

..DID: 13306

..TXT:

September 29, 2000

CONSOLIDATED EDISON COMPANY OF NEW YORK  
4 Irving Place  
New York, NY 10003

Hon. Janet H. Deixler  
Secretary  
Public Service Commission  
State of New York  
Three Empire State Plaza  
Albany, New York 12223

Dear Secretary Deixler:

Consolidated Edison Company of New York, Inc. ("Con Edison" or "the Company") submitted on September 5, 2000, tariff modifications to its Schedule for Gas Service, PSC 9 – Gas, related to service to its interruptible and off-peak firm customers taking service under Service Classification ("SC") Nos. 9 and 12. The filing was made in compliance with the Commission's August 24, 2000 Order Directing Utilities to File Revised Interruptible Gas Service Tariffs ("August 24<sup>th</sup> Order").

After subsequent discussions with Commission Staff, the Company has agreed to modify its September 5, 2000 filing as follows:<sup>1</sup>

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<sup>1</sup> Deletions of certain tariff provisions from the Company's compliance filing does not preclude the Company from filing the same or similar changes to its tariff under the normal notice provisions required under the State Administrative Procedure Act.

- È Tariff provisions have been added to SC No. 9 to require that Power Generation Customers meet the same reserve requirements and pay the same penalties that are applicable to Interruptible and Off-Peak Firm Customers.
- È Tariff provisions that provided a customer with a ten day grace period to repair inoperable dual fuel facilities or customer-installed phone lines or thereafter be subject to a charge up to 1.5 times the otherwise applicable interruptible or off-peak firm rate, have been deleted.
- È Tariff Provisions that permitted the Company to impose a harsher penalty on Customers who violate the Company's tariff and operating procedures on two or more occasions, have been deleted.
- È Tariff provisions that permitted the Company to recover the costs associated with the use of outside contractors to perform physical inspections of a Customer's dual fuel facilities, have been deleted.
- È Clarifying modifications have been made to the tariff provisions explaining Customer's reserve requirements, including the application of penalty charges. The requirement that new customers have three- days or more of on-site storage has been deleted.
- È New tariff language has been added to address requests for exemptions from the applicable reserve requirements of the tariff from individual customers that elect to shut down operations during critical periods for as long as gas service is interrupted. Customers electing such option must agree to (i) install, at their own cost and expense, all equipment deemed necessary by the Company (including an automatic shut-off valve and communications equipment) to ensure compliance with the required gas service interruption, (ii) reimburse the Company for other costs incurred by the Company in connection with such election and its implementation, and (iii) execute all documents deemed necessary by the Company to consider such election to be verifiable.<sup>2</sup>

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<sup>2</sup> By petition dated September 27, 2000, the Company filed for rehearing of this aspect of the August 24, 2000 order in this proceeding. By making this compliance filing, the Company is not waiving any of its rights to seek administrative or judicial review of the Commission order and is not withdrawing or proposing any changes to its pending request for rehearing.

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The enclosed tariff leaves and supplement are issued September 29, 2000 to become effective October 1, 2000 and are listed on Attachment A.

The requirement of Section 66(12)b of the Public Service Law as to newspaper publication of these additional proposed tariff revisions is waiver per the August 24<sup>th</sup> Order.

Respectfully submitted,

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

By:\_\_\_\_\_

Edwin W. Scott  
Vice President and  
Deputy General Counsel

Enclosures

Attachment A

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

P.S.C. NO. 9 Gas

Fourth Revised Leaf No. 257.0  
Superseding Third Revised Leaf No. 257.0

Second Revised Leaf No. 275.0  
Superseding First Revised Leaf No. 275.0

Third Revised Leaf No. 302.0  
Superseding Second Revised Leaf No. 302.0

Third Revised Leaf No. 316.0  
Superseding Second Revised Leaf No. 316.0

First Revised Leaf No. 316.1  
Superseding Original Leaf No. 316.1

Third Revised Leaf No. 317.0  
Superseding Second Revised Leaf No. 317.0

Second Revised Leaf No. 332.0  
Superseding First Revised Leaf No. 332.0

Second Revised Leaf No. 337.0  
Superseding First Revised Leaf No. 337.0

Second Revised Leaf No. 338.0  
Superseding First Revised Leaf No. 338.0

Second Revised Leaf No. 341.0  
Superseding First Revised Leaf No. 341.0

First Revised Leaf No. 341.1  
Superseding Original Leaf No. 341.1

First Revised Leaf No. 341.2  
Superseding Original Leaf No. 341.2

Second Revised Leaf No. 342.0  
Superseding First Revised Leaf No. 342.0