

READ AND LANIADO, LLP

ATTORNEYS AT LAW
25 EAGLE STREET
ALBANY, NEW YORK 12207-1901

(518) 465-9313 MAIN

(518) 465-9315 FAX

www.readlaniado.com

KEVIN R. BROCKS
DAVID B. JOHNSON
SAM M. LANIADO

KONSTANTIN PODOLNY
PATRICK A. SILER

RICHARD C. KING
HOWARD J. READ
Of Counsel

Via Electronic Mail

November 13, 2013

Hon. Kathleen Burgess
Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, NY 12223-1305

Re: CASE 12-E-0339 – Tariff Filing by the Village of Angelica to Modify its Tariff Schedule
P.S.C. No. 1 – Electricity.

Dear Secretary Burgess:

Enclosed please find corrected tariff leaf labeled “LEAF 8” for filing by the Village of Angelica (“Angelica”). The purpose of this filing is to correct a clerical error contained in the Village’s existing filed tariff. In an Order issued by the Commission on February 15, 2013 in the above-captioned proceeding, the Commission approved a tariff filing by Angelica to correct a discrepancy between its PSC-filed Tariff and the rates approved for it by the New York Power Authority in 1999 (“February 15 Order”). The Commission held that “the rates charged by Angelica were approved by NYPA, the appropriate governmental entity, and we approve Angelica’s petition to correct its tariff to properly reflect the rates approved by NYPA prior to Angelica’s coming under Commission jurisdiction.” The purpose of the instant filing is to bring Angelica’s tariff in compliance with the February 15 Order. The Energy Charge per kWh

Hon. Kathleen Burgess

November 13, 2013

Page 2

approved by NYPA and reaffirmed by the February 15 Order for Service Classification No. 3 was \$0.0299. However, due to a clerical error that rate is reflected in the current tariff as \$0.029. In addition, large commercial or industrial customers billed under Service Classification No. 3 are erroneously defined as those whose energy consumption exceeds 3,500 kWh in any Winter Billing month. That definition is being corrected to the NYPA-approved definition of customers “whose energy consumption exceeds 6,000 kWh in any Winter Billing month.” Tariff Leaf 10, originally approved by NYPA and implemented by the February 15 Order, is attached for your reference.

Because of the housekeeping/clarifying nature of this filing, waiver of the statutory requirements required under the State Administrative Procedure Act is requested for these leaves to become effective on thirty days’ notice.

Also, because of the housekeeping nature of this filing, waiver of the newspaper publication requirements of PSL §66-12 and 16 NYCRR 720.8 is requested for this filing.

Respectfully submitted,

READ AND LANIADO, LLP
Attorneys for the Village of Angelica

_____/s/_____
Konstantin Podolny

Enclosure

cc: Ms. Karen Herdman
Guy Mazza, Esq.