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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

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11 80-45 Winchester Boulevard

12 Building 4

13 Queens Village, New York

14

15 January 7, 2010

16 2:13 PM

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22 Recorded by: Erwin Fried

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1 APPEARANCES :

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 3 Empire State Plaza

15 Albany, NY 12223

16

17 BY: ROBERT E. CURRY, JR., ESQ.

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1 JUDGE STEGEMOELLER: Good Afternoon.

2 Thanks for coming. My name is Rudy
3 Stegemoeller; I'm an Administrative Law
4 Judge on behalf of the New York State
5 Public Service Commission. I'm joined
6 here by Commissioner Robert Curry.

7 MR. CURRY: I would just briefly say
8 that I want to thank you all for coming,
9 for participating in this meeting and
10 making your views known. It's an
11 essential link between the ratepayers and
12 we as regulators to have the kind of
13 feedback that we'll be getting from you
14 all today, so thank you again for coming.

15 JUDGE STEGEMOELLER: I'd also like
16 to thank SNAP for making this room
17 available. Before we get started with
18 the speakers, I'd like to go over our
19 process here, to make sure everybody's
20 clear about it. First who we are and why
21 we're here. The Public Service

22 Commission is the state agency that is
23 responsible for regulating public
24 utilities. We supervise utilities'
25 performance, including safety of their

1 service. This hearing is one part of the
2 commission's investigation into the
3 explosion and the terrible personal
4 tragedy that occurred last April. The
5 Commission is examining what needs to be
6 done to prevent this sort of thing from
7 ever happening again. In November, the
8 staff of the agency filed a detailed
9 report of their investigation. A summary
10 of that report is available at the front
11 table where you came in; it's attached to
12 the hearing notice. In December, Con
13 Edison filed a response to that report.
14 Those documents are on the Commission's
15 web site; again the link is on the
16 hearing notice.

17 Now the Commission wants to hear
18 from members of the public. So this is
19 your opportunity to express your opinions
20 and your concerns. All of your comments
21 will be recorded by a stenographer; the

22 comments will become part of the official
23 record of the case and it will presented
24 to the commissioners. My chief job here
25 is to make sure that everybody who wants

1 to speak has a chance to speak and be
2 recorded into the official record.
3 Commissioner Curry and I are here to
4 listen. This is not a question-and-
5 answer type of hearing. We'll be
6 entertaining your statements. People who
7 would like to speak, if they have not
8 already done so should fill out a card,
9 again available at the front table
10 where -- the back table for me, the front
11 table for Jill, for Ms. Wasser (ph.).
12 Right now I have a total of six cards.
13 Con Edison is here; they will read a
14 statement. Again, there won't be any Q&A
15 or dialogue on the record with Con
16 Edison. This is not that type of a
17 hearing. After Con Edison reads its
18 statement I will call you in the order in
19 which you signed up. When I call you, we
20 only have this one microphone, so after
21 we get started I'll divest myself of the

22 microphone and we'll put it at the end of
23 that table right there, so when I call
24 your name, if you could come sit at that
25 table and make your statement.

1 For those who prefer not to speak,
2 but would still like to have input, you
3 can submit comments on line or by
4 telephone, and the instructions on how to
5 do that are again in the hearing notice
6 and that's available at the back table.
7 One last thing because your comments are
8 being recorded by a stenographer it's
9 very important that only one person speak
10 at a time, and please turn cell phones to
11 vibrate if you can. So, before we
12 proceed does anybody have any questions
13 about the process today?

14 Okay. Very well. The first speaker
15 will be Claude Trahan from Con Edison.

16 MR. TRAHAN: Thank you and good
17 afternoon. I'm Claude Trahan, Senior
18 Vice President of Gas Operations for Con
19 Edison. First of all, all of us at Con
20 Edison extend our deepest sympathies to
21 the Boodram family and we express our

22 sincere compassion for the Barr (ph.) and
23 Levin families as well as all of the
24 affected residents of the Floral Park
25 community. This tragic incident is a

1 painful reminder to all of us that
2 protecting life and property must remain
3 our top priority. We have submitted our
4 formal response to the commission
5 already; it is posted on the PSC web site
6 and we invite the public to examine our
7 own review of this tragedy. Today I will
8 summarize some key points of our response
9 and I will go over the changes we have
10 made to enhance our own response to gas
11 leaks.

