

Robert S. Daniel
2-B Buckingham Road
West Orange, NJ 07052-1184

March 8, 2024

Ms. Sherri Golden, Esq., Secretary of the Board
Board of Public Utilities
State of New Jersey
By email: board.secretary@bpu.nj.gov

Dear Board Secretary Golden

Subject: Extended duration of Street light repairs in Newark (and Trenton too)
Reference: Letter to PSEG CEO Hanemann of February 9, 2024
BPU docket ER23120924

I understand that PSEG initiated a rate case filing on December 29, 2023, which will increase the monthly charges for street lighting by 10% at some point in 2024 – 2025. I would like to formally submit this in anticipation of the hearing.

As an observant citizen with a passion for street lighting I bring the attached letter to your attention. Street lighting in our state is not being maintained to the standards detailed in NJAC 14:15-2.9(b) which requires that.

“All routine streetlight repairs are to be made within three business days after notice that a repair is necessary.” “Other more extensive repairs including, but not limited to, those requiring excavation, shall be handled on a best-efforts basis in order to ensure the restoration of safe, adequate and proper service as quickly as reasonably possible.”

Frankly, PSEG is distant from meeting the three-business day goal for routine repairs. Furthermore, anything requiring *“more extensive repairs”* extends months if not years. Those are the facts. At issue is the manner and magnitude of these *“best-efforts basis”* which is clearly a consequence of the (non) allocation of resources by the petitioner.

I respectfully request that this factor be included among the considerations before the Counsel and BPU when considering PSEG’s latest request.

For clarifications and discussion, I can be reached at robertdaniel1921@gmail.com or on my cellphone at 201.303.3554.

Respectfully submitted. Thank you.



Robert Daniel

Attached:
Letter to PSEG CEO Hanemann of February 9, 2024
BPU Agenda date 1/10/24, Item IIA (1st page ONLY)

Robert S. Daniel
2-B Buckingham Road
West Orange, NJ 07052-1184

February 9, 2024

Ms. Kim C. Hanemann, President and Chief Operating Officer
PSEG Inc.
80 Park Plaza
Newark, NJ 07102

Dear President Hanemann

Subject: Extended duration of Street light repairs in Newark (and Trenton too)

Thank you for rolling out a major upgrade which enables customers to report street light outages on a map which meshes several alternative views. This was a serious step forward. While there remain “kinks” to be ironed out in mapping the assets (street light poles) onto the aerial photo imaging this is a dramatic improvement. On to the main subject of this letter which is based on tracking chronic streetlamp outages since 2017.

Frankly, anything more than replacing a burnt-out bulb or swapping a defective cobra head with a new LED head slowly descends into oblivion. Repair orders get lost in PSEG’s repair processes. You do not need “citizen Rob” “PEG stockholder Rob” to inform you that this is not good. Currently a streetlight can and does remain out of service for months, if not years, if not forever while awaiting some sort of repair. This is inexcusable for an award-winning utility company.

This is not what the State’s Board of Public Utilities or legislature had in mind when enacting NJAC 14:15-2.9(b) which requires that.

“All routine streetlight repairs are to be made within three business days after notice that a repair is necessary.” “Other more extensive repairs including, but not limited to, those requiring excavation, shall be handled on a best-efforts basis in order to ensure the restoration of safe, adequate and proper service as quickly as reasonably possible.”

When I consulted with BPU staff about this situation in April 2023 they suggested that I make a submission of my findings within an upcoming rate case filing. I understand that PSEG has made a filing on December 29, 2023 (ER23120924).

The attached tracking table is for your review and consideration. With over¹ 475,000 streetlamps it is reasonable to, to assume a certain percentage of “outliers” which require “extended treatment” and additional resources to repair them. But I doubt this is the case for many of these. I can be reached at robertdaniel1921@gmail.com or on my cellphone at 201.303.3554.

Respectfully submitted.



