

August 19, 2004

Honorable Jaclyn A. Brilling
Secretary
State of New York
Public Service Commission
Three Empire State Plaza
Albany, New York 12223

**Re: Case No. 03-M-0117, In the Matter of the
Implementation of Chapter 686 of the Laws of 2002**

Dear Secretary Brilling:

Enclosed for filing with the Public Service Commission (the "Commission") is a revised schedule leaf issued by Consolidated Edison Company of New York, Inc. ("Con Edison" or the "Company") applicable to its customers in the City of New York and the County of Westchester. This filing reflects revisions to the Company's Schedule for Gas Service, P.S.C. No. 9 – Gas.¹

The specific leaf being revised is identified below:

P.S.C. No. 9 – Gas

Third Revised Leaf No. 398
Superseding Second Revised Leaf No. 398

The tariff leaf is issued on one day's notice. It bears an issue date of August 19, 2004, and an effective date of August 20, 2004.

¹ A separate filing is being made to make changes to the Company's Schedule for Retail Access, P.S.C. No. 2 – Retail Access, effective August 20, 2004.

Reason for Filing

This filing is being made pursuant to the Commission's Order issued and effective July 30, 2004, in Case No. 03-M-0117 (the "Order"). In the Order, the Commission directed utilities to eliminate any reconnection fees or post-suspension follow-up visit fees charged to ESCOs under their tariffs. In compliance with the Order, the Company is removing the charge to an ESCO under its Schedule for Gas Service, P.S.C. No. 9 – Gas, for visits made to a customer's premises to end a suspension of service.

Notice and Conclusion

This filing is being made on one day's notice pursuant to Ordering Clause 1 of the Order, which directed utilities to file tariff changes within 30 days of the date of the Order, effective on a temporary basis, on one day's notice. Ordering Clause 2 of the Order waived newspaper publication. Ordering Clause 3 directed utilities to refund to ESCOs any reconnection fees they were charged: the Company has not charged any reconnection fees to ESCOs and, thus, has none to refund.

A copy of this filing will be mailed by regular mail to all parties to Case Nos. 98-M-1343, 99-M-0631 and 03-M-0017.

Sincerely,

Joel H. Charkow
Director
Rate Engineering