12 We strive to protect the public by
13 regularly conducting gas leak surveys,
14 performing safety inspections and
15 maintaining and upgrading the gas
16 distribution infrastructure. We also
17 continually assess and revise the
18 detailed procedures that govern the
19 operations of the gas system and our
20 response to emergency. We have taken
21 immediate steps and longer term measures

22 to address the issues identified in
23 Staff's report and the company's
24 assessment of this event. Our specific
25 actions enhance procedures, improve

1 operational performance and insure
2 accountability. Immediately after the
3 explosion we implemented steps to improve
4 our emergency response to better protect
5 life and property. The new process has
6 worked exceptionally well and the fire
7 department has proven to be a strong
8 asset in our emergency response on
9 numerous occasions. In the event of a
10 gas leak like the one we confronted on
11 April 24th, we now mobilize additional
12 responders earlier to the scene,
13 prompting the immediate inspection of
14 nearby homes for gas and the evacuation
15 of residents as appropriate. These new
16 measures provide greater protection for
17 our customers' lives and property during
18 gas-leak emergencies. As noted in
19 Staff's report, many of these operational
20 process improvements were implemented
21 within weeks of the Floral Park incident.

22 We concur with the recommendations
23 contained in Staff's reports. The
24 changes addressed and in some instances
25 exceed the intent of Staff's

1 recommendations. First, we have
2 implemented several changes to our
3 response and process improvements that
4 will substantially decrease the time it
5 takes to get additional help to the
6 location of a significant leak. These
7 changes include streamlining emergency
8 telephone call handling scripts,
9 enhancing the role of the gas dispatcher
10 at our emergency response center to
11 improve leak dispatch, investigation and
12 may save time. Linking simultaneous gas
13 and electric incidents to coordinate a
14 multi-departmental response, and
15 requesting the local fire department
16 assistance to evacuate and vent
17 structures when significant leak hazard
18 conditions are reported or discovered
19 during a response. Megaphones have been
20 provided to first responders to assist
21 with evacuation.

22 Second, when potentially hazardous
23 gas conditions are detected in
24 underground structures, the revised leak
25 procedures require checking buildings

1 connected to those structures on both
2 sides of the street. These actions,
3 facilitated by the prompt response of the
4 Fire Department will now take priority
5 over determining the extent of the gas
6 migration.

7 Third, we have improved our response
8 to gas emergencies by better supporting
9 the field crews responding to leaks. The
10 Response Center supervisors will
11 initially control the field response for
12 significant leak conditions or incidents.
13 And in those cases the dispatchers will
14 review the maps of the connected
15 buildings and underground structures and
16 have this information available for field
17 personnel upon arrival. The center has
18 also started a program to monitor
19 dispatch efficiency in order to insure
20 prompt and professional dispatch and to
21 identify staff retraining needs.

22 Fourth, we have developed a uniform
23 checklist of essential equipment to be
24 carried in first-responder vehicles.
25 Mechanics and supervisors will use the

1 checklist on a regular basis to verify
2 that all vehicles are properly equipped.
3 Gas Quality Assurance will conduct
4 periodic reviews to insure compliance.

5 Fifth, we created a new computer
6 application that monitors the location of
7 customer calls and notifies both our gas
8 emergency response center and the
9 electric control center of potentially
10 related gas and electric service trouble
11 reports. Potentially-related trouble
12 calls will trigger a stepped-up company
13 response and immediate notification to
14 the fire department.

15 Sixth, in order to enhance our
16 existing 24/7 coverage, we have
17 instituted new field staffing schedules
18 to increase manpower availability. These
19 schedules provide additional field
20 personnel coverage during shift
21 changeovers and during afternoon and

22 evening periods.

23 Seventh, we have reduced the time

24 required to collect vital information

25 from callers. In addition the new

1 scripts strongly emphasize the need to
2 evacuate for gas leak and require
3 acknowledgement from callers that they
4 understand our evacuation message. We
5 will also call 911 if the resident is
6 unable to evacuate.

7 Eighth, clearance issues involving
8 gas and electric facilities are addressed
9 when discovered during excavation
10 activities. We have now implemented a
11 process to document those locations where
12 corrective actions have been taken.

