



WALLACE L. DUNCAN (1937-2008)  
EDWARD WEINBERG (1918-1995)  
JEFFREY C. GENZER  
THOMAS L. RUDEBUSCH  
MICHAEL R. POSTAR  
ELI D. EILBOTT\*  
LISA S. GAST  
PETER J. SCANLON  
DEREK A. DYSON  
BHAVEETA K. MODY  
KRISTEN CONNOLLY McCULLOUGH  
JOSHUA E. ADRIAN  
MATTHEW R. RUDOLPHI  
ADRIANA VÉLEZ-LEÓN  
LEE L. EWING\*\*  
CLARENCE R. HAWKES III\*\*

1667 K STREET, NW, SUITE 700  
WASHINGTON, DC 20006  
(202) 467-6370  
www.dwgp.com

August 7, 2019

*Senior Counsel*  
ANDREW B. ART

*Of Counsel*  
DONALD H. CLARKE  
JAMES D. PEMBROKE  
ROBERT WEINBERG

*California Office*  
SUITE 1410, 915 L STREET  
SACRAMENTO, CA 95814  
(916) 498-0121  
SEAN M. NEAL  
LAUREN M. PERKINS\*\*

\*REGISTERED TO PRACTICE BEFORE  
U.S. PATENT AND TRADEMARK OFFICE

\*\* NOT ADMITTED IN D.C.; SUPERVISION  
BY PRINCIPALS OF THE FIRM, MEMBERS  
OF THE DC BAR

**VIA ELECTRONIC FILING**

The Honorable Kathleen H. Burgess, Secretary  
New York State Public Service Commission  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223-1350

Re: Case 19-E-\_\_\_\_\_ - Rate Filing of the Incorporated Village of Freeport,  
Freeport Electric to Increase Its Annual Electric Revenues

Dear Secretary Burgess:

On behalf of the Incorporated Village of Freeport, Freeport Electric ("Freeport" or "Village"), and in accordance with the New York State Public Service Law and the New York Public Service Commission's ("Commission") regulations, enclosed herewith are the following materials, issued and transmitted for filing:

1) Revised tariff leaves for P.S.C. No. 9, Electricity, containing provisions and rates designed to produce an estimated annual aggregate increase in revenues of \$1,259,574, representing an increase of 4.59 percent over fiscal year 2019 and a 4.65% increase in rates and charges:

Leaf No. 57, Revision 4  
Leaf No. 58, Revision 5  
Leaf No. 59, Revision 3  
Leaf No. 60, Revision 5  
Leaf No. 62, Revision 3

Leaf No. 64, Revision 3

These revisions are issued as of August 7, 2019 and are proposed to be effective January 1, 2020.

- 2) Exhibits 1-8, which support the Village's requested increase in electric revenues.

The Village has not filed for a rate increase since January of 2014.

The 4.59% revenue increase represents an increase of less than the rate of inflation since the last rate increase, which became effective on August 1, 2014. If inflation alone were applied, the increase would be in excess of 8%. The primary reasons for the rate increase include general inflation, a 2% salary increase in the Electric Department, an addition of one person to the accounting staff, increases in fringe benefit costs, an increase in interconnection maintenance from the Long Island Power Authority ("LIPA"), depreciation, medical and dental increase of 10%, etc. In addition, after the historic test year concluded, PSEG-Long Island raised an issue concerning payments for Transmission Service Charges ("TSCs") for NYISO purchases beyond the Village's purchases of Niagara Project hydropower from the New York Power Authority. All such TSC charges will be flowed through the Fuel Adjustment Charge.

The customer counts by service classification are reflected on Exhibit 3-2 (number of bills) and Exhibit 4-1 and Exhibit 4-2.

Freeport is initiating an Advanced Metering Infrastructure ("AMI") system, though the meters have not yet been contracted for. DPS Staff has approved the type of meters selected. As a result of Superstorm Sandy, significant parts of the Village were flooded and hundreds of meters were damaged or destroyed. A significant portion of the costs of the AMI deployment (approximately \$400,000) (intended to cover 1/3 of the Village's meters) has been supported by grant funds associated with Superstorm Sandy relief. We intend to work with DPS Staff during the pendency of this case to institute an outreach and education program for customers, and we look forward to that continued cooperation.

Also, as part of Superstorm Sandy response and protection against future problems, the Village has purchased a 3 MW generator to support a microgrid for a portion of the Village's critical loads.

Newspaper publication will be made in accordance with the Commission's regulations in the local newspapers for four successive weeks. The revised Schedule P.S.C. No. 9 is being made available to the public at Village Hall, 46 North Ocean Avenue, Freeport, New York 11520.

Pursuant to Rule 3.3 of the Commission's regulations, 16 NYCRR § 3.3, Freeport respectfully requests a waiver from the Commission's practice of requiring the operating results

for a twelve-month period of no less than 150 days prior to the date of filing.<sup>1</sup> Freeport Electric was unable to obtain the necessary approvals for the present rate filing to comply with the 150-day policy that would have required this filing to be made on July 29, 2019. A short extension will not prejudice the parties involved, and a waiver of the 150-day policy in this case will ensure a fair, orderly, and efficient conduct of the case. Since the Commission's rules have noted that "...it is impossible to prescribe rules of universal application that are suited to all rate proceedings[],"<sup>2</sup> Freeport respectfully avers that the short extension of the 150-day test period will not adversely affect any party in this case and will not materially change the calculations or data presented herein.

Accordingly, we respectfully request that the Public Service Commission expedite action on this rate case and that the following individuals be advised of any action taken in regard to this filing: a) the undersigned – Jeffrey C. Genzer, Duncan, Weinberg, Genzer & Pembroke, PC, 1667 K Street, NW, Suite 700, Washington, DC 20006 (202-791-3602) (jcg@dwgp.com); b) Al Livingston, Superintendent of Electric Utilities, 46 North Ocean Avenue, Freeport, NY 11520 (516-377-2220) (alivingston@freeportelectric.com); and 3) Roger R. Ehrler, CPA, Freeport Consultant, 46 North Ocean Avenue, Freeport, NY 11520 (631-258-9123) (rehrlr@optonline.net).

Respectfully submitted,

/s/ Jeffrey C. Genzer  
Jeffrey C. Genzer  
On behalf of Freeport  
jcg@dwgp.com

cc: Steve Kramer, Esq., DPS Assistant Counsel  
Chris Simon, DPS Staff  
Al Livingston, Freeport Electric Superintendent  
Howard Colton, Esq., Freeport Village Attorney  
Roger R. Ehrler, CPA, Freeport Consultant  
George Fitzpatrick, Freeport Consultant

---

<sup>1</sup> *Statement of Policy on Test Periods in Major Rate Proceedings*, New York Public Service Commission (November 23, 1977).

<sup>2</sup> 16 NYCRR Part 61 Notes.