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2 NEW YORK CITY DEPARTMENT OF PUBLIC SERVICE

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4 CASE 09-G-0380

5 Natural Gas Explosion at 80-50 260th Street,

6 Queens, April 24, 2009

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8 Con Edison of New York

9 -----x

10 PS 115Q

11 80-51 261st Street

12 Floral Park, New York

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14 January 7, 2010

15 7:10 PM

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21 Recorded by: Erwin Fried

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1 A P P E A R A N C E S :

2 OFFICE OF HEARINGS & ALTERNATIVE DISPUTE

3 RESOLUTION

4 Administrative Law Judge

5 3 Empire State Plaza

6 Albany, NY 12223

7

8 BY: RUDY STEGEMOELLER, ESQ.

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11 NYS PUBLIC SERVICE COMMISSION

12 Commissioner - Department of Public

13 Service

14 90 Church Street. 4th Floor

15 New York, NY 10007

16

17 BY: PATRICIA L. ACAMPORA

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1 JUDGE STEGEMOELLER: Thank you very
2 much to the Glen Oaks School for making
3 this room available. This is a very nice
4 turnout for our public statement hearing
5 on a cold evening. My name is Rudy
6 Stegemoeller; I'm an administrative law
7 judge for the New York State Public
8 Service Commission. I'm joined here by
9 Commissioner Patricia Acampora who I
10 believe wants to say a few words.

11 MS. ACAMPORA: Good evening
12 everyone. My role here tonight as a
13 commissioner is to listen, because if I
14 got involved with the conversation I
15 could prejudice my vote and believe me,
16 the Commission takes this matter very
17 seriously and I've met Mr. Boodram and
18 his beautiful children and I'd like to
19 say on behalf of myself and my fellow
20 commissioners and the staff of the
21 commission that we give you our sincere

22 condolences for your loss. And I see the
23 wonderful support that your family has
24 received as you walk into the school you
25 can feel it's a special place. So we

1 hope you continue to do well. And so as
2 I said before, I'm here to listen; it's
3 very important to all of us. We want to
4 hear what the citizens have to say as a
5 result of this unfortunate and horrible
6 accident. So we'll continue.

7 JUDGE STEGEMOELLER: Thank you.

8 Before we get started with the speakers
9 I'd like to just very quickly to go over
10 our process here, make sure everybody's
11 clear about it. Starting with who we are
12 and what we are doing here. The Public
13 Service Commission is the state agency
14 that regulates public utilities. Among
15 many other things we supervise the
16 utilities' performance, including the
17 safety of their service. This hearing is
18 one part of the Commission's
19 investigation into the explosion and the
20 personal tragedy that occurred last
21 April. The Commission's examining what

22 needs to be done to prevent anything like
23 this from ever happening again. In
24 November the staff of the agency filed a
25 detailed report of their investigation.

1 A summary of the staff report is attached
2 to the hearing notice and that's
3 available at the back table. Or the
4 front table, which ever you want to call
5 it. In December, Con Edison filed a
6 response to that report. Both of those
7 reports in their entirety are available
8 on the Commission's web site, and that
9 link is also available; it's in the
10 hearing notice which is on the back
11 table.

12 Now the Commission wants to hear
13 from members of the public, and that's
14 why we're here tonight. This is your
15 opportunity to express your concerns and
16 your opinions. All of your comments will
17 be recorded by our reporter; the comments
18 will become part of the official record
19 of the case and it will be presented to
20 the commissioners. My chief job here is
21 to make sure that everybody who wants to

22 speak gets the chance to speak and be
23 recorded into the official record.
24 Commissioner Acampora and I are here to
25 listen; this is not a question-and-answer

1 forum; it's not that type of a hearing.
2 For people who would like to speak, if
3 you haven't already done so, there are
4 cards at the back table so you can fill
5 one out and Ms. Wasser (ph.) will bring
6 them down to me. At this point I have
7 six cards, and Con Edison is here. They
8 will speak first, and again, this is not
9 a -- there will not be a dialogue with
10 the Con Edison representatives; they will
11 make a statement the same way everybody
12 else makes a statement. And for those
13 who would like to have some input but
14 prefer not to speak, you can submit
15 comments online or by telephone and the
16 instructions on how to do that are also
17 included in the hearing notes. One last
18 thing, because the comments are being
19 recorded by the reporter, it's very
20 important that only one person speak at a
21 time and at this time please put all cell

22 phones on vibrate. So before we begin
23 with the statements, does anybody have
24 any questions about the process tonight?
25 Very well. Our first witness is Claude

1 Trahan from Con Edison. I'm sorry, I
2 should have said you can -- witness will
3 come over here and you can either stand
4 or sit as you choose.

