

Consumer Power Advocates

Columbia University Medical Center
Fordham University
Memorial Sloan Kettering Cancer Center
The College of New Rochelle

Mount Sinai Health System
New York Presbyterian Hospital
New York University
NYU Langone Medical Center

Filed electronically

January 3, 2017

Honorable Kathleen Burgess
Secretary
New York Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350

RE: Case 13-E-0030, et al. – Con Edison petition to modify the Phase III Storm Hardening Order

Dear Secretary Burgess,

These are the comments of Consumer Power Advocates (CPA) on the Motion of *Consolidated Edison Company of New York, Inc. Seeking Modification of Requirement in Phase III Storm Hardening Order* dated October 25, 2016. CPA is an active party in the above captioned case, and participated in the Storm Hardening Collaborative.

The Commission should reject the Con Edison motion.

CPA supports the Commission decision to require dual-fuel equipment at the four sites which are likely to have the greatest impact on reliability.¹ In doing so, the Commission stated (Phase 3 Order, p.21):

... the City's concerns regarding extended outages and fuel source issues have merit. Furthermore, it is not enough to use past storm experiences to limit reasonable resiliency efforts.

¹ - The four sites include two generation stations (74th Street and Ravenswood stations) and two transmission stations (East 13th Street and Fresh Kills).

It must be noted that “past storm experiences” include power outages that are measured in weeks, not in hours, as Con Edison would do. During the aftermath of Superstorm Sandy, replacement fuel was unavailable or undeliverable to many areas of the metropolitan region for long periods of time. Some of our members struggled for weeks to secure a continuous supply of fuel oil, and others suffered damage to their fuel storage facilities. Con Edison will not be exempt from similar difficulties in the event of another devastating storm.

The Company’s own policies and procedures prove that it considers 48 hours storage inadequate. New interruptible gas customers- including those that may not provide essential services to the community- are required to file affidavits (<https://www.coned.com/-/media/files/coned/documents/escos/documents/interruptible-customer-affidavit.pdf>) attesting that they maintain on-site, physical fuel storage equal to 3 days peak use, and to further have in place contracts guaranteeing delivery equal to 10 days peak use.

The plan described in the motion would save ratepayers only \$4.5 million in capital cost. Considering the importance of these four facilities to the reliable operation of the system, and that cost to date of the storm hardening effort has exceeded \$1 billion, the added cost of providing natural gas is *de minimus*.

Among the advantages that the Company notes (response to DPS-39) is that temporary tanks do not require the installation of costly fire detection and suppression systems. Note that the Company does not claim that temporary tanks present less fire hazard than permanent tanks, only that current codes do not require that equipment in the case of temporary tanks. One must ask whether future City administrations will continue to agree that tanks stationed for their entire 20 year life at a single location are temporary and thus exempt from codes applicable to permanent storage tanks.

By proposing the use of moveable fuel tanks, the Company has proposed a temporary solution for a permanent problem. The need for reliable fuel at those locations will persist long after the reasons for the placement of temporary tanks are forgotten and other considerations lead to their removal.

Finally, we are also concerned about the physical security of these temporary structures in the face of another storm like Sandy. One major advantage of the dual fuel requirement is that a high-pressure gas line, being buried, is unlikely to go anywhere. It is not clear that the same can be said of temporary fuel tanks.

For all these reasons, CPA urges the Commission to reject the Company's motion.

Respectfully Submitted,

Catherine M. Luthin

Executive Director