

Moreland Commission

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MORELAND COMMISSION
ON UTILITY STORM
PREPARATION AND RESPONSE

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Moreland Commission

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2 A P P E A R A N C E S :

3 REGINA CALCATERRA

4 Executive Director

5 BENJAMIN LAWSKY

6 Co-Chair

7 ROBERT ABRAMS (Not Present)

8 Co-Chair

9 PETER BRADFORD (Not Present)

10 DAN TISHMAN

11 KATHLEEN RICE

12 REVEREND FLLOY FLAKE (Not Present)

13 JOANE MAHONEY (Not Present)

14 TONY COLLINS

15 MARK GREEN (Not Present)

16 CAROL GARCIA

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6 United Way of WC and Putnam 19

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9 HOWARD PHILLIPS, Supervisor

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2 CO-CHAIR LAWSKY: Good evening everyone. I'm Ben Lawskey, one of the co-chairs of
3 the Moreland Commission. Welcome to you all. Thank you for being here.

4 We are the Moreland Commission appointed by the Governor. The focus of our Moreland
5 Commission has been about the conduct and the preparation and response of the utility companies,
6 primarily before Storm Sandy but also their performance in other storms, such as Irene and Lee
7 last year, and the 2008 ice storm.

8 We have a pretty serious mandate that we take incredibly seriously from the governor.
9 While on the one hand it's quite serious and complicated, it can really be broken down
10 in fairly simple terms, and that is we are charged with what went wrong, why it went
11 wrong, and how do we fix it. We're in the middle of doing that. We've held five hearings.
12 This is I believe our sixth. We're just starting to move out of the New York City area,
13 where there was a lot of damage from this storm. But we know there was a lot of
14 damage and a lot of power loss for a lengthy period of time in Westchester and the
15 surrounding areas, and that's one of the reasons we're here tonight.

16 Our Executive Director, Regina Calcaterra, as you may be able to tell by now, is
17 fighting some kind of throat thing; you can still hear her coughing in another room. But she
18 has done and her staff, many of whom are here tonight, have done just a fantastic job
19 helping us get prepared.

20 We issued an interim report to the governor recently. Many of the recommendations
21 we've made in that interim report have been incorporated by the governor in his State of the
22 State, and subsequently in his executive budget which came out this week.

23 We have two main subcommittees on the Moreland Commission; one is a policy
24 subcommittee led by Peter Bradford, who couldn't be here tonight, and the other is an investigation
25 subcommittee led by the DA of Nassau County, Kathleen Rice, who is sitting just to my

1 left. So I want to turn it over to her for some brief remarks, and allow the other
2 commissioners who are here tonight, Tony Collins and Dan Tishman, to also say a few words, then we
3 will take you through a brief PowerPoint basically laying out some of the findings we had
4 in our interim report, and then we'll to go from there with public testimony.

5 With that said, I want to turn it over to the great DA from Nassau, who has worked
6 tireless in this effort, Kathleen Rice.

7 COMMISSIONER RICE: Thank you, Mr. Chairman. Thank you all for coming out tonight.
8 I know this weather probably kept some people away. It's bitterly cold out. So we are
9 very grateful for all of you being here.

10 We started our work late last year and primarily began our focus on LIPA, which was
11 really the most pressing issue coming from Nassau County, which was hit pretty hard in the
12 storm. The governor, in his mandate, asked for a recommendation about what to do with LIPA,
13 and that is what we did in our interim report. Now we are travelling all over the
14 state to address issues related to other private utilities, their storm preparedness,
15 communication with municipalities, communication with customers, and their efforts to restore power
16 to their customers. So we are very happy to be here tonight.

17 Our goal is to ensure that every customer, power customer in the state has a level of
18 confidence that they are going to have when they need it. And if an extreme event happens like
19 Sandy, or Lee, or Irene, that our utilities are going to be regulated in such a way that
20 they know that they have to perform to the highest standards.

21 So I want to thank you all very much for being here and for your input.

22 CO-CHAIR LAWSKY: Tony, do you want to add anything?

23 COMMISSIONER COLLINS: Sure. Tony Collins, President of Clarkson University, about
24 five hours due north of here, and a little colder than it is around here. It's obviously a
25 major producer of engineers. One of the things of most interest to me is to listen to

1 you and see how the workforce of the future can be developed so that we can best mitigate
2 these impacts all the way through life-threatening circumstances, and then certainly
3 inconveniences. And I guess I'm one of the couple of engineers on here.

4 I think what's become apparent in a couple of these hearings are the communication
5 skills of engineers and utilities, in general, maybe need a little boost. So a strong
6 professional interest in what's going on here, and hope to carry that to higher education in a
7 couple of different roles that I have.

8 We are very interested in hearing about what happened to you during these storm events.

9 And thank you for coming out.

10 CO-CHAIR LAWSKY: Thank you, President Collins.

11 Dan Tishman, you wanted to say a few words.

12 COMMISSIONER TISHMAN: Sure. Just briefly.

13 CO-CHAIR LAWSKY: As a local resident.

14 COMMISSIONER TISHMAN: Dan Tishman, Vice Chairman of AECOM Technologies Corp., and
15 the Chairman and CEO of Tishman Construction Corp., and a resident of Westchester County
16 who experienced a long power outage, as I'm sure many people here did.

17 It would be easy just to focus our interest just on Sandy and another storm or two.
18 We've been really guided -- and I have a keen personal interest in infrastructure by the
19 Governor to both analyze what happened in that storm but use the storm as a stimulus to think
20 about how utilizes have performed sort of over a number of incidents, how they perform on a
21 daily basis, and what really are the best practices that we can best uncover relative to the
22 best way to move forward.

23 I'm also very, very interested in hearing from the audience tonight and during all of
24 the other hearings we've had. This process will be very successful because of how
25 inclusive it really is, and that's why I think we're spending a lot of time going around the

1 state and hearing from people like you. I'm extremely interested to be here tonight and
2 hear what people have to say.

3 CO-CHAIR LAWSKY: Thank you, Dan. That's just a great point. Every hearing we've
4 had we've learned something new from people who went through the storm and lived in the
5 particular area. We were in Staten Island last night and a number of things came up. For
6 example, that there were huge problems there. When the power was down there wasn't a priority
7 give, for example, with getting the traffic lights back up. And the way Staten Island
8 is set up, not having traffic lights created a very, very dangerous situation. Similarly,
9 they had problems with the ferries. They ended up getting the power back on where the
10 ferries were supposed to come, and it turns out there are special Maritime Laws that
11 relate to the ferry terminals. It was something new we learned last night, at least new for
12 me.

13 We've heard a fair number of anecdotes about what happened in this area. A lot of
14 problems we've heard already about Con Ed and the crews that were out and how long it took to
15 get the crews who were hanging around but maybe not getting the direction they needed to
16 get the power back on in the homes where people needed it, and we've heard that repeatedly.

17 It will be very interesting to hear from all of you tonight.

18 We're going to take you through a very brief presentation of some of the things we've
19 presented to the Governor about two weeks ago, and some of which you will see he has already
20 acted upon.

21 First, the impact that Sandy had on electric service, Sandy and the other storms. In
22 Sandy, 2.1 million customers lost power, with a restoration period up to 21 days. In Irene,
23 it was 1.1 million for about nine days, on average. Tropical Storm Lee, just after
24 Irene in September of 11, 68,000 outages with a restoration period of up to 10 days. The
25 ice storm back in December of 08, about 330,000 customers and a restoration period of

1 about eight days. More specifically, I can tell you here in Westchester we had outages for
2 Sandy of about 216,000, and that's 56 percent of the customers in Westchester lost power.
3 In Putnam County, a smaller number, 35,000 but that's 80 percent of the customers in
4 Putnam. In Rockland, almost 82,000, which was 74 percent of the customers. Obviously very
5 significant level of outages here, and that's why we're here.

6 The Moreland Commission, our background is, we were created pursuant to the Moreland
7 Act, Executive Law, Section 6. And the Governor appointed this commission and really gave
8 us a twofold mandate; first, to study, examine, investigate and review in three areas -
9 first, the emergency preparedness and response of the utilities; second, the adequacy
10 of the existing regulatory framework; and third, the adequacy of existing oversight and
11 enforcement that particularly relates to the PSC, which is supposed to really be watching over the
12 conduct of the private utilities, including Con Ed. And DA Rice will talk more about
13 that in a moment. And, second, we were asked to make recommendation for reform; this is
14 what we've done to date.

15 We've sent subpoenas to the seven utilities in the state, 40 letter requests seeking
16 documents and information from other entities. We've received and reviewed thousands and
17 thousands of pages of documents. We've conducted over 30 witness interviews. We've held, like
18 I said, our sixth public hearing. And obviously our work is continuing and that's going
19 to include additional public hearings. I believe we have one, is it next Thursday in -
20 - the 29th, in any event, whatever day that is, in New Paltz.

21 The Governor has said this repeated and it's sort of the overarching problem that we
22 have found has led -- the overarching cause of what has led to so many of the failures
23 we've seen, both in preparing to storms and responding to big storms by the utilities, and
24 that is the six utilities that are operating in New York, and LIPA, operate as monopolies,
25 what economists call natural monopolies, in their own exclusive service areas with really

1 no risk of losing all or a part of their territory and not that much oversight from the
2 government. As you might imagine, when you're a private entity looking, as you should in our
3 markets, to make a profit, and you also have a monopoly and you really have no risk if you
4 perform poorly of losing any part of that territory, a lot of the normal incentives a company
5 would have to, let's say, spend more money than they otherwise would to prepare the grid for
6 a storm, to harden it, or to -- especially in Westchester, do the kind of tree trimming
7 you need to do near the lines which would prevent a lot of the outages when you have
8 the heavy winds and rains, the incentives to do those kinds of things potentially go away
9 when there is a natural monopoly and not that strong of an oversight from the government
10 entity that's supposed to be overseeing the firms.

11 We've made really three initial findings and recommendations to the Governor, and we
12 presented those about two weeks ago. First, to strengthen the state oversight of utilities,
13 really to juice up the PSC and have it be more aggressive and detail oriented and a more
14 powerful regulator. Second, to unify state energy programs in policy. Third, to restructure
15 LIPA.

16 With that, we're going to turn to -- LIPA's really not that much of an issue here in
17 Westchester, so we're going to focus tonight on the first two recommendations, and primarily the
18 PSC recommendation to really strengthen that oversight. And I want to turn it over to DA
19 Rice.

20 COMMISSIONER RICE: Thank you, Mr. Chairman.

21 So, one of our mandates is to look at the Public Service Commission and see about its
22 ability as the primary regulator over all the private utilities in the state. And our finding
23 is that as it presently exists it lacks power and oversight. It is charged with
24 overseeing New York utility companies. But as you will see listed up here, there are reasons for
25 why that oversight is not as powerful as it needs to be.

1 We have limited performance of required utility, operational, and management audits.
2 There are scaled back reviews, rate requests, and service delivery. There is, in its
3 structure, a very weak penalty authority in terms of deterring poor utility service. It's not
4 strong enough. One of the problems is that the PSC does not have the ability to regulate
5 LIPA and its rates and services.
6 So strengthening state oversight of utilities. The first issue is to authorize the
7 PSC to impose administrative penalties for violations of its orders. Right now under the
8 structure of the PSC the only fine that they can levy is \$100,000 a day for all violations. In
9 being able to fine them, you have to find that the utilities have committed a knowing
10 violation, which may be in very many circumstances very difficult to demonstrate. While
11 \$100,000 sounds like a lot to you and I, we're dealing with private utilities that have an
12 enormous amount of money at their disposal. So the Commission recommended, and Governor Cuomo
13 proposed it in his State of the State and actually included it in the budget he just presented
14 on Tuesday, an increase in penalties to ensure adequate deterrents. For example, a base
15 penalty amount of .02 percent of gross revenue, which would equate to amount two million a day
16 for Con Ed and about \$750,000 a day for National Grid. That's real money even for a
17 private utility that has a lot of it. That's every day. And that would be the maximum.
18 Lower the burden of proof to reasonable business standard. Grant the PSC explicit power to
19 review fitness of utilities and give the state the explicit authority to revoke operating
20 certificates. The area regarding the certificates that they actually have to perform here in the
21 State is pretty antiquated. The Commission's findings that the PSC needs explicit authority
22 to be able to revoke their operating certificates. Strengthen state oversight of
23 utilities.
24 The second issue is strengthening the PSC oversight and restore regular auditing of
25 utilities' management operations and rate increase requests. Presently, the PSC has made only a

1 minimal use of its authority to conduct operational and management audits, and that's for a
2 whole host of reasons, and is the reason why the Commission recommended and, again, the
3 Governor proposed in his State of the State and included in his executive budget restoring the
4 management and operational audit unit that had gone by the wayside. Require management and
5 operational audits on a five year cycle, so it's a determined period of time. Require the PSC to
6 mandate implementation of reasonable audit recommendations, and create a dedicated enforcement
7 unit to help ensure that utilities comply with the laws, regulations, and orders which,
8 if they don't, are going to be able to be enforced through the increased penalties that
9 we just talked about.