13 The Con Ed mechanic who responded to
14 the leak entered a complex situation.
15 Staff reports criticizes the mechanic's
16 choice of initially focusing on
17 establishing the source of the gas leak
18 by tracing it's path and states the
19 mechanic failed to follow several
20 provisions of the company's gas leak
21 investigation procedures that would have

22 led him to check nearby buildings for gas
23 entry and to vent manholes in the street.
24 The company's leak investigations
25 procedures provide guidance for trained

1 and experienced emergency responders to
2 address the wide range of conditions that
3 may be encountered at a leak location.
4 The procedure in place at the time of the
5 incident did not prescribe a set order of
6 action for the leak investigation but
7 allowed the responder to take actions
8 that were appropriate given all the
9 circumstances at the time. The new gas
10 leak investigation procedure requires
11 that in similar circumstances a first
12 responder, after alerting the response
13 center to contact the fire department,
14 will immediately check homes for the
15 presence of gas, evacuate as necessary,
16 and use a megaphone to conduct a general
17 evacuation if appropriate. We continue
18 effort to improve accountability at all
19 levels to identify risks and to promote a
20 culture that encourages continuous
21 improvement. Our investigations and

22 Staff's report have led to substantial
23 changes and enhancements to the way we
24 respond to gas leak incidents. The
25 enhanced procedures and training now in

1 place with our first responders,
2 dispatchers, supervisors, customer
3 service representative and other
4 personnel should enhance our ability to
5 protect live and property during gas leak
6 emergencies. We are committed to
7 providing our customers the highest level
8 of service and we are determined to do
9 our utmost to keep the public safe. Once
10 again, all of us at Con Edison extend our
11 sympathy and compassion to those affected
12 by this tragic event. Thank you very
13 much.

14 JUDGE STEGEMOELLER: Thank you Mr.
15 Trahan. I hope you can all hear me; I
16 don't want to keep moving the microphone
17 back and forth. We have five more cards
18 and I also see that we have just been
19 joined by now Council Member Mark Weprin,
20 former Assembly Member Mark Weprin. Mr.
21 Weprin, do you have scheduling concerns?

22 Would you like to speak now, or --

23 MR. WEPRIN: I could wait a couple

24 of people.

25 JUDGE STEGEMOELLER: Okay. Thank

1 you. Great. Our next speaker is
2 Beatrice Galagher.

3 MS. GALAGHER: Good afternoon. My
4 name is Beatrice Galagher. I'm a
5 community activist here in Bayside. Our
6 group is Bayside Beautification Group.
7 First, I too would like to express my
8 deepest sympathy and outrage to what
9 happened to the family who lost their
10 beloved mother. Okay. Considering that
11 is a very recent horrific incidents which
12 we, New York City residents have endured
13 at the hands of Con Ed, I am thankful for
14 this meeting and hopeful something will
15 be done. We will think about the 2006
16 Astoria blackout where we had the
17 explosion of manhole cover, the July 2008
18 explosion in Flushing, we've had a 2009
19 explosion on Francis Lewis Boulevard and
20 53rd Avenue, and now tragically the loss
21 of this mother. My concern -- I read the

22 summary of the investigation and the
23 recommendations for changes. To begin
24 with, I have major concerns regarding
25 increasing the power and the control to

1 employees of Con Ed; what I've observed
2 over the past eight years to be quite
3 incompetent. Having seen them in action
4 since the year 2000 on my block -- I live
5 on 201st Street -- I was appalled with
6 the lack of work in (indiscernible)
7 project and the utter disregard for the
8 residents on my block. I'm willing to
9 submit a copy of a letter sent to
10 Chairman Brown of the New York State
11 Public Service Commission from Senator
12 Padavan outlining some of the indignities
13 we have endured during Con Ed's eight
14 year lack of work. Now you're adding
15 more rules and regulations to be carried
16 out by Con Ed employees, where the
17 problem arises. Okay. My proposal would
18 be when there is work to be done in the
19 vicinity of one's house, there should be
20 a Con Edison onsite supervisor to answer
21 questions and explain to the concerned

22 residents what's happening. Residents
23 are entitled to an update on the work and
24 to a progress report. There must be
25 improved communication between Con Ed and

