

George Latimer
County Executive

Testimony From County Executive George Latimer To Joint Senate And Assembly Public Hearing On Power And Communication Failures From Tropical Storm Isaias

August 20, 2020

Dear Senators and Assemblymembers:

My name is George Latimer and I serve as County Executive of Westchester County – a County which once again bore the brunt of a seemingly yearly “once-in-hundred years” storm that left hundreds of thousands of “customers” in my community without any power or telecommunications services for, in some cases, well over a week. Sadly, as you read this testimony there are still residents in my County without service. Clearly, this is not acceptable and changes need to be made and swiftly.

First, thank you to the members of these committees for holding this hearing to allow me the opportunity to once again express frustration on behalf of the nearly one million residents in Westchester I represent.

On Tuesday, August 4, Westchester County was once again in the path of a storm – not by any means a hurricane or tropical storm – but when it hit Westchester County, Isaias was a tropical depression. It moved through the area quickly, very quickly in fact, and by the early afternoon the sun was shining. But that would be the only light some of our residents would have for days.

By the morning of Wednesday, August 5 roughly 100,000 Westchester customers were left powerless and/or without phone, cable and internet service. Cell phone calls were all but impossible to make throughout the County. Sadly, as this testimony is being drafted there are still Altice and Con Edison customers without services. Outrageous in anytime but today, in an age of working from home, distance learning and an ever increasing reliance on having adequate power – not to mention the scorching temperatures – thousands of Westchester residents were left, and still are left, in the dark or without telecommunications for over a week at the hands of Con Edison, NYSEG, Altice and Verizon.

What has become abundantly clear to me is that the single biggest reason why it takes so long for power to be restored is lack of personnel. The utilities do not have sufficient, permanent and available workforce to put enough “boots on the ground” in the first 48 hours after a weather incident. The “cut and clear crews” come first, before the local Departments of Public Works remove the fallen tree or pole and before the utility restoration crews re-connect the power.

Oftentimes, after a major storm, these “cut and clear crews” are brought in from all around the Country as a call for “mutual aid.” The problem here is that those crews aren’t called upon until after the storm has already swept through. I ask, how is that possible? This storm was heavily reported in news reports. So much so that many utility companies sent out communications to their customers about the impending severe weather. Why is sufficient mutual aid not called in ahead of time in anticipation of the storm? This storm was no surprise. My belief is that it’s all about the companies’ bottom line.

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Additionally, the communication from the utility companies to their ever-rising rate paying customers was – frankly – pathetic. Customers were consistently fed incorrect or outdated information. In some cases, customers resorted to putting signs up in front of their homes to ensure that crews that may be passing by after three or four days were aware that their home was still without power. Customers felt the need to resort to that when they either received a knock on the door from the company earlier asking if they had power or received a text that their service was restored – while they were sitting in a dark home.

We saw this in 2018 after Reilly and Quinn and – after two years and supposedly millions of dollars spent on a “strengthening” of the system and rolled out in a digestible plan with much pomp and circumstance - we saw it again. We were told that the large investment in “Smart Meters” would help to alleviate these problems, by providing real time, customer specific information to the electric companies. Clearly that did not happen. I urge the utilities to provide an assessment of the impact of the new meters on their storm response and their communication with customers.

In October 2018 after the notorious “March Storm,” I stood with the utility companies, namely Con Edison, as they promised to fortify overhead electricity to better handle severe storms. They instituted a pilot program to remove trees that were potential problem areas, they promised better storm staffing and they promised better communication with customers. Sadly, after another “once-in-a-lifetime” storm, none of this seems to have occurred. That excuse must now go by the wayside and real action must occur. We simply cannot repeat the same pattern again and again.

I will conclude my testimony with two recommendations that address the front-end staffing issue and the long-term “cost of doing business” issue.

First, we simply need more workers available at the front end of the post-storm recovery.

Therefore, I am proposing, in concept, the creation of a “utilities reserve corps” recruited from utility worker retirees and other sources, they would receive an annual stipend and receive annual updated training a week per year. This “reserve corps” will be called upon to provide immediate emergency deployment much the same way the National Guard or Army Reserve works. There are a thousand details to work out - compensation, union status, circumstances that trigger the “call up,” financing the corps - but the current system does not allow utilities to staff up year round the person-power they need for the yearly incidents that may occur, and mutual aid from distant states doesn’t fill the response gap created by a significant storm.

Secondly, as we have seen time and time again, any fines levied by the Public Service Commission never seem to deter the utility companies from allowing this inadequate storm response to happen again. And

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when the fines are levied, they are done so months – sometimes years – after the storm has passed and hardworking Westchester residents have already had to get back to their lives providing for their families.

I propose an upfront fine structure by the Public Service Commission that is simple, straightforward and may finally provide the real financial incentive that these utility companies need and understand. The formula is this – take the total number of customers without power times the number of outage days and multiply that by \$1,000. Meaning, 10 customers out of power for 10 days would levy a fine of \$100,000. The fines would be directly tied to the community impact, would not correlate with a rate increase, and have some teeth.

Much like parcel delivery companies who consider parking tickets a “cost of doing business” when they block streets, resulting in increased traffic danger to drivers and pedestrians attempting to navigate around the illegally parked trucks, it appears that the utility companies would rather face a PSC fine and a few weeks of public outrage than to do what it takes to make real change. This increased fine structure may finally push them to do just that.

In closing, I once again thank the joint committees for their time and work on the subject and plead that we find real solutions for the real people we represent who time and time again suffer from the poor job performance from utility companies that have a monopoly on their business. It is not right and we must not let it stand.

Thank you.