10 Number three. Hire more trained staff at the Department of Public Service after a
11 series of reductions over the years. In the immediate, authorize DPS to fill up to 524
12 full-time employees. That was actually in last year's budget. Additional 16 employees, 508 to
13 524, could be deployed, as follows: eight engineers in the emergency management unit,
14 which is responsible for reviewing and ensuring compliance with utility emergency response
15 plans, which is so critical; six auditors, engineers, and a new management and operational
16 audit unit, two attorneys in the compliance unit, which will be responsible for reviewing
17 utility compliance with laws, regulations, and orders. Governor Cuomo did propose in his
18 State of the State and included in his executive budget that DPS will recruit and hire up to
19 a 524 full-time employees, that allotment to assist in the implementation and
20 enforcement of the new mandates.

21 Number four. Unify management structure of DPS and NYSERDA. Right now DPS and
22 NYSERDA run competing and overlapping green energy programs leading to a lot of confusion,
23 duplication, and waste. New York State is a leader in this area, and this is one issue that has
24 to be addressed. NYSERDA, for instance, and DPW draft separate disaster response plans
25 with little cooperation with each other. So our recommendation -- and this was also

1 included -- the Governor talked about this in his State of the State -- was to unify the
2 management and policy making process of DPS and NYSERDA so that you can have a more efficient
3 program in this really important field.

4 Our work is going to continue. We really have just begun to scratch the surface.
5 We're going to continue to look at LIPA and other utilities operating in New York. We're
6 going to have more public hearings in storm areas and across the state. A final report with
7 additional recommendations is going to be issued in the coming months. And we're going
8 to keep looking at, for instance, the overlap of services between NYSERDA and DPS and
9 try to make the system, as it presently exists, be more efficient and responsive to the
10 customers' needs.

11 CO-CHAIR LAWSKY: Thank you, DA Rice. And let me now turn it over -- we're trying
12 not to tax her voice too much tonight because she's fighting a little something. But she
13 works so hard that she's here, even though she should probably be in bed. Regina
14 Calcatterra, our Executive Director, to tell us how we're going to proceed from here tonight.

15 EXECUTIVE DIRECTOR CALCATERRA: Thank you so much, Ben.

16 We have -- as Ben had mentioned early on, the Moreland Commission is running down two
17 tracks; one, it does investigation. We're looking at the utilities around the state and
18 their emergency response plans and the way that they responded to the storm. So that's one
19 track that we're doing via investigation. The other one is we have a policy committee
20 that's actually looking at the different energy agencies in the state and seeing if there is
21 anything that we need to do to strengthen them, and also if there is a better way for us to
22 deliver services.

23 We put forth an interim report on January 7, and that had our short-term
24 recommendations, so it was timely. If we did have recommendations, we were hoping to have it included
25 in the Governor's budget, which is ultimately what happened. But we're not finished

1 yet. We just needed to benefit from the legislative cycle and get early recommendations
2 that were really necessary to focus on right now, put out there, and now we're still
3 proceeding.

4 The way that we were able to develop an interim report and the way that we're going to
5 further develop our final report is through a variety of different ways. One of them
6 is that we're questioning stakeholders related to the utilities and their provision of
7 service. We are reviewing all of the testimony. We've been getting a lot of testimony on our
8 website, and we hope that we continue to do that through moreland.ny.gov, where you can
9 submit it. We also have been having interviews with folks from critical infrastructure
10 providers, to Office of Emergency Management from local counties and those
11 jurisdictions. We're also meeting with the utilities, themselves.

12 But another key way for us to get input, obviously, is the public hearing process.
13 And a lot of what we are learning through the public hearing process was either integrated
14 into our interim report and was going to help guide us through what our final
15 recommendations are going to be.

16 So when we have a public hearing, which is what we're having tonight, we ask that the
17 speakers focus on one of two areas. One is that when you share your testimony with us this
18 evening that you either focus on taking a look at the utilities that are in your jurisdiction
19 and sharing with us what you think about their emergency response plans, or their response
20 to any of the recent storms. Or the other track is to give us recommendation on policy,
21 whether it's going to be strengthening some of our energy agencies, or even something
22 that we need to take a closer look at, is taking a look at some overlapping energy programs
23 in the state. We want to make sure that whatever limited resources we have going into
24 each one of our state agencies that they are used very efficiently. So if there are
25 overlapping services, for example, possibly in NYSERDA or in PSC, we're looking forward to hearing

1 recommendations from the public as well on that.

2 That being said, asking to stay down those two tracks, I wanted to open up the hearing
3 tonight. And thank you so very much for coming out this evening, on this very cold
4 evening, and joining us here. And I'm going to invite the first speaker up. And what I am
5 going to do is as I introduce the speakers, I will tell you who is first, second, and third,
6 so those who are on deck, basically, can prepare to come up afterwards.

7 The first speaker this evening is going to be Pat Anderson of the United Way of
8 Westchester County in Putnam. And Pat while you take a seat, I just want to let you know that on
9 deck is Alex Gromack, the Supervisor of the Town of Clarkstown, and then thereafter Howard
10 Phillips, the Supervisor of the Town of Haverstraw.

11 When you come up please make sure that you, for the record, identify what your
12 affiliation is.

13 Thank you so much.

14 MS. ANDERSON: Good evening. I am Pat Anderson. The 2-1-1 Outreach Emergency
15 Director for United Way. And I am speaking on behalf of Naomi Adler, the CEO, President of
16 United Way Westchester and Putnam, and leader of United Way's 2-1-1 helpline for the Hudson
17 Valley Region. Thank you for this opportunity to speak to you about how United Way served
18 thousands of residents throughout the Hudson Valley region, the northeastern portion of New York
19 State, and Long Island during and after Hurricane Sandy.

20 United Way operates a helpline that is available 365 days a year, accessed by dialing
21 the phone number 2-1-1, much like you dial 9-1-1. The 2-1-1 helpline is available to 93
22 percent of New York State, and I have included a map and a fact sheet in your packet to
23 reflect where the services are currently available.

24 As part of our mandate, United Way's 2-1-1 supports the response and recovery work of
25 local community governments and non-profits during times of a disaster. United Way's 2-1-1

1 offers real time disaster information by phone and on a website, www.hudson211.org, about
2 shelters, basic needs, road closures, water, dry ice availability, donations, volunteers,
3 opportunities, as well as long term recovery services.

4 On October 27, 2012, the Department of Homeland Security formally activated our 2-1-1
5 system to work on providing disaster response and recovery services. A copy of this letter
6 is in your packet. As soon as it became evident that our hours needed to be expanded, we
7 increased our hours from ten hours to 24 hours a day, seven days a week. From October
8 27 thru December 31, 2012, 2-1-1 handled 25,418 storm related calls for disaster related
9 information. Top service requests: SNAP, food stamps benefits, food replacement, increased
10 access to food, information about power outage, sheltering, and FEMA registration information.

11 There were also 1,356,028 website searches from storm-related specific information on
12 our Hudson Valley website, as well as in Long Island. In addition to answering calls,
13 United Way was and is still tracking trends, needs, and help government and community
14 organizations tackling recovery issues as they arise.

15 It is my understanding that one major objective of this hearing is to give you some
16 concrete suggestions about disaster preparedness. Our first recommendation is regarding
17 communication from utilities to the public and, in particular, to elderly and disabled, that feel
18 the impact of outage much more than the average resident.

19 In our community, many people have been told by power companies that they are on
20 special priority lists so that their power would be restored before other residents due to
21 their special needs. After a couple of days without power, these residents were calling us
22 asking for information about special shelters and food, etcetera. Given the nature of this
23 disaster and others, these residents should have been told that there weren't any priority
24 lists being utilized, that their utilities would be put back on.

25 Our second recommendation is that the state requires utility companies to assign a

1 liaison to 2-1-1 systems so that there is a better direct communication during disasters. In
2 addition, it is in the public's best interests, as well as in the interest of these utility
3 companies, to have safety information available on our United Way website so that we help with
4 educating the public about power companies' responsibilities regarding disaster related services
5 to the public.

6 In conclusion, on behalf of Naomi Adler and our entire United Way's 2-1-1, we would
7 welcome the members of the commission, and government officials involved in planning for
8 future disasters to tour our center and meet with us to continue this very important process
9 of planning for the next disaster.

10 Thank you again for this opportunity to brief you on our work, and I'd be happy to
11 answer any questions.

12 EXECUTIVE DIRECTOR CALCATERRA: Ms. Anderson, you said in your testimony that the
13 state requires that there be a liaison to 2-1-1 calls. Do you know where that is in the
14 state statute?

15 MS. ANDERSON: Actually, the state requires or has been, to get better services for
16 municipalities, to have a liaison. So our recommendation is --

17 EXECUTIVE DIRECTOR CALCATERRA: The state requires municipalities to have a liaison
18 to 2-1-1 lines of non-profits?

19 MS. ANDERSON: No. My information is that the state does require that
20 municipalities have a liaison so that it helps them realize the work that they need to get done. Our
21 recommendation would be that it is very important if 2-1-1 systems would also get that
22 liaison.

23 EXECUTIVE DIRECTOR CALCATERRA: Got it. Thank you. Thank you very much.

24 COMMISSIONER COLLINS: Just to be clear on what you said. You said that there were
25 priority lists for those people with special needs and yet the lists were not used?

1 MS. ANDERSON: Correct.

2 COMMISSIONER COLLINS: Why were they not used?

3 MS. ANDERSON: Well, I think there are twofolds. There are special needs registries
4 that each municipalities may have. It's not a requirement. However, we've been told by
5 Con Ed that there is a list, let's say, for example, on an everyday basis I have oxygen.
6 I need to tell Con Ed that I have this oxygen. So they give the assumption that this is
7 something that's going to change if I have special needs. You can't shut my utilities
8 off, in fact, if I have a certain life threatening illness or need of oxygen. When the
9 callers were calling us, they felt that they'd been told that they're on this special list,
10 that they had these special needs, and because of that they would have special treatment.
11 It is really not. It is a misunderstanding, I think, of these customers. So our
12 recommendation is to educate customers in advance so they don't feel like they're going to get this
13 treatment, and that they plan for themselves in the right way to make sure that they evacuate
14 when they need to, not assuming that they're going to get their lights on sooner. There
15 are mandates that hospitals and nursing homes with skilled facilities, there is -- who
16 gets that type of treatment, not everybody with a disability.

17 COMMISSIONER COLLINS: Does anyone use the list?

18 MS. ANDERSON: I couldn't answer that because every municipality has their own
19 requirements regarding that. But it's the assumption and the feeling that people --

20 COMMISSIONER COLLINS: I understand.

21 MS. ANDERSON: which is important, I think.

22 COMMISSIONER COLLINS: Thank you.

23 CO-CHAIR LAWSKY: I had basically the same question. I think you've clarified it.
24 It's probably something we need to follow up with the utilities about. I heard you to be
25 saying people think they're on a priority list, and there may not be any priority list, at

1 least at the utility's end of it. If that's true, that's a huge problem.

2 MS. ANDERSON: Correct.

3 EXECUTIVE DIRECTOR CALCATERRA: Any other questions?

4 (No verbal response.)

5 Thank you so much.

6 MS. ANDERSON: Thank you.

7 EXECUTIVE DIRECTOR CALCATERRA: Next up is Supervisor Gromack. Thereafter,
8 Supervisor Phillips, and thereafter Mr. Thomas Ryan from the Longvale Homeowners.

9 SUPERVISOR GROMACK: Good evening. I appreciate the opportunity. I want to thank
10 the Governor for empowering this Commission. I appreciate the opportunity to provide
11 testimony on behalf of the Town of Clarkstown regarding Orange and Rockland's response to
12 Superstorm Sandy. A more expansive report is attached for the record.

13 I am the Supervisor of the Town of Clarkstown. Prior to that, I served in the
14 Rockland County Legislature for seven years, and prior to that, 14 years as a member of the New
15 York State Assembly, with the Honorable Senator Larkin here. Clarkstown is a town of
16 84,000 people located just 25 miles north/northwest of midtown Manhattan. My testimony is
17 not based solely on our experience with Hurricane Sandy; our community was hit
18 particularly hard by Hurricane Irene and the snowstorm of October 29, 2011. Our goal is to provide
19 constructive criticism of O&R's performance.

20 These comments are as a result of pre and post storm meetings by a host of Town
21 personnel that include our Chief of Police, Superintendent of Highways, and many more.

22 Our Town takes storm preparation and response very seriously. We have an emergency
23 operations center where we gather to discuss storm preparation, implement emergency operations,
24 work with local utilities and emergency service personnel, and reexamine our performance
25 and the state of the town.

1 We now have three storms in the last two years by which we can measure O&R's response.
2 Granted, all of these events were severe. However, we cannot accept the utility
3 company's excuse for their poor performance - that these storms were unprecedented. I submit
4 that this is precisely what we expect our utility companies to prepare for. If the storms
5 are going to be of a superstorm magnitude, we all need to change our strategy on how we
6 deal with them.

