

**Doyle, Dan**

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**From:** john magnesi [magnesij2003@gmail.com]  
**Sent:** Thursday, September 22, 2011 8:56 PM  
**To:** AfterIreneCT  
**Subject:** Response of utility companies to storm "Irene"

I have just a few questions to raise at this hearing about the responsiveness of the electric power companies in Connecticut to storm Irene.

1. The utility companies disclosed that they had engaged out-of-state electric repair crews to address the downed power lines and other power outages that occurred in Connecticut. Did CL&P or United Illuminating have plans in place to first engage Connecticut residents (who may have been licensed and available to do this work) before seeking out of state crews ?

2. I believe that I heard that many of the out-of-state companies brought in to Connecticut by CL&P and UI to address the downed power lines and the power outages were referred to as "independent contractors." The term "independent contractor " has legal significance especially in the area of the labor laws of this state. For example, during the years when I worked at the Connecticut Labor Department, I had to investigate numerous cases where people categorized in this manner were, in fact, miscategorized. They should have been treated as employees not as "independent contractors." As a consequence of the miscategorization of workers (who should have been treated as "employees"), these alleged independent contractors were frequently told to be responsible for their own insurances, taxes, and other duties related to consumer protection and licensing. Connecticut, in many instances, failed to receive proper tax payments and failed to attain regulatory compliance especially in the areas of licensing and consumer protection by these alleged "independent contractors." In light of this, what specific steps did UI or CL&P take to assure that not only were its out-of-state sub-contractors properly licensed and in compliance with consumer protection requirements here in Connecticut but also that the workers engaged by these out-of-state sub-contractors were similarly in compliance with Connecticut regulatory requirements ?

3. During the storm, Governor Malloy stated on a number of occasions that if people in our state had, in the past, experienced power outages for extended periods, that they should reasonably anticipate similar delays in restoring their power as a consequence of this storm. It appeared that he regarded such a delay as reasonable. On 9/11/2001, attacks on this country exposed the vulnerability of our infrastructure to breakdown and / or shutdown due to an attack. A few years later in 2005, Americans witnessed in New Orleans storm Katrina with its devastating impact on the power grid and other aspects of our infrastructure. In effect, this state has had years to prepare for large scale disruption to our electrical power grid as a result of an emergency situation. Consequently, why should residents of this state have been told to anticipate similar delays as in the past if power was disrupted ?

If anything, given the advance notice of a need to be prepared, shouldn't the customers of the utilities have anticipated an even shorter wait period for restoration of power due to a storm rather than an equally long delay as in the past - or possibly, an even longer delay than in the past ?

4. Finally, it has been reported in financial journals that the compensation plans of many of the top executives of the power companies runs into the millions of dollars. The CEO of Connecticut Light and Power, for example, was reported by Bloomberg Financial News to have received in excess of 4 million dollars in compensation in 2010. When pro-rated over the number of days in

a year, this level of pay is equal to well over \$10,000.00 per day - every day of the year. In addition, other top executives of the power companies were also reported, by such sources as Bloomberg, to have similar million or multi-million dollar compensation plans. Given these levels of compensation, why were there not more maintenance crews on the payrolls of these companies? Given this information, it surely could not be attributable to a lack of funding or a lack of financial resources on the part of the company. I would seek a response.

Thank you,  
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