182 5113

**4. PSEG LI:**

Date: Tuesday, January 12, 2021

Time: 4:00 pm

Electronic Access: www.webex.com

Event number: 179 605 5191

Event password: Jan12-4pm

Phone-Only Access: 518-549-0500

Access Code: 179 605 5191

At the public forum, those wishing to comment on the TSI investigation and the questions presented above will have an opportunity to comment on the record. Commenters may be asked follow-up or clarifying questions by the Special Counsel.

**Any person wishing to provide a public statement on the record at the forum must pre-register and is asked to do so by 12 p.m., on the day of the forum they wish to attend.**

**To register electronically:** Participants who would like to provide a statement and will login to a forum

electronically may register to do so by going to [www.webex.com](http://www.webex.com) and then clicking "Join" at the top right-hand corner of the screen, entering the appropriate event number listed above, and providing all requested information.

When logging in on the appropriate date and time of the forum, participants will be asked to "select audio system." It is recommended that participants select the "call me" or "call using computer" option. The "call me" option requires participants to enter their phone numbers.

**To register by phone:** Any participant who is not able to log in to a forum electronically may participate by phone. Call-in participants wishing to provide a statement must register to do so in advance by calling **1-800-342-3330**, where they should follow prompts to the appropriate forum and provide the following information: first and last name, address, and phone number.

On the appropriate date and time of the forum, all call-in users should dial **518-549-0500** and enter the relevant access code listed above.

All participants will be muted upon entry into the forum. The Special Counsel will call on each person who has requested to provide a statement to speak. Each forum will be held open until everyone who has registered to speak has been heard or other reasonable arrangements to submit comments into the record have been made. Time limits may be set for each speaker as necessary. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of the public forum will be made for inclusion in the record of this case.

**To listen to the hearing:** Any person who would like to listen to the hearing without making a statement may access

the hearing without pre-registering. The hearings will be livestreamed on the internet and available for viewing on the Department of Public Service YouTube channel on the date and times listed above. To access that YouTube channel, visit the Department's website, [www.dps.ny.gov](http://www.dps.ny.gov), and click on the YouTube icon at the bottom of the homepage. In addition, any person without internet access may listen to the hearings by phone by calling 518-549-0500 and entering the applicable access code.

Persons with disabilities requiring special accommodations should call the Department of Public Service's Human Resources Management Office at (518)474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call the Department at 1-800-342-3377 for free language assistance services regarding this notice.

**Other Ways to Comment**

For those who cannot attend or prefer not to speak at a public forum, there are several other ways to provide your comments. Comments should refer to Case "20-E-0586- Tropical Storm Isaias Investigation" and should be submitted by **January 25, 2021.**

**Via Internet or Mail:** Go to [www.dps.ny.gov](http://www.dps.ny.gov), click on "Search" and enter the case number, "20-E-0586" in the "Search by Case Number" field, and then click on "Post Comments" at the top right of the page; or send comments by email to the Secretary to the Commission at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov). Alternatively, comments may be mailed to the Hon. Michelle L. Phillips, Secretary, New

York State Department of Public Service, Three Empire State Plaza, Albany, NY 12223-1350.<sup>1</sup>

**Toll-free Opinion Line:** Comments may be submitted by calling the Department of Public Service's Opinion Line at 1-800-335-2120. This number is designed to take comments about pending matters from in-state callers, 24 hours a day. Callers should press "2" to leave comments, mentioning Tropical Storm Isaias Investigation. These comments are not transcribed verbatim, but a summary is provided to the Commission.

Comments filed with the Secretary will be posted to the Department's website and will become part of the record considered by the Commission in this matter. Additional information on this proceeding may be obtained on the Department's website by searching for the above captioned case as described above.

(SIGNED)

MICHELLE L. PHILLIPS  
Secretary

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<sup>1</sup> Due to concerns related to COVID-19, filing electronically is strongly encouraged.