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**PUBLIC SERVICE COMMISSION RECOGNIZES NEW YORK CITY'S DEMAND
FOR IMPROVED CON EDISON REPAIR PROGRAM FOR STREET LIGHT AND
TRAFFIC SIGNAL POLES TO MINIMIZE STRAY VOLTAGE PROBLEMS**

Mayor Michael R. Bloomberg, Corporation Counsel Michael A. Cardozo and Department of Transportation Commissioner Iris Weinshall today praised the Public Service Commission (PSC) for issuing an order emphasizing that utilities are responsible for ensuring the safety of their electric systems, including addressing the problem of stray voltage. The Commission issued a notice soliciting comments on a Public Service Commission Staff Proposal that would put in place detailed measures to minimize public exposure to stray voltage. The Commission's order comes in the aftermath of the tragic death of Jodie Lane, who died after being shocked by stray voltage while walking her dogs last winter. After the incident, the PSC opened a proceeding to examine the safety of the Con Edison and other utility systems in New York State. Once the Staff Proposal is approved, the measures would be implemented statewide.

"The Public Service Commission has taken a tremendous step in ensuring the safety of all New Yorkers," said Mayor Bloomberg. "We look forward to working with Con Edison to address concerns regarding stray electrical voltage so tragedies like the one that took place last winter are prevented. I am also pleased that the Commission recognized that the City, as a Con Edison customer, is entitled to better services than it was receiving."

"The City will take this opportunity to carefully review the Staff Proposal and comment as appropriate in order to obtain the best possible program to protect the public in New York City," said Corporation Counsel Cardozo.

"We are gratified by the Commission Order and the Staff Proposal recognizing the concerns raised by the Department of Transportation and look forward to working closely with Con Edison to remedy these stray voltage and repair problems," said Commissioner Weinshall.

In mid-July, the City submitted a filing to the Commission detailing problems with Con Edison's service and repairs to about 214,000 street light poles and traffic signal poles. In particular, the City expressed concern that many of the streetlight and traffic signal poles in which stray voltage was found had already been identified by the New York City Department of Transportation (DOT) as not functioning properly and in need of repair. These "no current" poles were identified to Con Edison by DOT by way of "stop-tag" cards, notifying Con Edison of the location of the pole in need of repair. The number of these problematic poles in need of repair by Con Edison had increased by about 60% over the last year, and the average age of repair notices on these poles exceeds two-and-a-half years. As of June, City records indicated the existence of 5,109 open "stop tags" on streetlights and 570 "stop tags" on traffic signals.

(more)

The Staff Proposal recommends that all utilities conduct stray voltage testing of all facilities annually; stray voltage should be corrected upon detection; and permanent repairs must be effected within 45 days. The Proposal also recommends that each utility should also develop a formal inspection program to inspect all facilities at least once every five years.

The Staff Proposal notes that in New York City, “It became apparent that Con Edison has a large number of locations where power is not being provided or is being provided via a temporary shunt. The reasons for this vary, but Staff has seen credible evidence that an unacceptably high level of the stray voltage locations involving street light and traffic signal poles occurred at previously identified no current locations.” The Proposal recommends that Con Edison be required to permanently repair all “no currents” within three months of the effective date of the Commission’s adoption of safety requirements, and permanently repair and remove temporary shunts within the same time frame or earlier. All new “no currents” and temporary shunt conditions must be repaired within 45 days.

The Staff Proposal is not considered a final rule until approved by the Commission. Final comments by the public are due by Monday, Oct. 4. Comments can be filed at the Public Service Commission in Albany.

The City is represented by Couch White, LLP, a law firm with expertise in energy, telecommunications and environmental matters. Robert M. Loughney is Couch White’s lead attorney on the case. Division Chief Gail Rubin of the Law Department’s Affirmative Litigation Division, and Franco Esposito of the Department of Transportation’s Office of Legal Counsel, are also representing the City.

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