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**THE SENATE  
STATE OF NEW YORK**



**PETER B. HARCKHAM**  
SENATOR, 40TH DISTRICT

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Rory I. Lancman  
Special Counsel for Ratepayer Protection  
New York State Department of Public Service  
3 Empire State Plaza  
Albany, NY 12223

Dear Mr. Lancman:

Thank you for holding public forums and accepting public comments in support of an ongoing determination of whether the performance of the public utility corporation Con Edison, in its response to Tropical Storm Isaias, harmed ratepayers.

It is my perspective that the widespread damage and resulting power outages from Isaias revealed, once again, that Con Edison does not seriously prepare for natural disasters nor have they sufficiently hardened their infrastructure to withstand the magnitude of the storms that are now the new normal.

Following Isaias, I conducted a survey of both English- and Spanish-speaking residents in the 40th Senate District to learn of their experiences in the storm's aftermath and received nearly 800 responses, two-thirds of whom were Con Ed customers. (The other third was NYSEG customers.) Over 570 residents responded that they were without power for three days or more, and over 50 stated they'd lost electricity for more than a week.

This is not acceptable.

From what they have experienced over the past several years, here is what ratepayers in the 40th Senate District can expect from Con Edison in terms of a storm response:

- Poor pre-storm planning and preparation
- Absence of mutual aid teams, pre-positioned

- Absence of Make Safe (live wire) crews in many municipalities
- Poor communications—between Con Ed and customers, municipalities, crews in the field, telecommunication providers and other utilities
- Lack of dry ice and fresh water for residents, much of it inconveniently located when provided
- Absence of materials to perform repairs (pole shortages)
  
- Lack of planning to identify and address supply chain shortages.

Judging from their storm preparations and responses, it is clear that the decisions Con Edison makes are driven entirely by profit motives—the desire to maximize returns for shareholders—and not by any sense of duty of responsibility to protect the health and safety of its customers. This is certainly reflected in its approach to ratepayers and customers in dire straits after storms impact our region.

I firmly believe the Public Service Commission must demand substantive changes from Con Edison or revoke its license to operate. Indeed, I have worked storm recovery response since 2008 and little has changed. It is as if every time Con Ed forgets the lessons it has learned. Fines and fees obviously do little to compel this uncaring public utility to enact the necessary changes required to protect residents from future inconveniences and suffering during power outages.

Sincerely,



Peter B. Harckham  
New York State Senate, 40th S.D.