



Orange and Rockland Utilities, Inc.  
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August 9, 2004

Honorable Jaclyn A. Brilling,  
Secretary  
New York State Public Service Commission  
Three Empire State Plaza  
Albany, NY 12223-1350

RE: Case 02-G-1553

Dear Secretary Brilling:

Orange and Rockland Utilities, Inc. ("O&R" or "the Company") is filing today with the Public Service Commission ("the Commission") Supplement No. 33 to its Schedule for Gas Service, PSC No. 4 – Gas.

On January 23, 2004, the Company filed with the Commission proposed tariff leaves to provide the Company with the right to use or acquire firm, non-recallable, primary delivery point capacity obtained by Marketers from third parties in a manner that would enable the Company to rely on such capacity for reliability purposes. The implementing tariffs were filed to become effective May 1, 2004.

By orders dated March 31, 2004, May 7, 2004, June 4, 2004, and July 28, 2004, the Commission postponed the effective date of the filing to June 1, 2004, July 1, 2004, August 1, 2004, and most recently to September 1, 2004.

On July 29, 2004, the Company filed Supplement No. 32 to cancel the tariff leaves filed on January 23, 2004. The Company's filing to withdraw its January 23, 2004 filing was made on the basis that it appeared likely that the parties were not going to agree upon the parameters of a program prior to the start of the 2004-05 winter period and that the additional time afforded by withdrawal of the filing would give the parties adequate time to reach agreement prior to the start of the 2005-06 winter period. Moreover, as the Company pointed out in its July 29, 2004 filing, implementation of a gas reliability program in time for the upcoming heating season is no longer necessary since all marketers serving O&R's firm transportation customers have committed to taking a release of O&R capacity this winter to meet their primary delivery point capacity obligations.

Subsequent to the Company's July 29, 2004 filing, Staff requested that the Company postpone the filing until August 1, 2005 in lieu of cancellation of the filing.

Accordingly, the Company files today Supplement No. 33 postponing until August 1, 2005 the tariff leaves filed on January 23, 2004 and Cancellation Supplement No. 32 filed by the Company on July 29, 2004. The Company respectfully requests that Supplement No. 33 be allowed to go into effect on September 1, 2004 on short notice, and that the requirement for newspaper publication of the change proposed by the supplement be waived.

Honorable Jaclyn A. Brilling  
August 9, 2004  
Page 2 of 2

Please direct any questions pertaining to this filing to me at (212) 460-3308.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William A. Atzl, Jr.", with a stylized flourish at the end.

William A. Atzl, Jr.  
Director – O&R Rates