7 So, let's cover some of the major problem areas.

8 The first one, which I'm sure we can all agree on, is the lack of communication.
9 Communication and reliable information by O&R was abysmal during this past storm, as well as the
10 previous two. While more staff may have been added so customers could speak to a live voice,
11 there is a lack of timely and credible information. It seems whenever you ask a question
12 about one's outage, the standard answer is power will be fully restored within 10 to 15 days.

13 When you are told to go to the outage map, the online showed the same story. There
14 seems to be no ability to give a customer any reasonable timeframe within which to operate.

15 O&R convened daily calls with officials in their service region to update us on their
16 progress and restoration status. Unfortunately, this daily update to officials was virtually
17 useless. The first 20 minutes were generally delegated to a roll call, and the second half of
18 the call was a regurgitation of very basic information that we already knew.

19 While O&R supplied two staff people to sit at our police communication center, their
20 main role seemed to be to collect information, not to provide information. I submit that
21 higher level staff that could provide answers, solve problems, and communicate with top level
22 decision makers back at O&R headquarters is what's needed at our police command center.
23 Also, I would suggest that the utility company send staff to each town hall to help us
24 answer the hundreds, if not thousands of calls from O&R customers who stated they are unable
25 to get through or get any information from O&R. Town staff simply does not have the O&R

1 answers to give our residents. Utilizing our staff to do their job impedes our ability to
2 handle all the other business and responsibilities of running town government.

3 Let me speak of the field operation. Be it wind, snow, or rain, there needs to be
4 infrastructure improvement to O&R's service system, from transfers to substation, to lines. The
5 integrity of the system needs to perform better and be more reliable. As far as the field staff,
6 once they were deployed they did make progress and we appreciated all their hard work.
7 However, we are always told of this vast army of mutual aid workers in our territory
8 from Georgia, Florida, California, and elsewhere. It is simply not enough to handle the
9 early stages of restoring power. The early response is painfully slow and needs to be
10 examined.

11 Finally, there is a very poor working relationship between O&R staff, those directing
12 the storm response, and our highway department. In the first few days after the storm,
13 our highway department crews cleared over 400 roads. However, 60 roads remained blocked
14 for many more days. Very little coordination and use are ever made of the potential
15 partnership with our town, county, and village workforce. This last storm proved that fact.
16 There should have been multiple O&R crews around the clock, 24/7, like our highway
17 departments, teaming up with our highway department crews, starting immediately after the storm,
18 working together to clear lines so that we could clear the remaining roads.

19 My full report will highlight more problems and more suggestions. What we do know is
20 the way storms have been managed in the past by most utilities has failed and failed
21 miserably. A better job must be done and the only way that will be achieved is through the work
22 of this commission and new directives from regulatory agencies, like the Public Service
23 Commission. We can no longer accept excuses. We need to achieve new models that
24 produce improved results.

25 Thank you.

1 EXECUTIVE DIRECTOR CALCATERRA: Thank you.

2 Supervisor Gromack, do you have an emergency manager who liaisons with O&R?

3 SUPERVISOR GROMACK: Absolutely. We have a full-time police officer who is our
4 Emergency Management Officer. In addition, about 30 of our employees, including myself, went
5 through the various state training and have all levels. We take it very seriously. We have
6 pre-storm meetings where we invite the utility companies --

7 EXECUTIVE DIRECTOR CALCATERRA: That's what I wanted to ask you. Did you ever
8 participate in a drill with O&R, an emergency planned drill for Sandy, that was an active drill?

9 SUPERVISOR GROMACK: I have not. Our police officer, who is the emergency officer,
10 may have participated or been there. But, as I said, every one of our department heads
11 have now been trained in the state classes. We've got the --

12 EXECUTIVE DIRECTOR CALCATERRA: I understand. One of the recommendations that the
13 Moreland Committee had made that the Governor put into his budget was that utilities, obviously,
14 they all have emergency management plans, but they not just use the emergency
15 management plans and have it serve as a tabletop, meaning they don't have everyone just sitting
16 around the table reviewing the plans, that they actually have drills on those plans. So I
17 understand that your staff is trained with OEM. But I'm just curious if there is any interface
18 with the utility on real live drills with the emergency management plans in the past.

19 SUPERVISOR GROMACK: Very, very little. Again, our officer may have gone. What
20 would be a better suggestion is if they come to our town hall and participate in our drills.
21 I think then they would get a real sense of what we're doing in our command center and
22 why we need higher level staff, because that's where it's all happening, in our command
23 center. We need to interface better, and they just don't participate.

24 EXECUTIVE DIRECTOR CALCATERRA: Understood. Thank you very much.

25 Any other questions for Supervisor Gromack?

1 (No verbal response.)
2 Thank you so much for your testimony this evening.
3 SUPERVISOR GROMACK: Okay.
4 EXECUTIVE DIRECTOR CALCATERRA: Up next we have Supervisor Phillips from the Town of
5 Haverstraw. Thereafter, we have Thomas Ryan from Longvale Homeowners, and then we have Orrin
6 Getz from Rockland County.
7 SUPERVISOR PHILLIPS: Thank you very much to all the board members and the Governor
8 for convening the Moreland Commission. I'm not going to reiterate many of things that
9 Supervisor Gromack had just stated. But I want to state some of my own experiences during the
10 storm, prior to the storm, and some of the more frustrating things that, as an elected
11 official, we came upon.
12 First of all, communication, communication, communication. We are elected officials.
13 I'm an elected official, just under 40,000 residents in the Town of Haverstraw. We are
14 being told that they are being ready before the storm. When you look at this storm,
15 they had at least -- and I think I'm being generous -- at least five days preparation. In
16 addition to that, one most wonder, with this storm we did not receive the normal rain that is
17 associated with these hurricanes. We didn't get that. What if that would have happened? What
18 if they would have only had one or two days?
19 When we talk about communication, the town was more communicative to O&R than they
20 were to us. We constantly told them. We convened as the five towns, as well as the mayors
21 of the different villages. We told them we will assist you. We have over 500 men on
22 our highway, DPW, parks department, ready to assist you. Just send us a crew. Send us a
23 crew that can tell us whether or not the wires are live or not live. We will do the
24 cutting down if they're not live, just come and inform us. No, we can't do that.
25 Three days into the storm we asked -- we were having our ten o'clock meeting every

1 single morning, telephone conference -- we asked them, just tell us where your crews are and
2 where their assignments are going to be. Can't tell you that. We don't have that
3 information.

4 It comes to a point where -- and I'm glad Senator Larkin is here because he said you
5 shouldn't be running this as if it's a military operation. Now, if their vehicles don't have
6 GPS in them, they should. They should know precisely where the crews are. They should be
7 calling in when they are done with their assignment. They should be given
8 reassignments, and that should be communicated to us. All of our residents were told to call these
9 different numbers. Well, all they received were voice messages on the numbers. If somebody did
10 get through, it became as if the plan was just tell them they may not be on -- first it
11 was ten days, then it became three weeks. Some of our residents started packing up,
12 ready to move somewhere else, to a friend, to a neighbor, to a brother, and all of a sudden
13 they're leaving their subdivision and electricity comes back on. The lack of communication,
14 the lack of understanding.

15 I was there in 1999 when Hurricane Floyd hit. You would think that by now the plan
16 and the expertise would be there ready to go out. This is the third storm within 14
17 months.

18 In the Halloween of 2011, it may not have been a hurricane, it may have been snow, but
19 it was almost identical. Power lines down. Tree limbs down. It was almost identical.
20 Yet, within that same period of time we see still the lack of information.

21 I'm going to tell you -- I'm glad, DA Rice, you're here. It's as if they pulled out
22 the old playbook and said read them this. And when we call up as elected officials -- and,
23 DA Rice, I'm sure you would appreciate this -- to be more or less told, well, you know
24 you don't matter, you really can't do anything to us, that's the feeling. It may not
25 have been those words, but that's the distinct feeling that we received. And when we say -

1 - and all of us said the same thing -- that there seems to be no consequences, and I'm
2 glad because it does seem as though you've come to the same conclusion, that the
3 accountability, that there must be some oversight, some real teeth -- so, in other words, that we're
4 not going to be taken for granted, we're not going to be told stories, we're going to be
5 given real, live information. I almost, to the point, would prefer if you don't know, then
6 don't say you know. Don't say three weeks out. Tell us you're not sure but you'll get back
7 to us with the information. Very, very frustrating.

8 We're at the point now where the town is working with a Catholic retreat center to
9 form our own shelters because we're afraid that this is going to continue to happen. We
10 are actually now going to invest monies for generators, because they have beds, they have
11 kitchens, they have room to form a shelter with the Town of Haverstraw. We shouldn't have to
12 do this. These things should be expertise by now. They should have the knowledge, the
13 skill in which to combat all of this.

14 When we talked, we personally went out - myself and the board members -- and we spoke
15 with crews from Philadelphia, crews from Detroit, and they even said to us -- and I'm not
16 going to mention any names -- but they even said to us, we've been sitting around for a few
17 hours just waiting for assignments. What is the point of having mutual aid if you're not
18 going to be ready to have them go out and assigned to the areas? We've been told by Orange
19 and Rockland officials, well, mutual aid, other utility companies did not release their
20 crews in a timely manner. If you know five days in advance, how long is it before the
21 mutual aid agreement should kick in? There has to be better coordination, much, much better
22 coordination. There has to be accountability. We really need somebody who has teeth who we can go
23 to. Because, quite frankly, I am no longer comfortable going to the utility company
24 during one of these storms. I would prefer if the state had a team in charge and that we
25 could speak with them.

1 We met every single day as a group of supervisors, mayors, and superintendent of
2 highways. The frustration of the lack of communication, the inability for them just to tell us
3 where the crews were, when they were going to get there. Yet, at the same time, every
4 single chief of police of every single police department in Rockland County, within a matter
5 of hours had to Orange and Rockland a list of all of the streets that were out, all of
6 the areas that had lines down, whether it be trees down, limb down, poles down. We had
7 that list in their hand within hours.

8 Lastly, I just think this is when I get back to the old playbook. No one expects the
9 crews to be out there during the height of the storm. But when the wind dies down, our guys
10 were out there. Our volunteer firefighters, our volunteer ambulance corps, our police
11 department, our DPW, our highway departments, they were all out there. We had an entire park,
12 because Haverstraw is along the Hudson River, under water. We were out there. We hadn't seen
13 a crew. We were on the first telephone conference the next day at 10:00 a.m., and they
14 started it by telling us that we have had 100 crews out restoring power, another 100
15 crews out cutting trees down in every single town since 12 midnight last night. Now, guys,
16 we were out the whole night and we didn't see a crew. We need accountability. We need
17 to have their feet held to the fire. And that's the problem. For years, for years the
18 utilities have acted within their own bubble, their own vacuum and there's been no oversight.

19 I am very pleased, your presentation before we began, that you seemed to have come to
20 the same conclusion. But I only hope we put it in place in a very timely manner.

21 I don't think these storms are going away, and I don't think you think they're going
22 away. I think they're going to be more frequent and they're going to occur more often.

23 But thank you for your time. And I appreciate if there are any questions.

24 EXECUTIVE DIRECTOR CALCATERRA: Thank you so much, Supervisor. Thank you.

25 Next up is Mr. Ryan.

1 And while Mr. Ryan gets settled, I do want to mention that what we've been finding is
2 that there are people who do join us in the audience that are still challenged in their
3 homes. So what we do -- what we have been doing and we do again tonight is we wanted to
4 make sure that at each one of our public events, just in case somebody comes here and
5 they're not interested in giving public testimony but they're looking for assistance, we made
6 sure that we have representatives here from the Department of Financial Services which
7 oversees the insurance industry. So if anyone has questions as a homeowner on insurance for
8 their homes related to Sandy or any other previous storms or issues, we have a
9 representative right over there with the Department of Financial Services. On that side of the room
10 we also have representatives from FEMA. As everyone knows, you're eligible for one or
11 you are eligible for another. So we're making sure that we capture and provide as much
12 services as possible. If someone happens to be coming in, we have FEMA over there as well.

13 And I do want to extent an apology to all the people who are here this evening,
14 because I know that there are many elected officials here this evening, and we're going our
15 best to get through the list. But I was advised that Supervisors Gromack and Phillips have
16 a commitment, speaking commitment across town, and so we put them at the beginning of
17 the list. But we are going to do our best to get through the speakers list as soon as we
18 can.

19 Right now we have Mr. Ryan, but thereafter we'll have Mr. Getz, and then thereafter we
20 will have State Senator Larkin.

21 Thank you.

22 MR. RYAN: Good evening. Members of the board, thank you so much for opening this
23 hearing to the public. My name is Tom Ryan. I represent the Longvale Homeowners Association.
24 We're in East Yonkers. We are bordered on the east by the Village of Bronxville and on
25 the west by the Sprain Brook Parkway. I also represent 158 separate households. What

1 I will speak about is our experience in our little neighborhood, but it also affects our
2 surrounding neighborhood, the Village of Bronxville, and other communities within this
3 Yonkers area.

