

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

June 4, 2004

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

**Re: Extended One-Year Capacity Release Service**

Dear Secretary Brillling:

Consolidated Edison Company of New York, Inc. ("Con Edison" or the "Company") is filing today with the Public Service Commission (the "Commission") amendments to the Company's Schedule for Gas Service, P.S.C. No. 9 – Gas.

The specific leaves being revised are identified in Attachment A. The tariff leaves bear an effective date of August 26, 2004 (one day after the Commission's scheduled August 25, 2004 open session meeting) in order to provide the Company and gas marketers serving firm customers in its retail choice program adequate time to prepare for the winter season commencing on November 1, 2004.

**Reason for Filing**

This filing is being made to offer an Extended One-Year Capacity Release Service for a 12-month period commencing November 1, 2004 and ending on October 31, 2005. The current three-year Capacity Release Service expires on October 31, 2004. The Company proposes to continue the Capacity Release Service (for an additional year) to give retail marketers serving firm customers in the Company's gas retail choice program ("Sellers") the opportunity to obtain upstream pipeline capacity from the Company to satisfy the Commission's firm primary receipt point requirement. Corresponding revisions to the Company's Sales and Transportation Operating Procedures Manual ("Operating Procedures") will be submitted under separate cover.

**Summary of Tariff Changes**

The Company will either utilize its existing contracted capacity or will acquire new capacity and/or bundled Citygate deliveries needed to meet requesting Sellers'

capacity requirements for the one-year period commencing November 1, 2004 and ending on October 31, 2005. The capacity available for release, the Company's obligations to provide such service (including the Company's rights to recall the released capacity), the Seller's required documentation, and the execution of the applicable agreements by both the requesting Sellers and the Company will all follow the same terms and conditions outlined in the Company's current three-year Capacity Release Service.

**Proposed Schedule for Extended One-Year Capacity Release Program**

Capacity Release Sellers interested in participating in the Extended One-Year Capacity Release Service must make binding commitments no later than 5:00 p.m. EDT on Monday, July 12, 2004, for the quantity (in dekatherms) of the Company's capacity that they are requesting to utilize commencing November 1, 2004 (which quantity will thereafter be increased or decreased in accordance with the Company's SC No. 9 Tariff). These binding commitments and the Company's obligation to release capacity in response thereto are predicated on the Commission's approval of the Company's request for a one-year extension of the Capacity Release Service as described herein.

**Notices**

The Company will provide for public notice of the changes proposed in this filing by means of newspaper publication once a week for four consecutive weeks prior to August 26, 2004. Enclosed is a proposed form of Notice of Proposed Rule Making for publication in the State Register pursuant to the State Administrative Procedure Act.

Sincerely,

Joel H. Charkow  
Director  
Rate Engineering

P.S.C NO. 9 – GAS

Leaf 307  
Revision 5  
Superseding Revision 4

Leaf 307.1  
Revision 1  
Superseding Revision 0

Leaf 309  
Revision 4  
Superseding Revision 3

Leaf 310  
Revision 4  
Superseding Revision 3