5 MR. TRAHAN: Thank you. Good
6 evening. My name is Claude Trahan; I'm
7 Senior Vice President of Gas Operations
8 for Con Edison. First of all, I want to
9 say that all of us at Con Edison extend
10 our deepest sympathies to the Boodram
11 family and we express our sincere
12 compassion to the Barth and Levin
13 families as well. As all of the affected
14 residents of the Floral Park's community.
15 This tragic incident is a painful
16 reminder to all of us that protecting
17 life and property must remain our top
18 priority. We have submitted our formal
19 response to the Commission already. It's
20 posted on the PSC web site and we invite
21 the public to examine our review of this

22 tragedy. Today I will summarize the key
23 points of our response and I will go over
24 the changes we've made to enhance our
25 response to gas leaks.

1 We strive to protect the public by
2 regularly conducting gas leak surveys,
3 performing safety inspections and
4 maintaining and upgrading the gas
5 distribution infrastructure. We also
6 continually assess and revise the
7 detailed procedures that govern the
8 operation of the gas system and our
9 response to emergencies. We have taken
10 immediate steps and longer range measures
11 to address the issues identified in
12 Staff's report and the company's
13 assessment of this event. Our specific
14 actions enhance procedures, improve
15 operational performance and insure
16 accountability. Immediately after the
17 explosion, we implemented steps to
18 improve our emergency response to better
19 protect life and property. The new
20 process has worked exceptionally well and
21 the fire department has proven to be a

22 strong asset in our emergency response on
23 numerous occasions. In the event of a
24 gas leak like the one that confronted us
25 on April 24th, we now mobilize additional

1 responders earlier to the scene prompting
2 the immediate inspection of nearby homes
3 for gas and the evacuation of residents
4 as appropriate. These measures provide
5 greater protection for our customers'
6 lives and property during gas-leak
7 emergencies. As noted in the staff's
8 report, many of these operational process
9 improvements were implemented within
10 weeks of the Floral Park incident. We
11 concur with the recommendations contained
12 in Staff's reports and the changes
13 addresses in some instances exceed the
14 intent of Staff's recommendations.

15 First, we implemented several
16 changes to our leak response and process
17 improvements that will substantially
18 decrease the time it takes to get
19 additional help to the location of a
20 significant leak. These changes include
21 streamlining emergency telephone call

22 handling scripts, enhancing the role of
23 the gas dispatcher at our emergency
24 response center to improve leak dispatch,
25 investigation and may save time; also

1 linking simultaneous gas and electric
2 events to coordinate a multi-department
3 response. And requesting local fire
4 department assistance to evacuate and
5 vent structures when significant leak
6 hazard conditions are reported or
7 discovered during the response.

8 Megaphones have been provided to first
9 responders to assist with evacuation.

10 Second, when potential hazardous gas
11 conditions are detected in underground
12 structures, the revised leak procedures
13 require checking building connected to
14 those structures on both sides of the
15 street. These actions facilitated by the
16 prompt response of the fire department
17 will now take priority over determining
18 the extent of gas leak migration.

19 Third, we have improved our response
20 to gas emergencies by better supporting
21 the field crews responding to leaks. The

22 response center supervisors will
23 initially control the field response for
24 significant leak conditions or incidents
25 and in those cases the dispatchers will

1 review the maps of connected buildings
2 and underground structures and have this
3 information available for field personnel
4 upon arrival. The Center has also
5 started a program to monitor dispatch
6 efficiency in order to insure prompt and
7 professional dispatch and to identify
8 staff retraining needs.

9 Fourth, we have developed a uniform
10 checklist of essential equipment to be
11 carried in first-responder vehicles.

12 Mechanics and supervisors will use the
13 checklist on a regular basis to verify
14 that all vehicles are properly equipped.

15 Gas Quality Assurance will conduct
16 periodic reviews to insure compliance.

17 Fifth, we created a new computer
18 application that monitors the locations
19 of customer calls and notifies both our
20 Gas Emergency Response Center and the
21 Electric Control Center of potentially

- 22 related gas and electric service trouble
- 23 reports. Potentially-related trouble
- 24 calls will trigger a stepped-up Company
- 25 response and immediate notification to

1 the fire department.

2 Sixth, in order to enhance our
3 existing 24/7 coverage, we have
4 instituted new field staffing schedules
5 to increase manpower availability. These
6 schedules provide additional field
7 personnel coverage during shift
8 changeovers and during afternoon and
9 evening periods.

10 Seventh, we have reduced the time
11 required to collect vital information
12 from callers. In addition, the new
13 scripts strongly emphasize the need to
14 evacuate for a gas leak and require
15 acknowledgment from callers that they
16 understand our evacuation message. We
17 will also call 911 if the resident is
18 unable to evacuate.

