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IN THE MATTER OF
THE MORELAND COMMISSION

Location: 1400 Washington Avenue
Albany, New York

Date: March 6, 2013

Time: 6:18 p.m.

1 Moreland Commission - 3-6-2013 - Albany, NY

2 (The hearing commenced at 6:18
3 p.m.)

4 COMMISSIONER RICE: Good evening
5 everyone. Welcome here. I want to first thank
6 SUNY Albany for hosting us here this evening. This
7 is one of many local hearings that we have held as
8 the Moreland Commission. As you know, this
9 Commission -- first of all, my name is Kathleen
10 Rice. And I am a member of the Moreland
11 Commission. To my left is President Tony Collins.
12 He is another Moreland Commission member and the
13 President of Clarkson University. And I do believe
14 very shortly, we will be joined by another
15 Commissioner, Peter Bradford, who is currently a
16 law professor at Vermont Law School, but previously
17 was the former Chair of the Public Service
18 Commission. And also up here, we have Carol
19 Garcia, who is going to act as moderator in place
20 of Regina Calcattera, who is the Executive Director
21 of the Moreland Commission, but had to be on Long
22 Island in preparation of what we believe might be
23 some snow tonight. And we also have present
24 members of the Moreland Commission staff.

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2 So as you may or may not know,
3 shortly after Superstorm Sandy, the governor
4 commissioned or actually issued an executive order
5 putting us into existence. The Moreland
6 Commission, there are ten members. We are chaired
7 by Bob Abrams, the former Attorney General of the
8 State of New York, and Ben Lawsky, who is the
9 Superintendant of the Department of Financial
10 Services for the State of New York.

11 Our primary goal, as stated by
12 the governor, was to look into the storm
13 preparedness and response and aftermath of the
14 public and private utilities, including LIPA,
15 ConEd, et cetera, and their responses to a number
16 of storms, including Superstorm Sandy, Hurricane
17 Irene, I think Lee was considered a superstorm
18 or -- Tropical Storm Lee, and the 2008 Ice Storm,
19 which, I believe, in this geographic area was
20 probably the most powerful storm to affect the
21 location where we are today.

22 So as a result of that -- or I
23 should say initially what we first did was look
24 into LIPA, but -- and issue a preliminary report on

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2 what we recommend that the governor should do about
3 LIPA. But we have also prepared a PowerPoint just
4 to kind of tell you some of the things that we have
5 done and what we will continue to do going forward
6 until we finish our work sometime in the next
7 couple of months.

8 So the mission of the Moreland
9 Commission or our mandate is to look at storm
10 impact on electric service. As we said, Hurricane
11 Sandy, in October 2012, where two point one million
12 customer outages occurred and restoration period
13 was up to twenty-one days in some areas. Tropical
14 Storm Lee, September of 2011, sixty-eight thousand
15 customer outages, restoration period up to ten
16 days. Hurricane Irene, which occurred in August of
17 2011, one point one million customer outages,
18 restoration period up to nine days, and the
19 December 2008 Ice Storm, where you had three
20 hundred and thirty thousand customer outages and
21 restoration periods of up to eight days.

22 So as I said, that we were a -- I
23 was just doing this of the top of my head. I
24 forgot I had this PowerPoint here. So forgive me.

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2 We were created, again, pursuant to the Moreland
3 Act, Executive Law Section 6. And our mandate as
4 you see up on the screen, is to study, examine,
5 investigate, and review emergency preparedness and
6 response of utilities, the adequacy of existing
7 regulatory framework, and the adequacy of existing
8 oversight and enforcement, and after that, to make
9 recommendations for reform.

10 So the summary of our
11 investigation to date, we have sent subpoenas to
12 seven utilities and forty letters of requests
13 seeking documents and information. We have
14 received for review -- that number is now -- it
15 says one hundred thousand. It is actually close to
16 two -- three hundred or four hundred thousand pages
17 of documents. We've conducted many witness
18 interviews. We've held nine public hearings, and
19 the work is going to continue, including future
20 public hearings in other areas of the state.

21 So the basic problem that we have
22 is that the six utilities operating in New York,
23 those private utilities and LIPA, they operate as
24 natural monopolies dictated by their own geographic

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2 exclusive service areas. And as such, they have no
3 risk of losing all or part of their territory
4 because -- well, first of all they're only the --
5 they're the only game in town in their particular
6 geographic region, but there's also toothless
7 government oversight.

8 So our preliminary Moreland
9 findings and recommendations, we presented these
10 recommendations -- findings and recommendations in
11 three areas, strengthen the state oversight
12 utilities, to unify state energy programs and
13 policy, and to restructure LIPA

14 So what we found is the Public
15 Service Commission, as it exists as a regulatory
16 agency over the private utilities that operate in
17 the State of New York, lacks power and oversight.
18 They are charged with overseeing the utilities, as
19 I said, but they have limited performance of
20 required utility, operational, and management
21 audits, scaled back reviews of rate requests and
22 service delivery. There's a weak penalty
23 authority, which fails to deter poor utility
24 service, which is, obviously, the goal of the

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2 penalty authority. And it does not regulate LIPA
3 rates and services.

4 So our recommendation's to
5 authorize the P.S.C. to impose administrative
6 penalties for violations of its order. Right now
7 the maximum penalty that the P.S.C. can levy
8 against any utility is only one hundred thousand a
9 day -- a hundred thousand dollars a day for a total
10 for all violations. Now, while that might sound
11 like a lot of money to you and me, for these
12 private utilities that is not a lot of money.

13 They -- the other problem is that
14 we have to show that the utilities must be found to
15 have committed a, quote, unquote, knowing
16 violation, which may be very difficult to
17 demonstrate. So our recommendations that we made
18 to the governor are that he included in his State
19 of the State and in his 2013-2014 executive budget
20 was to increase the penalties to ensure adequate
21 deterrence. So, for example, if you look at a base
22 penalty amount, which is based on point O two
23 percent of gross revenue, which would equate to
24 about two million dollars per day for ConEd and

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2 about seven hundred and fifty thousand a day for
3 National Grid, that's giving -- that -- those
4 numbers will serve to act as a much more effective
5 deterrent.

6 We also proposed to lower the
7 burden of proof to reasonable business standard, to
8 grant the P.S.C. exclusive power to review the
9 fitness of the utilities, and to give the state
10 exclusive authority to revoke operating
11 certificates.

12 Number two, strengthen the P.S.C.
13 oversight and restore regular auditing of utilities
14 management operations and rate increase requests.
15 Up to this point, the P.S.C. has made only minimal
16 use of its authority to conduct these operational
17 and management audits. Our recommendation is to
18 restore the management and operational audit unit,
19 to require management and operational audits on a
20 five-year cycle, to require the P.S.C. to mandate
21 implementation of reasonable audit recommendations,
22 to create a dedicated enforcement unit to help
23 ensure utility compliance with the laws,
24 regulations, and orders, which can be enforced

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2 through the penalties that we stated before.

3 Another recommendation was to
4 hire more trained staff at the Department of Public
5 Service, which has suffered over the recent years
6 from a high number of reductions. So what we would
7 seek to do is to authorize D.P.S. to fill up to
8 five hundred and twenty-four full-time employee
9 slots, which was authorized in the 2012-2013
10 budget, an additional sixteen employees, taking it
11 from five hundred and eight to five hundred and
12 twenty-four, could be deployed as follows, eight
13 engineers in the emergency management unit, which
14 is responsible for the review of and compliance
15 with utility emergency response plans, six
16 auditors, engineers, and a new management and
17 operational audit unit, two attorneys in the
18 compliance unit to review utility compliance with
19 laws, regulations, and orders.

20 So included in the Governor's
21 State of the State and the budget was that D.P.S.
22 will recruit and hire -- someone just joined us on
23 the phone -- recruit and hire up to five hundred
24 and twenty-four F.T.E. allotment to assist in

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2 implementation and enforcement of new mandates. To
3 unify the management structure of D.P.S. and
4 NYSERDA, this is another goal of the Commission.
5 Right now D.P.S. and NYSERDA run competing and
6 overlapping green energy programs, which we found
7 has led to confusion, duplication, and waste.

8 They also, NYSERDA and D.P.S.,
9 draft separate disaster response plans with little
10 coordination. So one of the recommendations that
11 the Commission has made was to unify the management
12 and policy making process of D.P.S. and NYSERDA to
13 do away with that waste and lack of coordination.

14 So our work will continue until
15 we are done. We're going to continue to look at
16 LIPA and other utilities operating in New York.
17 We're going to have more public hearings in storm
18 areas. Carol will give the specific dates and
19 locations of those. We are going to issue a final
20 report with additional recommendations in the
21 coming months. And we're going to continue to
22 examine the overlap of services between NYSERDA and
23 P.S.C.

24 So at this point, I'm going to

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2 turn the proceedings over to Carol Garcia and she
3 will act as moderator for -- for this evening.
4 Carol?

5 MS. GARCIA: Thank you,
6 Commissioner Rice. Thank you Commissioner Rice.
7 Can you --?

8 DR. COLLINS: Just speak up.

9 MS. GARCIA: Okay. Thank you
10 Commissioner Rice.

11 COMMISSIONER RICE: You're
12 welcome.

13 MS. GARCIA: There's an echo in
14 the room.

15 COMMISSIONER RICE: Say it again.

16 MS. GARCIA: I'll briefly go
17 through the format of tonight's hearing and review
18 the ground rules. The Moreland Commission is happy
19 to be here tonight to hear testimony from residents
20 of the Capital Region, and we very much thank
21 University of Albany for hosting us. Part of the
22 work of the Commission is to interview witnesses
23 and meet with the public. This is our ninth public
24 hearing. The information we gather tonight and

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2 during this process will be part of the record and
3 will be considered and integrated into our final
4 report.

5 The Moreland Hearings focus on
6 two things, emergency preparedness and response of
7 utilities in recent storms and recommendations for
8 restructuring the oversight of energy utilities in
9 New York, including the Long Island Power
10 Authority, to improve the reliable and affordable
11 transmission of power.

12 We've invited first responders,
13 emergency personnel, and representatives of groups
14 who assisted the public before, during, and after
15 the storm, to share with us their observations and
16 comments and tell us a little bit about the
17 experiences and the assistance they provided during
18 a storm. I'd like to start by asking the invited
19 speakers to give us their testimony. I'll call out
20 the speaker and ask that you come to the witness
21 table, identify yourself and your organization.

22 First I'd like to call up
23 Columbia County Emergency Management Director,
24 William Black, and Columbia County Public Safety

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2 Coordinator, Roy Brown. Thank you, gentlemen.

3 MR. BROWN: I want to thank --
4 first of all thank the Commission for having these
5 hearings and allowing us to speak. And it's great
6 to be back here in the alumni room here at the
7 University of Albany. My name is Roy Brown. I am
8 the chair of the Columbia County Public Safety
9 Committee, and with me is William Black, Director
10 of the Columbia County Emergency Management.
11 Tonight we're here to give you a little testimony
12 about how we feel the preparedness of our utilities
13 have been since the 2008 Ice Storm, which had a
14 significant impact on Columbia County, as well as
15 the Hurricane Lee.

16 I can tell you that we weren't as
17 impacted as much in Columbia County with the
18 hurricane, although, as much as Green and Schoharie
19 Counties, but we did, through my directive and
20 working with Bill Black's office, when we sustained
21 or -- or fixed Columbia County and got them back on
22 their feet, we immediately moved over to Green
23 County and began assisting Green County, who was
24 devastated more than we were.

