

# ULSTER COUNTY EXECUTIVE

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October 31, 2023

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

**RE: Matter No. 23-01662 and 23-01663; Cases 23-E-0418, and 23-G-0419;  
Cases 21-M-0541, 22-00666, and 22-M-0645**

Dear Chair Christian:

I write on behalf of the 183,000 residents of Ulster County to strongly urge the Public Service Commission to pursue litigation under Section 66 of Public Service Law and seek to deny all rate increases requested by Fortis/Central Hudson in Cases 23-E-0418 and 23-G-0419, rather than negotiate a settlement with the Company as has been typically done in past rate cases. Given the ongoing investigation by the Department of Public Service into the Company's mismanaged billing and extremely poor customer service over the last two years, there is no basis for pursuing a closed-door negotiated settlement in response to Fortis/Central Hudson's exorbitant double-digit rate hike request.

Over the past 26 months, the customers of Fortis/Central Hudson have borne the brunt of a poorly implemented billing system and irresponsible business practices that have caused financial stress and harm. Thousands of customers have struggled with billing-related problems of the Company's making, as indicated by the over 20,000 complaints received by the Department of Public Service. At the October 19 public hearing on the current rate case, held in the City of Kingston, resident after resident gave an account of their experience with inconsistent and inexplicable bills, as well as with the exasperating responses (or lack of responses) they received from the Company when contacting customer service. It is important to recognize that while our residents were paying the price of Central Hudson's billing mismanagement, they were at the same

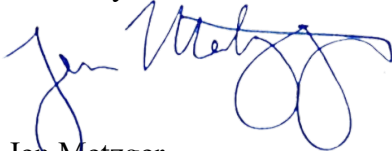
time burdened with the impacts of the COVID-19 pandemic and inflationary pressures that continue to this day. It should therefore come as no surprise that customer arrears greater than 60 days grew by over a thousand percent since February 2020, as reported in the Company's rate case filing.

We greatly welcome the recent agreement to place an independent billing monitor with Fortis/Central Hudson, but a forensic audit of customer bills should still be undertaken to ensure that billing errors are corrected and to give customers the confidence that the billing system can be trusted going forward. Moreover, it is unclear in the absence of a forensic audit how the Commission can ever be certain that the revenue projections of the Company in its rate filing are even accurate.

Lastly, Fortis/Central Hudson's filing shows little commitment to meeting the emissions reduction requirements of the Climate Leadership and Community Protection Act. The centerpiece of its Climate Leadership and Sustainability Panel Testimony to reduce emissions—'responsibly-sourced gas'—is nothing more than an effort to maintain its core gas business rather than support the shift to clean alternatives. Fortis/Central Hudson's website meanwhile continues to advertise gas to customers as "a *resilient* convenient home heating fuel" (the Company's emphasis added), and encourages residents relying on home heating oil to switch to gas.<sup>1</sup> No innovative initiatives have been proposed in the gas or electricity rate filings to support the shift to clean technologies and the use of distributed energy resources to reduce peak and expand hosting capacity for renewable energy. These failures of leadership by the Company would be most effectively addressed through the litigation process rather than through a negotiated settlement.

It is imperative that the Commission use the tools at its disposal to hold the Company accountable to its customers and to State law if there is ever any hope of regaining the confidence of Central Hudson customers in the regulated utility system. I strongly urge the Public Service Commission to pursue litigation under Section 66 of Public Service Law and seek to deny all rate increases requested by Fortis/Central Hudson requested in this rate filing.

Sincerely,



Jen Metzger  
Ulster County Executive

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<sup>1</sup> <https://www.cenhud.com/en/my-energy/simply-better/>