



April 20, 2020

Hon. Michelle L. Phillips
Acting Secretary to the Commission NYS Public Service Commission
Empire State Plaza
Agency Building 3
Albany, New York 12223-1350
Secretary@dps.ny.gov

RE: Case 19-G-0309 - KeySpan Gas East Corp. d/b/a National Grid

Dear Secretary Phillips,

The Newtown Creek Alliance offers the following comments regarding National Grid's rate increase case:

Opposed to Rate Payers Covering Superfund Costs

We are fully opposed to National Grid offloading 100% of their Superfund related costs onto their customers. For residents that live in the neighborhoods surrounding Newtown Creek, including Greenpoint, East Williamsburg and Bushwick, we are already paying for the environmental negligence of National Grid's predecessor company Brooklyn Union Gas. Historic contamination from former Manufactured Gas Plants along the Creek have degraded our soils and poisoned our waterway creating significant health risks for local workers and residents. There are areas of Newtown Creek where coal tar from the river bottom literally bubbles up to the surface of the water endangering marine wildlife and restricting the community's ability to safely interact with what was once a natural resource. It is a bleak reminder of the damage done to our planet in pursuit of economic progress.

National Grid is one of the Potentially Responsible Parties (PRP) identified by EPA as part of the Newtown Creek remediation. As such the company has a legal obligation to cleanup the mess they helped create, hence the word responsible. Pushing their cleanup costs onto those who have already suffered from their historic negligence is not only irresponsible, it is insulting to our communities. We are unaware of any instance in NY State where a public utility has captured 100% of an environmental remediation cost from their customers and we can't understand the rationale to allow for such an approach here. Additionally, given that the Newtown Creek Superfund is still in the investigation stage and actual remediation won't begin for another 5 to 10 years, we are concerned about the precedent this rate increase might set as National Grid's superfund related costs will likely increase significantly in the coming decades.

Concerns with Renewable Gas Project at Newtown Creek Treatment Plant

Secondly, we would like to comment on the construction of the Renewable Natural Gas Project at the Newtown Creek Wastewater Treatment Plant which will utilize municipal organic waste as a bioslurry to generate methane for National Grid. Overall, we are supportive of the project as it creates a renewable energy source that can reduce greenhouse gas emissions and shift our consumption away from destructive fossil fuels. There are, however, outstanding concerns about the local impacts that may result from the project, including the amount of truck traffic that may be added to the already overwhelmed truck routes in Greenpoint, East

Williamsburg and Bushwick. It is unclear to us how the financial arrangement of the project, which utilizes significant city-owned and maintained infrastructure including Sanitation's organic collection and biogas digesters at the DEP treatment plant, may be benefitting National Grid. Additionally, it is unclear how the project is now advancing given the City's recent announcement to suspend compost collection, which is used as a bio-slurry to increase methane output. We would like to see greater transparency for this project as well as better understand how it may benefit or negatively impact the Greenpoint community.

Plan in accordance with Climate Leadership and Community Protection Act

We ask that this proposed rate increase be evaluated in relation to the goals of the recently passed Climate Leadership and Community Protection Act, which seeks an 85% reduction in greenhouse gas emissions by 2050. We do not believe that increased investment in fossil fuel infrastructure, such as the North Brooklyn Pipeline project, currently seeking approval for phase 5, is a sound investment for the future of our communities or in-line with NY State's own climate goals.

In summary, we believe that communities who have long suffered from the siting of energy and waste related infrastructure need to be protected from new developments that while beneficial regionally, further contribute to the already high cumulative exposure burdens borne by Creekside communities. We oppose the rate-increase components of this rate-increase case because they do not advance local environmental or protections of human health goals.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Elkins".

Willis Elkins
Executive Director
welkins@newtowncreekalliance.org

About Us:

The Newtown Creek Alliance (<http://www.newtowncreekalliance.org/>) is a community-based organization dedicated to restoring, revealing and revitalizing Newtown Creek in the boroughs of Queens and Brooklyn. We represent the interests of community residents and local businesses that are dedicated to restoring community health, water quality, habitat, access and vibrant, water-dependent commerce along Newtown Creek. NCA works to restore the Creek by securing mitigation and remediation of known environmental hazards – both in the neighborhoods surrounding Newtown Creek and in Newtown Creek itself – reporting ongoing sources of pollution and preventing new pollution. To restore the ecological functions of the waterway, NCA supports investments in green infrastructure, bioremediation, and habitat restoration. We help revitalize watershed communities by playing a leadership role in area-wide brownfield redevelopment planning, creating programs that improve the environmental profile of industrial businesses and engaging in workforce development to create local green jobs. Our work supports environmental, economic and human health.