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2 I'll turn the microphone over to
3 Director Black, and -- and he can give you a
4 synopsis of what we see.

5 MR. BLACK: Thank everybody for
6 inviting us here this evening. In 2008, when the
7 ice storm hit Columbia County, the storm basically
8 tore most of our utilities completely apart between
9 three and four o'clock in the morning. By six
10 o'clock in the morning, I would say eighty percent
11 of the county was without power.

12 In knowing that, there was -- we
13 knew the storm was coming and we did not reach out
14 to our utility partners prior to that storm. And
15 that was a lesson learned for Columbia County.
16 What we did do though is we mandated that morning
17 that utilities send a representative to the
18 Emergency Operations Center, which was located at
19 our Public Safety Building. And we did get
20 representation from National Grid, from New York
21 State Electric and Gas, and eventually from Central
22 Hudson, we did get representation. We didn't get
23 any representation from the telephone companies or
24 the Internet companies that provide service in the

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2 area. And everybody -- and I know that that's not
3 what the subject is here this evening, but you --
4 you must think about it in our perspective. We are
5 there for the public safety. It's great that we
6 have -- that everyone have -- everybody has power;
7 however, if they can't dial nine one one and get
8 somebody in a rural community, they could be miles
9 to drive or walk to get help for themselves or
10 their neighbors. And with the utilities down, this
11 wasn't possible. We couldn't get them to our
12 E.O.C. We couldn't get any assistance from them.
13 We couldn't get them to help us. So, in saying
14 that, and I think that the Commission needs to know
15 that in a rural community, that that's a vital part
16 of any public service or public safety issue.

17 DR. COLLINS: Is it Verizon
18 mostly?

19 MR. BLACK: We have a lot of
20 private companies. We have Verizon. We have
21 Germantown Tel. We have Taconic Telephone.

22 DR. COLLINS: So it's a range
23 of --?

24 MR. BLACK: It's a range of a

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2 few. And with their utilities laying in a roadway,
3 you know, you're -- you're faced with a dilemma.
4 Do you cut their line? Then maybe if somebody does
5 have a telephone, maybe that's all they do have,
6 they could at least call you. So we developed a
7 plan at E.O.C. And when we got our representation
8 from the power companies in there, we set up a
9 plan, we developed a plan, we implemented the plan.
10 And I have to say that once we started, and it was
11 a long process because we not only just lost
12 services, we lost transmission lines into the
13 country that were down for eight to ten days. They
14 had to rebuild it in towns. These people were
15 forced to go to shelters if they could get there.
16 In a lot of cases, they couldn't get there.

17 So we set up a policy and
18 procedure where our highway departments, our county
19 highway worked with the power companies and went
20 road by road, clearing and enabling emergency
21 services equipment to get to these some outlying
22 areas. And that worked very well. And I would say
23 at that point we understood that we needed to build
24 a better relationship with our power companies. If

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2 we had a problem, we had to deal with it then and
3 there.

4 So in preparation for the
5 hurricanes that came, we reached out to our utility
6 partners and we discussed what they were going to
7 do, how they are going to do it, and we actually
8 assigned a deputy from our Emergency Management
9 Office to -- that's his whole job. And they -- I'm
10 sure that when they see his telephone number come
11 up, they shudder when they see it because that --
12 he is very good at his job. But we know what
13 they're going to stage in our area. We know how
14 many crews are going to be in that area and what
15 their backup plan is for that storm, should the
16 storm impact our county.

17 We did have a problem with
18 Central Hudson. We couldn't get them to come to
19 the table during the hurricanes. We did make a
20 complaint, as a county, to the Public Service
21 Commission, which prompted a meeting, and we did
22 handle that at our Emergency Operations Center
23 after the storm. We were promised telephone
24 numbers. We didn't have -- we never did receive

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2 those for emergency contacts. I have to say that
3 National Grid -- the electrical portion of National
4 Grid and New York State Electric and Gas have been
5 very receptive to giving us all the -- all the
6 telephone numbers we need to contact them at their
7 homes, and/or at their businesses twenty-four hours
8 a day.

9 So in saying that, it was a
10 lesson learned from the ice storm to the
11 hurricanes, and we learned that we needed to, you
12 know, embrace our partners and make sure they were
13 well aware as well as us that this was a joint
14 responsibility that we both had to work together to
15 make sure the public safety of the residence was
16 taken care of.

17 We have had issues with National
18 Grid with the gas service, where we have -- and
19 it's not necessarily related to any of the ice
20 storms or the hurricanes, but the gas leak
21 detection people, getting them out in a public
22 safety arena has been very difficult. And I think
23 it's just due to cutbacks. But that has been the
24 issue. But as far as the electrical service, I

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2 have to say, since 2008, National Grid and New York
3 State Electric and Gas have been -- people have
4 been at the E.O.C. They have been dedicated to
5 their job and they have worked with us very
6 closely.

7 There have been times that
8 they've been understaffed in our area because they
9 thought the storm was going to hit New York as
10 opposed to Columbia County, like with Hurricane
11 Sandy, but they don't have a crystal ball, nor do
12 we. So -- but they did adapt, they did move,
13 and -- but it is, again, and I can't -- I can't
14 emphasize enough from our standpoint that the
15 telephones are as vital to this whole Commission as
16 the power service, because without the telephones
17 or a way to communicate -- and that was very
18 evident from Hurricane Sandy. It ripped out all
19 the utilities in Green County, including the
20 telephones, and they didn't even have cell service.
21 So if there was a problem, the only way you would
22 know would be to drive it, if you could get
23 through. And we were very involved with that
24 because we brought in what they called a COW from

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2 Sprint, where they set up these COWs up on the
3 mountain, which is a portable tower, and they were
4 able to communicate with those outlying towns so we
5 could find out what their needs were. And one of
6 our people -- one of our deputies from the
7 Emergency Management Office was very involved with
8 that. I think that's all we have to speak about on
9 this subject.

10 MS. GARCIA: Thank you both very
11 much. Any questions from the commissioners?

12 DR. COLLINS: Thank you for that.
13 So do -- had you -- I'm assuming that prior to the
14 ice storm, you had not practiced any emergency
15 process with -- with the utilities or response, and
16 then you said that you learned by experience. Do
17 you actually now have table top exercises for
18 emergency preparedness, or -- or do you meet
19 physically? Do you meet together and -- and
20 discuss?

21 MR. BLACK: We have -- and that's
22 kind of a double -- it's -- there's many answers to
23 that. So --.

24 DR. COLLINS: Good.

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2 MR. BLACK: Yes, we do do table
3 top exercises. Do we include the power company in
4 those table top exercises? The answer would be no.

5 DR. COLLINS: Would they join if
6 you asked them?

7 MR. BLACK: I think they would. I
8 don't think -- any time we've ever asked any of the
9 power companies to come in and have a meeting to
10 discuss how we're going to handle a situation or
11 what are we going to do with this storm, with the
12 impending storm, they have always been very
13 receptive. Prior to Hurricane Sandy, they were
14 having meetings at one of their outposts. Our
15 deputy joined them in their meetings. He -- he was
16 invited to join them. So he knew firsthand what
17 their practice and policies were going to be.

18 I think it's important with
19 utilities that -- you know, with -- with any large
20 company, you have people that move from one job to
21 another job. But keeping people that are very
22 familiar with the area helps with rebuilding the
23 area and with any emergency response. And we found
24 that with New York State Electric and Gas, we had a

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2 gentleman that grew up in the area and he knew the
3 area -- he didn't have to look at a map. He knew
4 exactly where we were talking about. And when you
5 bring in other people, because people retire or
6 people get -- get promotions, it really does impact
7 the response, because these people have to be
8 familiar with their -- their total electrical
9 program.

10 DR. COLLINS: How -- how was
11 communication with the public when they inquired
12 about then the restoration might be expected? How
13 was the power restoration? How was the utilities?

14 MR. BLACK: And that was one of
15 the major stumbling blocks in 2008. We -- out of
16 three power companies, we had two that were giving
17 us information that was not accurate. And we
18 finally had to sit down with those two power
19 companies and we told them, we -- we -- don't sugar
20 coat it. Don't tell us what we want to hear. Tell
21 us the truth, because that's what we're gong to
22 disseminate to the public. You tell us what we
23 want -- what we can share with them and give us
24 real time. We understand that if they get out

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2 there and there's a poll broken they didn't
3 encounter that that's going to lengthen the time.
4 But don't tell us you're going to have it up by
5 Tuesday night and then a week later we still don't
6 have it up. So --.

7 DR. COLLINS: Has the -- has that
8 aspect of communication improved?

9 MR. BLACK: That has dramatically
10 improved. And they're very honest with us, and
11 they also, if we give them information, they --
12 they know what we're telling them is very accurate.
13 If we tell them that we have people of need that
14 are on respirators or emergency equipment, they
15 will do their best to get those up for us right
16 away. Nursing homes, they'll go out of their way
17 to reroute electrical service back and back feed a
18 line to get those facilities up.

19 DR. COLLINS: Do they know -- do
20 they have a priority list based on everything from
21 medical conditions to other -- you know, for --?

22 MR. BLACK: Oh, I think each
23 power company has their own list, but we also carry
24 a list in the county of -- and we -- we pretty much

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2 know our people. We just implemented a new program
3 that allows us to track that a little bit better,
4 and that's part of the E.O.C. operation. Every
5 morning, we have three meetings a day and we talk
6 about people of need and we give those to the power
7 company. If they need help getting there with a
8 utility or with a highway crew cutting trees, we
9 make that available. And it is a partnership.
10 When you have one of these storms, they have them
11 set up for that.

12 One of -- I guess one of biggest
13 issues that we have from an emergency response or
14 emergency services, Columbia County is all
15 volunteer, with the exception of law enforcement,
16 which is done by the New York State Police, the
17 Sheriff's Department, and local police departments.
18 But utilities with cutbacks have -- and they're all
19 guilty of this is that they need to -- when they
20 have power lines go down, they rely on the
21 volunteer firemen to guard those lines until they
22 can get a crew there. And that is one big
23 complaint we get from the fire service in Columbia
24 County. They -- you know, they don't want to sit

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2 on those power lines. They have millions of
3 dollars' worth of equipment sitting in the middle
4 of the road during a rain or a hurricane storm
5 and -- and they're guarding a power line that's
6 down. Everyone knows that we're going to have that
7 hurricane, especially after the 2008 Ice Storm. I
8 think they could better prepare themselves to have
9 people go out and help safeguard some of these. I
10 know they aren't going to have enough people to do
11 every power line in the county, but they need to
12 meet us part of the way on that.

13 DR. COLLINS: Sure. That -- that
14 was actually going to be a question about downed
15 lines and how you dealt with it. And so that is an
16 issue because of the protection until a utility can
17 get there and actually kill the line off or
18 whatever has to be done.

19 MR. BLACK: We -- and with some
20 fire service in some companies, it has been a long
21 period of time. If they don't have a crew in the
22 area, you know, the crew is -- that's on call may
23 be coming out Mechanicville, for instance. That
24 could take a long time just for them to get there.

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2 DR. COLLINS: And I think I'll
3 rest at this point. Oh, one other -- one other
4 question.

5 MR. BLACK: Only one more.

6 DR. COLLINS: Hang on; I'm the
7 Commissioner. So the -- the crews that come from
8 the mutual help agreement, those that come from out
9 of the area, did you have those and how well were
10 they integrated and --and did it seem to you that
11 between them coming and working with the utilities
12 and then working with yourselves, did that work
13 recently smoothly?

