



**BOROUGH OF CHATHAM
BOROUGH HALL
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July 21, 2023

James V. Fakult
President, Jersey Central Power & Light Company
300 Madison Avenue
Morristown, NJ 07962-1911

RE: Our Concerns Regarding JCPL's Handling of the Recent Power Failure

Dear Mr. Fakult:

As Mayor of the Borough of Chatham, and on behalf of the entire Governing Body, I write to express my deep concern regarding JCP&L's handling of the power outage that occurred in the Borough on Wednesday, July 5th and continued well into Thursday, July 6th. During that incident, which occurred on a day when the temperature exceeded 90 degrees, our residents and businesses had to endure oppressive and potentially dangerous conditions, and a substantial number suffered tangible economic losses. Many have contacted us asking what JCP&L intends to do about what happened and whether you will make them whole.

We are appreciative that JCP&L provided a representative to attempt to explain what happened at the Borough Council meeting on Monday, July 10th, but your representative's presentation failed to adequately address the situation. What is clear is that there was no unusual circumstance outside of JCP&L's control, such as bad weather or some other Act of God that would have clearly absolved your business of responsibility for the failure. Instead, you have provided a vague and unsatisfactory explanation along the lines that there was "an electrical disturbance due to equipment failure." Yet, you further assert, in a seemingly contradictory manner, that the failure of your equipment and the power loss that followed did not occur due to any negligence on the part of JCP&L. You therefore have denied any compensation or other form of relief whatsoever to affected Borough residents and businesses.

While we are not experts in electrical system operations, we are more than capable of determining when a business is attempting to shirk its responsibility. It seems to us that your admitted equipment failure renders you morally - if not legally - responsible for making things right. Even more problematic, when the equipment failure occurred, JCP&L failed to communicate effectively with the Borough and its residents and businesses in a clear and transparent manner, instead promising restoration of power within short order and not providing timely updates when it became clear that it was going to take substantial time to repair your system. This failure severely compounded the problem and demonstrates that your communications operation is currently incapable of dealing with emergency situations in a competent manner. We have also reviewed copies of JCP&L's communications with residents and businesses who have sought compensation from you, and are struck by the uncaring

tone and language your representatives have used in their correspondence to your paying customers who have suffered losses because of this incident.

We have had a productive relationship with JCP&L in the past, and wish very much to maintain that relationship going forward, but we cannot sit back and allow you to disclaim responsibility for something that clearly never should have occurred. Your tepid and unfeeling response to this incident has shattered our confidence that we have a reliable power system within the Borough and are being served by a company that has respect for its customers. We specifically made it clear to your representatives that we as a Governing Body wanted a formal, written explanation confirming whether or not you would take any steps whatsoever to mitigate the damage that your business failure has caused our community. We have received only a brief e-mail from one of your representatives containing a promise that such an explanation would be forthcoming. As of this date, nothing further has been received.

We as a Governing Body wish we did not have to write this letter. We would greatly prefer to maintain a positive working relationship with JCP&L and work together with you to improve the community. But we also have an obligation to our constituents to advocate for them when we conclude that they have been harmed by your company's actions. As such, the Governing Body respectfully asks that you, as the President of JCP&L, take a careful look at this incident and find some way to address the legitimate concerns of the customers that keep you in business. We will be watching carefully what you do and will take additional steps as necessary and warranted should that become necessary. We hope that will not need to take further action and look forward to your positive response.

Very truly yours,

Mayor Thaddeus J. Kobylarz

cc: All Council Members
Borough Administrator
Borough Attorney