

Statement of Assemblyman Steve Otis, NYS Public Service Commission, Public Forum on Tropical Storm Isaias Utility Performance, January 5, 2021

Thank you, Special Counsel Lancman, the Public Service Commission and Governor Cuomo for this hearing. The Governor and the PSC has made attention to these storm response and recovery issues a priority.

Thank you for this opportunity to provide comments to the Public Service Commission and staff regarding steps we can take in New York State to improve response by electric utilities to major storm events.

I am Assemblyman Steve Otis from the Sound Shore in Westchester County representing communities along the coast from Port Chester to New Rochelle. Prior to joining the Assembly, I served as Mayor of the City of Rye from 1998-2009. I have worked on community emergency response and utility storm performance issues for many years.

I encourage you to look carefully at all of the recommendations in our United Westchester Report. This group effort of state legislators, county leadership and municipal officials produced valuable proposals that should be implemented.

I would like to focus on one of the recommendations that I have advanced for a number of years, the adoption of time-based restoration targets for electric utilities following storm outages.

The PSC has made great advances in providing a structure to better define utility company restoration planning and event reporting. Almost a decade ago, the Commission improved the reporting system for utilities surrounding activities tied to storm events. After Sandy and the subsequent Moreland Act Commission recommendations, additional structure was provided for emergency planning. Following the Riley and Quinn storms of 2018, the Commission's report on those storms brought requirements for increased detail regarding preparedness and the ability to respond as part of an electric utility's Emergency Response Plan. The Commission, where appropriate, required utilities to bring their own staffing to levels of a decade earlier to properly meet storm preparedness needs.

The next step needs to be for the Public Service Commission to institute time-based targets for restoration of service. Electric utilities should tie to their staffing levels, ability to secure timely outside assistance and the availability of materials and equipment necessary to restore service on a timely basis to restoration targets.

A system of time-based restoration benchmarks is needed because without such targets our constituents, businesses and local governments will continue to experience regularly occurring extended outages due to our emergency response rules that do not fully require planning efforts and preparation to match timely restoration.

We are one step away. As indicated, we have upgraded the requirements for planning. We now need to match that with a target. What percentage of outage restorations should a utility plan for within a specified time period? What percentage should we establish as a goal within 48 or 72 hours? Has a utility arranged for the resources to reasonably meet the goals we set? This is the next step that PSC and NYS have to take to protect the safety of the public, to prevent recurring seemingly endless outages and to hold electric utilities accountable for actual performance.

Today we evaluate utilities on a variety of metrics but none are as important as the measure the public understands: how long were they without service, how long did it take to have power restored? Let us have an online dashboard at the PSC where storm restoration performance can be judged and compared.

Through the recommendations found in the report, through other legislative proposals, through the work of the Commission and with the help and collaboration of electric utilities, we need to come up with a time-based restoration model that is reasonable, accounts for extraordinary circumstances but does a better job of requiring service restoration on a more-timely basis than we have become accustomed.

More broadly, for the restoration issue but for many of the issues we included in the report I believe a consistent question is: do companies have adequate staffing, the ability to bring in outside staffing quickly when needed, and the technical resources and physical equipment to get the job done?

From storm hardening, assessment, communication to the public, communication and coordination with local governments and telecommunications companies, protection of individuals dependent on electric service to maintain life support equipment, communication and organization of repair crews are electric utilities and telecommunication companies prepared to respond to storm events?

These are the questions that all of us in state government need to focus on if we are going to achieve what we all desire in better resilience, preparedness and response to storm events. The public deserves the improved performance that we are calling for.

For the work on the report, I would like to thank my Assembly colleagues Amy Paulin, Sandy Galef, Tom Abananti, David Buchwald and Kevin Byrne. Most of us serve on the Assembly Committee on Corporations, Authorities and Commissions. I would also like to thank County Executive George Latimer and the numerous local officials who were part of this effort.

[United Westchester Restoration Time Recommendations](#)

PSC Recommendation #8: The Public Service Commission should set benchmarks for restoration times to push electric utility companies to restore power to all customers in a reasonable amount of time following severe storms. The Commission should set specific benchmarks for each storm classification level that cover the period of time required for make-safe efforts, assessment of damage, setting of Estimated Time of Restoration (ETR), and completion of restoration efforts. The Commission should require the electric utility companies, in their Emergency Response Plans, to include a plan that details availability of staffing and equipment and the utility's ability to meet targeted time restoration standards for each benchmark as established by the Commission.

Electric Utility Recommendation #17: Electric utility companies should strive to restore power to all customers in a reasonable amount of time following severe storms. The electric utility companies should adopt benchmarks for restoration times for each storm classification level that cover the period of time required for make-safe efforts, assessment of damage, setting of Estimated Time of Restoration (ETR), and completion of restoration efforts. In their Emergency Response Plans, the electric utility companies should include a plan that details availability of staffing and equipment and the utility's ability to meet targeted time restoration standards for each benchmark.