14 MR. BLACK: I -- I really believe
15 it -- and in 2008, it took a while to make that
16 happen, but once everyone got there, I would say we
17 were -- they were coming in slowly. But there was
18 such a wide area of devastation, not just Columbia
19 County, but other counties, that by the time they
20 really got up to speed, it was -- we were probably
21 three or four days into it. But it really was
22 seamless once it got going. We did notice that in
23 other storms where we prepared and they've brought
24 them in earlier that they have a much better

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2 response.

3 And, again, it's seamless. We
4 don't know when -- when a crew goes out there, we
5 don't know if it's National Grid, NYSEG, Central
6 Hudson, or -- or Florida Power. We -- all we know
7 is that we talk to our people at the E.O.C., we
8 keep in constant communication with them, and they
9 make it happen. And it has gotten better, for us
10 anyway over the last few years, with the exception
11 of the fire service and law enforcement having to
12 guard downed lines.

13 DR. COLLINS: Thank you very
14 much. I'll rest at this point.

15 COMMISSIONER RICE: If I could
16 just interrupt. I just want to give the two
17 commissioners -- Commissioner Bradford just
18 arrived. I just want to give both of the
19 commissioners joining us here tonight an
20 opportunity to introduce themselves and make a
21 statement. So I'll start with President Collins.

22 DR. COLLINS: I'm warmed up.
23 Tony Collins, President of Clarkson. And I come at
24 this from a little bit of a different direction.

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2 And that is that as we look to the workforce of the
3 future, I hope to gather information like this
4 because, you know, there's significant number of
5 retirements coming up in the power industry, the
6 middle managers are thin, because they weren't
7 hiring back in the '80s and '90s and there's not
8 enough to entry level people. So it's -- it's -- I
9 wouldn't say it's a crisis, but it's something
10 that's happening. And so listening to this and
11 then thinking about the future training of
12 certainly those coming out of college, the need for
13 understanding emergency preparedness is something
14 that I would hope to carry back to higher
15 education, and so I appreciate everybody coming out
16 tonight. Thank you.

17 COMMISSIONER RICE: Thank you,
18 Commissioner Collins.

19 And I'd like to introduce
20 Commissioner Peter Bradford at this time.

21 COMMISSIONER BRADFORD: Thank
22 you. Excuse us. Do I need to do anything to
23 activate this?

24 COMMISSIONER RICE: Speak close

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2 to it.

3 DR. COLLINS: It warms up.

4 COMMISSIONER BRADFORD: But only
5 if I do. I used to chair the New York Public
6 Service Commission from 1987 to 1995. And my
7 introduction to storm emergency management in New
8 York was the storm in October of 1987 that took out
9 a considerable amount of the electric power, the
10 NYSEG, Niagara Mohawk as it then was, service
11 territories. So -- and my apologies for coming in
12 a little late, but I did come in on the tail end of
13 some things that sounded familiar.

14 And one of the things I'm trying
15 to develop a feel for in the course of the Moreland
16 Commission processes is the extent to which
17 utilities have learned from past storm situations,
18 implemented those lessons, and also the extent to
19 which things fall back, because it does sound as
20 though an awful lot of the concerns that we had
21 with the storm here in '87 and the ice storm in
22 Rochester in the early '90s, are still problematic.
23 And one of them that you touched on a few minutes
24 ago, was this -- is the issue of accuracy of the

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2 information that you get with regard to the
3 restoration of -- of service. And certainly there
4 is nothing that frustrates customers much more than
5 being told that service would be back on in three
6 days and -- and it isn't and the food spoils and
7 they're in cold houses a lot longer than they
8 thought.

9 You said that there had been
10 considerably improvement in that process. Let me
11 ask you to go a little deeper on that and talk
12 about why things have improved. What -- is it
13 technological improvements in the response center?
14 Just a greater realization on the utilities' part
15 that they really can't be giving out inaccurate
16 information?

17 MR. BLACK: I have been known to
18 speak my mind at times. And maybe that's one
19 reason that they are more forthcoming. I want to
20 hope that it's not that. I want to hope that it's
21 a relationship that we built over the last few
22 years. The people that we have that we deal with,
23 we have built that relationship since 2008.
24 They're the same people. And I think continuity

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2 between the people that you deal with at each power
3 service makes a big difference, because you build a
4 relationship of trust. When you start switching
5 people in and out and they know they're not going
6 to be there the next time you have a problem, now
7 you have to start from ground zero.

8 We really believe that over the
9 years, after our first encounter in 2008, when we
10 questioned the timeframe it was going to take to
11 bring the utility back online, I don't think the
12 information they were getting was very accurate. I
13 think now with technology, as long as there's a
14 phone system or an Internet, they are able to get
15 real time information. And I think that has helped
16 considerably. And I think they're getting us real
17 time information.

18 But when they run into a problem,
19 they're communicating that problem back to us,
20 where before they wouldn't. They'd wait for it to
21 blow up in our face, and then everybody's tempers
22 would get out of control. And we found that it's
23 just earlier to deal with everyone, and if you
24 continue dealing with them two or three times a

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2 day, it's easier to tell people the truth and move
3 on, than it is to -- to tell them what they want to
4 hear.

5 COMMISSIONER BRADFORD: Was it
6 your sense when you weren't getting good
7 information that the utility itself didn't have
8 good information and was essentially sugarcoating
9 an uncertain picture, or was it that they knew
10 things were worse than they were telling you?

11 MR. BLACK: I -- and I don't have
12 personal knowledge of this. I can only tell you
13 what my sense was at the time. I think they were
14 sugarcoating it. I think that --.

15 COMMISSIONER BRADFORD:
16 Sugarcoating uncertainty or sugarcoating what they
17 knew?

18 MR. BLACK: Sugarcoating what
19 they knew, hoping of the best and hoping it wasn't
20 as worse -- it wasn't' the worst case scenario.
21 The issues that come to mind are they were sending
22 people that really had no knowledge of their
23 network to the E.O.C.s, so they couldn't answer any
24 of the hard questions. They could pick up a phone

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2 and call no differently than we could. So once we
3 got beyond having someone that was just somebody to
4 say yes and no, as the chairman says, a warm body,
5 and we got somebody with some knowledge of their
6 infrastructure, it made a big difference.

7 And -- and that's one of our big
8 concerns. As -- as these utilities cut back for
9 costs, you know, we have -- we have facilities in
10 our area and they have three crews that are on --
11 that work out of that facility. They cut back to
12 one and they don't hire people, as -- as Mr.
13 Collins said, to replace those with young people,
14 now where are they -- are they going to come out of
15 the central office, which could be two hours away.
16 And I think it's important that there be a
17 mandatory amount of people in each facility, or
18 based on population, to cover that area, as your
19 immediate response. And then reach out farther for
20 your mutual aid response.

21 COMMISSIONER BRADFORD: Have
22 you -- and has it been your experience that the
23 somewhat chopped up nature of the service
24 territories, that is the -- what I would have at

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2 one time called the NYSEG and Niagara Mohawk, but
3 anyway, now NYSEG, National Grid, the way the fact
4 that they have little pockets in each other's
5 territory, does that make a negative difference
6 with regard to emergency response?

7 MR. BLACK: From -- and we have
8 three utilities in Columbia County. We have NYSEG,
9 National Grid, and Central Hudson. With National
10 Grid and NYSEG, I would say no, I don't see any
11 difference. They get their job done. We have one
12 little pocket in Columbia County on the southern
13 part that is Central Hudson and it comes up from
14 Dutchess County. And we had a real public safety
15 issue during one of the hurricanes, where we had
16 high tension lines down in the road, a blind
17 corner, and we -- that's what we called the Public
18 Service Commission about. We couldn't get them to
19 respond to it.

20 COMMISSIONER BRADFORD: Couldn't
21 get Central Hudson --?

22 MR. BLACK: Couldn't get them to
23 respond to it. They were down in the road, it was
24 a pretty -- pretty delicate condition, and we were

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2 very fortunate that no one got killed. There was
3 an accident on that corner.

4 COMMISSIONER BRADFORD: And the
5 reason they weren't responding was because this
6 wasn't an integrated part of their territory?

7 MR. BLACK: I don't think they
8 aware getting -- we -- our nine one one center
9 contacts them with all information and they do a
10 really good job. They give them accurate
11 information. But I don't think they can get field
12 person and to review it to get the proper people
13 there in time.

14 Eventually, we did get it to
15 happen, but it was hours -- if not a -- you know,
16 twelve hours before we could get them there. And
17 in the meantime, the fire company is protecting
18 that corner, because if not, somebody is going to
19 get killed. So I think in those instances -- and
20 maybe they were understaffed. We never -- we
21 didn't really ask them what their problem was. You
22 know, we want to know how we were going to fix it
23 in the future. Dwell on the past usually doesn't
24 help when you're -- when you're trying it fix a

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2 problem. You want to say okay, how are we going to
3 deal with this moving forward?

4 COMMISSIONER BRADFORD: And so,
5 which storm was this?

6 MR. BLACK: I want to believe
7 that this was Sandy or Lee. Lee came in -- the
8 winds came in after the fact and created a lot of
9 havoc for us. We didn't get a lot of water, but we
10 got a lot of wind and we have a large electric --
11 you know, a large response to wires down right
12 after it, like three hours after the storm had
13 moved through.

14 COMMISSIONER BRADFORD: Thank
15 you.

16 MS. GARCIA: Thank you. Any
17 other questions from the commissioners?

18 Okay. Mr. Brown and Mr. Black,
19 thank you very, very much.

20 MR. BROWN: Thank you.

21 MS. GARCIA: I appreciate your
22 testimony.

23 Next, I'd like to call Schoharie
24 County Acting Emergency Management Director, Kevin

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2 Neary.

3 MR. NEARY: Thank you very much
4 for inviting me here to speak. I appreciate the
5 opportunity to share the things that we found in
6 our own situation. As way of background, I am the
7 temporary director there. I've been in Schoharie
8 County since May 18th of 2012. I'm serving as the
9 interim director to try to help with the recovery
10 operation there. I'm also Mayor of the Community
11 of Richmondville, who owns its own municipal
12 electric company. I can say that we've had no
13 problems coordinating with them at all. But
14 previous to this appointment, I served as Chief
15 Operations for the State Emergency Management
16 Office, and served on different boards throughout
17 the state at my time with the state.

18 Each one of these positions have
19 provided me the opportunity to work with utilities
20 all over the state. So I'm going to do this in two
21 parts, what happened to us in Schoharie County and
22 some of the issues that we've worked on previous
23 with Mr. Bradford and Ethan Regalhoth (phonetic
24 spelling), going back a few years ago in 1987.

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2 But each of these opportunities,
3 I have traveled most of the state and been involved
4 in so many different emergencies, from ice storms
5 in Monroe County and the North Country in Clinton
6 County, to snow storms in Buffalo and Syracuse, to
7 tornadoes in several different areas, and to the
8 World Trade Center twice in 1993 and 2001, all
9 involving restoration of utilities services in New
10 York.

11 And I think the thing that we
12 find is that we -- we need to constantly work to --
13 with our utilities to coordinate and cooperate in
14 any type of emergency, but let me focus on
15 Schoharie. In August of 2011, Schoharie County was
16 devastated by Hurricane Irene, and followed a few
17 days later by Tropical Storm Lee. Following the
18 storms, we looked at our own response and
19 preparedness and procedures to prepare for these
20 types of storms. So the County Board of
21 Supervisors commissioned a study and we produced a
22 report called the Flood Response After Action
23 Report and Improvement Plan for the County. The
24 report included nine major areas and

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2 recommendations and forty-nine specific
3 recommendations to improve our preparedness effort.