19 Eighth, clearance issues involving
20 electric and gas facilities are addressed
21 when discovered during evacuation

22 activities. We have now implemented a
23 process to document those locations where
24 corrective action has been taken.
25 The Con Ed mechanic who responded to

1 the leak entered a complex situation.
2 Staff's report criticizes the mechanic's
3 choice of initially focusing on
4 establishing the source of the leak by
5 tracing its path and states the mechanic
6 failed to follow several provisions of
7 the Company's gas leak investigation
8 procedures that would have led him to
9 check nearby buildings for gas entry and
10 to vent manholes in the street. The
11 Company's gas leak investigation
12 procedures provide guidance or trained
13 and experienced emergency responders to
14 address the wide range of conditions that
15 may be encountered at a leak location.
16 The procedures in place at the time of
17 this incident did not prescribe a set
18 order of actions for leak investigation
19 but allowed the responder to take actions
20 that were appropriate given all the known
21 circumstances at the time. The new gas

22 leak investigation procedures require
23 that in similar circumstances a first
24 responder, after alerting the Response
25 Center to contact the fire department

1 will immediately check homes for the
2 presence of gas, evacuate as necessary
3 and use a megaphone to conduct a general
4 evacuation if appropriate.

5 We recognize the need for continued
6 effort to improve accountability at all
7 levels, to identify risks and to promote
8 a culture that encourages continuous
9 improvement. Our investigation and
10 Staff's report have led to substantial
11 changes and enhancements to the way we
12 respond to gas leak incidents. The
13 enhanced procedures and training now in
14 place with our first responders,
15 dispatchers, supervisor, customer service
16 representatives and other personnel
17 should enhance our ability to protect
18 life and property during leak
19 emergencies. We are committed to
20 providing our customers the highest level
21 of service and we are determined to do

22 our utmost to keep the public safe.
23 Once again, all of us at Con Edison
24 extend our sympathy and compassion to
25 those affected by this very tragic event.

1 Thank you for the time to speak.

2 JUDGE STEGEMOELLER: Thank you Mr.

3 Trahan. The next speaker is Bryan J.

4 Block.

5 MR. BLOCK: Good evening everyone.

6 My name is Bryan Block. I'm the

7 chairperson for Community Board 13. I'm

8 speaking on behalf of the board. Our

9 district manager spoke earlier today; I'm

10 just going to reiterate the same feelings

11 that our board -- sentiments of the board

12 had regarding this unfortunate situation.

13 I would like to thank the Commissioner,

14 first of all, for being here this evening

15 and Administrative Judge, thank you for

16 coming out. And next I'd like to

17 unfortunately say Mr. Boodram, on behalf

18 of Community Board 13 and your sons, I'd

19 like to give our heartfelt condolences

20 for what took place during April of '09.

21 Community Board 13 agrees with your

22 staff's concerns -- I'm just going to be
23 brief -- as the delay over twenty minutes
24 before a mechanic was assigned to this
25 call. In light of the fact that an

1 electric outage was reported at the same
2 location twelve minutes prior to the gas
3 complaint, in our view this should have
4 been immediately red-flagged the
5 location. It is difficult for Board 13
6 to accept that it was one hour and eight
7 minutes before an additional unit arrived
8 to assist with no supervision dispatched
9 to the scene, and yet this was considered
10 at least in part proper procedure. For
11 less than eight minutes later, Ms.
12 Boodram was dead. Our prior chair's
13 letter mentioned the gas -- discussed the
14 gas main infrastructure is well over
15 fifty years old. In light of Con Ed's
16 comments on May 18th, they were scheduled
17 to replace thirty-six of 820 miles of
18 mains in 2008 and 2009. This is
19 approximately 4.5 percent of their stock.
20 This equates to over twenty years to
21 upgrade the entire Queens system. A

22 conservative estimate is that there are
23 potentially millions of feet of
24 electrical wiring that also needs to be
25 maintained just within our border. As to

1 our commission's recommendations, we
2 concur that a modified script to better
3 assess the levels of severity of
4 complaints is needed. We believe that a
5 faster response time and clear
6 delineation of emergency situations
7 should be maximized. We would like to
8 receive, since we are a repository of
9 public information, a copy of Con Ed's
10 response to your recommendations on
11 dispatch procedures. I guess we can get
12 that from you, Mr. Vice President? We
13 believe that Con Ed should utilize the
14 New York City Department of Buildings to
15 verify and upgrade their neighborhood
16 schematics in concert with your
17 recommendations this would provide them
18 with the ability to, in a clear and
19 concise manner, identify all the
20 surrounding buildings in the area. if
21 they had to subcontract the agency to

22 cover city administrative costs. We
23 believe and agree that in leak
24 investigation or combined events, that
25 the FDNY and NYPD be notified as first

1 responders so that uniformed supervisor
2 of battalion chief be on the scene to
3 determine if based on a need for public
4 safety evacuation procedures for
5 surrounding residents, schools, houses of
6 worship or businesses should be
7 implemented. While we appreciate this
8 opportunity to air our concerns and
9 publically discuss your comments, we must
10 point out that we don't want what
11 happened -- what's happening down in DC
12 where agencies are not communicating. So
13 we also would like to recommend Board 13
14 that Con Ed -- since Con Ed only
15 represents one part of Board 13, that
16 your agency should also be in touch with
17 National Grid. That National Grid
18 represents the other half of our Board
19 and that if there's any situations or
20 emergencies that both of your agencies
21 should be in constant communication. And

22 finally on behalf on Board 13 we'd like
23 to say, never again should this happen.
24 Never again should this ever occur in our
25 community. Thank you.