4 Two separate events. Sandy was a wind event, and Irene was a water event. Sandy,
5 power was last; Irene, power was shutdown. However, it's still a problem when you have no
6 power. Here's the net result. Communication, as the gentleman before me, communications
7 with Con Edison didn't exist. It was impossible. And I would also state that our Mayor,
8 Michael Spano, was so frustrated by his experience with that utility company that he wrote an
9 open letter in the local Hearst Newspaper, an open letter to Con Ed. Our mayor is not
10 someone given to high levels of emotion. He is very calm. But that's how frustrating it was
11 for him to work with this utility company. That's part one.

12 Part two is Mother Nature. Nature's wonderful, it grows trees. But it seems like all
13 the power lines run through the trees. I would imagine if we had some level of
14 proactivity or a coalition between the utility companies and our local government, to take a
15 preemptive strike on some of these trees. Now, I understand some people in the neighborhood
16 rather lose power than lose that favorite tree that Uncle John planted 58 years ago, but the
17 fact of the matter is it doesn't just affect their house and Uncle John's legacy, it
18 affects hundreds of homeowners.

19 Thirdly, disaster recovery preparation. I spent a majority of my business career, I'm
20 retired now, a majority of my business career in disaster recovery. Frankly, I find it
21 appalling, the lack of disaster recovery preparedness on the part of utilities. They
22 don't seem to be properly trained. They don't seem to be properly staffed. They don't
23 drill. I just don't see it. Now, that could go on. I'm not a member of the government.
24 I'm just a civilian who occasionally gets water in his basement. But it seems to me that
25 if we could form a coalition or some sort of cooperative effort between our local

1 governments and the utility companies, that would serve us all very, very well.

2 I hope I came in under three minutes. Thanks for listening.

3 EXECUTIVE DIRECTOR CALCATERRA: You did. Mr. Ryan, first of all, you said you were
4 retired. But the way you introduced yourself at the beginning, it doesn't sound like you're
5 retired at all with the amount of homeowners that you represent.

6 MR. RYAN: This is kind of a full-time job.

7 EXECUTIVE DIRECTOR CALCATERRA: It sure seems like it is.

8 The latter point that you raise is certainly something that -- I mean, all the three
9 points are something that the Moreland Commission considered, and the latter point was
10 specifically put in our report and was adopted by -- was considered by the Governor and put into
11 his budget, as far as drilling, emergency plans, and there being some correspondence and
12 interface with municipal emergency management officials, as well.

13 MR. RYAN: I'm happy to hear that. And I'm sure you've heard everything I've said on
14 countless number of occasions. But I think the more you hear of it, not that
15 repetition increases validity, but there is some need for that.

16 CO-CHAIR LAWSKY: It's interesting. You're isolating a problem. You put your finger
17 on it. It's even a little deeper because I think it's a management problem too.

18 The way the utility companies, as I understand it, operate, most days of the year the
19 weather is fine. So they have enough line men and women to deal with the non-storm days. The
20 problem is when there is a storm they have to -- the way they're set up they have to
21 use the mutual aid. They need to have enough power to get the power back on. They need
22 to bring people in from out of state. Like you said, you want those people properly
23 trained, drilled, coordinated, and responsive. The problem is they're in some other state,
24 and that is a unique, difficult management challenge. It's not as simply as saying we
25 have a mutual aid agreement. If there's ever a storm our friends from Philly, Canada,

1 Arkansas, and wherever will show up and it will all be fine. But I think this storm showed and
2 previous storms have showed it's not just having people show up, it's the ability to
3 then manage them and have them trained and have them understand. Maybe you give them an
4 all a GPS with coordinates plugged in about where they are to go. We heard this
5 repeatedly around the state. Groups sitting in their trucks, don't know their way around the
6 neighborhood, don't know where to go, not deployed, and don't even know exactly how to deal with
7 the kind of technologies they're dealing with in our systems here because they're coming
8 from somewhere else that have different lines, maybe more modern lines. So your points are
9 all well taken. I hate to say it, but it's even more complex and difficult problem to
10 fix. We really need our utilities, with the help of the State, to really get at that.

11 MR. RYAN: I think once you define the problem then a solution is fairly easy.

12 CO-CHAIR LAWSKY: Fair point.

13 EXECUTIVE DIRECTOR CALCATERRA: Understood.

14 MR. RYAN: Thank you all very, very much.

15 EXECUTIVE DIRECTOR CALCATERRA: Thank you so much, Mr. Ryan.

16 Next up we have Mr. Getz. Thereafter, we have State Senator Bill Larkin, and then
17 thereafter we have Linda Puglisi, Town Supervisor of Cortland.

18 Thank you, Mr. Getz.

19 MR. GETZ: Good evening, ladies and gentlemen of the board. My name is Orrin Getz.
20 I live in New City, New York. I'm served by Orange and Rockland Utilities.

21 First off, I'd like to thank Commissioner Rice for her work against LIPA. My son
22 lives in Plainview, Long Island, and I know clearly how he suffered. My grandchildren
23 became refugees in my house because it took a week longer to get the power restored in his
24 neighborhood in Plainview. It was a horror show out there.

25 First thing is I would like to say one thing I did, I invested and bought a 17kw

1 Generac natural gas generator, and that kicked in in my house when the power went out. I had
2 lights, I had heat, and I had telecommunications. I ended up hosting a friend of mine who
3 came home from Columbia Presbyterian Hospital after having open-heart surgery because he
4 had no lights, heat, or power in his home. So I was glad that I could help him out.
5 Because I did have power, I registered online about the power outages with Orange and
6 Rockland Utilities, but never got any information as to when they would restore power in my
7 neighborhood. I went back for updates and I discovered that O&R had dropped my outage report from
8 their online system. Finally, when a date was provided, it was November 11. It was the
9 date they provided everybody. It had no real correlation to when power was restored in my
10 neighborhood.
11 I also frequently checked the online map, because obviously I had electric power. The
12 maps that they were providing bared no correlation to what was actually going on. I
13 saw where the trees were down in my neighborhood, I saw where the power lines were down,
14 and they were never, never reported to the public, yet they said that they were. It was a
15 big cruel joke of Orange and Rockland Utilities.
16 And what I feel, because I did come from an MIS Department, that Orange and Rockland
17 should have a computer based online system that shows all the circuits of their network. It
18 should say which ones are working and which ones are out. This should be an automatic system,
19 and this system should be available for local government officials so they can go
20 online and know exactly what is working and what is not working. The technology is there
21 today to do this and they're not doing it.
22 When an outage is reported by a customer, the system should automatically trace back
23 the circuits to the local power substation so that they can clearly see where the problem
24 is. It shouldn't take somebody going out and actually checking. They should know where
25 the power is out. Their system should be responsive, right down to where you have the

1 17,000 volt, 220 volt transformers. The system should be able to automatically respond and
2 tell all of the utilities where the power is out. It should be done. The technology is
3 there today and they're not using it. They're back in the 1950's. They should be using
4 21st Century technology, and that is a critical issue that utilities are not addressing.

5 There's another huge problem, and that is many times to restore power they have to
6 remove people that had power, and they provide absolutely no notification of that. All of a
7 sudden somebody who had power or businesses that had power or doctor's offices that have
8 power, all of a sudden lose power. That can be very, very dangerous because if a doctor is
9 doing a medical procedure, he may not have the opportunity to know that all of a sudden his
10 power is going out, and that's outrageous.

11 I can just tell you one thing. New Jersey transit can provide online information as
12 to when their trains are late and when there's going to be a service problem. I don't
13 understand why Orange and Rockland can't do that, why it can't notify its customer and why it
14 can't notify local officials. Like they said, if the power is going out, the Town of
15 Clarkstown is going to need to get police office because traffic signals are going out, or even
16 get to emergency people to take care of their life support systems. This should all be
17 available. The technology is there today and the utilities are not using it.

18 Just one final thing. I think there has to be a program in New York State where we
19 start putting more of these wires underground. It is absolutely essential. In my
20 neighborhood the electric power is underground, but unfortunately it is fed from overhead wires,
21 and that's the problem. But if more of the electrical wires were underground, it would be
22 safer. When we're doing, for example, construction in New City, they're digging up New
23 Hempstead Road but they're not putting the power lines underground, they're putting up
24 new poles to replace old poles. That's ridiculous. That's absurd. We have to actually
25 have a program in New York State to start putting more of these electric wires underground

1 where they're safe.

2 Thank you.

3 EXECUTIVE DIRECTOR CALCATERRA: Thank you very much, Mr. Getz, for your testimony.

4 Next up we have Senator Larkin; thereafter is Supervisor Puglisi, and then Evelyn
5 Bauer from Project Hope.

6 SENATOR LARKIN: I feel like I should be a repetitive operator after this. David,
7 it's good to see you.

8 First of all, I want to congratulate Governor Cuomo for doing this. When he made this
9 statement there was this, ah, and it came from the utilities. Then when he put it in
10 the budget, they now believe he's going to do it.

11 Your interim report, I thought it was right to the point. But I don't want to be
12 repetitive to what these gentlemen said here today.

13 I have three counties -- Orange, Ulster, and Rockland. I bet I attended over 50 to 70
14 meetings. I'm no big deal. I'm a state senator. Big deal. They expect me to deliver.

15 But when you sit there and there's somebody on the phone in the utility business
16 saying we fixed 70 percent of it -- I spent 23 years of my life in the military. Leadership
17 is not existing in Orange and Rockland, from the top down. When you talk about the
18 people on the road, they do it.

19 We sent a form that we developed -- Supervisor Phillips and Alex have left. Working
20 together we kept saying how do we make this? So we've come up with a form for you. A
21 supervisor calls them and says here's my problem on Third and Fourth Street. They come back.
22 What happened? They come to the meeting. It's ten o'clock in the morning. We got 86
23 percent done. Managers would be fired in some other corporation. We're not interested in the
24 86 you said because you said that 24 hours ago. What about the 16 percent that's still
25 out there? What about the hospitals that are under it?

1 In Orange County, Town of Monroe, outside of Mombasha Fire, 7:30 in the morning there
2 were 17 vehicles from the State of Iowa with Texas license plates. I said what are you
3 doing? We don't know. We're waiting for guidance. We're waiting for guidance.

4 And if you remember what Alex said, in our telephone conversation -- you know they
5 didn't come and visit us face to face. We said we have 550 DPW people. Send us a crew
6 leader and we'll go out and cut the trees down. Some of you remember way back in Irene the
7 utilities across the state said we're doing to have a tree trimming -- I don't know the exact
8 word.

9 I hope you feel better tomorrow. My wife's not doing better today.

10 EXECUTIVE DIRECTOR CALCATERRA: Thank you so much.

11 SENATOR LARKIN: It was very clear they were going to trim these. I went and looked
12 at them. Central Hudson, when I met their leadership, I said I'm going to write a letter
13 to the editor, probably won't print it because it's from me, but at least somebody's
14 gonna know. You've got to get rid of some of these trees. The answer came back from Orange
15 and Rockland, we just laid off 70 people. I said did you make a profit this year? Did
16 your shareholders? Well, you know Senator, you're being a little too into us. I said,
17 yeah, just be glad that I don't have some say over you. This was crazy.

18 We had a nursing home blacked out. We said to them what's the problem? They said a
19 transformer. What size is it? Have you got it on order? What's the order number? Where is it
20 going to come from? Is FEMA giving it to you? I only answer the phone.

21 Truthfully, this is a disgrace. I commend the Governor. I am so proud that he's
22 taken this and said not only should you but you will. This is a disgrace. This shows you
23 no leadership within the utilities because they'd never thought, as District Attorney
24 Rice pointed out, that these fines would come to them. Or they never thought, David --
25 excuse me for calling you David.

1 This is serious, serious business. In the chambers of commerce, we met with the
2 chambers and they said it's wasted effort, they don't return your phone calls. I would like to
3 see us -- they tell me that they have drills and all of this. And I'm not bragging.
4 But 23 years in the Army, I served enough days in combat. But we always had, in the Cold
5 War we always had an exercise. When the exercise was over, we had an after-action report
6 and had to report to somebody else. We said to them when this is over we want to have an
7 after-action report. Now, today is very important to me because next Tuesday I'll be 85 years old,
8 and we haven't been called. What's wrong with it? What they're saying to their
9 customers and the leadership in the State of New York is we're not afraid of you. They shouldn'
10 t be afraid of us. They should be proud to do the job that's entrusted to them.

11 I don't know Long Island Power; I hear a lot of stories about it. Central Hudson made
12 a good effort. New York State Electric and Gas was good. Con Edison, which is the
13 homeowner of Orange and Rockland, nobody took the lead and got it. I'll give you a good example.

14 We're going to have dry ice this afternoon at three o'clock. Okay. By the way, it's
15 going to be in Mount Hope. Mount Hope is in John Bonacic's district. I called John
16 and John said they told me it was ten o'clock. Nobody knew what was going on. District
17 Attorney Rice, where are we going to put this? Where are we going to put the dry ice and when
18 are we going to do with it? The people that were hauling it had no idea what was going on.