4 Interesting enough, there were no
5 recommendations on ways that we needed to improve
6 the work with our utilities. That doesn't come by
7 accident. We work hard and coordinate with our
8 utilities every day and that's a key essential
9 factor here.

10 Now, while both of these storms
11 caused devastation beyond belief and our
12 communities continue to struggle to recover from
13 that, we worked closely in that time, and the
14 cooperation we've received from our utilities, such
15 as National Grid, continues to be outstanding. It
16 was outstanding during our response and it still
17 continues to be outstanding in our community. As
18 you know, following any storm, these repairs are
19 made sometimes temporarily. And that makes us
20 still continue to be vulnerable. It takes a long
21 time to rebuild that system. But they continued to
22 work in the spirit of cooperation. And this spirit
23 was never more evident during our preparation for
24 Hurricane Sandy.

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2 We were in constant contact with
3 out utilities, not only National Grid, but also New
4 York State and Gas and Electric, which serves the
5 southern end of our county, and also serves -- has
6 a pipeline for natural gas in our communities.
7 Every day we're on conference calls. Every day
8 we're sharing our situational reports with them so
9 that they could see the issues that we were
10 concerned about. In the same toll, we could find
11 out more about their storm preparations, what they
12 anticipated doing.

13 So, again, this is important.
14 This information is critical during the operation
15 to establish it before the emergency hits to make
16 sure those lines of communications are open. I
17 agree with you in the report that we must continue
18 to exercise, but we have not experienced problems
19 that they have in New York City following Hurricane
20 Sandy.

21 I happened to be asked to work
22 the New York City Emergency Operations Center
23 following Hurricane Sandy and actually responded to
24 New York City, because Schoharie wasn't hit. So I

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2 know firsthand of the coordination issues that they
3 were dealing with in the City during that massive
4 event. But, again, we've received good cooperation
5 from the utilities and we continue to work on that.

6 Also, we've had great cooperation
7 with the New York State Power Authority with
8 Blenheim-Gilboa. Ask you know, Schoharie sits in a
9 valley for the New York City Board of Water Supply
10 and the Blenheim-Gilboa Power Project. And we've
11 worked quite hard to establish those lines of
12 communications to share data and information in
13 advance of the storm. This was critical in
14 Hurricane Sandy, the type of cooperation that we
15 need to seek with all the utilities in the state.
16 So -- so, again, we must continue to work on it.

17 During any emergency,
18 coordination, cooperation, communication are
19 essential to successful emergency response and
20 recovery issues. My comments really tonight focus
21 on part seven of your Improving Storm Plan
22 Preparedness Report of the interim report that you
23 produced. I noted in there that my good friend,
24 Bobby Eiberger, who is quoted in there, is now a

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2 representative with National Grid and LIPA. And he
3 was a former police chief out in South Hampton. I
4 worked with him on many emergencies, coastal
5 storms, and T.W.A. 800. But he said that your
6 report pointed out that it's not enough just to
7 have a utility representative sitting in your
8 E.O.C. And we agree with that.

9 We believe that they must have a
10 direct line to the management, so that we get
11 up-to-date, real time situational awareness for
12 those of us that are in the community dealing with
13 emergency services and trying to coordinate a lot
14 of emergency services efforts within our community.
15 We can't keep getting that screen. We need that
16 direct communications.

17 And it's s two-way street. We
18 provide them with situational awareness of our
19 priorities and they need to provide us with
20 situational awareness of their priorities.
21 Therefore, we can develop what we call in our
22 business, a common operating picture. Here are
23 your priorities, here are our priorities, how can
24 we meld them? Let me give you an example. In

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2 Hurricane Gloria, I was asked to be the operations
3 chief -- and this is a long time ago. This is the
4 history of 1985. But it was interesting. When we
5 worked with the Public Works crews from various
6 towns in Long Island and we worked with New York
7 State D.O.T., we would ask them how come it takes
8 so long to clean up this debris in open roads. And
9 their answer was because our workers are concerned
10 about the power lines and the lines are downed in
11 the street. We're afraid to go in there because we
12 don't know whether they are live or not.

13 So our natural thing was to turn
14 around and ask the power company, LIPA at that --
15 LILCO at that time, what their procedures were.
16 And they said, well, our crews are having trouble
17 getting to the lines, because we have to cut so
18 much debris out of the way. And it tells you that
19 there's a need for coordination in the operations
20 center.

21 And one of the things that is
22 recommended in the -- in the report is that we need
23 to have a representative in the E.O.C., yes, but I
24 think one of the things that New York State should

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2 consider is also having a representative in the
3 storm centers. Somebody besides -- not just -- not
4 just a representative from state government, but we
5 need somebody to sit in their storm centers so that
6 we can see what their priorities are, so together
7 we can push those priorities together so you can
8 work more cooperatively together and effectively
9 and efficiently respond to emergencies.

10 Now, you know, that -- those are
11 words, but I do believe that that will help us in
12 the long run in developing a real plan of what are
13 the priorities. We do a great job in New York
14 State of developing response plans. But one of the
15 things we don't do a good job in is developing
16 recovery plans.

17 So as we're preparing for
18 Hurricane Sandy and we're starting to look at
19 utility preparation and emergency services
20 preparation, at the same time, we need to put
21 together a group that takes the what if scenario.
22 What if this actually occurs? And then start to
23 look at here are the strategies we're going to use
24 for the recovery effort. And I think that has to

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2 be different than the responders. So that's an
3 effort that I think you'd want, if this is the
4 worst case scenario, we should start to do that
5 already. Now, I know utility companies like
6 National Grid start to move people in advance of a
7 storm. And it's, you know, it's an emergency
8 ecosystem. It's, you know, where do you put your
9 assets?

10 In Hurricane Irene, I volunteered
11 my time at the state E.O.C. and we were moving
12 stuff to New York City only to realize that we had
13 to pull the stuff back like FEMA did, from New York
14 City and realize that these storms are going to hit
15 in Upstate New York. So we have to be careful how
16 we do that, but I think that type of group that
17 looks at if this storm hits, what are we going to
18 do to recover, has to be separate from the response
19 element. And some of my colleagues may not agree,
20 but that's how I look at this.

21 So, again, if we're going to send
22 utility representatives to E.O.C.s, they must have
23 the power to make decisions or to communicate with
24 people at the highest level. That's key to us to

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2 know situational awareness. And, number two, the
3 state should consider sending operational type
4 people to the storm centers that utilities run so
5 we can get a first hand knowledge.

6 I was part of a major storm
7 review panel for the Long Island Power Authority
8 that was set up in the late '90s, early 2000. It
9 never really took off. We had representatives from
10 all over the country. The concept was to look at
11 utilities after they lost two hundred thousand
12 customers to make sure they followed their plans
13 and procedures and protocols. That really -- it
14 never really took off because of staffing and other
15 commitments and what we called the rowing
16 disasters, we go from one disaster to the next, and
17 that was as a result of blackouts that dealt with.

18 Another section of the plan is
19 the Public Service that -- I talked about that we
20 worked with legal counsel from the Public Service
21 Commission. Section sixty-six requires the Public
22 Service Commission to review and approve electric
23 utilities storm plans. In your report, seven point
24 two, Storm Planning and Response Recommendations,

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2 you suggest P.S.C. dedicate additional staff to the
3 task of reviewing plans and recommend that you
4 should coordinate this review with Department of
5 Homeland Security and Emergency Services. I could
6 not agree more. I could not agree more with that
7 approach.

8 But the second part of this is
9 let's not leave out local government. Let's not
10 leave out country emergency response agencies,
11 whether it's department emergency services or the
12 Office of Emergency Management at a local level.
13 All emergencies, like politics, start locally.
14 Emergencies start in local communities and they end
15 in the local community. Therefore, we must develop
16 a system not from the top down, but also from the
17 bottom up.

18 So as we develop these plans, we
19 need to share with emergency managers throughout
20 this state as to what do the plans say? How does
21 it affect what we do? We have emergency plans. So
22 we have a responsibility to share our emergency
23 plans, which we do, with companies like National
24 Grid and New York State Gas and Electric and the

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2 phone companies that serve our area. We share our
3 plans with them. But maybe not enough.

4 There was another part that we
5 talked about -- you talked about exercising, you
6 called it drilling, with the power companies. We
7 think that that's important to have those types of
8 exercises. I don't want to suggest we take the
9 same approaches the Nuclear Regulatory Commission
10 for the licensing of nuclear power plant -- for
11 nuclear power plant licensing. But I do think that
12 we need to make sure that any plans developed
13 either by the community or by the utility are
14 valid. So we need to exercise and to validate the
15 plan and that they can carry out their plans,
16 policies, and procedures to ensure that the
17 utilities and their staff can implement what's said
18 in those plans at times of emergency.

19 And so I will go to something now
20 that was talked about, at least in our community.
21 We think one of the weak points in this whole
22 utility -- I know this is not part of your charge,
23 but you heard it from Columbia County, which we
24 agreed. We are dependant on technology today to

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2 get our message out. Schoharie County is not
3 covered by Internet service in many areas, but we
4 can -- we're trying to improve upon that, and we
5 need the help. While utilities and phone companies
6 seem to be very good at responding to our needs, we
7 struggle during emergencies with the need to
8 reestablish Internet services to communicate with
9 the public. We struggle with that. We have
10 representatives in Hurricane Irene, from National
11 Grid to Verizon, that sat in our E.O.C. We could
12 go direct to them and talk to them. But the cable
13 company, we had to call them. And so we think that
14 that's something that the Public Service Commission
15 really needs to take a look at. Increasingly, we
16 are dependent upon Internet and this type of
17 technology to get the message out to people in time
18 of emergency.

19 So, in closing, I just want to
20 thank you for this opportunity. I appreciate the
21 governor's effort in trying to improve
22 preparedness, not only for utilities, but for
23 emergency management throughout the state. And so
24 I thank you for that opportunity.

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2 MS. GARCIA: Thank you. Thank
3 you very much, Mr. Neary.

4 Any questions from the
5 Commissioners?

6 DR. COLLINS: Thank you very
7 much. It was an interim report and this is a
8 terrific input to that process as we go. So mutual
9 aid agreements, and we bring in crews from all
10 over, from your experience, and I'm actually going
11 to tap you beyond Schoharie, a simple issue like
12 when crews go out to restore power, and -- and the
13 way that different utilities across the country
14 ground wires to work on them, and so we now require
15 this kind of training or -- or -- or bringing
16 outside crews up to speed with what the local
17 approaches and processes are. Would it be useful,
18 in your opinion, to have -- to try and standardize,
19 to the extent possible, nationally the ways that
20 crews operate so that you can --?

21 MR. NEARY: You know, it would be
22 nice to have a national standard like that, and --
23 and I -- you know, that -- I would agree that would
24 be great. I think there's another way, too, if we

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2 can't do that, and that is to do real time
3 training. We found this out in some of the stuff
4 we do in emergency management. We bring people in
5 from other parts of the country to help us manage
6 emergencies and disasters. It's through what's
7 called the Emergency Management System Compact.
8 And a lot of times we find this. We bring people
9 into an area that they're not familiar about how we
10 operate as a state or how we operate as -- New York
11 City was the last example. So I think that will be
12 beneficial to have that type of up-brief before
13 they come here to -- to be prepared for what
14 they're going to see.