1 JUDGE STEGEMOELLER: Thank you Mr.
2 Block. Our next speaker is Jerry Wind.
3 Since we've started I've gotten several
4 more cards, and it's still a very
5 manageable number I think, so I don't
6 have to start thinking about time limits,
7 but we probably will have a number of
8 speakers where if somebody is really
9 going on for a long time I might have to
10 intervene if that happens.

11 MR. WIND: Good evening. My name is
12 Jerry Wind. I am president of the
13 Bellrose-Hillside Civic Association,
14 which is located approximately one mile
15 and a half from the site of the tragic
16 gas explosion which claimed the life of
17 Ms. Gwanwatti Boodram. I spent over
18 twenty-five years as an inspector for Con
19 Edison. On several occasions, while
20 making my inspections, I found active gas
21 leaks, generally in the basement, that

22 the homeowner was not aware of. In each
23 case, I took the necessary safety steps
24 and had the leaks located and
25 subsequently corrected. This indicates

1 to me that the public does not always
2 recognize the rotten-egg odor of gas and
3 requires additional education. Many
4 years ago Con Edison sent a scratch-and-
5 sniff card out containing an example of
6 gas odor with their bills. I think that
7 it's time to do this again. Also, I
8 would recommend that Con Edison sell, at
9 cost, natural-gas detectors such as the
10 model I have in my own home. This is a
11 picture of the model. It's made by the
12 First Alert Company and can detect
13 methane, natural gas, propane and carbon
14 monoxide. I feel that if these measures
15 save even one life, it would be worth it.
16 Thank you for your time.

17 JUDGE STEGEMOELLER: Thank you, Mr.
18 Wind. Our next speaker is Bob Friedrich.

19 MR. FRIEDRICH: Thank you very much
20 for having this hearing. My name is Bob
21 Friedrich. I know most of the folks

22 here. I'm the president of Glen Oaks
23 Village. We are a housing co-op. We
24 have 10,000 residents who live in Glen
25 Oaks. We're located about a quarter of a

1 mile away from here. Now, the way we
2 talk tonight about what Con Ed is doing
3 when it comes to resolving a problem when
4 there's a gas leak. But we need to fix
5 the problem so if there is a gas leak,
6 it's not going to end up in an explosion.
7 The way the explosion happened -- I'm
8 just going to read just two sentences
9 from the handout they gave today, but
10 it's very interesting. For those who
11 might not really understand how the
12 process works. The electric service in
13 Ms. Boodram's house came in direct
14 contact with the gas main. The
15 examination of the electric conduit and
16 cable -- we're talking about the
17 electric, we're not talking about gas
18 right now -- they examined the electric
19 conduit in the area where it contacted
20 the gas main revealed indications of
21 failure with the insulation completely

22 melted off and the cable melted in spots.

23 So their preliminary results indicate

24 that a fault in the electric service

25 cables caused current from those electric

1 service cables to flow into the steel
2 electric conduit and then arc onto the
3 two-inch high-pressure gas main. So what
4 happened here was that there was a
5 failure in the electrical service. That
6 failure then arced onto the gas lines,
7 creating the explosion. Now, three-and-
8 a-half years ago I called Con Ed down to
9 Glen Oaks Village. And I called them
10 down because we had continuous power
11 failures and what we called phase-outs.
12 And that is because there is a failure
13 underground in the Con Ed system and the
14 cables were constantly melting and
15 constantly creating problems. Three-and-
16 a-half years ago we called them down and
17 we told them they must deal with this
18 issue. We explained to them where this
19 was happening -- this was a regular
20 basis. Three days ago, we had the same
21 thing in Glen Oaks, where we had to dig

22 up into the ground because there was
23 another failure of the electrical system.
24 Con Ed has done very little in the
25 community, and I'm just referring to Glen

1 Oaks. But I'm also -- those same cables
2 are running under the streets in Floral
3 Park, in New Hyde Park, and in Bellrose.
4 And it's great for Con Ed to tell us what
5 they're going to do when somebody smells
6 gas. I would like to know what they are
7 doing about fixing the electrical cables,
8 because the underground system in this
9 area is in disarray. Continually we are
10 having problems right now as we speak we
11 have Con Ed in Glen Oaks right now. We
12 had them here about two months ago. We
13 had them in other areas of Floral Park.
14 Con Ed must -- and the Public Service
15 Commission must force Con Ed to use its
16 resources to number one, dig up the
17 streets, fix the electrical lines that
18 are running, because this -- as Bryan
19 said, never again in this area, and I
20 agree wholeheartedly with that, but
21 unfortunately I think it's going to be

