



Consolidated Edison Company  
of New York, Inc.  
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April 15, 2014

Honorable Kathleen H. Burgess  
Secretary  
New York State Public Service Commission  
3 Empire State Plaza, 19<sup>th</sup> Floor  
Albany, New York 12223

**RE: Cases 13-G-0031 and 13-G-0186, Temperature Control Amended Filing**

Dear Secretary Burgess:

Enclosed for filing with the Public Service Commission (the "Commission") are the following amended tariff leaves issued by Consolidated Edison Company of New York, Inc. ("Con Edison" or the "Company") to the Company's Schedule for Gas Service, P.S.C. No. 9 - Gas ("Gas Tariff"), applicable to its customers in the City of New York and the County of Westchester.

Leaf 98	Revision 5	Superseding	4
Leaf 253	Revision 4	Superseding	3
Leaf 264	Revision 11	Superseding	10
Leaf 330	Revision 7	Superseding	6

These tariff leaves are issued April 15, 2014, with an effective date of June 1, 2014.

**Reason for Filing**

The Commission's Order Approving Electric, Gas and Steam Rate Plans in Accord With Joint Proposal, issued and effective February 21, 2014, in Cases 13-E-0030 et al. (the "Rate Order") adopted the Joint Proposal ("JP") as set forth in Appendix A of the Rate Order, with certain modifications. The JP provides for the Company to amend its pending filing in Case 13-G-0186, which proposed to eliminate the Temperature-Control ("TC") option for all interruptible customers. In accordance with the JP, the Company filed tariff amendments on April 8, 2014 ("April 8, 2014 Filing") to eliminate the TC option for new interruptible customers and allow existing TC customers to continue to utilize the TC option. The amended leaves specified that any interruptible customer who voluntarily or involuntarily ceases to be a TC customer may only re-apply for interruptible service as a Notification customer. This amended filing was sent to all the parties in Case 13-G-0031. The City of New York (the "City") was the only party who provided comments and requested one modification. The modification relates to a provision in the tariff that allows the Company to switch a customer from being a TC customer to a

Notification customer to alleviate conditions that threaten the integrity of the Company's distribution system or the Company's ability to serve the requirements of its firm service customers. The City commented that, if this were to occur, any TC customer who had been switched would now be unable to return to the TC option through no fault of their own.

The Company agrees that the concern raised by the City needs to be addressed, as it was not the Company's intention to preclude existing TC customers from continuing TC service in these instances. To address this matter, the Company is filing amended tariff leaves to clarify that the Company has the right to use notification as a means to interrupt TC customers in situations where the integrity of the Company's distribution system or its ability to serve the requirements of firm service customers is threatened. However, the exercise of this right by the Company will not result in TC customers being switched to Notification customer status. In the event that the Company does call such an interruption, both TC and Notification customers will be interrupted at the same time.

Consistent with the foregoing, this filing includes new language on Leaf 253, to clarify that TC interruptible customers who voluntarily switch to firm sales or firm transportation service or who are switched by the Company for failure to comply with the provisions of Service Classification No. 9 or Service Classification No. 12 will be allowed to re-apply for interruptible service only as a Notification customer.

The Company is also making a housekeeping change on Leaf 98 to correct a minor typographical error.

### **Conclusion and Notice**

The tariff leaves included in the April 8, 2014 Filing have a proposed effective date of June 1, 2014. Therefore, in the instant filing, the Company proposes that the tariff amendments also become effective on June 1, 2014 so they immediately supersede the pending tariff leaves.

The Company respectfully requests a waiver of notice requirements of § 66 (12)(b) of the Public Service Law and 16 NYCRR Section 720-8.1 as to newspaper publication of the tariff changes. This waiver is requested given that the City was the only party to comment on both the April 25, 2013 filing and the April 8, 2014 filing; this filing addresses the concern raised by the City; and the City has agreed to withdraw its opposition to the filing in Case 13-G-0186 once the Company amends its tariff filing. The Company will provide copies of this amended filing to all parties in Case 13-G-0031.

Sincerely,

/s/ William A. Atzl, Jr.  
Director  
Rate Engineering Department

cc: Active Parties in Case 13-G-0031 (via email).