15 One of the areas we can also work
16 on is that when we bring in what they call foreign
17 crews, is that their terminology, work better on
18 logistics. We sometimes compete for the same types
19 of things as state government and power utilities.
20 And I think we could work and -- and meld their
21 logistics sections together so that we're not
22 fighting for the same resources. Would that be
23 material? Would that be housing of emergency
24 workers? For instance, in ice storms in Clinton

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2 County, we worked with the State University there
3 from Plattsburgh and we housed -- it just happened
4 that the -- the college students were at home, but
5 we housed all the utility vehicles at that
6 location. We provided security, provided a means
7 to feed them, provided them a means to sleep,
8 because there were no other places to be able to do
9 that. That helps effectively improve our
10 restoration plan, and -- and so those are the
11 things that we really need to do.

12 And I think -- I can't say enough
13 about sitting down and establishing your priorities
14 of what you intend to do as a utility and what we
15 intend to do. We use an Incident Command System
16 and Emergency Operations Center. You probably
17 heard about this. But I think, you know, the
18 utility crews from other areas worked during the
19 daylight hours, which made sense, safety reasons
20 and they're not familiar with the system. We need
21 to take advantage of those off-hours with our best
22 planning people, with our best knowledgeable
23 people, both at government level, but also at the
24 utility level, to start to plan out what we're

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2 going to do for what we call the next operational
3 period or the next day when daylight comes, so that
4 we can work cooperatively together. Public works
5 and D.O.T. and utility crews can work in unison and
6 help restore power. I think that works a little
7 bit better. And it might be -- you know, it might
8 be a dream here, but I -- I think it can work.
9 It's worked in other parts. We've done it in
10 Rochester. We did it Clinton County. It will
11 work, but it takes a lot of work to get it done.

12 DR. COLLINS: Thank you.

13 MR. NEARY: Okay.

14 MS. GARCIA: Any other questions
15 from the commissioners?

16 Mr. Neary, thank you very, very
17 much. I appreciate that.

18 And next I'd like to call up
19 Schenectady County Fire Coordinator, John Nuzback.

20 MR. NUZBACK: Hi.

21 MS. GARCIA: Good evening, sir.

22 MR. NUZBACK: I am here on behalf
23 of our emergency manager, Mark LaViolette, who is
24 sick today. So I got the detail. I was actually

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2 going to come over anyway, because during the Ice
3 Storm of 2008, I was the acting Emergency manager
4 for Schenectady County. And that was actually my
5 first involvement ever with National Grid as a
6 public official. You know, I dealt with them on my
7 own stuff at home as a fire chief, but in terms of
8 the devastation that we had, I -- I would tell you
9 that because I was new at it and because I -- I had
10 never dealt with National Grid, I was on the
11 conference calls every day with them. I listened
12 to what they had to say and I realized they had a
13 plan, and if allowed to work their plan, everything
14 would -- would actually run pretty smoothly. And
15 that's exactly what happened.

16 Now everybody wants their power
17 on immediately. And one of the best phrases I
18 heard during that storm was somebody's got to be
19 last. And, you know, they kept us informed during
20 the whole storm. We had -- we had people, had an
21 E.O.C. representative and we were able to open our
22 roads, our major routes for us and then our
23 secondaries, by working, as Kevin mentioned. We
24 got utility crews checking lines while our -- our

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2 country highway and town highway went through and
3 cleared debris. So we're -- in my opinion, we were
4 done and we were open in short order and had, you
5 know, traffic flowing pretty smoothly. I would
6 echo what Director Black said and also what Kevin
7 said about the -- in terms of the phone company and
8 the Internet companies, slow and no representation
9 in our E.O.C.

10 And we do rely on -- on, you know
11 technology these day for almost everything. We
12 have systems where we have a voluntary registry
13 where we call people to check on them. In some
14 cases, we couldn't do that and we had to go out and
15 make physical contact. So that was 2008. And I
16 understand that this is electrical, but I -- I
17 would -- I would tell you that during the Irene and
18 Lee in Rotterdam Junction, western part of the
19 county, we had severe flooding from the storms, and
20 while electrical was, I think, relatively easy for
21 them to handle, the issue was with the gas line.
22 It was a -- it was attached to a bridge that had to
23 be shut down because it was -- the bridge was
24 compromised. And we needed -- we had a command

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2 post set up at the Rotterdam Junction Firehouse.
3 And we needed gas service. National Grid brought
4 in a truck, hooked it in and we had gas service. I
5 don't think the gas was off for more than five
6 hours. At any rate, but the rest of the village
7 needed -- the rest of the area needed gas service,
8 so they -- they set up a temporary service at one
9 of their local plans out there and fed the
10 Rotterdam Junction for -- I don't know how long it
11 was, probably three or four months before they were
12 actually able to put a new line in under the river,
13 which, in my opinion, was a great feat, because
14 they -- they -- they put it in under the river and
15 restored gas service.

16 They were very cooperative.
17 Sometimes we had to pound them a little bit, and
18 yell at them, but they really came through. They
19 had their command truck down there and it was --
20 they had people there to answer questions for the
21 public. So I think -- really think they did a good
22 job. And I -- and now I understand that they just
23 completed I.C.S. training, the three hundred
24 course, which fits in perfectly with, you know,

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2 incident command and they way we run things, at
3 least in Schenectady County.

4 So that would be my comments. I
5 wanted -- I wanted to make sure that you knew
6 those. They -- you know, we continue to work with
7 them. They -- they call us before the storm. They
8 call us during the storm. They tell us what they
9 have and -- and I actually think they do a good
10 job. It's the only utility that we have to provide
11 electric in Schenectady County. So based on other
12 counties, I think we're pretty lucky that way. So
13 if there's any, you know, questions or anything,
14 I'll take my leave or whatever.

15 MS. GARCIA: Thank you, Mr.
16 Nuzback.

17 MR. NUZBACK: Yeah.

18 MS. GARCIA: Any questions?

19 Thank you very much, sir.

20 Next, I'd like to call up
21 Saratoga County Emergency Services Director, Paul
22 Lent. Thank you, Mr. Lent.

23 MR. LENT: Between Kevin and I,
24 you've kind of hit the dinosaur region of

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2 experience for emergency management. I think
3 between us, we probably have plus seventy plus
4 years doing this so --. I was six two and had a
5 full head of hair when we started, and it's gotten
6 worse.

7 Good evening. My name is Paul
8 Lent. I'm the Director of Emergency Services for
9 Saratoga County. And I want to thank the
10 Commission members for this opportunity to speak to
11 you today regarding our county experiences with
12 electric utilities during emergency and disaster
13 situations.

14 My comments here tonight will
15 probably mirror, and I know will mirror many of my
16 colleagues' comments that you've heard, not only
17 tonight, but throughout the State of New York. I'm
18 pleased to report that there has been a marked
19 improvement in the relationship between National
20 Grid and New York State Electric and Gas and our
21 emergency management office. This improvement can
22 be traced back to 2006. That year, Saratoga County
23 sustained considerable damages as result of a high
24 wind event in February, which resulted in

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2 significant numbers of residents losing
3 electricity. It was then we started direct
4 conference calls for the first time with National
5 Grid and NYSEG to be kept abreast of storm or
6 recovery activities. This also provided the county
7 the opportunity to ask questions and request
8 specific critical infrastructure be stored as
9 quickly -- be restored as quickly as possible.
10 With each subsequent event, where large numbers of
11 utility customers have lost power, there's been an
12 improvement in the response in communications, and
13 I underline communications, between the county and
14 our electric providers. I would like to pause a
15 moment here and speak about communications.

16 The ability to communicate
17 directly with our utility partners during these
18 events is critical. Communications in general
19 during a crisis is an absolute necessity and
20 critical to the successful outcome of that event.
21 The ability of our emergency management officials
22 to obtain clear and accurate information from
23 electric service providers is of paramount
24 importance, as we, in emergency management, have

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2 the responsibility to provide accurate and timely
3 information to elected officials and the public.

4 Saratoga County has been impacted
5 by three major weather events of the past five
6 years. Those events were the Ice Storm of 2008 and
7 Tropical Storms Irene and Lee. From the standpoint
8 of damage to our electric infrastructure, clearly
9 the Ice Storm of 2008 had the greatest impact.
10 During the 2008 Ice Storm, Saratoga County had, at
11 its peak, over fifty-two thousand electric
12 customers without power that would be combined
13 between National Grid and NYSEG. During that
14 event, regularly scheduled conference calls were
15 held with both utilities, as they were implementing
16 their online tools at that time to track the number
17 of outages and the geographic areas of those
18 outages. These two items, conference calls and the
19 online tools, continued the road of improvement in
20 communications between emergency officials and the
21 utilities.

22 During storm events, such as the
23 ice storm, information relative to numbers of
24 customers out of service, and the estimated

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2 restoration time is critical, as it allows us to do
3 better emergency planning for such purposes, such
4 as sheltering, especially during this event, which
5 occurred in the winter months, which is very
6 important.

7 Both National Grid and NYSEG
8 assigned staff to act as liaison directly with
9 Saratoga County and to become our go-to person.
10 This worked very well and allowed the county to
11 have immediate method and a person to resolve
12 problems as they arose. One such event, and I just
13 point this out as a minor example, during the Ice
14 Storm of 2008, the overhead service to our main
15 public safety radio transmitter site became
16 compromised. That particular site served all first
17 responders and about eighty percent of the county.
18 It was easy to make one call and one -- one person
19 respond to that from National Grid. That single
20 call mustered a complete line crew with all the
21 resources needed to resolve the situation, and the
22 entire situation was resolved in less than three
23 hours. That type of ability to access our
24 utilities is invaluable.

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2 Between the 2008 Ice Storm and
3 the onset of Tropical Storm Irene and Lee, it was
4 clear both National Grid and NYSEG took the lessons
5 learned and worked to further improve their storm
6 readiness as it relates to working with local
7 emergency management officials.

8 Improvements to their online
9 tools were undertaken. That was very important.
10 During an emergency, we were comfortable with the
11 persons that were assigned to us by each of the
12 utilities. And to that end, we consider staff
13 members from National Grid and NYSEG as important
14 members of our county team.

15 I would be remiss if I did not
16 point out the joint cooperation between local and
17 municipal public works and highway officials that
18 worked closely with our electrical providers during
19 storm recovery efforts. Like most counties, as
20 you've heard, in Saratoga County, our goals to
21 match up resources that are available at the local
22 level with our partners from utilities for the
23 purposes of clearing storm debris and roadways to
24 expedite restoration of electric service. I

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2 believe that we do that very well.

3 It would be disingenuous to
4 criticize electrical restoration efforts if one of
5 the major obstacles is clogged roads with storm
6 debris and if the local municipalities were the
7 weak link in not making that debris be cleared.
8 Anything that can be done to reduce the possible
9 exposure -- one of the weak links that we found,
10 obviously, in this is this is the overhead line
11 system. As you know, most of Upstate New York has
12 overhead service. We don't have a lot of buried
13 lines. And because of that, we tend to be more
14 exposed to some of the forces of nature that really
15 create the -- the problems.

16 It is -- it is really important
17 that we continue to encourage utilities to do
18 aggressive tree trimming. That proactive act in
19 and of itself -- and we saw that after the Ice
20 Storm in 2008. In our county, we noticed a marked
21 improvement in the amount of tree clearing that was
22 being done, we believe went a long way to help
23 mitigate any further damage that occurred in both
24 Irene and Lee.