22 again in this area, because until you fix
23 the problem that caused the explosion,
24 we're always going to be at risk. The
25 problem continues to happen right now as

1 we speak right here, Con Ed -- and then
2 when Con Ed came to fix it they weren't
3 able to fix that electrical problem
4 immediately, leaving our homeowners in
5 our area without heat to begin with, but
6 the problem is the electrical. And they
7 need to deal with that in order so -- in
8 order for a problem like this not to
9 happen again. I would ask the Public
10 Service Commission to force Con Ed to use
11 its resources to rebuild the electrical
12 grid in our community, number 1, number 2
13 to tell us when they're going to do it to
14 the extent of the work that's going to be
15 done -- also any other meeting you're
16 going to have tonight not only send a
17 notice to the schools, reach out to the
18 civics. We are a neighborhood rich in
19 civic associations. We have many of the
20 members here. The only way I know about
21 this meeting is through my fellow civic

22 leaders who we tell each other in e-mail.
23 This is what I call a stealth meeting
24 that the PSC has in order to minimize the
25 amount of participation from the

1 community. If you're going to have
2 another meeting we want one month advance
3 notice giving us time to notify our
4 members in our civics so when they come
5 down here they are notified. The Public
6 Service Commission needs to force Con Ed
7 to deal with the problem that created the
8 gas explosion. Thank you very much.

9 JUDGE STEGEMOELLER: Thank you Mr.
10 Friedrich. Our next speaker is Latchman
11 Seemunngal.

12 MR. SEEMUNGAL: Good evening
13 everyone. I am not here to speak on
14 behalf of Gwanwatti Boodram, although I'm
15 her uncle. Although I'm Gwanwatti
16 Boodram's uncle, I'm here to speak on
17 behalf of a member of this community. I
18 live within walking distance of this
19 school, and I've heard a lot of rhetoric
20 and a lot of recommendations from Con
21 Edison here this evening, about what they

22 will be doing. And you know, that's very
23 good. It makes me feel a little bit
24 safer. However, this is all a very
25 reactive action. What sort of proactive

1 ideas do you have to prevent such a thing
2 in the future. Not only at this scale
3 but on a larger scale. Because if this
4 had happened in an apartment building or
5 like in Glen Oaks Village like Mr.
6 Friedrich is representing here, how would
7 you act on such because it would not only
8 affect one life, but many. I think I
9 have a recommendation for the PSC within
10 your jurisdiction. Maybe you within your
11 powers can put more pressure not only on
12 Con Ed but stipulate stricter policies
13 with regard to how safety is -- people's
14 lives are being -- are exposed by this
15 negligence, and the way this -- you know,
16 I read this report in its entirety, and
17 it seemed as though it's one blaming the
18 other and it's a cover-up more than
19 anything else, and I am very disappointed
20 with this report, and I don't see nothing
21 more than a reaction here from what

22 happened April 24th and I think as a
23 citizen of this community we need to see
24 more proactive action from everyone
25 involved -- Con Edison and PSC especially

1 because you have within your jurisdiction
2 to put pressure on these -- not only
3 utilities but everyone involved. Thanks.

4 JUDGE STEGEMOELLER: Thank you, Mr.
5 Seemunngal. Sorry, Ben Rubinowitz?

6 MR. RUBINOWITZ: Good evening
7 everyone. My name is Ben Rubinowitz and
8 I represent Mr. Boodram and his family.
9 When I hear certain words that are spoken
10 by Con Ed, it quite frankly rings untrue
11 to me. And I'm going to tell you why.
12 Con Ed can stay here and they can bring
13 in an eloquent speaker like this and tell
14 you that we are here for one reason to
15 protect the safety, the health and well-
16 being of the community, and they say it
17 with a straight face. Yet at the same
18 time what they're not saying to you is,
19 we admit fault for what we've done, we
20 were wrong, it should never have
21 happened, but what they say is, look at

- 22 what we're going to do in the future.
- 23 How many more times does it take before
- 24 you are willing to accept responsibility?
- 25 I look straight you and I say point

1 blank, accept the responsibility for what
2 you have done, accept it full force.
3 What you have done is you have brought in
4 other speakers who speak eloquently. Mr.
5 Block., Mr. Winn, Mr. Fredrick. And they
6 tell you why does this has to happen
7 again and again. And there's an answer
8 to that. And the answer is you cannot
9 simply do an evaluation where you show
10 what went wrong and then say at the end
11 of the report but we have done nothing
12 wrong. It doesn't ring true. Through no
13 fault of our own, a woman has died. Mr.
14 Boodram lost his wife, the children lost
15 their mother, they will never again see
16 her, they will never again have the
17 comfort, the knowledge, the education and
18 the guidance that they should have. This
19 is unacceptable. It is time that we come
20 together and say to Con Ed, no more. No
21 more. We're not going to allow you to do