Robert Daniel

Attached:
N.J.A.C. 14:5-2.9(b) and letter of BPU of March 2, 2020
Tracking table of outstanding repairs in Cities of Newark and Trenton

¹ Streetlight Outage brochure found at: https://nj.pseg.com/-/media/pseg/njmyaccount/outagedashboard/streetlightoutagesbrochure_0519_r.ashx

Streetlight repairs in Newark and Trenton with extended repair durations

February 9, 2024

Date reported	Location	City	Pole #	Order #	Current date	Comments	Days elapsed
1/24/2017	First Street southbound at Central (northwest corner)	Newark	44459?		2/9/2024	One of two bulbs out	2572
1/24/2017	First Street southbound at Central (southwest corner)	Newark	44458		2/9/2024	One of two bulbs out	2572
2/2/2018	Mulberry at Center Street	Newark	41050	#40003686 4527 and 3595314	2/9/2024	Reported under previous system. Four lamps 2 or more out. Different wattages. Now completely dark. Reported 11/15/2023	2198
12/6/2022	Raymond Plaza WEST across from Newark Penn Station in new landscaping	Newark	48582		2/9/2024	Reported under previous system and again on October 23, 2023. M. Ramirez. Underground conduit repair needed 3/20/2023	430
2/25/2023	Hudson Street at Central Avenue (southwest corner)	Newark	5254D	3521557	2/9/2024	Current system has date reported as 9/18/2023	349
2/25/2023	Raymond Boulevard Eastbound at Doubletree BEFORE overhead bridge.	Newark	47348	3633415	2/9/2024	UPPER lamp of three is out. Two lowers are WORKING! How can this be such a problem?	349
7/10/2023	Market Street Eastbound adjacent to 777 McCarter Highway "Iconiq"	Newark	46307	3456102	2/9/2024	Market Street Eastbound. <u>Was a construction site. Construction is done.</u> Conduit was possibly damaged. Someone should fix it.	214
8/30/2023	Raymond Boulevard Eastbound across from steps of Seton Hall Law School	Newark	44387	3504986	2/9/2024	Reported repeatedly. Not mapped correctly on the new system. It shows up ORANGE on the westbound sidewalk adjacent to the school.	163
10/19/2023	433 Orange Street between 3rd & 4th	Newark	1895	3550257	2/9/2024	ED1016230481. Per Michelle 10/20/2023	113

Streetlight repairs in Newark and Trenton with extended repair durations

February 9, 2024

Date reported	Location	City	Pole #	Order #	Current date	Comments	Days elapsed
10/23/2023	250 Park Street between 5th and 6th Streets	Newark	5149	3558389	2/9/2024	At Park Avenue Super Deli. In the <u>meanwhile</u> pole has been knocked over and is <u>gone!</u>	109
11/9/2023	Raymond Boulevard WESTBOUND, aka "23 67 Jersey Avenue". Three lamps	Newark	33058	3580085	2/9/2024	ED1109230436 from Michele on 11/16/2023	92
11/9/2023	Raymond Boulevard WESTBOUND, aka "23 67 Jersey Avenue". Three lamps	Newark	33060	3580076	2/9/2024	ED1109230436 from Michele on 11/16/2023	92
11/9/2023	Raymond Boulevard WESTBOUND, aka "23 67 Jersey Avenue". Three lamps	Newark	1165	3580076	2/9/2024	ED1109230436 from Michele on 11/16/2023	92
11/12/2023	Broad and Market	Newark	46231	3582522	2/9/2024	Northeast corner of Broad & Market Streets. [The "heart" of downtown Newark]	89
11/28/2023	West Market Street, westbound, between MLK and Howard adjacent to Essex County College	Newark	6291	3582521	2/9/2024	Two poles - adjacent.	73
11/28/2023	West Market Street, westbound, between MLK and Howard adjacent to Essex County College	Newark	6293	3582519	2/9/2024	Two poles - adjacent.	73
1/4/2024	Mulberry at Market Street. Southeastern corner next to Edison ParkFast	Newark	46300	3633250	2/9/2024	I had reported this lamp, it got "pencil whipped" and someone ELSE has reported it on January 4, 2024	36
11/1/2023	First Street corner of Sussex (southwest corner)	Newark	44449		2/9/2024	Both lamps on head are dark. In 2017 this was working.	100
1/19/2023	Raymond Boulevard Westbound just before Halsey Street	Newark	47467	3569618	2/9/2024	Current system has this as 11/1/2023. I reported this on January 19, 2023.	386