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2 One of the other comments I'd
3 make to -- relative to communications, especially
4 with the public as it relates to this, because one
5 of the -- one of the most difficult challenges we
6 have is communicating with the public accurate
7 information. The online tools that -- that both
8 National Grid and NYSEG now have that the public
9 can access is not just for us to see, but the
10 public can access relative to outage maps and --
11 and restoration times, and those kinds of things.
12 Is it useful if people can't access the Internet?
13 And, as you've heard from other people testifying
14 tonight, one of the most frustrating parts during
15 storm recovery efforts, and also response efforts,
16 is the ability to communicate with the public when
17 we are so dependent on things such as the Internet
18 and people who now subscribe their telephones
19 through cable modem service. And if that service
20 goes down with the -- with the overhead electrical
21 service, we effectively cut off a very large
22 portion of our population to have a direct
23 communication with. We use things like reverse
24 nine one one to call people up to give them

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2 information, and if we can't reach them, obviously
3 the value of that system is -- is definitely
4 negated.

5 So, with that, I -- I would also
6 mirror many of the comments that Kevin made.
7 Again, I -- I either had the luxury or the ability
8 to remember the 1987 snow storm, and I can take
9 that picture of that 1987 snow storm and -- versus
10 the picture of the response today and they are two
11 very very different scenarios that we're dealing
12 with. Events quite similar, but the responses are
13 very much improved.

14 MS. GARCIA: Thank you, sir.

15 MR. LENT: Uh-huh.

16 MS. GARCIA: Any questions for
17 Mr. Lent?

18 DR. COLLINS: Sure. The -- the
19 information that's available online from National
20 Grid that you access or the other utilities, NYSEG,
21 in your estimation, how accurate is it when it --
22 when it talks about restoration periods?

23 MR. LENT: Well, it -- there's a
24 little bit of a swag, I think, on the restoration

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2 time. I -- I think we all understand that there's
3 the ability to under-promise and overachieve, you
4 know, because people -- you know, I'd much rather
5 if they -- if they say you're going to be restored
6 by tomorrow at eleven forty-five and you bring them
7 on today at eleven o'clock, then people are going
8 to feel much better about that. But I -- any bit
9 of that information that we have out there for the
10 public to -- to look at and at least to understand,
11 we can deal with most any situation you throw at
12 us, as long as we have the correct information and
13 set the public's expectations and elected
14 officials' expectations accordingly. I think
15 that's very important. I think everybody's getting
16 that now. I think -- I think people understand
17 that.

18 DR. COLLINS: One of the issues
19 on Long Island was that when they would have --
20 when they would try to power up areas to restore
21 them, they would have to take some other areas down
22 during that process. And -- and, of course, that
23 if you don't communicate that you're going down
24 again, after people have lost it for three or four

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2 days, it's not a happy scenario. Did you
3 experience anything like that?

4 MR. LENT: Yes, we did. We
5 absolutely did. In fact, we -- as it related to
6 the NYSEG area, especially, I believe it was the
7 2008 Ice Storm, we were very happy to get parts --
8 and they have a very small portion of Saratoga
9 County, perhaps ten -- twelve thousand customers.
10 In order to help recovery efforts in Rensselaer
11 County, it became important that they take down
12 some of Saratoga County, which had just come back
13 up. Obviously, that doesn't normally sit well.
14 But again, we have -- we had the ability to reach
15 out, try to tell people that this was going to
16 happen, don't get nervous, that it was planned and
17 it will come back, to have that information is
18 absolutely critical.

19 DR. COLLINS: Did you have the
20 information?

21 MR. LENT: Yes, we did.

22 DR. COLLINS: Yep. Thank you.

23 MS. GARCIA: Any further
24 questions?

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2 Mr. Lent, thank you so very much.

3 Thank you.

4 Albany County Sheriff Craig

5 Apple.

6 Okay. Thank you. Just introduce
7 yourself, sir. Thank you.

8 MR. LAYTON: My name is John
9 Layton. I'm with the Albany County Sheriff's
10 Department. I run the Critical Incident Emergency
11 Management Office. I am, therefore, the emergency
12 manager for Albany County. It's a little bit
13 different in the makeup and how it is in Albany
14 County as far as emergency management.

15 I, too, had been in emergency
16 management prior to services since all these
17 storms. Been there, somewhere around 2001,
18 January. We too have nothing but positive things
19 to say about National Grid, significant changes
20 from where it was back in 2006. We now have a
21 national report with liaisons that has been
22 mentioned by other people here as well. It's
23 something, as a matter of fact, our liaison,
24 Stacey, uses in the back. When it comes down to

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2 having a situation, we're getting those calls prior
3 to any significant expectation of a storm. We're
4 getting them as far as any kind of meetings and
5 considerations on how we want to reapproach things
6 on lessons learned. We just had a meeting only a
7 few weeks ago on lessons learned that Dave brought
8 up and invited us to regarding Sandy and what was
9 lessons learned from there.

10 The conference calls that they
11 regularly do are fantastic. We do have the liaison
12 in the E.O.C. now where we never had that before.
13 We have had a -- if you go back to, let's stay,
14 2008, which was, as most people here have already
15 indicated, the largest power outage that we have
16 ever suffered from in this area. Over half of the
17 people in Albany County were out of power and, as
18 was indicated, you know, if you're the last one,
19 that's the worst to be. Somebody has to be the
20 last one. Good thing that's not you. And it's
21 really comes down to it is that it's your power.
22 It's significantly a problem.

23 If we -- we are in an Upstate New
24 York. If you lose the power, and in Albany County,

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2 we have a drastic difference. Right here in an
3 urban environment, if you lose your power you're
4 probably still going to have water. Significant
5 thing if you want to flush your toilet. In the
6 rural areas, that's a problem. And you're thinking
7 about heat, you're thinking about lights, you're
8 thinking about these sort of things. But sump
9 pumps and so forth, it's way beyond just having
10 your light on our your heat. And when we have
11 people who do not have electricity, they start to
12 go through and maybe this alternate means of
13 heating their home in the wintertime. This becomes
14 problems for us in other ways. Carbon monoxide
15 poisonings, whether it be generator is run too
16 close to the house, using inappropriate equipment
17 to try to develop heat, whether you -- you know,
18 you always hear the -- the grill or something that
19 is being used, or the fireplace that's never been
20 cleaned in the last thirty years. So there's other
21 problems when it comes down to that that we need to
22 look at besides the -- just the power being out.

23 The 2008 storm is when we first
24 started getting a good liaison relationship with

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2 Sue, who was our relationship person at that
3 point -- our liaison. We had a situation where we
4 had a nursing home that did not have the ability
5 for back-up generation. We were in a process of
6 trying to do the evacuation, which is our last
7 resort, literally had ambulances backed up to the
8 building. We were making -- through the Emergency
9 Operations Center, we were making relationships
10 with other nursing homes to bring people to. We
11 all know this is -- this could be extremely
12 problematic because the patients in the nursing
13 home are classified by many different levels. And
14 we were trying to find out all that information,
15 work with the other directors. We were able to
16 make phone calls to National Grid and they, once
17 again, pulled crews off to -- to prioritize that
18 event and to solve that problem. It was regular
19 back and forth. Can you give us another forty-five
20 minutes? We think we have it. It was that kind of
21 conversation. Very close relationship. The same
22 kind of relationship and rapport that we would see
23 with our local fire departments, police
24 departments, D.P.W.s that would -- that we feel as

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2 partners, and how we respond to incidents.

3 Not all incidents that we deal
4 with are power related. You take Hurricane Irene
5 and we only maybe had twenty -- thirty percent of
6 our people and comparison without power at the
7 worst case scenario. And that was not as much of
8 an issue as it was for us. I mean we literally had
9 a woman, you know, washed away and drowned. I mean
10 we were looking at a hundred roads closure and
11 things like that. The -- the sheltering issue is a
12 big significant thing for us. Where are we going
13 to be able to put people, the time of year and that
14 kind of a thing.

15 So I think just to indicate the
16 couple things, the liaison has been working
17 fantastically for us. We do not have any issues
18 when it comes to them. As a matter of fact, we
19 have nothing but praise. Big difference from what
20 it was only half of dozen years ago when we, quite
21 frankly, would have questioned what they were
22 telling us. It was the phone call. I don't think
23 emergency management was -- is a priority back then
24 as it is now with National Grid. I can't say

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2 enough good things about them. And the sheriff
3 would want me to reiterate that. And that's direct
4 knowledge of myself.

5 The Outage Central, their website
6 is fantastic because it's not always about the big
7 event, where we have to have the liaison. Just to
8 get an indication of the small events and what's
9 going on is important to us as well. I do agree
10 with Paul when it came to -- when it comes to what
11 they post on those Outage Central website is they'd
12 rather say that it's going to be a little later
13 than it might be, so they don't have any
14 disappointment. And I understand where that's
15 coming from.

16 We -- a couple, things that we
17 see that we would like to increase. We have large
18 special needs registry in Albany County. People
19 who would have difficulty time where they would
20 leave their home and/or require power, these kind
21 of a things. We have some HIPAA -- some HIPAA --
22 there's some HIPAA concerns when it comes to
23 exchanging that information back and forth. It
24 would be nicer -- nice if we didn't have to have

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2 such concerns. The people who what they do now is
3 if they -- National Grid have a person that wants
4 to -- has a power issue, they handle them -- hand
5 them our county application or the website
6 information, where they could go on and register on
7 our nine one one special needs registry as well.
8 So -- but there still could be, you know fallouts
9 in that. And we, too, if we tried to get a hold of
10 people, when we know it's going to be long-term
11 power outages as well as we may send -- and we
12 always do if we get no answer. We'll send people
13 to their home to verify if they're there or not.
14 And sometimes that's redundant if we're -- maybe
15 National Grid, they have to do the same thing for
16 that person that requires power. I'd like to go
17 see that kind of go through.

18 Another thing that we've seen
19 happen is in the rural parts of our county where we
20 may have a feed coming in from Schoharie County
21 that is cutting us off for long period of time, and
22 we'll have restoration in other areas, and it's a
23 little frustrating to say isn't there a way that
24 there's switches or feeds that can come from, if

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2 you will, this direction and head out to that rural
3 area as opposed to the rural to the rural to the
4 rural. It just seems that -- not being, you know,
5 an electrician, it just seems like it should be a
6 way to do that. I don't know if that is or not,
7 whether it's -- it's something that's feasible. I
8 don't know the answer to that. It's something I've
9 seen that just comes up on many occasions.

10 I can give you very specifics to
11 a lot of the incidents and how we ended up going
12 through, but a lot of this is already been stated
13 before. The -- the information about the fact
14 that -- as Kevin said, about the it starts local
15 and ends local, is one hundred percent true. To
16 keep it solely on a state level, you're going to
17 miss something. And the communication is there.
18 You know, we're looking at this as this is
19 face-to-face people and saying we have a problem in
20 this municipality, how can we work with National
21 Grid in this case? Or in our emergency responders
22 in our emergency management, which is those town
23 supervisors of everything in the county people,
24 that's who's really dealing with a lot of this

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2 stuff on a regular basis.

3 These situations happen and they
4 take everybody we have and it's regional. It's not
5 just Albany County that's getting the ice storm.
6 It's also Columbia, Schoharie, Green, Saratoga,
7 Schenectady. So the people are spread thin. That
8 local is very, very important, because that's where
9 it's happening. That's where the rubber meets the
10 road. And I think that's where you're going to
11 find some significant differences.

