

# ULSTER COUNTY EXECUTIVE

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April 22, 2024

The Honorable Rory Christian, Chair  
New York State Public Service Commission  
3 Empire State Plaza  
Agency Building 3  
Albany, NY 12223-1350

RE: Case 22-M-0645 | Cases 23-E-0418/23-G-0419

Dear Chair Christian:

It has been more than a year and a half since the NYS Department of Public Service ("Department") released its December 2022 Investigation Report of Fortis/Central Hudson Gas and Electric Corporation (the "Company") documenting extreme mismanagement and neglect in the rollout of the Company's billing system over nearly three years, and we write to urge the Commission to now move forward with a prudence review and penalty measures to address the resulting harm inflicted on thousands of customers. It is vital that the Commission undertake this review and a civil penalty assessment before issuing an Order on the current rate case to ensure that the Company is held to account for its reckless actions, and to prevent the further erosion of public trust.

We thank the Commission and the Department of Public Service for responding to our call for an end to the Company's use of estimated billing as recommended by the Investigation Report, and for an independent assessment of the Company's billing practices. Both of these actions were included in the Interim Agreement between the Company and the Department of Public Service, approved by the Commission in August, and are important steps forward. While we still believe that a forensic audit of customer bills may be necessary to provide full confidence to ratepayers that all errors are (and will be) detected and corrected, we await the report of the Independent Monitor to see what its assessment was able to uncover.


As the Commission made clear in its Order, the Interim Agreement is not meant to be a substitute for a potential enforcement or prudence proceeding, and "does not finally resolve issues raised in the Order to Show Cause." The failures of Fortis/Central Hudson management in implementing the new customer billing system were extensive and extreme. The Investigative


Report documented a blatant disregard for major defects in the system and the warnings of employees, inadequate testing, training, staffing, and internal communications, a lack of candor with customers and the public, and apparent violations of the law. The findings of the investigation suggest a management culture at Fortis/Central Hudson that assigns a low value to the interests and well-being of its customers, and any hope of changing that culture requires that the Company be held materially responsible for its actions and fined for its negligence and failures. Approving a new rate plan before addressing doing so would send the wrong signal to both the Company and the public. We urge the Commission to act now and move a prudence review and civil penalty assessment forward to hold the Company accountable and deter these kinds of management failures in the future.


We thank you for your consideration, and for your commitment to protecting the interests and well-being of Fortis/Central Hudson customers.

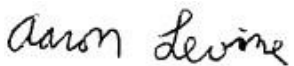
Sincerely,

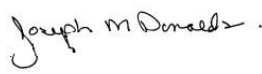
  
Jen Metzger  
Ulster County Executive


  
Patrick Ryan  
Congressman, NY District 18


  
Sarahana Shrestha  
NYS Assemblymember, District 103

  
Abe Uchitelle  
Majority Leader, Ulster County Legislature

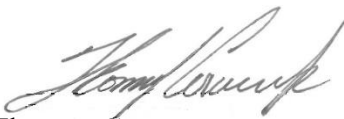
  
Aaron Levine  
Deputy Majority Leader, Ulster County Legislature


  
Joseph Donaldson  
Ulster County Legislator, District 8

  
Michelle Hinchey  
NYS Senator, District 41

  
Peter Criswell  
Chair of the Ulster County Legislature

  
Kevin Roberts  
Minority Leader, Ulster County Legislature

  
Thomas Corcoran  
Ulster County Legislator, District 11

  
Debra Clinton  
Ulster County Legislator, District 16

Richard Walls  
Ulster County Legislator, District 13

Eric Stewart  
Ulster County Legislator, District 18

Gina Hansut  
Ulster County Legislator, District 10

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Ulster County Legislator, District 22

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Ulster County Legislator, District 17

Jeff Collins  
Ulster County Legislator, District 23

Limina Grace Harmon  
Ulster County Legislator, District 20

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Supervisor, Town of Gardiner

Danielle Freer  
Supervisor, Town of Esopus

Steve Noble  
Mayor, City of Kingston

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Supervisor, Town of Hurley

Scott Corcoran  
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Supervisor, Town of New Paltz

Jeanne L Walsh  
Supervisor, Town of Rosendale