



For Immediate Release: 10/13/2022

Rory M. Christian, Chair

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22097 / 22-E-0422

Virtual Public Statement Hearing Set Regarding NYSEG's Renewed Franchise in Geneva

ALBANY — The New York State Public Service Commission (Commission) will hold a virtual public statement hearing on **Thursday, October 20, 2022**, regarding New York State Electric & Gas Corporation's (NYSEG) revised and renewed electric franchise granted by the City of Geneva (City), Ontario County, New York, on December 1, 2021.

On June 28, 2022, NYSEG filed a petition for authority under Section 68 of Public Service Law and Part 21 of the Commission's Rules and Regulations (16 NYCRR Part 21) to exercise the rights and privileges of a revised and renewed electric franchise granted by the City of Geneva, Ontario County, on December 1, 2021. NYSEG states that the renewed franchise is a renewal of a 50-year franchise granted by the City and approved by the Commission on August 6, 1959. NYSEG states that the City granted the renewed franchise for a term of 10 years commencing on December 1, 2021, and continuing thereafter unless the City exercises its option to renegotiate the terms of the renewed franchise upon no less than six months' prior written notice, or to declare the renewed franchise to be terminated after unsuccessful good faith negotiations, upon no less than an additional six months' prior written notice.

The renewed franchise gives NYSEG the right to lay, place, and maintain conduits to contain wires for transmitting electricity in the City. In addition, NYSEG can erect and maintain in any of the streets, avenues, lanes, highways, public alleys, and other public places, the infrastructure needed to transmit electricity.

Applicants for electric service within the City shall be charged the applicable rates for which they qualify pursuant to NYSEG's Tariff in PSC No. 120 and PSC No. 121.

The Renewed Franchise includes the following conditions:

a. All poles, wires and fixtures shall be placed in such a manner as to cause as little inconvenience to the public in the use of such highways as is practicable and consistent with the safety and efficiency of such poles, wires and fixtures.

b. All of said poles, wires and fixtures shall be placed, erected and maintained in a proper and workmanlike manner so that the same shall in no way endanger the public and, to the extent

permissible under law, Company shall at all times indemnify and save harmless the City and the members of the City Council from and against any and all actions, suits, damages, costs, charges and expenses with respect to the operation and maintenance of said poles, wires and fixtures in any of the streets, highways, avenues, lanes and other public places, or by reason of any act or omission committed in the City's public right-of-way by said company, except to the extent that such claims arise solely from the City or a third-party's negligence or intentional misconduct.

c. Whenever NYSEG shall have occasion to make an opening in the surface of any street, highway or other public place for the purpose of laying or repairing any conduits, poles, wires or fixtures, it will first procure any permits necessary under the law or ordinances of the City (except in an emergency), conduct such work in a careful and workmanlike manner, cause as little disturbance of traffic as reasonably possible, and restore the surface of such street, highway or other public place equal to or better than its former condition, including restoration of pavements where it has been necessary to disturb the same.

PLEASE TAKE NOTICE that a virtual public statement hearing will be held before Administrative Law Judge (ALJ) Gregg Sayre as follows:

DATE: Thursday, October 20, 2022

TIME: 6:00 P.M.

Electronic Access: www.webex.com

Event Number: 2345 105 7041

Password: Oct20-6pm

Phone-Only Access: 518-549-0500

Access Code: 2345 105 7041

Any person wishing to provide a public statement on the record at the hearing must pre-register to do so by 3:00 p.m. on Wednesday, October 19, 2022.

To pre-register and provide a statement electronically: Participants who would like to provide a statement and will log in to the hearing electronically must pre-register by the date and time indicated above, by visiting www.webex.com, where they should click "Join" at the top right-hand corner of the screen, enter the event number listed above and provide all requested information.

When logging in on the date and time of the hearing, participants will be asked to "select audio system." It is recommended that participants opt to have the system "call me" or "call using computer." The "call me" option will require that participants enter their phone numbers.

To pre-register and provide a statement by phone: Any participant who is not able to log in to the hearing electronically may call in. Call-in participants wishing to provide a statement must pre-register by the date and time indicated above by calling 1-800-342-3330, where they should follow prompts to the hearing and provide the following information: first and last name, address, and phone number.

On the date and time of the hearing, all call-in participants should dial 518-549-0500 and enter the access code listed above.

The public statement hearing will be held open until everyone who has registered to speak has been heard or other reasonable arrangements to submit comments into the record have been made. Time limits may be set for each speaker, as necessary. It is also recommended that lengthy comments be

submitted in writing and summarized for oral presentation. A verbatim transcript of the public statement hearing will be made for inclusion in the record of this case.

Persons with disabilities requiring special accommodations should call the Department of Public Service's Human Resources Management Office at 518-474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call the Department at 1-800-342-3377 for free language assistance services regarding this notice.

Other Ways to Comment

For those who cannot attend or prefer not to speak at the public statement hearing, there are several other ways to provide your comments. Comments should refer to Case 22-E-0422. **Although comments will be accepted throughout the course of this proceeding, they are requested on or before October 21, 2022.**

Internet or Mail: Go to www.dps.ny.gov, click on "Search" and enter "22-E-0422" in the "Search by Case Number" field, and then click on "Post Comments" at the top right of the page. Alternatively, comments may be mailed to the Hon. Michelle L. Phillips, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350. All written comments will become part of the record considered by the Commission and may be accessed on the Department of Public Service website by searching the case number, as described above, and clicking on the "Public Comments" tab.

Toll-Free Opinion Line: You may call the Commission's Opinion Line at 1-800-335-2120. This number is set up to take comments about pending cases from in-State callers 24 hours a day. These comments are not transcribed verbatim, but a summary is provided to the Commission.

PLEASE TAKE FURTHER NOTICE that a procedural conference will be held immediately following the public statement hearing on **October 20, 2022**.

The principal purposes of the procedural conference are to identify any potential parties and provide interested persons an opportunity to present and explain any proposals regarding the procedures they believe should be followed in this case by the ALJ and Commission including, but not limited to, whether any issues of fact presented by the petition or public comments warrant an evidentiary hearing. Other procedural issues also may be addressed. Access information for the procedural conference is as stated above. The public statement hearing and procedural conference will be conducted as parts of the same WebEx and conference call.