19 We can't go there because we were there yesterday. Why don't you talk to the
20 supervisors?

21 The two supervisors that are here, I've known them for years and years. Strong,
22 strong support. But when you see what they are trying to do and the utilities are just
23 laughing at us.

24 One of them passed the word down, you know Larkin's going to be 85, he won't be around
25 by the next storm. I let them know that I'll be here. The people will tell me when

1 I'm going.

2 The job you have is tireless. I know you're hearing a lot of the same, same, same.

3 But you have to stand out there at six o'clock in the morning with families who say my
4 father has dialysis at the hospital but they're not sure that they can take all of their
5 patients today. Why? Because they have no power. Generators. But they're right there on the
6 front line with this.

7 I just pray to God that what you're going through that Governor Cuomo says to them, as
8 Governor Carey said many, many years ago when you were young, young people, the days of
9 wine and roses are over. What we need now is for the utility companies to take up --
10 like Secretary of State said yesterday, it's my responsibility. They don't want to accept
11 the responsibility because they're afraid will this hurt my parachute or what. And I
12 don't mean to be rude to them. And I can complain because I don't have any stock in
13 utilities. But the point about it is that we need to make sure. Don't you think that they
14 should have come back and said this Sandy was really tough. Let's look at this and do a dry
15 run. They don't have anything. Their low level people have no idea what's going on
16 because the people up here don't communicate with the people down here.

17 I don't mean to be rude and take up extra time, but this is important to me.

18 When you've been in the life that I've been in, where you had human beings, young
19 soldiers entrusted to you, their mothers and fathers thought that you should do the best to
20 send them home the same manner that they sent them to you. Right now we have a utility
21 complex of where we're second and they're first, and I just pray to God that you just -- I'm
22 not looking for someone to stick it to. I'm looking for somebody to say them, here's the
23 law and you better obey it.

24 Thank you and God bless you all.

25 EXECUTIVE DIRECTOR CALCATERRA: Thank you so much, Senator Larkin.

1 I do want to elaborate on one of the points that you said. We are looking to hold the
2 chief executives of the utilities accountable. You may recall, several years ago when
3 Sarbanes-Oxley was passed on the national level, where the FCC requires publicly traded companies,
4 the leaders of publicly traded companies to sign off on all their financial statements to
5 the surety of them and say that they're complying with all federal laws. The Moreland
6 Commission recommended it and the governor put it in his budget that all CEOs of utility
7 companies have to sign off and say that they are not complying with every single state
8 regulation related to the PSC and what these new requirements are on an annual basis, to do the
9 same thing, to say that the buck stops with them, that there is responsibility and they
10 can't just point fingers elsewhere.

11 SENATOR LARKIN: Thank you very much.

12 EXECUTIVE DIRECTOR CALCATERRA: Thank you, as well.

13 Now we have Supervisor Puglisi from Cortland, and thereafter we're going to have
14 Evelyn Bauer from Project Hope, and following Ms. Bauer will be MaryJane Shimsky, who is a
15 Westchester County Legislator.

16 Thank you so much.

17 SUPERVISOR PUGLISI: Good evening. I'd like to echo what everybody else has said
18 thus far, and to tell you our saga, our story during this horrific storm. Thank you for
19 being here, and thank you to Governor Cuomo.

20 My remarks are about Con Ed's slow response in our community. I've been an elected
21 town supervisor in Cortland for 22 years, lived through a lot of the storms that were
22 previously discussed. Our town has 32,000 wonderful people. Northwestern section of Westchester
23 County, 16,000 homes. One-third of our town was without power when Hurricane Sandy hit
24 on October 29, and that was about 5,500 homes. Two weeks later we still had 2,500
25 homes without power. Our town had prepared about five days in advance. We opened up our

1 EOC. We opened up our town shelter that we take care of our people and pay for. Con
2 Edison did not prepare. Con Edison is a monopoly, it's too big, and it should be broken up.
3 We only have one power company, Con Edison. And I've gone through many storms, as
4 I've said before. Hurricane Sandy, we all know was the worst storm thus far, but Irene,
5 Lee, and the Halloween snowstorm of the year before, Floyd, the blackout in August 2005,
6 all of these storms and these events have been horrific. This was the worst, but this is
7 not excuse for Con Edison not to be prepared. We went to a hearing before them right
8 after Irene, told them the same things that I'm telling you this evening. They did nothing,
9 and here we are again talking to -- I think the president is Mr. Ivy. We went to speak
10 to him, of Con Edison, and now we are before you.

11 Many things were not done properly by the management of Con Edison in our entire area.
12 They did not bring in outside companies in advance to assist. They came in almost one
13 week later; not acceptable. These companies, these outside companies, they say that they
14 need them to help in the restoration of the storms. Bring them in earlier. Once these
15 companies from Arkansas, California or wherever come in, they must become acclimated to our
16 communities. They have to know where the streets are, they have to know our highway garage, they
17 have to learn all the issues about our town, talk to our DPW people, and so on. Con Ed did
18 not bring them in early enough. It was much too late, in our opinion; that delayed the
19 response. They only had about one at the tops, two crews for about five days after
20 Hurricane Sandy hit. Poor planning. Unacceptable.

21 Their liaisons to our town DPW garage, which is a great theory, it's terrific.
22 However, they did not have the accurate data from Con Ed headquarters, so that in my office we
23 could disseminate where their crews were to our residents, nor could our town crews go
24 with them and prepare to assist them. Our crews were all set. They were prepared. They
25 could go and help with the branches on the trees, but the power must be taken care of by Con

1 Edison. It's their lines, they have to take care of the lines.
2 Con Edison just does not have enough crews, enough people, and the magnitude of this
3 storm, as has been said before, they must prepare for the future storms which will be coming.
4
5 These are the steps they must take: preparation and planning, storm damage assessment,
6 restoration, recovery, further assessment of their utility poles and their sagging
7 wires -- we still have sagging wires in our town -- and repairs, improvements, tree trimming
8 to clear wires. Our town of 200 employees, with our emergency service providers, are
9 there to cooperate, but they can only address their down -- but only Con Edison can address
10 their downed power lines and restore the power, we cannot.
11 Improvements must be made. There will be more major storms. They're the only sole
12 utility company in the area - New York City, Rockland County, all of Westchester County. They
13 are too big and must be broken up, in my humble opinion, so that they can best service a
14 smaller area. So I would hope that you would consider this.
15 The PSC, we've sent the PSC packets of information from me and my town board. We
16 passed resolutions with all of these items. I think we probably sent to the co-chairs of
17 this commission as well. The PSC said they weren't going to be the entity, the agency that
18 was going to be addressing this. They kicked the can to all of you for your expertise
19 to help us. So please help us, all of us.
20 There's a common theme, a common threat in all of our communities, both sides of the
21 Hudson River. Con Edison owns Orange and Rockland, as we all know. It's just too slow of a
22 response.
23 Our citizens were just desperate. They were just desperate. We couldn't tell them
24 where the crews from Con Edison were going to be because the maps, the power outage maps
25 were not accurate.

1 Thank you for listening to me. If you have any questions now or in the future, you
2 know where to find me, in the Town Hall in the Town of Cortland.

3 EXECUTIVE DIRECTOR CALCATERRA: Thank you so much, Supervisor. We will be in touch
4 with your office tomorrow. We just want to make sure that we received everything that you
5 send to the PSC. So we will be reaching out to you.

6 SUPERVISOR PUGLISI: Terrific. Thank you.

7 EXECUTIVE DIRECTOR CALCATERRA: Any questions?

8 (No verbal response.)

9 Thank you so much for your testimony this evening.

10 Speaking next is Ms. Evelyn Bauer from Project Hope; thereafter will be Westchester
11 Legislator Shimsky, and then Assemblymember David Buchwald.

12 MS. BAUER: Good evening, panel, distinguished panel and guests, public officials. I
13 will be speaking briefly on two different levels. I come here first as a Westchester
14 resident, as a private citizen. I see fellow residents here on the panel, too.

15 When we lose power here in Westchester, as in upstate New York, where Clarkson is, a
16 distinguished school, we lose water. Now, most people figure how do you lose water? Well, we have
17 wells. We live in a community, such as in North Castle, where we have barely any sidewalks.
18 We've moved here for the tranquility and the piece of mind that small town life offers,
19 and yet we are thrown back into the Stone Age because our wells cannot pump any water.
20 So, please keep that in mind in the future. It's a critical component and it hasn't
21 been touched as part of the entire package.

22 We also, in North Castle, I happen to be married to a volunteer, in North Castle have
23 an outstanding -- and I would ask any public official here to keep in mind, maybe you
24 would like to contact our Chief of Police Fisher or Barry Righter (phonetic), who is in
25 charge of our volunteer committee in North Castle. We had a warming center up and running,

1 immediately staffed 24 hours a day, open from 7:00 in the morning from 10:00 p.m. for those that
2 wanted to come in, have wifi, a place to sit, and local places that were open with food were
3 contributing, the local commerce that had power, which was terrific. It was a place to feel safe
4 and comfortable, especially for those with small kids and the elderly. In the evening,
5 after 10 o'clock, those people that were frail and didn't want to be cold, slept over on
6 cots that were provided, things that were cleaned, blankets, by local businesses. So
7 please keep North Castle in mind as a really outstanding, well coordinated public service, on
8 a small-town level but I think it works on any level. It's outstanding. Now I'll
9 change my role.

10 I am wearing this snazzy vest because I am with Project Hope. Project Hope, for those
11 of you who don't know, is a program funded by the New York State Office of Mental
12 Health. We work in conjunction with -- I am with Westchester Jewish Community Services. I
13 am your crisis counselor. I am your eyes and ears on the ground. We have been going
14 door to door here in Westchester asking people if they need anything from us, from crisis
15 counseling to help them by making a phone call and sitting by them when they call FEMA, small
16 business administration or charitable organizations for any assistance. What we're hearing is
17 very clear; there was a lack of communication, a lack of guidance, and many people did have
18 special needs, as someone mentioned, where people were on ventilators on their home or
19 children with special needs, and they had to be ferried out somewhere else into shelters. Not
20 every town afforded these people the luxury, which I don't think it is a luxury, but the
21 option to go into a local shelter.

22 My hope is that public officials -- and I'm looking this way because this panel, to me,
23 is a larger entity, but I'm looking for local assistance too.

24 Many of us have tried to reach out to local government to see where we can do the best
25 for community outreach, to get to those streets that were knocked out of power, that

1 didn't have utilities, that didn't get any answers. If you would just consider in future
2 being a little more forthcoming with maybe some maps, Con Ed with some maps, other utilities
3 with areas that were greatly affected, it would make everyone's journey a little easier
4 for the future.

5 Thank you very much for listening. And we appreciate what you are doing.

6 EXECUTIVE DIRECTOR CALCATERRA: Thank you so much for your time.

7 MS. BAUER: My pleasure.

8 COMMISSIONER COLLINS: I'm just curious. After the storm event passed, how quickly
9 can you get out into communities and is there a problem, do people let you go down the
10 streets and roads?

11 MS. BAUER: We do. I came on board about four weeks ago. By the time it was all
12 put together it -- by the time the startup really got up and running for real boots on the
13 ground, I would say probably two weeks after the storm, three weeks. WJCS got the
14 grant through the state and through FEMA to get our crisis counselors up and running. But
15 we've been literally almost like Census takers, door to door to door, leaving flyers. All
16 our services are for free. We have a bilingual team; I'm part of it. I think that the
17 Latino community is afraid to come forward. There are many groups that are afraid to come
18 forward. We try our best to connect them with organizations that can help them.

19 We're out there trying our best.

20 COMMISSIONER COLLINS: So two weeks after the storm you begin. How long do you think
21 your services are needed?

22 MS. BAUER: The grant is -- the first phase of the grant is expiring, which had an
23 extension from the end of December now to the 28th of January. So we will see if phase two
24 kicks in. We will know tomorrow, at least our group will know if WJCS will have an
25 extension of the grant for our crisis counselors to continue. We are very hopeful that this

1 work will continue.

2 I, as a team member, I would hope that at least through the fall, to see how many
3 people. There's post-traumatic issues, kids, storms. They missed Halloween two years in a
4 row. Trees fell. They didn't go to school. So we are there for the taking.

5 COMMISSIONER COLLINS: Thank you.

6 MS. BAUER: You're welcome, sir. Thank you.

7 EXECUTIVE DIRECTOR CALCATERRA: Thank you very much, Ms. Bauer.

8 Up next we have Westchester County Legislator Shimsky, thereafter Assemblymember David
9 Buchwald, to be followed by Nancy Petty from Cedar Knolls, Yonkers.

10 LEGISLATOR SHIMSKY: Thank you. First, I would like to thank you, the Moreland
11 Commission, for holding this hearing in Westchester County. Westchester was not the worst hit
12 area in the region, but the proper functioning of our people and our economy was
13 compromised by lengthy and avoidable service outages. With two different utilities and a variety
14 of urban and suburban settings in this County, the Commission can learn a lot about
15 what works and what does not by studying our experience.