22 this; it's unacceptable. You've done
23 this in the past, you're going to do it
24 in the future, and you're not just going
25 to be able to come up here and give the

1 same rhetoric, the same lip service.
2 What we're asking the Commission to do is
3 to actually take action to force Con Ed's
4 hand, to make sure that the suggestions
5 that were brought out by these wonderful
6 speakers are actually implemented, not
7 just giving us lip service to say do
8 something. What was said by Mr. Block,
9 never again? I hope it rings true,
10 because he couldn't have said it any
11 better. Never again. And it's time for
12 Con Ed to step up to the plate and say we
13 were wrong. Something you never hear
14 from Con Ed. Thank you.

15 JUDGE STEGEMOELLER: Thank you Mr.
16 Rubinowitz. The next speaker is David
17 Weprin.

18 MR. WEPRIN: Good evening. I want
19 to thank the Public Service Commission
20 for convening both daytime and evening
21 hearings on this most important matter.

22 I'm David Weprin, and through the end of
23 this past year I served for eight years
24 as the local City Council Member from
25 this area, the area covering the location

1 of the explosion and the surrounding
2 Queens community. Let me start off by
3 noting as we heard that a personal
4 tragedy affecting the Boodram Family, the
5 loss of a beloved wife and mom, something
6 that ought never happen brings us here
7 today as well as the loss of the Barth
8 family of their home and so many other
9 families whose lives have changed due to
10 this explosion. The City Council passed
11 a bill that I was the proud sponsor of
12 and Mayor Bloomberg just signed it into
13 law to rename the street around the
14 corner where the tragedy occurred in
15 memory of Ms. Gwanwatti Boodram. But
16 also to serve as a constant reminder that
17 no one from this community, from Queens,
18 from any community should tolerate the
19 actions or inactions that led to such a
20 tragic loss of life, of home and
21 dislocation this past April 24th. Three

22 days following this disaster at its first
23 meeting after the tragedy, Community
24 Board 13 unanimously approved a motion
25 that demanded a full investigation and

1 explanation to the public on development
2 of remedial plans to repair and renovate
3 gas utilities in this community,
4 promulgation of an evacuation protocol,
5 and a complete evaluation of all gas and
6 electric lines in the community board. I
7 also held a town hall meeting right here
8 about a week after the explosion to allow
9 residents and others concerned to voice
10 an express their concern and frankly
11 their fears following this most
12 unfortunate tragedy. The PSC Staff's
13 investigation summary detailed what
14 happened that day in great detail. It
15 noted a failure that afternoon to follow
16 Con Ed's own procedures and identifying
17 further new procedures since implemented
18 by the electric and gas utility. PSC
19 Staff did not recommend something that
20 should appear plain to anyone. That is,
21 the need to train and retrain personnel

22 who must engage in difficult and
23 stressful situations that if mishandled
24 can lead to what we all wish did not
25 happen on April 24th. The best managers

1 and coaches put their personnel in the
2 position to win. That involves practice,
3 study, more practice and study. In this
4 case it appears that Con Ed did not
5 recognize the simple imperative. The
6 Commission should add this training
7 component to its final report and
8 recommendation. I otherwise concur and
9 welcome the planning and recommendations
10 noted in the PSC Staff summary and I
11 sincerely hope that we don't have to be
12 in a situation like this again and
13 hopefully will prevent further tragedies
14 in the future. Thank you.

15 JUDGE STEGEMOELLER: Thank you Mr.
16 Weprin. Our next speaker is Oscar
17 Berenberg.

18 MR. BERENBERG: Good evening. I'm
19 Oscar Berenberg, a graduate of
20 Polytechnic Institute of Brooklyn with a
21 degree in electrical engineering. I also

22 am the president of the Lost Community
23 Civic Association, the area in which this
24 disaster took place. And it is only the
25 culmination of what we had predicted

1 since 1960. When we first moved into
2 this community, the electrical system was
3 already taxed to its maximum, and at that
4 point we had long series of exchanges
5 with the management of the Queens
6 division of Con Edison regarding the
7 status of the cables in the ground. The
8 cables have been here for at least fifty-
9 three years that I've been there, but
10 they were actually installed in 1942.
11 And we proposed to Con Edison that they
12 take the history of each cable which they
13 have in their books, computerize it and
14 gradually replace the most dangerous of
15 them in a orderly sequence. Well, we can
16 suggest, we can recommend, but eventually
17 Con Edison is always right and the public
18 always wrong. So being that it's a
19 company that's supervised by the State of
20 New York, it would seem that somewhere
21 along the line the communication that was

22 given to the people at Con Edison never
23 got up to the Public Service Commission.
24 And with the increase of our demands on
25 electric supplies, we can expect more and

1 more failures. It is obvious that the
2 cables when they overloaded heat they
3 destroyed the insulation, the conduits
4 start to corrode, and the defective cable
5 meets the corroded conduit and at that
6 point you get an arc and everything else
7 after that is a done and un-revocable
8 act. So if anything, no matter how much
9 Con Edison says they have plans in the
10 future, we heard that before, it was
11 never acted upon, they never actually
12 made an attempt at replacing those
13 cables, and we can expect more of the
14 same unless these cables are replaced,
15 and replaced in a safe manner and with a
16 newer type of insulation and installation
17 that's in the ground for fifty years.

18 Thank you.

19 JUDGE STEGEMOELLER: Thank you, sir.

20 Mark Weprin?

21 MR. WEPRIN: Thank you very much,

22 ladies and gentlemen; my name is Mark
23 Weprin, and as of just a few days ago I'm
24 the City Council Member for this area and
25 have represented it in the state assembly

1 for many years. Judge Stegemoeller, it's
2 good to see you and Commissioner
3 Acampora, it's very, very good to see you
4 again and I appreciate your coming out to
5 Queens to have these hearings. I
6 actually was at the afternoon hearing as
7 well, and I don't have a prepared
8 statement, but I just wanted to once
9 again express some of the feelings that
10 I've heard from the community. As you
11 know, I live here in this community; I'm
12 raising my family, my three children in
13 this community. My son goes to school
14 actually with the eldest of the Boodram
15 sons, just a few blocks from here and I
16 know the two younger ones still go to
17 this school. And the parents obviously
18 were very concerned. Now, Con Ed, I know
19 there are representatives here from Con
20 Ed. You know, they know that people are
21 not that trusting of Con Ed, you know?

22 No one really loves Con Ed with all due
23 respect. I'm sure you've felt that in
24 your lives. But the thing -- and I'm
25 sure no one at Con Ed acted maliciously

1 or did anything intentionally or made any
2 mistake with any foresight and
3 aforethought. But let's face it,
4 something terrible happened here. Some
5 tragedy that is beyond -- it is beyond my
6 imagination. And this isn't just about
7 Con Ed. I said this -- this has got to
8 be a state-wide issue. But this is a gas
9 company, and you would think it would be
10 something that would be on the list --
11 the top list of things to look out for is
12 God forbid there's a gas leak and they're
13 in front of someone's house, what do we
14 do. And there was a definite lack of
15 protocol here. There was a definite
16 problem where nobody seemed to know
17 exactly what to do. And it breaks my
18 heart, you know, to have to sit here and
19 see the Boodram family and the Barth
20 family losing their house, knowing that
21 maybe something could have been done. We

22 don't know that for sure, but, you know,
23 there's got to be a procedure in place.
24 It boggles my mind that a company like
25 Con Ed didn't have something in place

1 where everybody knew it. Now I
2 understand they've now released, and I'm
3 glad about that, a new plan of attack.
4 And I pray to God that works. And we
5 need to make sure people coordinate
6 efforts with the fire department to let
7 the community know. But for over an hour
8 after we knew there was a gas leak people
9 are still sitting in their homes, and
10 really thank God this tragedy could have
11 been worse -- even worse, to more of the
12 neighborhood. And the thing that I hear
13 most in the community -- and I know Mr.
14 Ambrose who is the principal of this
15 school, you know, heard from parents here
16 and I want to just compliment PS-115; we
17 did a real -- we helped organize a drive
18 to help raise money for the families, get
19 gift cards and stuff, and the 115 family
20 came out in such strong force as it
21 really -- 'cause everyone knew that there

22 but for the grace of God goes I. And any
23 one of us -- that can happen to any one
24 of us at any time that have Con Ed or any
25 company like this. And it just -- I

1 still just cannot believe that there
2 wasn't a procedure in place. And so the
3 one thing we ask the PSC to do is to do
4 whatever you can to hold all of these
5 companies feet to the fire. I don't mean
6 just to single out Con Ed, but they were
7 the ones here. You know, this is a
8 situation that we never, you know, we
9 wish we could say it will never happen
10 again; obviously you can't always control
11 that. But we've got to make sure
12 everything is in place, every failsafe
13 check to make sure that as least likely
14 to happen as possible. And that's what I
15 pray for that's what we hope for, and
16 that's your charge here today. We
17 appreciate your being here and I
18 appreciate Con Ed being here knowing
19 their responsibility. I know that, you
20 know, their hearts were broken too. But
21 someone, you know, had to act on this,

22 and this is such a scary tragedy and we
23 hope it never happens again. Thank you
24 very much.

25 JUDGE STEGEMOELLER: Thank you, sir.

1 I have only one more card here. If
2 anybody -- you pass? Okay, we have the
3 final speaker will be Mr. Boodram.

4 MR. BOODRAM: Good evening everyone,
5 Judge, Service Commissioner and other
6 guests, Mr. Ambrose, PS-115 staff. I'm
7 very happy to see everybody here tonight.
8 First of all, I want to say, my wife, may
9 God bless her soul. All those who have
10 been so supportive to me because of this
11 tragedy, especially the staff of PS-115,
12 Mr. Ambrose, thank you very much. On
13 April 24, 2009, tragedy shook Floral
14 Park. This community was
15 (indiscernible). I lost my beautiful
16 wife and a wonderful mother to my three
17 boys. Life is not the same for us. Life
18 will never, ever be the same again. I'm
19 pleased that the service commission is
20 here tonight to give this community the
21 opportunity to be heard and

22 recommendation (indiscernible) for this
23 to never happen again. But it is too
24 late for me. My beautiful wife is dead.
25 I don't want to see another family have

1 to go through what we are going through
2 here tonight. In loving memory of my
3 dear wife I hope action is taken to
4 insure that this event which should not
5 have happened will never happen again. I
6 pray that this type of tragedy never
7 happens again. Thank you very much.
8 Goodnight.

9 JUDGE STEGEMOELLER: Thank you for
10 those words. Does anybody else wish to
11 speak before we adjourn? I'm sorry, the
12 reporter needs you on his microphone.
13 Please state your name too.

14 MR. GUGLIARO: Michael Gugliaro from
15 Queens County Civic Association. I'm a
16 board member. And everybody's blaming
17 Con Edison. I don't work for Con Edison.
18 I was a sanitation for twenty-five years,
19 but the problem is all the years I've
20 lived in Bellrose we've been complaining
21 all the time about the overdevelopment.

22 And a lot of the politicians have been
23 listening with deaf ears, and the biggest
24 problem is instead of blaming Con Edison,
25 blame the overdevelopment of all these

1 new homes they're putting up, the illegal
2 basements and everything. That's why we
3 have more meltdowns than we had before
4 because of all the burdening of our
5 services that we've been complaining
6 about for all the years that I've been
7 involved, over thirty-five years being on
8 our civic associations. We've been
9 complaining and complaining; they keep
10 building more, we have more illegal
11 apartments than ever before; buildings
12 department does nothing and right away
13 they want to blame Con Edison for the
14 meltdown. Blame the overdevelopment for
15 the meltdown. I mean, why is -- my house
16 is 1926. Most of the wires in my house.
17 They're still good as long as I don't put
18 on, you know, fifteen different things at
19 one time, then I could have a fire.
20 Everybody has computers today. Do you
21 leave them on twenty-four hours a day,

22 but to me it's the overdevelopment that's
23 causing a lot of these problems with the
24 underground service because it's just --
25 you put too much of a burden on it and

1 nobody wants to listen, so I blame the
2 politicians more than I blame Con Edison,
3 'cause, you know, if they did start
4 fixing everything we're not going to be
5 happy when we get our bills because it's
6 going to cost a lot of money, and they
7 should fix things like -- I can't think
8 of his name from the Lost Community said
9 they should look at their records and see
10 how old things are and fix them
11 accordingly. But the biggest problem is
12 overdevelopment and that's why we're
13 having all these meltdowns. It's more
14 than ever. You see Con Edison working
15 all over this neighborhood for quite a
16 long time, and to me that's the biggest
17 problem. And until they correct that
18 we're going to have more meltdowns. And
19 that's it, Thank you.

20 JUDGE STEGEMOELLER: Thank you.

21 MR. BOODRAM: Can I just get one

22 more minute?

23 JUDGE STEGEMOELLER: Certainly, of

24 course.

25 MR. BOODRAM: Once again I want to

1 commend everybody who is speak tonight
2 but I just want to stay on one track
3 here. Somebody lost their loved-one
4 here. I think we should stick to that
5 point. And that's why I think the
6 Commission is here tonight
7 (indiscernible). Thank you very much.

8 JUDGE STEGEMOELLER: Does anybody
9 else wish to speak? I understand. As
10 public statement hearings go, I think
11 that this is a remarkably well-informed
12 and concise set of speakers. So I really
13 want to thank you for that. You've made
14 a number of very challenging observations
15 and it will definitely give the Public
16 Service Commission a different
17 perspective. And it will definitely be
18 taken seriously.

19 MS. ACAMPORA: I would like to thank
20 everybody for your statements and
21 sentiments. Yes, they'll be recorded but

22 I am so glad that I was here and able to
23 hear you in person and it does go a long
24 way, it does mean a lot. So thank you
25 all for coming out tonight.

1 JUDGE STEGEMOELLER: This hearing is
2 adjourned.

3 (Time noted: 8:03 PM)

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