



Legislation Text

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Res. No. 577

Resolution calling upon The New York State Public Service Commission (PSC) to require that all utility companies doing business in New York City file an annual report on all service outages, including the number, type, and severity of such incidents, as well as an assessment of the financial impact on affected entities.

By Council Members Gutiérrez, Ossé, Restler, Louis and Hanif

Whereas, Reliable access to electrical service is a crucial component of modern life, as everything from public transit, personal electronics, machinery, lighting, heating and cooling, to the the refrigeration of perishable goods are dependent on electricity to function; and

Whereas, Power outages can severely impair access to information resources, financial services, and municipal services, can render many businesses unable to operate, and can lead to economic losses, property damage, and potential loss of life; and

Whereas, Schools, hospitals, and medical facilities are vital community facilities that are particularly dependent on reliable access to electrical service in order to adequately serve the public; and

Whereas, As classrooms become increasingly reliant on technology for educating students, consistent access to power becomes even more crucial to ensure schools, universities, and other educational facilities have the reliability necessary to properly serve their students; and

Whereas, In medical settings, disruptions to power supply can have severe consequences for patients undergoing treatment or surgery at the time of the disruption, with the risk to patients increasing as the duration of the power outage increases; and

Whereas, Lack of electrical power can also have negative effects on the ability of medical professionals to render competent care, particularly when they must make diagnostic and care related decisions without

access to digital medical records; and

Whereas, Power outages can also increase community dependence on medical facilities like hospital emergency rooms, as individuals reliant on at-home medical equipment like oxygen machines, nebulizers, at-home dialysis, infusion pumps, and electric wheelchairs must seek alternative medical support in the absence of electricity to power their devices; and

Whereas, According to one analysis of northern Manhattan emergency department visits during the 2003 East Coast blackout, nearly 10% of individuals seeking care during the 24 hour window examined were doing so due to the failure of an at home medical device, with such individuals accounting for over 20% of the patients admitted over that timeframe; and

Whereas, Medical imaging equipment such as magnetic resonance imaging (MRI) machines, computed axial tomography (CAT), and positron emission tomography (PET) scan machines require consistent power levels to function properly, with disruptions in power supply potentially leading to corrupted data files, time lost due to necessary re-imaging, and, in certain cases, even damage to the equipment itself; and

Whereas, After severe rain caused a power outage on September 29th, 2023, Woodhull Hospital in Brooklyn was forced to evacuate 120 patients to other medical facilities in order to shut off backup power so that repairs could be made; and

Whereas, While repairs were being made, patients who would normally have been routed to Woodhull Hospital for treatment had to be diverted to other New York City Health + Hospitals facilities for medical care, potentially delaying access to care, which in certain instances, can lead to worsening patient outcomes; and

Whereas, Power outages can also result in financial consequences for medical facilities, due to canceled appointments, inability to book new appointments, potential costs associated with transferring patients to other facilities, reduced staff productivity, reduced patient satisfaction, and potential damage to sensitive equipment; and

Whereas, Electric, gas, water, steam, and telecommunication utility service providers in New York State

are under oversight of the New York State Public Service Commission (PSC), which is tasked with safeguarding access to safe, reliable utility service at just and reasonable rates; and

Whereas, The PSC is charged with the legal authority to set rates for utility companies, and can use the rate setting process to ensure that utilities are providing adequate service to their customers, with utility responsibilities outlined in an agreement known as a schedule for service; and

Whereas, The Schedule for Electricity Service for Con Edison, New York City's principal distributor of electricity, outlines a compensation policy for customers experiencing service interruptions, but the policy does not require them to reimburse customers for operational losses, or for damage to equipment incurred because of a loss of power; and

Whereas, According to Con Edison's Schedule for Electricity Service, the compensation policy for customers experiencing prolonged outages, defined as an outage lasting longer than 72 consecutive hours, includes a \$25 bill credit for every 24 consecutive hours an outage lasts beyond the initial 72 consecutive hours; and

Whereas, Residential and small business customers may also file for reimbursement for food and medication spoiled due to lack of refrigeration, though the amount of reimbursement cannot exceed \$235 for those providing only an itemized list of spoiled goods, or \$540 for those providing an itemized list and proof of loss, which may include itemized receipts, photographic evidence of spoiled items, or photographic evidence of replacement items that indicate price; and

Whereas, Concrete data on how often utility service outages occur, the cause and severity of those incidents, and their estimated financial impact on community facilities affected by those service outages could potentially compel service providers to be better stewards of their delivery infrastructure; now, therefore, be it

Resolved, That the Council of the City of New York calls upon The New York State Public Service Commission (PSC) to require that all utility companies doing business in New York City file an annual report on all service outages, including the number, type, and severity of such incidents, as well as an assessment of

the financial impact on affected entities.

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