16 As an elected official and as a Con Ed customer whose own neighborhood lost power for
17 over 72 hours, I can draw on my own experience and those of my constituents and my fellow
18 elected officials. Based on those experiences, I would like to address three different
19 substantive issues: labor supply, organization, and communication.

20 Utility companies have reduced costs and, therefore, increased profits for their
21 shareholders by reducing their own payrolls by cutting jobs and relying instead on mutual aid.
22 After Hurricane Sandy it took those mutual aid crews and their equipment as long as four or
23 five days to even begin arriving on the scene. Those crews then had to be trained on Con
24 Ed's infrastructure, which took an additional day or so. And the crew's lack of
25 familiarity with the area reduced the productivity as they often found themselves lost in an area

1 with few grid plans in which even a GPS on some days can be less than helpful. As if that
2 were not bad enough, management was unequipped to deal effectively with hoards of new
3 temporary employees. It is therefore critical that our local utilities replenish their local
4 labor supplies.

5 One of my local mayors suggested training a cadre of employees, perhaps municipal
6 employees with the appropriate trade backgrounds to help with determining which downed wires are
7 live and which are not. This would be a huge help in some of our more wooded areas,
8 where roads were rendered impassable by downed trees for many days, and municipal crews and
9 deployed National Guard troops could not clear them and sat idle until the utility got its
10 crews in place.

11 It might also be useful to consider reinforcing the ranks of local line crews who are
12 needed in droves to deal with all of our overhead wires, with local employees taken from the
13 ranks of relevant trades or retired line workers and provide them with regular training,
14 much the way governments do with election inspectors.

15 Second, I'd like to address the issue of organization. In dealing with a major crisis,
16 a clear chain of command and distribution of responsibility is a must. But my
17 dealings with Con Ed and local officials during the post-Sandy period left me convinced that
18 Con Ed's organizational flowchart was being improvised. I recognize that flexibility in
19 such situation is needed to some extent, but without a sound foundation on which to try
20 variations, experimentation can easily turn into chaos, as it did in many places in Westchester
21 County.

22 Among those problems of organization, several days after the storm crews were moved
23 back and forth over relatively wide areas, wasting time in transit, also risking getting
24 crews unfamiliar with the area lost and wasting fuel at a time when we knew a fuel shortage
25 was impending. In my home village of Hastings, crews were removed and sent up to remove a

1 couple downed trees in Chappaqua; on a good day that ride can be half an hour either
2 way. After the storm with issues with traffic lights and the like, it would take a lot
3 longer. Think about all the restorations that might have been able to take place while they
4 were on wild goose chases.

5 Finally, there were really no clear channels of communication. There were serious
6 problems in both directions. Some of this was due, as I'm sure you're aware already, to the
7 terrible performance of Con Ed's computerized mapping and reporting systems, along with the
8 lack of sufficient live staff to take phone calls. As a result, it could take days for a
9 customer just to report an outage in a residence or business. And if you were not reported --
10 sometimes even if you were reported they insisted that you had power and no one was going to
11 help you.

12 But staff organization was a contributing factor, as well. It sometimes seemed as if
13 no one knew which areas were without power or how many crews were on the ground and where.

14
15 The first Saturday after the storm I was on consecutive conference calls for elected
16 officials, and the same questions were answered in wildly inconsistent ways on each. As one of
17 my colleagues who gave up on the conference call said, all they do is lie anyway.

18 Secondary communication problems were caused when people who had power were depowered
19 in order to make important restoration work possible. Officials on the county level were
20 told that those depowering and repowerings would take no more than an hour or two, but
21 many customers had to wait overnight or longer, just as the weather started to turn cold
22 and they needed their heat. Coherent systems for disseminating and receiving accurate
23 information must be planned now. Moreover, someone needs to look into the question of why so many
24 Con Ed employees, from line crews to telephone operators, blamed slow restoration times
25 on local government's failure to clear downed trees, which of course could not be done

1 until Con Ed made sure the wires were safe.

2 Given current climate trends, we can count on having to deal with widespread power
3 outages in the future. Corporations, whose main goals are to generate profit for shareholders,
4 cannot be trusted to perform in-depth studies and implement systematic improvements.
5 It is the job of government to make sure that the public utilities do everything possible
6 to minimize service disruptions for its customers, the public.

7 I wish the Moreland Commission success in performing its fact finding and in
8 developing recommendations needed to keep New York functioning. Thank you.

9 EXECUTIVE DIRECTOR CALCATERRA: Thank you very much.

10 Next up we have Assemblymember David Buchwald, followed by Nancy Petty, and then
11 Assemblymember Steve Katz.

12 I do want to share with the audience and the members of the Commission that we have,
13 including Assemblymember David Buchwald, it looks like we have nine more speakers this evening.
14 So folks who came in by way of how you registered to speak is the way that you'll be
15 speaking tonight. So I do want to let you know that we're going to get through everyone, but
16 we've got nine more left.

17 Assemblymember Buchwald.

18 ASSEMBLYMEMBER BUCHWALD: Thank you very much. I am a member of the State Assembly
19 representing nine communities here in Westchester County, half of which is in the Con Ed service
20 territory, the other half is in the NYSERG service territory. But at the time of this storm, I
21 was a city councilman in White Plains, and that part forms the basis of my remarks.

22 Let me begin by thanking you for holding a public hearing here in Westchester. It's
23 imperative that the extensive and crippling damage that Superstorm Sandy caused in our county and
24 in the Hudson Valley region not be forgotten. You are providing an opportunity to
25 address the problems we've seen and the storm recovery process, and I thank you for your work

1 over the last two and a half months and going forward.

2 In the weeks following the storm, I visited homeowners, senior centers, and warming
3 shelters around the region. As I spoke with families who were affected, the root of many
4 frustrations was clear; there was, in many respects, a breakdown in communications between the
5 utility companies and Westchester families, and as a result people were left with inadequate
6 information. I can say with certainty that the response in the aftermath of Sandy from both Con
7 Ed and NYSIG fell far short of what New Yorkers expect and, without a doubt, short of
8 what they deserve.

9 The shortcomings of these utility companies in their response and in their
10 communication with the community aren't acceptable because they involved, in my opinion, avoidable
11 mistakes. Too often power companies declared a neighborhood had restored power when in fact it
12 wasn't the case. More specifically, power companies thought that it somehow was
13 appropriate to assume that a successful repair meant that every house in the affected area had its
14 power back, even though that was not often the case and you've of course heard that
15 this evening.

16 In addition, the utilities own websites were not capable of providing up to date and
17 accurate address specific information. It fell to local governments and local government
18 officials to provide useful information to both residents and power companies as well as they
19 could. Residents contacted their local governments because the local governments are
20 responsive, which is something that far too many people found utterly lacking from the utility
21 companies, Con Ed and NYSIG. Therefore, I recommend that utility companies structure storm
22 response plans that specifically designate improved means of communicating with local
23 governments. They should be providing information, as well as work together on the essential
24 tasks of clearing streets with downed power lines and restoring service as soon as possible
25 to essential infrastructure. It would both significant improve the overall effectiveness

1 of response efforts and make sure that dangerous hazards and the needs of families
2 without power are addressed promptly and in a most efficient manner.

3 In an effort to provide better oversight of utility companies, I am introducing
4 legislation that would require the Public Service Commission to make an additional complaint form
5 available on its website that properly conforms to the Public Service Law, particularly Section
6 71, and that that form include the ability to address the duration of power outages which
7 is not currently something that the Public Service Commission complaint form
8 specifically indicates as a topic of concern.

9 Put plainly and simply, our communities deserve better, and with careful planning we
10 can ensure that that happens. Now is a time to look back, correct our mistakes, and move
11 forward with a more prepared, effective, and responsive system in place for the next time an
12 emergency arises, as surely it will.

13 I wish the Moreland Commission the best. And the resources of my office are certainly
14 available to advance our shared goals. I thank you very much.

15 EXECUTIVE DIRECTOR CALCATERRA: Thank you very much, Assemblymember.

16 ASSEMBLYMEMBER BUCHWALD: I should also mention I believe my colleague, Assemblyman
17 Katz, may have had to leave because of other obligations. If that's the case, I'm sure if
18 he's not here that you will accept any written testimony that he ends up providing.

19 EXECUTIVE DIRECTOR CALCATERRA: We certainly would.

20 ASSEMBLYMEMBER BUCHWALD: Thank you.

21 EXECUTIVE DIRECTOR CALCATERRA: Thank you.

22 The best way to submit written testimony is to go to our website and submit it where
23 you see comments@moreland.ny.gov.

24 Next up we have Nancy Petty, and then after that Assemblymember Steve Katz, and if
25 he's not here then it's Assemblymember Steve Otis, and thereafter it would be Richard

1 Thomas, who is a councilmember of Mount Vernon.

2 Thank you so much, Ms. Petty.

3 MS. PETTY: Thank you for having all of us here, especially me. My name is Nancy
4 Petty, and I'm from the Cedar Knolls Colony in Yonkers, with a Bronxville address.

5 As we all know, the power went out about 6:40 that fateful night. We, as customers,
6 started calling. On Wednesday/Thursday someone from Con Ed eventually arrived and said the
7 trees had to be cleared from the road to make it possible for the work to be done. We were
8 also told that our area and this situation was a priority because it was the primary line
9 for our area and the tree took down not only the pole, the wires, and the transformer,
10 which ended up on our neighbor's roof.

11 Con Ed had 19 crews in the area. We never saw them. Also, we were told that there
12 was a problem with the unions.

13 Crews arrived on Friday, November 2 from Pennsylvania. Again they said the roads had
14 to be cleared. They disappeared and then we never saw them again. Finally, we had
15 Yonkers come. They cleared the roads. Cedar Knolls was without power -- the entire colony,
16 which is about 135 homes. Beachmont area and Pond River Road West, power returned early in
17 the week. Forty-two houses, including ours, on Delwood Road remained out. Calls were
18 made constantly by all. Finally Mike Breen said to call our wonderful Assemblywoman
19 Shelley Mayer. She and her office were most responsive, but we continued to have no power.
20 All week we were given false hope.

21 My husband is handicapped, and as a result we had to, after a week, move out. The
22 house was colder in than out. At great expense, we had to move to New York, along with just
23 about everybody else on our road. He has a stair lift and it was inoperable because we
24 had no power. Also, we were told by Con Ed that they would refund those who lost food,
25 including ourselves. We've called and called and never had a response. We were told

1 four times explicitly by managers of Con Ed that we would have some sort of correspondence;
2 they never sent anything.

3 CO-CHAIR LAWSKY: I can't resist interrupting you just to let you know my day job is
4 regulating insurance companies, and if you lost food because your power was out, often your
5 homeowner's insurance will pick up the cost of that.

6 MS. PETTY: Not unless you are evacuated, because I already checked.

7 CO-CHAIR LAWSKY: With your insurer?

8 MS. PETTY: Only if we were evacuated, which we weren't.

9 CO-CHAIR LAWSKY: Okay.

10 MS. PETTY: Because I checked that.

11 CO-CHAIR LAWSKY: You might want to call the Department of Financial Services
12 tomorrow. I'll let you continue. But we can check with your insurer, because typically they
13 will cover at least some portion of the food that's lost.

14 MS. PETTY: Okay. Thank you.

15 The first bill that came in from Con Ed after the storm, there was never word or
16 apology about Sandy whatsoever. Our area was the last to be taken care of, and we are the
17 highest taxpayers in Yonkers. After 12 days, we finally were able to move in. Hard to
18 believe.

19 Thank you very much for all your concern. I just feel like so many people have voiced
20 tonight that Con Ed has to do something. And this is not the last storm we're going to
21 have, the way it's going. And I know a number of our neighbors have already bought
22 generators.

23 Thank you very much.

24 EXECUTIVE DIRECTOR CALCATERRA: Thank you so much, Ms. Petty. And can you please
25 take a moment before you leave tonight to stop by the Department of Financial Services

1 table over there, because they will provide you with a number so then there can be
2 correspondence tomorrow with you and with Chairman Lawsky's office.

3 Thank you so much.

4 MS. PETTY: Thank you.

5 EXECUTIVE DIRECTOR CALCATERRA: Is Assemblymember Katz here?

6 MR. CARCANO: Good evening. My name is Felix Carcano from the Palidan Center. I was
7 attending with Assemblyman Katz, and he asked me to apologize to the Commission. He
8 was sitting there and received a phone call and had to leave quickly.

9 EXECUTIVE DIRECTOR CALCATERRA: Understood.

10 MR. CARCANO: He just asked me -- he wanted to give a positive note of what Putnam
11 County and NYSIG and private sectors are doing.

12 Our company, Paladin Center, is a homeland security training center. We specialize in
13 large scale exercises for Department of Defense and Department of Homeland Security.
14 As such, we are not in the disaster response mode. But during Hurricane Sandy, we were
15 asked the day as the storm hit, we were asked by Putnam what we could do to help. We stood
16 up an emergency response center with NYSIG the day after the rain stopped, and we
17 processed over 600,000 pounds of dry ice, 500,000 bottles of water, and we stockpiled 50,000
18 gallons of fuel, as well as housing a National Guard security element. This was all thrown
19 together at the height of the storm. We managed to get water, ice, and fuel flowing when no
20 one else could.

