

UTILITY WORKERS UNION OF AMERICA

LOCAL 1-2, Affiliated with AFL-CIO

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September 23, 2002

Governor George E. Pataki
State Capital
Albany, New York 12224

Re: Support of Senate Bill #6778—B

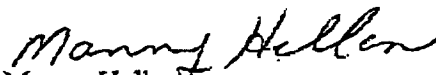
Dear Governor Pataki,

Utility Workers Union of America, AFL-CIO, Local 1-2 ("LOCAL 1-2") represents approximately ten thousand Utility Workers directly involved in the generation, transmission, and distribution of electric energy, and the transmission and distribution of gas energy to customers throughout the City of New York and Westchester County. Its members perform their duties in an extremely safe, competent, and cost effective manner. Local 1-2 fully supports Senate Bill 6778—B, the Energy Consumer Protection Act of 2002, which both houses of the legislature passed this year.

In opinion 97-S, the New York State Public Service Commission ("Commission") decided in 1997 that "energy service companies" or "ESCO's" selling electricity are not subject to consumer protection requirements of the Home Energy Fair Practices Act, and adopted a relaxed set of requirements for electricity ESCO's. As the Energy Association of New York State argued in its Notice of Petition before the Supreme Court of the State of New York, County of Albany IPA A-32, the Commission effectively advocated its regulatory role with respect to energy services and customer service requirements in its Opinion 97-S. The Energy Consumer Protection Act of 2002 restores protections to energy customers which the Commission ignored, and places all providers of commodity service on equal footing regarding the provision of such protections. Given the financial conditions and integrity problems exhibited by certain segments of the energy industry during the last year, the time is right for this legislation to become law.

Local 1-2 encourages the Governor to sign the Energy Consumer Protection Act of responsibility for all providers of commodity services to those customers.

Respectfully,


Manny Hellen
President