Streetlight repairs in Newark and Trenton with extended repair durations

February 9, 2024

Date reported	Location	City	Pole #	Order #	Current date	Comments	Days elapsed
11/22/2023	Raymond Boulevard Westbound near 185 Washington Street, next to NJ Transit's elevator	Newark	47455	3593632	2/9/2024		79
1/5/2024	9 First Street corner of West Market adjacent to Checkers	Newark	44447	3635378	1/24/2024	Fixed - 1/24/2024	19
8/17/2023	Assunpink Drive	Trenton	15488	3492592	1/31/2024	Fixed - 1/31/2024	167
8/17/2023	Assunpink Drive	Trenton	15487	3492593	1/31/2024	Fixed - 1/31/2024	167
12/26/2023	209 South Broad pole missing at corner of Market and County building	Trenton	16343	3622186	1/21/2024		26
8/17/2023	Assunpink Drive at corner of South Broad	Trenton	15483	3492598	1/31/2024	Fixed - 1/31/2024	167
7/24/2023	West Lafayette in front of hotel	Trenton	10638	3468623	1/21/2024	Asset located inside hotel. Mapping	181
7/24/2023	West Lafayette in front of hotel	Trenton	9506	3468622	1/31/2024	Fixed - 1/31/2024	191

Robert Daniel
2-B Buckingham Road
West Orange, NJ 07052

March 31, 2023

Mr. Paul Lupo, Acting Director
Division of Energy
Board of Public Utilities
PO Box 350
Trenton, NJ 08625-0350

Dear Acting Director Lupo,

Subject: Non-compliance with New Jersey's street lighting regulation

I have a question.

NJAC §14:5-2.9(b) requires that routine streetlight repairs are to be made within three business days after notice that a repair is necessary.

Where would one find the penalty for non-compliance with this regulation?

Is it found in NJAC §14:5-8.13(b) (attached) or somewhere else?

I can be reached by phone at (201) 303-3554 or by email at robertdaniel1921@gmail.com

Thank you!

Respectfully yours,



Robert Daniel

Attached:

NJAC 14:5-8.13 Penalties

Letter of Stacy Peterson, March 2, 2020, with NJAC 14:5-2.9(b) attached



PHIL MURPHY
GOVERNOR

SHEILA OLIVER
LT. GOVERNOR

State of New Jersey
BOARD OF PUBLIC UTILITIES
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Trenton, New Jersey 08625-0350
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Joseph L. Fiordaliso
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Dianne Solomon
Commissioner

Upendra Chivukula
Commissioner

Bob Gordon
Commissioner

March 2, 2020

Mr. Robert Daniel
2B Buckingham Road
West Orange, NJ 07052

Re: COS-EN 3316-20 – Public Service Electric & Gas Company – Street Lights

Dear Mr. Daniel:

extensive (RD)

Thank you for your February 27, 2020 correspondence to the New Jersey Board of Public Utilities (“Board”) regarding street lighting. Your inquiry was forwarded to the Division of Energy within the Board for a response related to street lighting.

N.J.A.C. 14:5-2.9 (b) requires all routine streetlight repairs which include bulbs, fixtures, globes, mantles or photocells to be made within (3) three business days after notice that a repair is necessary. More expensive repairs which may require excavation should be made as quickly as reasonably possible in order to ensure the restoration of safe, adequate, and proper service.

For information on reporting streetlight outages, visit <https://nj.pseg.com/outageandgasleaks> and log into your account.

I hope you find the above information useful. If you have any further questions or concerns about your electric service, please reach out to Sri Medicherla at 609-292-4518 or sri.medicherla@bpu.nj.gov.