21 Assemblyman Katz, a month before Hurricane Sandy, had convened meetings at our center
22 with regional elected officials to preplan and talk about these kinds of things.
23 Immediately after the storm they reconvened to talk about lessons learned. And I'm happy to
24 report that on the storm that was going to occur on December 26, Christmas day, NYSIG
25 activated the plans that the Assemblyman and Deputy County Executive Walker had started to

1 formulate. They brought in 60 out-of-town crews. They brought in truckloads of dry ice, and
2 they already had pre-staged water. So NYSIG is learning from the storm and they're
3 reaching out and working with their -- they're talking to local trucking companies to help get
4 the dry ice; it comes in from out of state, and then they're working on plans to get the
5 dry ice out locally to municipalities. So I'd like to say that Putnam County, Assemblyman
6 Katz, and NYSEG are trying to be proactive as far as working with people from our
7 industry, first responders, to make a difference.

8 EXECUTIVE DIRECTOR CALCATERRA: Thank you so much.

9 MR. CARCANO: Thank you.

10 EXECUTIVE DIRECTOR CALCATERRA: Thank you for your testimony. One of the things that
11 we're doing as we're investigating the six utilities, the six remaining utilities, we
12 started looking at LIPA and are continuing with that, but there are six other utilities that
13 provide service in the state, is we're looking at them to provide -- we're looking at the same
14 issues with all six utilities. But what we're also hoping to get out of this is not
15 just criticisms of their service but also their best practices. So if there is a utility
16 that actually has a best practice that has worked well, then that is something that we want
17 to be able to learn from and make sure that it is implemented in the other utilities
18 that provide service across the state. So the fact that they've learned quickly and
19 they've turned around and implemented a plan would be very helpful. And what we probably
20 would want to do is to follow up with you tomorrow.

21 I don't have you on the sign-in list, so it's important that you sign in and you give
22 your information so we can follow up and get more details.

23 MR. CARCANO: And if it's okay, the Assemblyman wants to know if he could perhaps
24 have his speaking time at your next, at your Orange County event.

25 EXECUTIVE DIRECTOR CALCATERRA: Absolutely. Our next hearing is on Tuesday in Ulster

1 County and it covers four counties in that region. We look forward to seeing him there
2 that evening.

3 MR. CARCANO: Okay. We are an active member of the FBI IfraGard Program, which
4 advocate public-private solutions, and I think that's why Putnam County is moving forward.
5 We're engaging local trucking companies, local resources to work with utility companies and
6 NYSIG has been extremely responsive to it.

7 EXECUTIVE DIRECTOR CALCATERRA: It's good to hear.

8 MR. CARCANO: Thank you very much.

9 EXECUTIVE DIRECTOR CALCATERRA: Assemblymember Steve Otis, and then thereafter we
10 will have Councilmember Thomas, and followed by Assemblymember Shelley Mayer.

11 ASSEMBLYMEMBER OTIS: Thank you. I thank the Commission, and I want to thank
12 Governor Cuomo for appointing you and the other commissioners, and also to thank Governor Cuomo
13 for really the outstanding job in Irene, in Lee, and in Sandy. What I think we've seen
14 is full use of every arm of state government to try to get state government more
15 involved in terms of emergency management and disaster response.

16 My name is Steve Otis. I am the Assemblymember representing the 91st Assembly
17 District, that is on the Sound Shore in Westchester County - Porchester, Ryebrook, City of Rye,
18 Mamaroneck, Larchmont, and the southern part of New Rochelle. I served for 12 years as
19 Mayor of the City of Rye, from 1998 to 2009. During that time, in the late 90's, the
20 City of Rye is one of two communities in New York State to be part of an innovative FEMA
21 program called Project Impact. This was a Clinton Administration program, a nationwide
22 program. The goal was to have local municipalities make themselves more resilient to natural
23 disasters. Kathleen Rice is here. The other community in New York State was Freeport, Long
24 Island.

25 I have a lot of experience in terms of emergency management. In the floods of 2007 in

1 Westchester County, my community was hit badly. I was appointed and served for four
2 years on the Westchester County Flood Action Task Force. In 2005, I was president of the
3 Westchester Municipal Officials Association. One of the major initiatives we had was to get the
4 county government -- and they did a good job with it -- to work with municipalities, to make
5 sure that municipalities would do a better job of having their own commanding control
6 operations and be better able to communicate with a county command center.

7 In terms of utility companies around the state, right now I do have some views. I'm
8 going to give you a longer written statement for the record. I'm going to be brief now.

9 I think that the goal really should be standards and oversight, in terms of emergency
10 management around the state. We certainly need better communication with local government,
11 better communication with residents, the quality of information to residents. Accuracy of
12 information to residents from utilities needs to be improved. You've heard some of that tonight.

13 What I really would like to focus on is to ask you to make a priority of your work, to
14 look very deeply at the whole mutual aid system that is really not just a New York
15 State system but a system that utility companies have adopted around the country. Obviously
16 some system of mutual aid is important and has some efficiencies. The question really
17 needs to be asked, what are the minimum standards? And I would hope that either the
18 Commission of the Public Service Commission would establish minimum standards for utility
19 companies for what they're going to keep on their regular manpower payroll preparedness before
20 you need to go to mutual aid. Sandy was a very bad storm, but we've had many storms,
21 sometimes unnamed storms, where in Westchester County many residents have been out of power for
22 three, four, five days. That, unfortunately, is becoming the norm and there needs to be an
23 understanding why this has been and it really is unacceptable.

24 The mutual aid system -- and we saw this in Sandy and other storms -- it takes days
25 for the crews from around the country to get here, so it means very little is happening in

1 the initial days after the storm. This is a life and death matter for residents, for
2 seniors citizens, especially. I heard mention earlier of the priority list. The utility
3 companies to keep priority lists of people that are at-risk, but they're not always able to act
4 on protecting those people even when they have those lists.

5 There needs to be acceptable standards set for what is acceptable and not acceptable
6 length of time for when people are going to be without electricity, and it's tied into what
7 are they keeping on in terms of their permanent manpower, their permanent workforce, what
8 is their ability to do what they need to do in just a normal ice storm that has no name.
9 What is the preparedness and the planning, in terms of getting mutual aid here quicker,
10 and when they come how long does it take to actually get them out in the field?
11 Because there is a lag.

12 I live very close to where the staging area was at Playland in the City of Rye. It
13 was a massive army with great crews from all over the country and people from Con Ed and
14 they worked very hard. But it took a while to get going and it took a while to have this
15 whole thing deployed. Meanwhile, the first days of the storm, not just Con Ed, all of the
16 utility companies have really cut back to a level where they don't seem to be ready to deal
17 with what needs to happen in a storm even.

18 I go back to the principles of the Project Impact Program, which is to make all of our
19 communities in our utility system, which is your responsibility now, more resilient to
20 these disasters, better prepared, and better able to serve the public, which we really can't
21 live with too many more of these storms. It's a tremendous economic cost and public
22 safety hazard for everybody.

23 I will send you more detailed comments. And I appreciate your time and your coming.
24 This is very important work. And the work of the other commissions that the governor has
25 set up, it's all very important. So thank you and thank him for everyone from Westchester

1 County.

2 EXECUTIVE DIRECTOR CALCATERRA: Thank you so very much, Assemblymember.

3 Up next we have Councilmember Richard Thomas, and then thereafter we have

4 Assemblymember Mayer, and then Jim Killoran, Executive Director of Habitat for Humanity. After Mr.

5 Killoran speaks, then we've got two other speakers.

6 So I'd like to welcome up Mr. Thomas. Councilmember Thomas.

7 COUNCILMEMBER THOMAS: Rich is fine. I was trying to get the Assemblywoman to speak

8 first, out of respect for title. But thank you for having me here this evening.

9 Tonight I'm here on behalf of my day job, New York Area.

10 My name is Rich Thomas. I'm the Director of New York Affordable Reliable Electricity

11 Alliance, also known as New York AREA, chaired by the Honorable Jerry Kremer. I wanted to

12 begin by thanking you for the time you are taking to be here tonight, and for the hard and

13 important work this Commission is doing.

14 New York AREA is a diverse coalition of New York's leading business organizations,

15 labor unions, independent energy experts, and community and environmental leaders. We were

16 formed shortly after the 2003 Northeast blackout, with the mission to advocate for sensible

17 solutions to satisfy New York's growing demand for reliable and affordable power.

18 There is much to learn from Superstorm Sandy and much to do. New York AREA applauds

19 the important work that the Moreland Commission is undertaking and encourages you to build

20 off of a number of initiatives and proposals already in the public domain, including

21 many put forward by Governor Andrew Cuomo.

22 Sandy's damage was unprecedented and severe. According to the New York Independent

23 System Operator, or NYISO, approximately 90 transmission lines, representing 13 percent of

24 New York State's total in-state generating capacity were knocked out of service. Yet,

25 most of New York's utilities managed to restore power to the majority of their customers

1 within days of the storm. For example, Con Edison restored power to more than 900,000
2 customers in the first eight days following Sandy. This significant achievement should not be
3 overlooked nor should the countless hours of work put in by repair crews from New York and across
4 the country in order to restore power to our homes and businesses. Also, let's not
5 overlook or take for granted that this work was done safely.

6 We must also acknowledge those power plants that were able to remain online and
7 generate electricity while Sandy pounded down on New York, including Indian Point, one of our
8 region's largest and most crucial power sources.

9 We must learn from the many mistakes that were made and widely reported so that we
10 improve New York's energy infrastructure and insure that utilities have the best possible
11 flood and electrical outage mitigation mechanisms. As the Governor noted, no one expected
12 Sandy to cause flooding 15 stories beneath Manhattan. Any proposed plan must take into
13 account both function and cost, noting the effect on electric rates.

14 As we all know competitive electricity rates are an essential component of economic
15 recovery and growth in New York. Sandy underscored the fundamental need for transmission
16 improvements throughout New York. The Energy Highway Task Force, prior to Sandy, estimated that 25
17 percent of the state's transmission infrastructure would need to be replaced within ten
18 years. Additional investments will improve efficiency along our state's electric grid
19 and relieve the all too prevalent bottlenecks.

20 Setting priorities will be very important. The right improvements will prove crucial
21 to New York maintaining and growing in-state power generation. I ask this Commission, in
22 making its final recommendations to the Governor, to consider the impact of those
23 decision on New York electricity consumers. As world renowned energy expert Daniel Yergin
24 warns, decision makers must be careful to avoid allowing short term political objectives to
25 overwhelm and misdirect sound policy decisions.

1 New York's energy future will be determined by the decisions made today. In planning
2 for the future, we must support the well functioning components of our energy
3 infrastructure and make strategic improvements to transmission and distribution channels to ensure
4 that consistent availability of affordable reliable power in New York.

5 New York AREA will provide additional written comments to the Moreland Commission in
6 the near future.

7 Thank you for your time and attention in this matter.

8 EXECUTIVE DIRECTOR CALCATERRA: Thank you so much. Much appreciated.

9 MR. THOMAS: Thank you.

10 EXECUTIVE DIRECTOR CALCATERRA: You signed in and provided your contact information?

11 MR. THOMAS: Yes.

12 EXECUTIVE DIRECTOR CALCATERRA: Because we'll definitely want to follow up with you.
13 Thank you so much.

14 MR. THOMAS: Thank you.

15 EXECUTIVE DIRECTOR CALCATERRA: Next -- we have four speakers left for this evening
16 and I'm going to list the order. And if you are here to speak and you're not on the list
17 that means you haven't signed up, so it's very important that you do so.

18 First we have Assemblymember Mayer and then we have Jim Killoran, followed by Habib
19 Salin, and then Scott Pickup.

20 Thank you so much, Assemblywoman. Nice to see you.

21 ASSEMBLYWOMAN MAYER: Nice to see all of you. I'm so glad you're here in Westchester.

22 It was so important to have this hearing here to be able to hear, frankly, the
23 frustrations of all of us with the performance of Con Ed.

24 I'm going to submit written testimony, so I won't go through my enormous unhappiness
25 and dissatisfaction with their performance.

1 I did very much appreciate your interim report and the suggestions you've made so far.
2 I want to focus on five concrete suggestions which I have which I hope you will
3 consider.

4 I just want to start by saying as an assembly person that represents the 90th Assembly
5 District solely within the City of Yonkers -- and not all of the City of Yonkers -- for
6 the fourth largest city in New York to be basically treated like a village by Con Ed,
7 with no separate plan, it appeared to me to deal with a power outage that affected more
8 than 25,000 customers was completely unacceptable, and I made those views known to Con Ed
9 but to very little avail. But I do think the fact that you have these major urban
10 communities, like Yonkers, that, frankly, because it was in Westchester it was treated in a
11 secondhand manner was unacceptable to me and I think should be unacceptable to the state.

12 I have five specific suggestions dealing with lack of preparedness, restoration, and
13 communication that I hope you will consider.

