

..DID: 7642
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February 22, 1999

Honorable Debra Renner
Acting Secretary
State of New York
Department of Public Service
Three Empire State Plaza
Albany, NY 12223

RE: Case 99-M-0074 - Compliance Filing -
Late Payment Charge Clarifying Language

Dear Acting Secretary Renner:

Orange and Rockland Utilities, Inc. (the "Company") hereby submits for filing five copies of Leaf No. 35 to its Schedule for Gas Service, P.S.C. No. 4 -GAS. This leaf is issued February 22, 1999 to become effective March 24, 1999.

This filing is submitted in compliance with the Commission's Order Directing Utility Filings in Case 99-M-0074, issued and effective January 22, 1999 (the "Order"). The purpose of this filing is to include clarifying language consistent with the Order's statutory interpretation of Section 42 of the Public Service Law regarding late payment charges and residential deferred payment agreements.

Orange and Rockland would note that this amendment is for clarification purposes only, since it has not been applying late payment charges (LPCs) to arrears that are being paid under residential deferred payment agreements (DPAs). Contrary to the Order, the imposition of LPCs on arrears to be collected through DPAs is not illegal and should not be prohibited. The shortcomings of the Commission's order are set forth in the separate Petitions for Rehearing filed by Consolidated Edison Company of New York, Inc. and New York State Electric and Gas Corporation. Orange and Rockland is supportive of these Petitions and urges the Commission to rethink its position on this issue.

Orange and Rockland requests a complete waiver of the requirement to publish notice of this amendment as its purpose is clarifying in nature and it generates no customer impact. Included with this filing is the required General Information form.

If there are any questions concerning this filing, please contact me at (914) 577-2490.

Very truly yours,

Received: 2/22/1999

Paul M. Hofmann
Supervisor - Pricing