

Utility Rate Analysis Consultants (URAC)

156 Scranton Avenue
Lynbrook, NY 11563

(516) 536-4545 fax (516) 594-9413
email: DDiCeglio@UracCorp.com

August 20, 2020

Testimony for Legislative Hearings on NYS outages

Dear Legislators

I would like to begin by thanking you for allowing me to testify in this proceeding. My name is Douglas DiCeglio and I am the President of URAC Corp. My firm, which represents consumers in billing disputes against utilities, has been in business since 1975. I joined the firm in 1980.

With 40 years of dealing with the utilities, I hope I have accumulated the knowledge to help in your investigation into one of the issues before you - utility response times. I admit I have little knowledge about utility infrastructure or their operations for dealing with the aftermath of a storm, but I can assist with the general problem of utility response times to all consumer complaints. Their response times are unequivocally poor. When they do get around to responding, those responses are equally poor. It is standard practice to drag their feet and there is no reason compelling them to do otherwise.

As monopolies the utilities have little concern for customer retention and therefore have little concern to promptly respond to customer complaints. The recent outages just highlighted what has existed during my 40-year career.

I commend the Legislature for initiating these proceedings and hope they will result in new laws that protect the consumers. Utilities are never going to promptly and properly address consumer concerns until they are forced to do so by either the threat of losing their franchise or the suffering of penalties for tardy and improper responses. I was very pleased that the first day of hearings fully addressed this fact.

My concern is that during the PSC testimony it was touched on, but not fully addressed, how the PSC/DPS is not a proactive body. Senator Comrie and others clearly defined the storms that have plagued us over the years and yet we still do not have a properly functioning storm response program. Storm after storm we end up right back in the same situation.

I can personally confirm my interactions with PSC/DPS staff prove the reactive and often dismissive nature of this agency. They allow issues to remain unresolved causing an increase in cases and workload by their staff. As an example, I brought to the Commission's attention, through a formal petition for declaratory ruling, the fact that the utilities were not promptly responding to customer complaints. Instead of issuing a generic ruling addressing this concern, the Commission decided to defer the matter to its Office of Consumer Services to deal with it in each individual complaint. That made this one issue, which could have been decided by the Commission, into hundreds of cases to be decided individually by its Office of Consumer Services. In another case (18-S-0269) the Commission found "***The Commission agrees with Mr. DiCeglio that timeliness for compliance with determinations are critical and definitive. The commission declines, however, to ordered penalties for Con Edison's late compliance in this case***"

The PSC/DPS has a track record for excusing the utilities from their responsibilities. In my opinion it is the PSC/DPS that is allowing utilities to act in such an irresponsible manner. It is the PSC/DPS that needs to be reinvented.

I leave you with this one thought. My father worked for LILCO for 24 years prior to establishing URAC in 1975. He was a customer service representative. At that time LILCO would have done anything a consumer requested if they mentioned they were taking the matter to the PSC. LILCO feared the PSC. Move forward 40 years and none of the utilities are scared anymore. What does that tell you about our current PSC?

If you have any questions or issues where you believe I can be of assistance, please feel free to contact me.

Douglas DiCeglio
President

ddiceglio@uraccorp.com
516-536-4545