1 residents. Many residents fear Con Ed's
2 entry into their homes. Our experiences
3 have been once Con Ed turns off your gas,
4 the gas has been left off. And Con Ed
5 does not respond to turn on request. It
6 also would like to see Con Ed permanently
7 repair gas and electric problems rather
8 than seek piecemeal solutions. We had
9 that eight-year situation at 201st
10 Street, where all they did was patch the
11 pipe for eight years. Why wasn't that
12 main just replaced? Now. The Vice
13 President very nicely spoke about Con
14 Ed's concern for safety. I didn't hear
15 anything about maintenance. I think
16 maintenance would probably go first and
17 then we wouldn't have the safety problem.
18 Now back to that situation on my block,
19 in 200 since 2000, Con Ed came, they dug
20 up the same street holes looking for gas
21 leaks. Then they would repair it. While

22 they were doing it they caused damage,
23 they broke an electrical cable
24 underneath; we were months without a
25 street light. With their backhoes they

1 broke our sidewalks. Our experience with
2 Con Ed employees have left us extremely
3 dubious of their ability to do and
4 complete a job. And now you want to add
5 more work onto them. Okay. Safety.
6 Vice President spoke about we're going to
7 have the fire department working in
8 conjunction with Con Ed. Okay. The fire
9 trucks accompany Con Ed employees to a
10 gas leak. The city is already in the
11 throes of financial problems. We've even
12 got more problems. One of our neighbors
13 in our neighborhood just complained that
14 while he was on vacation and there was a
15 gas leak in the area, the fire truck
16 came, broke his window, they entered his
17 house, there was no note, no message,
18 nothing. He returned a couple of days
19 later, his house was cold -- that's the
20 only way he knew that the window was
21 broken then he inquired about it. So in

22 conclusion, I would say there was no gas
23 leak in my neighbor's house. Now he has
24 a broken window. But there was gas leak
25 in the house at 80-50 260th Street. But

1 now they have no mother. Thank you.

2 JUDGE STEGEMOELLER: Thank you, Ms.

3 Galagher. The next speaker is Lenore

4 Hanau. And if at any time if folks in

5 the back are having trouble hearing a

6 speaker, just wave your hands at me and

7 we'll take appropriate measures.

8 MS. HANAU: My name is Lenore Hanau.

9 I'm also a member of the Bayside

10 Beautification Association. I live on

11 203rd Street and while I am just -- I'm

12 not going to repeat what Bea Galagher has

13 said, my concern is the financial one.

14 Who is responsible if someone is away and

15 someone breaks into the house, either Con

16 Ed or the fire department, who is

17 responsible for the repairs? Who is

18 responsible for notifying the owner of

19 the house? Who is responsible for seeing

20 to it that the house is safeguarded, that

21 no one can break in? That's in an area

22 where we have burglaries constantly, that
23 the house is safe. Is that Con Ed's
24 responsibility? Is it the City of New
25 York's responsibility now that the fire

1 department is involved, or is it no one's
2 responsibility, like it's been in the
3 past? So that if someone has to come in,
4 it has to be determined before they break
5 in who is going to repair the window,
6 maybe even have to replace a window.
7 Repair whatever has to be done. Suppose
8 they find gas and the owner is away? Who
9 is there to take care of maintaining the
10 heat? Because in the wintertime we don't
11 want to have broken pipes. So it's
12 become a little bit more than just Con
13 Ed's responsibility on fire and gas.
14 Thank you.

15 JUDGE STEGEMOELLER: Thank you, Ms.
16 Hanau. Our next speaker is Lawrence
17 McClean.

18 MR. MCCLEAN: Good afternoon. I'm
19 Lawrence McClean. I'm district manager
20 of the Community Board 13. Our statement
21 is directed to the Honorable Gary A.