Sincerely,

Stacy Peterson
Director, Division of Energy

N.J.A.C. 14:5-2.9

Copy Citation

This file includes all Regulations adopted and published through the New Jersey Register, Vol. 52 No. 5, March 2, 2020

- **NJ - New Jersey Administrative Code**
- **TITLE 14. PUBLIC UTILITIES**
- **CHAPTER 5. ELECTRIC SERVICE**
- **SUBCHAPTER 2. PLANT**

§ 14:5-2.9 Inspection of property

(a) Each EDC shall inspect lamps and street lighting accessories and maintain such service in accordance with N.J.A.C. 14:3-2.7(a) and established industry practice. Whenever any transformers, high tension insulators, and equipment are removed from the system for any reason they shall be inspected as to safety and serviceability before being reinstalled in the same or other location.

(b) All routine streetlight repairs are to be made within three business days after notice that a repair is necessary. Routine repairs include bulbs, fixtures, globes, mantles or photocells. Other more extensive repairs including, but not limited to, those requiring excavation, shall be handled on a best efforts basis in order to ensure the restoration of safe, adequate and proper service as quickly as reasonably possible.

History

HISTORY:

Recodified from N.J.A.C. 14:5-1.9 and amended by R.2008 d.57, effective March 17, 2008. See: 39 N.J.R. 3716(a), 40 N.J.R. 1684(a).

Inserted designation (a); in (a), substituted "EDC" for "electric utility", inserted "N.J.A.C. 14:3-2.7(a) and" and "industry"; and added (b).

NEW JERSEY ADMINISTRATIVE CODE

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[NJ - New Jersey Administrative Code](#) > [TITLE 14. PUBLIC UTILITIES](#) > [CHAPTER 5. ELECTRIC SERVICE](#) > [SUBCHAPTER 8. ELECTRIC DISTRIBUTION SERVICE RELIABILITY AND QUALITY STANDARDS](#)

§ 14:5-8.13 Penalties

(a) Civil administrative penalties for violations of the reporting and planning and program submission requirements set out in N.J.A.C. 14:5-8.3 through 8.9 and 8.11 shall be assessed as follows:

1. For failure to submit complete required reports, programs and plans on the due date set by rule, the EDC may be liable for a penalty of up to \$ 5,000 for each day beyond the due date that the report, program or plan is not submitted, up to a maximum of \$ 25,000 in total penalties for each violation; provided, however, that upon timely written request to Board staff demonstrating the need for an extension of time, the time for submitting required reports, plans and programs may be extended in appropriate cases.
2. A second or any subsequent failure to submit any required report, plan or program, the EDC may be liable for a penalty of up to \$ 50,000.

(b) Civil administrative penalties for violations of this subchapter other than those set out in (a) above may be assessed as follows:

1. For failure to implement the requirements set out in the programs and plans as submitted to the Board or for the willful misrepresentation of fact and/or intentional inaccuracies in any submitted report, plan or program or for violation of any other requirement of this subchapter, an EDC may be liable for a penalty of not more than \$ 25,000 for each violation unless mitigating circumstances can be demonstrated by the EDC. For a second or any subsequent violation of the same provision, the EDC may be liable for a penalty of not more than \$ 50,000.
2. Each violation of any rule of this subchapter shall constitute an additional, separate and distinct violation.
3. Each day during which a violation continues shall constitute an additional, separate and distinct violation.

(c) Any penalty which may be assessed under this section may be compromised by the Board. In determining the amount of the penalty, or the amount agreed upon in compromise, the Board may consider aggravating and mitigating circumstances including the nature and gravity of the violation; the degree of the EDC's culpability; any history of prior violations; and any good faith effort on the part of the EDC in attempting to achieve compliance.

(d) Penalty assessments are payable to the Treasurer, State of New Jersey and are due within 30 days of service upon the EDC of an order assessing a penalty unless the Board directs otherwise.

History

HISTORY: