

**RESOLUTION NO. 549 -2014, ESTABLISHING A LIPA
LEGISLATIVE OVERSIGHT COMMITTEE**

WHEREAS, the County Legislature established a LIPA oversight committee by Resolution No. 1095-2010 to protect the County's ratepayers and monitor storm response; and

WHEREAS, a recent agreement made the Public Service Enterprise Group ("PSE&G"), an energy corporation based in New Jersey, the primary service provider for Long Island and drastically diminished the powers and duties of LIPA; and

WHEREAS, it is necessary to continue to monitor LIPA despite its diminished capacity, to ensure that County ratepayers receive the level of service they deserve; and

WHEREAS, the previously established LIPA oversight committee has lapsed and is no longer in effect; now, therefore be it

1st RESOLVED, that a special LIPA Legislative Oversight Committee is hereby created to study and analyze the rates, contracts and practices of LIPA to determine if it is working in the best interests of the Suffolk County ratepayers, including, but not limited to, an examination of LIPA's rate structure, its variable rate system, the use of peak/off-peak rates, and its storm and disaster response policies; and be it further

2nd RESOLVED, that this Committee shall have bipartisan representation and consist of the following members:

- 1) a person who has familiarity with the operations of LIPA who will be selected by the Presiding Officer of the Suffolk County Legislature;
- 2) two (2) experts in the operation of electric utility companies, to be selected by the Suffolk County Legislature;
- 3) two (2) energy experts, to be selected by the Suffolk County Legislature;
- 4) a member of a civic organization to be selected by the Suffolk County Legislature;

and be it further

3rd RESOLVED, the Committee shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened for the purpose of organization and the appointment of a chairperson, vice chairperson and a secretary; and be it further

4th RESOLVED, that four (4) members of the Committee shall constitute a quorum to transact the business of the Committee at both regular and special meetings; and be it further

5th RESOLVED, that support services and technical assistance involving the month-to-month operation of this Committee, as well as supplies and postage as necessary, will be

provided by the staff of the Office of Legislative Budget Review and the Clerk of the Legislature; and be it further

6th **RESOLVED**, that the Committee may conduct such hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

7th **RESOLVED**, that the Committee may delegate to any member of the Committee the power and authority to conduct such hearings and meetings; and be it further

8th **RESOLVED**, that said Committee shall periodically issue a written report, analyzing LIPA's rates, contracts, practices, and disaster and storm response policies to determine if LIPA is acting in the best interests of Suffolk County's ratepayers; and be it further

9th **RESOLVED**, that the Committee shall expire, and the terms of office of its members terminate, as of December 31, 2017, at which time the Committee shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

10th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: June 17, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: July 3, 2014

RESOLUTION NO. 126 -2015, AMENDING RESOLUTION NO. 549-2014, TO EXPAND THE SCOPE AND MEMBERSHIP OF THE ENERGY UTILITY LEGISLATIVE OVERSIGHT COMMITTEE

WHEREAS, Resolution No. 549-2014 established a LIPA Legislative Oversight Committee; and

WHEREAS, LIPA's operations were assumed last year by the Public Service Enterprise Group ("PSEG-LI"), a New Jersey-based energy corporation which expanded to Long Island; and

WHEREAS, in order to better fulfill its oversight mission, oversight of PSEG-LI should be within the jurisdiction of this committee; and

WHEREAS, the committee should also oversee National Grid, to ensure that all energy utilities serving Suffolk County residents are subject to the Committee's review; and

WHEREAS, the committee members have requested the addition of another member who has experience with computer and information technology; now, therefore be it

1st **RESOLVED**, that the title Resolution No. 549-2014 is hereby amended as follows:

ESTABLISHING [A LIPA] AN ENERGY UTILITY LEGISLATIVE OVERSIGHT COMMITTEE

and be it further

2nd **RESOLVED**, that the 1st RESOLVED clause of Resolution No. 549-2014 is hereby amended as follows:

1st **RESOLVED**, that a special [LIPA] Energy Utility Legislative Oversight Committee is hereby created to study and analyze the rates, contracts and practices of LIPA, PSEG-LI, and National Grid to determine if [it is] these organizations are working in the best interests of the Suffolk County ratepayers, including, but not limited to, an examination of [LIPA's] each utility's rate structure, its variable rate system, the use of peak/off-peak rates, and its storm and disaster response policies; and be it further

and be it further

3rd **RESOLVED**, that the 2nd RESOLVED clause of Resolution No. 549-2014 is hereby amended as follows:

2nd **RESOLVED**, that this Committee shall have bipartisan representation and consist of the following members:

- 1) a person who has familiarity with the operations of ~~[LIPA]~~ energy utilities who will be selected by the Presiding Officer of the Suffolk County Legislature;
- 2) two (2) experts in the operation of electric utility companies, to be selected by the Suffolk County Legislature;
- 3) two (2) energy experts, to be selected by the Suffolk County Legislature;
- 4) a member of a civic organization to be selected by the Suffolk County Legislature; and
- 5) an expert in the field of information and computer technology or an individual with a successful combination or equivalent of education and experience in those fields, to be selected by the Suffolk County Legislature;

and be it further

and be it further

4th **RESOLVED**, that the 8th RESOLVED clause of Resolution No. 549-2014 is hereby amended as follows:

8th **RESOLVED**, that said Committee shall periodically issue a written report, analyzing the [LIPA's] rates, contracts, practices, and disaster and storm response policies of LIPA, PSEG-LI and National Grid to determine if ~~[LIPA is]~~ they are acting in the best interests of Suffolk County's ratepayers; and be it further

and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED: March 3, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: March 17, 2015