- 22 Brown, Chairman, Honorable
- 23 (indiscernible), Honorable Margret
- 24 Maureen (indiscernible), Honorable Robert
- 25 Curry, Honorable James (indiscernible)

1 Commissioners, (indiscernible) council
2 and Ms. Jaqueline Billing, Secretary.
3 First and foremost, Community Board 13
4 would like to express our thanks to the
5 commission for hosting these hearings as
6 to the results of your investigation, as
7 to events that led to the gas explosion
8 on April 24th, 2009. This incident,
9 which cost the life of Board 13 Queens
10 resident, Ms. Ghanwattie Boodram. We do
11 a lot in Board 13 in New York. First
12 attached you will find a letter written
13 to Kevin Burke, Con Ed Chair, written by
14 former Community Board 13 chairman
15 Richard Hellenbrecht in the aftermath of
16 the accident including the unanimous
17 resolution passed with the general
18 meeting held on April 27, 2009. In
19 addition on the minutes from the May 18,
20 2009 general meeting, at which Con Edison
21 director for public affairs Carol

22 Consuato (ph.) as a well as Vice
23 Presidents Nancy Yeeg (ph.) and David
24 Davowitz (ph.) appeared. That's
25 attachments pages five and six.

1 Community Board 13 believes with your
2 staff's concerns as to the delay of over
3 twenty minutes before a (indiscernible)
4 was assigned to the call. In light of
5 the fact that an electrical outage was
6 reported at the same location twelve
7 minutes prior to the gas complaint,
8 inarguably this should have immediately
9 (indiscernible) location. It is
10 difficult for this district office to
11 accept that it was one hour and eight
12 minutes before an additional unit arrived
13 to assist with no supervision dispatched
14 to the scene. And if this was considered
15 at least in part proper procedure, well
16 less than eight minutes later Ms. Boodram
17 was dead. A perspective of Community
18 Board 13 Queens needs to be emphasized to
19 review your staff's recommendations.
20 Community Board 13 covers thirteen-and-
21 one-half square miles of the eastern

22 border of Queens, the largest district in
23 the borough. Both the NYPD and FDNY must
24 in many instances, when responding to an
25 emergency, utilize the Cross Island

1 Parkway to get from one portion of the
2 district to another. Therefore, time of
3 notification is crucial in affectively
4 reaching a site where life and property
5 are in jeopardy. As pointed out in Mr.
6 Hellenbrecht's letter, most of our gas
7 main infrastructure is well over fifty
8 years old. In light of Con Ed's comments
9 on May 18th, they were scheduled to
10 replace thirty-six of 822 miles of mains
11 in 2008-2009. This is approximately 4.5
12 percent of their stock. That equates to
13 over twenty years to upgrade the entire
14 Queens system. Conservative estimate is
15 that there are potentially millions of
16 feet of electrical wiring that also needs
17 to be maintained just in (indiscernible).
18 As to your Commissioner's
19 recommendation -- as to your commission's
20 recommendation, we concur that a modified
21 script to better assess the level of

22 severity of complaints is needed. We
23 believe that a faster response time and
24 clear delineation of emergency situations
25 should be maximized. We would like to

1 receive, since we are a repository of
2 public records, copy of the comments
3 response to our recommendations, your
4 recommendations on dispatcher
5 (indiscernible). We believe that Con Ed
6 should utilize the New York City
7 Department of Buildings to verify and
8 upgrade their neighborhood schematics in
9 concert with your recommendations. This
10 would provide them with the ability to in
11 a clear and concise manner identify all
12 surrounding buildings in an area even if
13 they have to subcontract the agency to
14 the public city administrative costs. We
15 believe that a unique investigation of
16 combined events of the FDNY and the NYPD
17 should be notified as first responders so
18 that the uniform supervisor or battalion
19 chief (indiscernible) determine if based
20 on a need for public safety, evacuation
21 procedures for surrounding residences,

22 schools, houses of worship, and
23 businesses should be implemented. We
24 need to clarify that when the explosion
25 occurred he has 1:15 -- there wasn't

1 (indiscernible) and he had a
2 (indiscernible). So it's not just the
3 immediate residences that we need be
4 concerned about, but the immediate
5 structures that there may be something
6 ongoing with people in it. While we
7 appreciate this opportunity to air our
8 concerns in a public meeting to discuss
9 your comments, Community Board 13 must
10 bring out for the record one related
11 subject. Con Edison provides gas
12 services a portion, not -- to a portion,
13 not all of our area. National Grid is
14 the provider for the rest of the
15 district. Any recommendations that are
16 instituted after this investigation to
17 insure a comprehensive emergency response
18 must additionally -- must be additionally
19 required for any provider within the
20 confines of New York City. Thank you.