12 The tree trimming issue, we see.
13 I know for a fact that we have some suburban
14 neighborhoods that do not like the tree trimming,
15 and they complain constantly to National Grid. And
16 I can tell you they're going to be some of the
17 worst impacted when it comes down to these storms.
18 We know it. We can see it. I can tell you. I can
19 give you street names. You know, there -- that is
20 a thing. So we need to encourage that behavior and
21 to realize that that tree trimming is an important
22 mitigation process.

23 Coordination with the D.P.W.s and
24 then the fire departments, if we have to go through

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2 and do large clearing of roadways and debris, that
3 recovery effort that Kevin talked about, I agree a
4 hundred percent on that, too. It's a great
5 recommendation and coordination of task forces,
6 through the incident command, which our E.O.C. is
7 able to do that to, you know, accelerate what we're
8 doing when it comes to opening roadways up again
9 and the -- is it hot or not is the -- the thing
10 that they ask us all the time. Is it hot or not?
11 You know, can the D.P.W. go in there and clear that
12 roadway?

13 Upstate New York, a lot of times
14 trees coming down are actually cleared by the snow
15 plows. When the snow plows are clearing and
16 plowing, if you will, you have that snow and ice
17 storm, they just drop the blade, you know, you're
18 from Clarkson, you understand -- drop the blade and
19 then just move that tree in a big truck coming
20 down. It's not always a person with a chainsaw.
21 So -- and that is happening.

22 The thing I want to also say is
23 I've heard the governor talk about gas stations and
24 getting a mandatory generators for gas stations.

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2 Love the idea. I know right now there's been some
3 discussions right off the highways. I don't know
4 to what level that you're looking at that, but if
5 you look at the fact is that we have people that
6 have gasoline, they're going to need that to run
7 their alternate generators to get to their
8 vehicles, to get into a safer area, to evacuate.
9 Not everybody is going to evacuate to shelters.
10 They're going to be evacuating to their -- to
11 somebody that they know, friends, relatives.
12 They're going to be leaving and getting supplies
13 that they need to be able to go and make
14 restoration to their home, whether it's due to
15 flooding or whatever the case may be. And they
16 need their gasoline. So I -- I compliment the
17 governor for that choice.

18 And those are the points I wanted
19 to -- if you have any questions, just --.

20 MS. GARCIA: Thank you, Mr.
21 Layton.

22 Commissioners?

23 COMMISSIONER BRADFORD: Would --
24 the issue that you mentioned with regard to tree

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2 trimming, so the customers in a particular area
3 complain. It sounds as though the -- what happens
4 next is the National Grid gives up and goes away.

5 MR. LAYTON: I don't think it's
6 directly that way, but I think there may be some
7 influence when you're -- when you're dealing with
8 the person with the chainsaw and a neighbor who's
9 angry and yelling. And I think we're all people,
10 and I think there's some effect to that.

11 COMMISSIONER BRADFORD: You and
12 others have mentioned the extent to which these --
13 the liaisons have brought about a -- a considerable
14 improvement. And a question I probably should have
15 asked sooner, but why did it take until 2006 to put
16 the liaison program in place?

17 MR. LAYTON: No idea. I know
18 during 2006, I could think of at least one
19 situation where we had a power outage, that it was
20 questionable why it was turned off. And we found
21 out later on that it had to do with a concern of a
22 browning out. It was a heat situation, summertime.
23 And there was question as to what was being told to
24 some of the officials as to what was going on. And

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2 I think there was a reposturing within National
3 Grid. It's my opinion from what happened. But I
4 do not know if that's accurate or not.

5 I also think, and I will say this
6 is -- and I'm sure all of the people from Emergency
7 Management would agree. Our knowledge, our lessons
8 learned, our experience, our abilities are
9 significantly better than they were only those half
10 a dozen years ago. We have been through the
11 Irenes. We have been through all the different
12 situations where we have had Homeland Security
13 assistance when it comes to trying to respond to
14 terrorist events. Our processes of doing tabletop
15 exercises and other drills and so forth have a
16 gotten better and we've learned from that. We're
17 working more regionally so that the people that are
18 not just by county, but we're working on bettering
19 ourselves all -- all around. And I think National
20 Grid has identified that as well and I think
21 they're working on the importance of what emergency
22 management truly is.

23 COMMISSIONER BRADFORD: And one
24 other question that -- that I probably should have

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2 asked all of you, but as the state increases its
3 programs to further renewable energy and,
4 particularly, onsite customer owned generation, is
5 that making any difference in terms of emergency
6 response situations? The fact that more and more
7 people may have solar panels or small wind?

8 MR. LAYTON: We haven't seen
9 much of a significant boost in that. I mean, I
10 know for a fact that there's some out there and
11 they are out there. There's been discussion
12 amongst the fire community the fact of, you know,
13 safety issues when it comes to that and there's
14 been discussions of when the -- you know, when you
15 have a solar panel, how do you know it's off kind
16 of a thing, you're not producing electricity. When
17 you're looking at fire fighting, that's been the
18 biggest thing. I think the amount of people -- I
19 don't know if we really have a good handle how many
20 that is, but I have a feeling it's extremely low
21 right now in this area.

22 COMMISSIONER BRADFORD: Thank
23 you.

24 DR. COLLINS: Just one quick one.

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2 From -- from your experience and maybe talking to
3 other people. On Long Island, there was an issue,
4 particularly after houses were flooded, that they
5 had to be reinspected and to be certified that it
6 was okay to turn the power back on. Have you ever
7 seen any of that up here?

8 MR. LAYTON: Yes. And I
9 understand that from what I hear, but I am not down
10 there, is that there were some issues. We sent
11 fire departments down from this area. Fourteen
12 different fire departments from this area went down
13 to Long Island to assist down there, mutual aid.
14 And speaking to the people that went down there,
15 they said that this was -- it was common to -- to
16 have problems. We have not experienced that direct
17 problem where we've had that. We have had times
18 where we -- that little isolated incident where
19 maybe power restoration was gone and there was
20 maybe a some sort of a -- a minor problem, but
21 nowhere near what they -- occurred in Sandy.

22 DR. COLLINS: Thanks.

23 MS. GARCIA: Thank you very much,
24 Mr. Layton. We appreciate that.

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2 Is there anyone here from the
3 American Red Cross? They indicated they might send
4 somebody tonight. I want to give them an
5 opportunity to speak if they are here.

6 Okay. If not, that concludes our
7 invited guests. We now turn it over to the public
8 portion of the hearing. If you haven't already
9 done so, and you'd like to testify, we invite you
10 to sign the register at the front of the room. We
11 ask that the speakers limit their comments to the
12 issues that I described earlier, the preparedness
13 and response of utilities to recent storms and
14 recommendations for restructuring the oversight of
15 utilities to improve the reliable and affordable
16 transmission of power. We ask that you please keep
17 your comment to three minutes.

18 We have three speakers, who have
19 signed up. I will call Bill Ansel-McCabe,
20 Middleburgh Councilman, to the front, please.

21 MR. ANSEL-MCCABE: You can't get
22 much more local than me. I -- previous to being
23 the councilman, I was a mayor of Middleburg for
24 eight years. And we experienced severe flooding

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2 from Irene. And before that I went to Clarkson, by
3 the way. A few years ago, I knew Egon when he was
4 young.

5 DR. COLLINS: Is that right?

6 MR. ANSEL-MCCABE: Yeah.

7 DR. COLLINS: He just turned
8 ninety-one.

9 MR. ANSEL-MCCABE: Yeah, I know.
10 He's still doing stuff.

11 DR. COLLINS: Yeah.

12 MR. ANSEL-MCCABE: I can't
13 believe that.

14 DR. COLLINS: Doesn't he own wine
15 now? Doesn't he have his own? He is something.
16 He was something then.

17 Anyway, I'm here also to praise
18 National Grid. I don't know how I would have made
19 it through what I went through without them. They
20 were -- the next day, as soon as the roads were
21 clear, trucks went through. They were going to get
22 people's power turned back on. They were from --
23 the furthest one I saw was from Ohio. Now, I know
24 there was -- I heard there was some from Kansas,

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2 even, that were called in ahead of time to be ready
3 for this. Not knowing where it was going to hit,
4 they were ready in Schoharie County.

5 I -- I likened it to -- at the
6 time, to Patton's Third Army coming into Germany,
7 because they just kept coming and coming. I'd
8 never seen so many trucks in one place, especially
9 in our little county -- and forever, actually. And
10 the power was tuned back on. I don't think the
11 average in Schoharie County was as bad as we saw
12 earlier, this seven or -- days or six days. It was
13 very fast.

14 Now, one thing that was just
15 mentioned was the fact that the meters were pulled.
16 So -- because people had flood water in their house
17 and it affected their electricity. Now, that is
18 when you have to call somebody back in order to put
19 the meter back. So you have to have somebody
20 inspect it first. To my knowledge, there was only
21 two people brought in by National Grid to help with
22 that because our people were busy making it ready
23 to get going again. So that would be one thing I
24 would suggest, more people coming in to help turn

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2 the power back on when it's ready to be turned back
3 on.

4 I had somebody I could call
5 basically twenty-four hours a day to come and help
6 with something like that or any other problem I
7 had. They also -- National Grid also brought in a
8 huge semi with people to talk to our -- our local
9 residents about their problems. They were there in
10 less than a week, parked in a parking lot right in
11 the middle of the village, so anybody could see
12 them. They didn't run away and hide. I really
13 appreciated that.

14 And then, finally, after seeing
15 all the -- you know, the devastation and
16 everything, they came back and they offered grants
17 to our local business to help them get back on
18 their feet. They didn't have to do this. I
19 believe they went through -- they had to -- in
20 order to release the money, had to go through the
21 State, either the commissions or whatever they had
22 to do, and they did that and our people were very,
23 very grateful. It was something that -- that
24 lifted their spirits.

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2 And I want to thank them
3 publicly. And I also want thank you and the
4 governor for doing this us.

5 DR. COLLINS: Thank you.

6 MS. GARCIA: Any questions?

7 DR. COLLINS: Sure. You
8 mentioned all of Patton's Army coming in and the
9 way afterwards. The logistics of dealing with
10 that, certainly when they got to Long Island, the
11 number of people that arrived there and the
12 devastation, it almost compounded the problem. So
13 in -- in -- were -- was -- was your county able to
14 absorb the mutual aid crews and house them and feed
15 them and it was organized, in your opinion?

16 MR. ANSEL-MCCABE: Uh-huh. Yes,
17 we were. Also the fire departments put up their --
18 volunteers came in from all over the state. They
19 had places they put tents up for them to sleep.
20 And -- and I -- I just happened to notice the --
21 the last snow storm we had, I was going to
22 Syracuse. And I saw these trucks coming down
23 toward -- because I guess New York City and Boston
24 were hit pretty bad. But they were just coming

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2 down then, after the storm. These trucks, I saw
3 parked right near us before the storm even hit.
4 There was a large parking -- staging area. They
5 were there. So it was quite -- it was just quite a
6 reaction to everything, I thought.