14 First, the Public Service Commission should establish a performance benchmark and
15 incentive standards for each utility company when the outages in the region reach a particular
16 threshold. I'm going to be introducing a bill that mirrors legislation from the State of
17 Connecticut which imposes real standards and financial incentives when power is out for more than
18 10 percent of the customers of a utility for a period exceeding 48 hours.

19 These standards and incentives will pertain to staffing levels, targets for
20 restoration, maintenance and investment, and will be based on information provided by the
21 companies themselves with the input of the regulator. Failure to meet the standards will result
22 in the imposition of civil penalties that cannot be passed on to ratepayers. Not only
23 will these standards help consumers, they will also incentivize investment in
24 infrastructure, which seems to be lacking. Frankly, I believe we need these economic incentives to
25 enforce utilities like Con Ed to bring their preparedness and responsiveness into the 21st

1 Century.

2 Second, I am urging that you push for greater disclosure by utility companies in
3 anticipation and preparation for serious weather emergencies.

4 The PSC should mandate and utilities should provide information about current staffing,
5 tree cutting activity and storm staffing plans for consumers so they can review the
6 information, provide comments and become active participants in shaping storm readiness.

7 Third, I suggest that regulations be adopted that require utility companies to adhere
8 to modern communication standards, including timely and accurate response times. I think
9 you've heard this repeatedly. Once work is done at a site and power is restored, crews
10 should be required to provide text messages to the municipal liaison and whoever else
11 is necessary so they can promptly notify municipal officials when coordination is
12 required and notify consumers when their power is back on. It was quite outstanding that they
13 did not use text messaging.

14 Fourth, I believe the Public Service Commission needs to get out of Albany and hear
15 from ratepayers. In my case, after power was restored I requested, at constituents'
16 request, that the Public Service Commission come to Yonkers and hear from my constituents
17 about their experiences with Con Ed. That was based on constituents' legitimate belief that
18 there is a regulatory of the utilities. I'm not sure they believe that anymore. The
19 Public Service Commission refused to adhere to my request. I understood that they basically
20 deferred to the Moreland Commission. That being said, I am going to introduce legislation
21 requiring annual public hearings of the Commission within the service areas of the regulated
22 utility companies throughout the state. The chair and a majority of the members would be
23 required to attend such hearings to solicit testimony from both residential and commercial
24 customers about a range of operational and service delivery issues about which I think they
25 don't know enough.

1 Finally, I urge the commission recommend an independent study be commissioned to
2 examine the value and cost of moving power lines underground. Internal studies by Con Ed or
3 other utilities maybe valuable, but frankly we need an independent assessment -- and I have
4 faith in the Governor on this -- of the benefits of such effort so we can determine whether
5 this investment is merited and if so where. I urge the study examine this issue on a
6 municipality by municipality basis.

7 All of Westchester County and many of my constituents, and you've heard from two of
8 them tonight, were subject to very difficult hardships. I'm convinced if we take the
9 lessons learned here and apply them to the future we can create a stronger, more responsive
10 utility infrastructure and communication system that could do a better job of managing future
11 weather challenges.

12 Thank you for this opportunity. And I'll submit my testimony.

13 EXECUTIVE DIRECTOR CALCATERRA: Thank you so much.

14 Next up we have Jim Killoran, followed by Habib Salin, and then Scott Pickup. Again,
15 those are our three remaining guests this evening or contributors this evening. If anyone
16 else wants to testify thereafter, you need to register. Thank you.

17 MR. KILLORAN: Good evening.

18 EXECUTIVE DIRECTOR CALCATERRA: Good evening.

19 MR. KILLORAN: It seems like there's a lot of power in this light.

20 It's an honor to be before you, and I feel somewhat unworthy. But through the
21 experience of disasters that I've been involved with since I've worked with Shelley, Steve Otis,
22 and a number of the legislators here, with the spirit of volunteers that have been out
23 there en masse from here to the Rockaways over the last three months.

24 We tend to go from hearing to hearing and we'll beat up on the utility companies --

25 EXECUTIVE DIRECTOR CALCATERRA: Mr. Killoran, I need to interrupt you for a second.

1 It's important that you say your name and your affiliation for the record.

2 MR. KILLORAN: I'm sorry. My name is Jim Killoran. I'm executive director of
3 Habitat for Humanity of Westchester. I've responded to disasters from the Mamaroneck floods.
4 I was supposed to be a meeting tonight. And I send my regards to Hurricane Irene. And
5 I've been in the Rockaways for the last 70 days, with 3500 volunteers. And by nature
6 of wanting to help -- our mission is we believe everyone in New York should have the
7 dream to own a simple decent home. In Sandy's case, the mission is to get everyone back
8 into their simple decent homes, as I know everyone's goal is here.

9 First of all, I want to thank the utility worker who is out on the pole tomorrow in 12
10 degree weather. Sixty percent of the world does not have electricity, and we get upset
11 when we don't instantaneously see our computer flash on like that, and I think that's
12 actually a challenge for all of us, as we cannot keep up with the demand for the energy that
13 everyone expects. And we'll never make everyone happy until we look at that as an issue.

14 The second is, tonight I'd like to propose a national and disaster university in New
15 York State that every utility worker becomes certified by attending that.

16 As New York goes, the country can go under. I was fortunate to give the CEO of a
17 major corporation, that had 25,000 sandbags around his corporation down by the World Trade
18 Center, a tour of the burned out houses out at Breezy Point. He was wise enough to put
19 25,000 sandbags around his company. But many companies around him still are not back in
20 there.

21 In the World Financial Center, the capitol of the world, which we are -- my kids were
22 born at NYU, which just recently got up and running with power. We have seen unprecedented
23 disasters in our lifetime. And not to think that disasters are going to happen again
24 is imprudent of all of us. I think there's a personal responsibility. Someone said they
25 bought a generator for their own home; I think that's prudent for every homeowner. And

1 the gentleman from Carmel, Mr. Gargano I believe it was, was talking about training
2 everybody on being ready for disasters, and I think that's important for all of us to be
3 prepared for that. So I'm proposing that maybe radical idea, but maybe not so radical. To
4 think that -- where New York is so surrounded by water and our energy use in the highest in
5 the country, that a disaster won't happen again and that we're not training people for
6 that would be imprudent.

7 I got that model, in a way, from a group that came that has been working with me from
8 Israel where everyone trains regularly. They've been helping me in the Rockaways. God bless
9 them. They just returned and I miss them. But everyone goes through disaster training,
10 like many go through the Army.

11 We take for granted that the lights are on when we go home all of the time. So this
12 is not to let the utilities off the hook. But where do we go from here? And I also
13 think alternative energy needs to be part of the dialogue for the future. How do we create
14 energy off the grid that isn't affected by the main users of the utilities that most people
15 are using so we have a backup system that will be -- again, I don't know the technology
16 for that, but it is being done in different parts of the world. It could be solar, it
17 could be wind, or it could be other things.

18 Also, for the individual homeowner, how do we respond to put our utilities up above,
19 on a second floor and do that so if there is flooding that happens, which we've seen a
20 lot of in this county and in the Rockaways now -- not during Sandy in this county but in
21 Irene in the floods of Mamaroneck -- then we have to do better and perhaps create codes,
22 building codes that are not going to let people to be imprudent on how they put their utilities
23 in their home. We have to do better on that in creating codes that are going to change
24 that.

25 I wanted to be here. I invite people to -- there are 30,000 families still tonight

1 without lights on and heat on. What I see is the capitol of the world and the greatest state
2 in the union, and that's irrational to me. We have to do so much better for that.

3 It's not just the utility companies. It's not just the elected officials. It's not
4 just the -- someone said they're going to create their own shelter at the Catholic, you
5 know, convent or whatever it is, and I think that's wise. It's all of us together that
6 need to help to create these solutions and create a better prepared New York.

7 Then how do we reconstruct for the future of New York? How do we change things
8 differently and create those codes that aren't going to let us rebuild or utilize in the same way,
9 the same mistakes, the same utilities. With the utmost respect, governance comes and
10 goes, commissions come and go. And what happens? Just like many Army Corps of Engineers
11 reports, they don't get implemented. In New Orleans, they didn't get implemented. In
12 Mamaroneck, they didn't get implemented.

13 So recommendations, I hope you make the best ones and the most prudent ones, but
14 unless there's real follow up and weight to that, then -- and I know this isn't a smoke and
15 mirror committee. Right? Yes? It's real. God bless you and God bless the governor for
16 holding this.

17 We can and we need to do so much better. And invite everybody, including all of you,
18 to come out and swing a hammer with me or help someone in the Rockaways or someone get
19 back in their homes. God bless you all.

20 EXECUTIVE DIRECTOR CALCATERRA: Thank you so much for your testimony and for all of
21 the work that you've been doing as well.

22 Our next speaker tonight is Habib Salin. Mr. Salin are you still here?

23 (No verbal response.)

24 Followed by Scott Pickup. Mr. Pickup. Thank you so much. Please identify yourself,
25 and if you have an affiliation, it's important to put that on the record as well.

1 MR. PICKUP: Thank you. I'm the city manager of the City of Rye, New York. As was
2 described earlier by our new assemblyman, who was prior mayor, we're a coastal community in
3 Westchester. I just wanted to speak to you briefly about a couple of issues. I've read your
4 interim and we appreciate some of your suggestions.

5 The specific issues that we have when we're dealing with these disasters on a
6 front-line basis really deal with this Con Edison and utilities and their municipal liaison
7 program. I know you referenced it in your interim reports. Just a few pieces of information
8 that might help you as you make other suggestions to them.

9 They need to spend more money to support these programs. Obviously, they've under
10 invested in some of these emergency response and preparedness issues. For example, when we
11 report outages to Con Edison, we send it in by fax, handwritten on paper. It seems somewhat
12 foolish in today's world that we're doing those types of things in mass disasters. Simple
13 technology upgrades to tablets, access to system data, Con Edison refuses to share with us their
14 transmission and distribution systems.

15 We run emergency operation centers; they are located in police stations. I understand
16 their information is proprietary, in their case they consider it protected under
17 Homeland Security. I'm pretty sure that it won't escape from our police department. And it
18 was critical for us to make decisions about deployment of our own municipal assets as well
19 as with the Con Ed liaisons. We've asked for that information directly from Mr. Ivy,
20 other Con Ed senior officials, and we've been told again that it is proprietary, it's not
21 available to us. I think that's a mistake and, quite frankly, maybe with some support from the
22 commission we can at least have that information available to us while we're in the middle of
23 these disasters.

24 The other thing I would recommend to you on the municipal liaison program, typically
25 they're only there for the initial phases -- the cut and clear operations, coordinating with

1 the municipal crews, and then they disappear. This disaster, because of the scale, they
2 actually maintained a presence all the way through restoration. I think that needs to be the
3 standard. That process, while it was bumpy at times -- and you've heard from multiple
4 jurisdictions about problems, that was the best, at least from our point of view, of getting
5 information from the ground, from the police officers and the people were out in the field,
6 directed at Con Edison to get jobs scheduled, to get details on where poles were down,
7 transformers were down, or live wires were down, where schools were down, critical infrastructure
8 for us. We have a senior citizens facility. We have lot of municipal water
9 infrastructure, sewer infrastructure, most like every other community. We could assist them
10 dramatically in making sure that these things get done more rapidly.

11 From my standpoint, obviously you've heard from other people and they have much larger
12 scale concerns and they're very valid. We're looking at it from the smaller scale. I
13 think these are implementable ideas that will help us get back to that time period where we
14 can narrow that gap from the initial disaster back to restoration.

15 Again, I appreciate the Commission's time. Thank you very much.

16 EXECUTIVE DIRECTOR CALCATERRA: Thank you very much for your testimony.

17 We don't have any other speakers tonight, so what I'd like to do is just mention what
18 we have coming up. We do have our next hearing next Tuesday on January 29, and that is
19 being held at SUNY New Paltz, but it is covering four counties. We can't go to each county
20 so we've set up regional hearings. So that regional hearing will be covering Ulster,
21 Sullivan, Orange, and Dutchess. Then thereafter we will be going to SUNY Binghamton in Broome
22 County, and that will be covering all those contiguous counties to Broome that were affected
23 by Irene and Lee. And then we'll also be going to the capitol region at SUNY Albany, and
24 that will be covering all those contiguous counties. And then we'll be heading north
25 to Lake Placid. Following that, we're going to also have a hearing in Rochester in

1 Monroe County.

2 So, thank you very much for being here this evening. And I'm going to hand the
3 microphone over to Chairman Lawsby.

4 CO-CHAIR LAWSKY: Just to say thank you everyone. Very interesting hearing tonight.
5 We learned quite a bit, as we always do at these hearings.

6 We are adjourned.

7 (TIME NOTED: 8:23 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby state:

THAT I attended at the time and place above mentioned and took stenographic record of the proceedings in the above-entitled matter;

THAT the foregoing transcript is a true and accurate transcript of the same and the whole thereof, according to the best of my ability and belief.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of January, 2013.


FRANK GRAY



Moreland Commission

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