21 JUDGE STEGEMOELLER: Thank you, Mr.

22 McClean. Our next speaker is James

23 Smith. James E. Smith, excuse me.

24 MR. SMITH: I'd like to

25 (indiscernible) and the volunteers and

1 the members of --

2 JUDGE STEGEMOELLER: Excuse me one
3 moment, Mr. Smith. The recorder can't
4 hear you from there. Do you want me to
5 bring the microphone to you?

6 MR. SMITH: Thank you very much,
7 everybody. We're glad that we have this
8 opportunity to serve the community and
9 utilize SNAP to have this place where
10 everybody could come. And we hope that
11 we could continue to be available with
12 the advance notice. The one thing that
13 is really startling right now, and
14 listening, because it -- the whole
15 incident disappeared is that all that
16 came to pile up into it how unfortunately
17 the preparedness and the light facilities
18 and everything was not available or did
19 not respond to the incident and it is a
20 shame that since then there seemed to be
21 very little progress and improvement

22 made. And that I think we should be able
23 to unfortunately with the passing of the
24 member of the community that we be more
25 prompt and more connected with the area

1 and bring us up to date of what status is
2 this. I don't want to take up too much
3 of the time because I'm very bashful as
4 some of my members would say, but I do
5 appreciate this and I hope we could
6 continue to have the building available
7 for you. Thank you very much.

8 JUDGE STEGEMOELLER: Thank you.

9 MR. SMITH: And please correct it,
10 it's James E. Smith.

11 JUDGE STEGEMOELLER: James E. Smith;
12 my apologies. And we greatly appreciate
13 the availability of the building. Our
14 next speaker is Milton Snitzer.

15 MR. SNITZER: My name is Milton
16 Snitzer, and I live in the house that's
17 three blocks from where the explosion
18 occurred. And I can assure you that my
19 neighbors and I are very concerned with
20 the safety of this community. I was
21 appalled to learn that it took Con Edison

22 over a half hour to dispatch someone to
23 this location after receiving a report of
24 an electrical malfunction and gas smell.
25 I'm also appalled over the fact that

1 after the mechanic did finally arrive,
2 when he took the time to investigate the
3 source of the leak without first going to
4 the houses in the vicinity and evacuating
5 the people who might be there, including
6 the woman who lost her life. Everything
7 that Con Edison has said to us today is
8 terrific. It sounds good. Why wasn't it
9 done before a young woman of forty with
10 three young children had to suffer this
11 accident? Thank you.

12 JUDGE STEGEMOELLER: Thank you, Mr.
13 Snitzer. Our next speaker is Council
14 Member Mark Weprin.

15 MR. WEPRIN: Thank you very much.
16 My name is Mark S. Weprin, and at the
17 time of the incident I was the State
18 Assemblyman for the area. As of January
19 1st I am now the City Council Member for
20 the area, and I'm happy to be here today
21 just to express some of my feelings on

22 the subject. I apologize I do not have a
23 prepared statement, but I think Mr.
24 Snitzer here really summed up a lot of
25 the concerns that I've heard from the

1 neighborhood. This obviously was a
2 horrendous event. I know Con Ed had no
3 intention for something like this to
4 happen. I understand the people at Con
5 Ed don't want to see these things happen
6 for personal reasons as human beings but
7 also as a business, this is not something
8 Con Ed wants to see happen. However, it
9 happens, and the people in the community,
10 myself included, were shocked at how
11 little protocol was in place in a
12 situation like this. It's not as if it
13 was an unforeseen situation that could
14 never happen; it's something that would
15 be, you know, at the top of the list of
16 things that could happen and what do we
17 do when it does happen. I understand Con
18 Ed testified here today, and I've spoken
19 to representatives of Con Ed over the
20 last few months about new procedures
21 they're putting in and I'm very happy

22 about that and I hope that things do work
23 out under those situations or at least
24 better. But it is shocking, as you heard
25 here today, that so much time could go by

1 knowing that there's a gas leak somewhere
2 and not evacuating buildings, not getting
3 anyone else on the scene, and basically
4 not to be too, you know, too make it too
5 harsh, but sitting there twiddling their
6 thumbs waiting for someone to get there
7 to tell them what to do. There was
8 nobody who really knew what the next
9 procedure was going to be. Now,
10 obviously, moving forward we're hoping,
11 with your help in the PSC and with Con
12 Ed's help realizing how terrible this
13 tragedy was. Because, you know, I'm a
14 parent of three children, and I've gotten
15 to know the Boodram family since the
16 incident unfortunately, and tonight
17 actually at the hearing. The Boodram
18 family I know is planning on being there.
19 They have three sons who are incredible
20 young men. And you see them and it is
21 impossible not to have your heart broken.