7 DR. COLLINS: My last comment is
8 that Egon would like to see you back on campus.

9 MR. ANSEL-MCCABE: I'll have a
10 glass of wine with him. Thank you all.

11 DR. COLLINS: Thank you.

12 MS. GARCIA: Thank you, Mr.
13 Ansel-McCabe.

14 Next, I'd like to call John
15 Borst, Village of Schoharie Mayor, please.

16 MR. BORST: Good evening, and
17 thank you for the opportunity to -- to -- to speak
18 for your -- to you for a few minutes. Much of what
19 I had to say was pretty much what former Mayor
20 McCabe just said, because we were at ground zero.
21 I am not an alumnus of Clarkson; however, I am an
22 alumnus of the Public Service Commission, having
23 worked there thirty years and under your tenure,
24 too.

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2 I was -- I'm Mayor of the Village
3 of Schoharie and I have -- have been so for
4 fourteen years. And I can honestly say that the --
5 the -- the Hurricane Irene was by far the most
6 devastating storm in the recorded history of -- of
7 the Village of Schoharie. And the extent of
8 damage was unfathomable. Two hundred and
9 seventy-five buildings out of three hundred and
10 fifty, or eighty percent of our village, was
11 inundated with up to four to eight feet of water.
12 And that included a hundred percent of the
13 businesses, every village facility, every Town of
14 Schoharie facility, every Schoharie County
15 building, totally out of the -- out of -- out of
16 service. And the -- the town of assessor recently
17 gave us an estimate that forty-two percent of our
18 tax base is gone.

19 I was out of town when this storm
20 hit and I wasn't able to get a flight back for
21 almost a week. But when I did return, the place
22 was a total disaster. The village office, which I
23 went to on Monday, when I got back, was at
24 Schoharie Central School. And the only thing that

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2 the clerk had was an old telephone, a pad of paper,
3 and a pencil. Everything was gone. The recovery
4 operation was very well underway and I can tell
5 you, frankly, I was in so far over my head that --
6 that if it wasn't for National Grid, Schoharie
7 County Emergency Management Office, State Emergency
8 Management Office, we would have really been in
9 serious problems -- much more serious problems. In
10 a nutshell, though, National Grid, from my
11 perspective, was right on spot. And on a scale of
12 one to ten, I would rate their response as a
13 fifteen.

14 When I got back into town, and
15 before that, of course, the -- the whole village
16 was -- was -- or eighty percent of it was
17 inundated. All the electrical services were under
18 water and the -- and the company very quickly cut
19 power off to the -- the mainline feeding the whole
20 community, whether it was flooded or not. And
21 Patton's Army, as Bill described it, quickly went
22 door to door to every flooded -- every flooded
23 building, removed all the meters, sealed them, and
24 restored the -- the power to the -- the part --

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2 rest of the community very quickly. That allowed
3 our Emergency Response Center and our Operations
4 Center at Schoharie Central School to -- to -- to
5 open and also allow the homeowners, the emergency
6 responders, and the thousands of volunteers that
7 came into our community to be able to help get --
8 get these homes back in shape.

9 Bill also mentioned that they set
10 up a mobile access point for questions, public --
11 public assistance, and public affairs. It -- it --
12 they were there very, very quickly and very
13 accommodating. And as people tried to restore
14 their service and they got -- they got their --
15 their main panels back in, they needed to have them
16 inspected, and once they got them inspected Grid
17 would install the meters. It went very smoothly
18 and quickly.

19 And I think one of the most
20 important things for me, anyway, was Grid has a
21 designated representative, a contact for me to call
22 at any time, twenty-four-seven if I needed any --
23 any kind of assistance. And Tom Wind is still
24 doing that today. And one example was there was

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2 a -- a home that had their service restored, but
3 did not have it inspected. And -- and Grid did not
4 realize that it was two days before Christmas on a
5 five o'clock -- at five o'clock they pulled the
6 meter and the guy was going to be out of service
7 for the weekend. So I gave Tom a call and said,
8 Jesus, you know, what can we do? And he says,
9 well, I'm on my way to a Christmas party right now,
10 let me -- let me check with you. Two hours, it was
11 inspected, service was back on, and I can't give
12 this company enough credit for -- for the service
13 that they gave to this village.

14 Aside from the emergency, scores
15 of Grid employees and retirees came to the village
16 for several days on their own accord and restored
17 our Little League fields and Fox Creek Park.

18 Probably one of the most
19 important things that got this village back on its
20 feet, as far as this now, was Grid's Emergency
21 Economic Development Grant Program. And I checked
22 on a P.S.C. website today and Grid has so far
23 funded about eighty-seven grants to businesses and
24 agriculture farms in Schoharie County to pay for

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2 flood repairs and much of that went to the Village
3 of Schoharie. There was sixty-nine emergency Main
4 Street revitalization grants, two -- two hundred
5 thousand dollar bridge loans, and sixteen emergency
6 ag grants, total of two point two million dollars.
7 That went along way and will go a long way to
8 helping the Village of Schoharie survive. They've
9 done a wonderful job.

10 So thank you for allowing me to
11 make these comments. Thank you.

12 MS. GARCIA: Thank you very much,
13 Mr. Borst.

14 Any questions for Mr. Borst?

15 Thank you very much, sir. Thank
16 you.

17 And our last registered speaker
18 is Alicia Terry, the Planning Department of
19 Schoharie County.

20 MS. TERRY: Yes. Good evening
21 and, again, thank you for this opportunity to speak
22 with you tonight about the restoration that
23 National Grid has been a tremendous partner with
24 our local communities in Schoharie County on. As

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2 the Mayor Borst and former Mayor McCabe indicated,
3 National Grid, after seeing the devastation in our
4 community, and understanding that we had a need to
5 get the lights back on, on Main Street, agreed to
6 go where no utility company had gone before, and
7 braved a P.S.C. process in order to get approval to
8 create this emergency loan program and emergency
9 grant funding program for businesses in the areas
10 that were devastated by Hurricane Irene or -- and
11 Tropical Storm Lee.

12 In Schoharie County, it is my
13 office that works particularly with the business
14 community. As Mayor Borst alluded to, there was
15 also an agricultural component. But just the
16 businesses that we've worked with, we have
17 submitted seventy-seven applications to National
18 Grid for this program. Seventy-two businesses have
19 been awarded grants of over one point five million
20 dollars. To date, we've issued about one point two
21 million dollars in checks to those businesses.
22 And, again, as we were moving along and trying to
23 ensure that as the lights got turned on, the
24 businesses were really going to be there, this was

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2 set up as a reimbursement. And conversations with
3 National Grid, they agreed to award bridge loans to
4 our industrial development agency, to the Schoharie
5 Community Development Corporation, so that based on
6 the grant award from the National Grid, they could
7 award a zero interest bridge loan to a business,
8 which then the business could use to make their
9 structural repairs, you know, generate the
10 necessary proof of payment that we needed to
11 process their grant, and then their grant would pay
12 that loan back.

13 Have both of us learned an awful
14 lot along the way as we were working with our
15 business community to recover? Absolutely. Are
16 there things that we might change, you know, in the
17 future as we look at these programs? Probably.
18 But I'm here today to again say thank you to
19 National Grid for, again, being willing to go where
20 a utility company hadn't gone before. It's made a
21 tremendous difference in our communities. And you
22 walk into any shop on Main Street Schoharie or Main
23 Street Middleburgh and they will tell you how
24 grateful they are.

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2 MS. GARCIA: Thank you, Ms.

3 Terry.

4 Any comments or questions?

5 DR. COLLINS: Thank you.

6 MS. GARCIA: Thank you very much,

7 Ms. Terry.

8 COMMISSIONER RICE: Let me just
9 ask you. The -- the grant program as created after
10 Irene?

11 MS. TERRY: Correct.

12 COMMISSIONER RICE: And has there
13 been subsequent need for any grants in any of the
14 other storms or things that have happened since
15 then?

16 MS. TERRY: It is -- it is my
17 understanding the folks who gained an awful lot of
18 experience with Irene and Lee have gone to areas
19 that are served by National Grid in -- as part of
20 Hurricane Sandy response. And I believe they are
21 working on a similar program.

22 COMMISSIONER BRADFORD: It's a
23 combination of grants and loans, this program?

24 MS. TERRY: The loans are in

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2 place. So -- because the grants are based on a
3 reimbursement, we need to see, you know, proof of
4 payment, that the building owner has actually done
5 the work, in order to award or to process the grant
6 funds. And what was happening, many of these
7 smaller businesses or landlords, for whatever
8 reason, you know, were maxed out, weren't able to
9 get a revolving line of credit with their bank or
10 they had maxed out their credit cards. I can't
11 tell you how many businesses cashed in their
12 retirements to try to get the lights back on.

13 And so this bridge loan actually,
14 again, it was another vehicle that we could use.
15 It was a zero interest loan from National Grid to,
16 again, our county industrial development agency and
17 the Schoharie Community Development Corporation
18 that they -- they could use to loan to the Main
19 Street businesses who were awarded grants.

20 COMMISSIONER BRADFORD: So the
21 county is the one who really administers the
22 program at the retail level, dealing with the
23 individual borrowers --

24 MS. TERRY: It -- again, it was a

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2 partnership.

3 COMMISSIONER BRADFORD: --
4 grantees?

5 MS. TERRY: There was a contract
6 between the county and National Grid for each grant
7 award. It was a partnership because,
8 unfortunately, disasters will bring out the best
9 and the worst in people. And we had some folks who
10 were looking to take whatever opportunity they
11 could to put some cash in their pockets and run.
12 And so, again, working collaboratively with
13 National Grid, we both had boots on the ground.
14 You know, I'll say that our regional reps, Gerald
15 Russo and Linda Hill, were tremendous. When
16 businesses had accomplished their work, we called
17 them up. They'd do their site visits and then we
18 could process the paperwork for the grant award.

19 COMMISSIONER BRADFORD: Okay.
20 Thank you.

21 MS. GARCIA: Thank you again, Ms.
22 Terry.

23 MS. TERRY: Thank you.

24 MS. GARCIA: Thank you. Is there

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2 anyone else in the room who'd like to speak who
3 hasn't signed up yet? Now is your opportunity.
4 No?

5 Okay. I want to thank all of our
6 guests tonight. We really, truly appreciate your
7 coming out and providing us with your testimony.
8 We have two more public hearings set up. Next
9 week, we'll be in Rochester, Monroe Community
10 College, on March 14th. And later this month or
11 next month, we'll be in Binghamton for our eleventh
12 and final public hearing.

13 If anyone would like to share
14 additional comments, we invite you to do so. And
15 please send them to our website, comments at
16 moreland dot new York dot gov. I turn it over to
17 Commissioner Rice. Thank you very much.

18 COMMISSIONER RICE: I want to
19 think you all so much for being here. You know,
20 every hearing we do, we hear different stories. I
21 have to say I don't think I've entered a public
22 hearing where I've heard so -- so many
23 complimentary things. I -- I don't know if every
24 one agrees with me, but, you know, it's -- this is

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2 so important for us to be able to know how we can
3 change, keep what's working and change what doesn't
4 work. And the only way that we can get that
5 information is by having a public that's willing to
6 come out and give us this information. So I want
7 to thank you all so very much. And I hope you get
8 home before there's supposed to be a little storm
9 to night. I guess a little rain or snow. So
10 everyone, be safe and thank you again.

11 (The hearing concluded at 8:16
12 p.m.)

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2 STATE OF NEW YORK

3 I, Kirsten Lemire, do hereby certify that the foregoing
4 was reported by me, in the cause, at the time and place,
5 as stated in the caption hereto, at Page 1 hereof; that
6 the foregoing typewritten transcription consisting of
7 pages 1 through 99, is a true record of all proceedings
8 had at the hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 20th day of March, 2013.

11 _____
12 Kirsten Lemire, Reporter

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