22 They are wonderful young men; the father
23 is holding on strong; the mother, from
24 everything I've heard, was a wonderful
25 woman and a great mother who wanted

1 nothing but the best for those kids. And
2 the mere fact that these three children
3 don't have a mother now, and that this --
4 I'm not saying would have been prevented,
5 but could have been prevented, is a very
6 exciting thing. And everyone I speak to
7 in the neighborhood knows that there but
8 for the grace of God it could have been
9 any one of us. It could have been in a
10 much more populous building truthfully,
11 and it could happen any time at any
12 place. And there has to be protocol in
13 place. Not just for Con Ed, but I assume
14 statewide, for every company that has
15 gas -- is delivering gas to local
16 citizens. It is outrageous that there
17 wasn't a better procedure in place. And,
18 you know, I can only pray -- and I am
19 confident that they will make every
20 effort to put in place a proper procedure
21 so at least we can get people on the

22 ground. I know they're going to work
23 with the fire department to make sure
24 that evacuations are doing where they are
25 appropriate so people's lives can be

1 saved. Because what a horrible tragedy
2 this is and what a horrible tragedy it
3 would be if anything like this continues
4 to happen because of malfeasance on the
5 part of any utility company. Thank you
6 very much.

7 JUDGE STEGEMOELLER: Thank you, Mr.
8 Weprin. Our final speaker -- this is the
9 final card that I have -- is John
10 Gallagher.

11 MR. GALAGHER: Good afternoon.
12 Thank you. My name is John Gallagher, and
13 I'm a member of the Bayside
14 Beautification Group. My response is to
15 Senior Vice President Trahan's comment.
16 My recommendation would be that Con Ed's
17 be limited in their priority for safety
18 to checking one thing -- the veracity of
19 gas leak reports. Beyond that is
20 coordination problem of 911 fire and
21 police. Because speaking for myself and

22 other people I've spoken to recently,
23 half a dozen -- no, closer to a dozen
24 people -- one a gentleman whose home was
25 broken into by necessity because of gas

1 leak; that is not a Con Ed role. That
2 apartment had to give access for safety;
3 that makes sense. But we haven't heard
4 nothing about who is going to take care
5 of repair when they have to get out.
6 Now, he came home after a week's stay in
7 Ireland, to find his house colder than
8 Ireland. Ireland is under a lot of snow
9 right now. It's a bad situation and we
10 have to look at that more carefully. And
11 if it's something that's on our
12 homeowners we'd like to know about it so
13 we know what do in follow-up, what was
14 Community Board level, that's fine too.
15 Thank you very much.

16 JUDGE STEGEMOELLER: Thank you, Mr.
17 Galagher. Does anybody else wish to
18 speak before we close this session?
19 Okay. Thank you very much. These
20 comments are invaluable. Everything
21 you've said will be posted on the

22 commission's web site and will be part of
23 the official record of the investigation.
24 Commission will review it and the
25 commission is considering a variety of

1 actions and I can't really speculate as
2 to what those would be at this point, but
3 please know that your input is very much
4 valued. This hearing will reconvene at
5 PS-115 on 261st Street at 7 p.m. today.
6 Thank you.

7 (Time noted: 2:52 PM)

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CERTIFICATION

I, Erwin Fried, Electronic Court Reporter and Notary Public, do hereby certify that I was present during the entirety of the foregoing meeting and that I caused to be recorded a true, complete and verbatim recording of the proceedings via digital means.

I further certify that I am not employed by nor related to any party to this action.

In witness whereof, I hereby sign this date:
January 12, 2010.

Erwin Fried

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CERTIFICATION

I, Yeshayahu Heiliczer, hereby
certify that the foregoing is a true and
correct transcription, to the best of my
ability, of the sound recorded
proceedings submitted for transcription.

I further certify that I am not
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this action.

In witness whereof, I hereby sign
this date:
January 12, 2010.

Yeshayahu Heiliczer

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