

Filed Session of April 25, 2001  
Approved as Recommended  
and so Ordered  
By the Commission

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JANET HAND DEIXLER  
Secretary

Issued & Effective April 26, 2001  
STATE OF NEW YORK  
DEPARTMENT OF PUBLIC SERVICE

April 10, 2001

TO: THE COMMISSION

FROM: LAWRENCE G. MALONE, General Counsel  
KIMBERLY A. JOHNSON, Assistant Counsel

SUBJECT: CASE 00-G-0996 - In the Matter of Criteria for  
Interruptible Gas Service.

Complaint by Nassau-Suffolk Hospital Council,  
Inc. Regarding Interruptions of Gas Service by  
KeySpan Energy Delivery Long Island.

RECOMMENDATION: The Commission should adopt its Order  
Establishing Interruptible Service Guidelines  
for KeySpan Energy Delivery Long Island, issued  
January 31, 2001, on a permanent basis pursuant  
to §202(1) of the State Administrative Procedure  
Act.

On January 31, 2001, the Commission issued an Order  
Establishing Interruptible Service Guidelines For KeySpan Energy  
Delivery Long Island in the captioned proceeding, adopting its  
ruling on an emergency basis within the meaning of the State  
Administrative Procedure Act (SAPA) §202(6).

The Commission stated that immediate action was  
necessary for the preservation of the general welfare and that  
compliance with the advance notice and comments requirements of  
SAPA §202(1) would be contrary to the public interest. The  
Commission further stated:

"Interruptible service is crucial to the utility's ability to manage its system in a safe and reliable manner. The principles adopted herein are critical to the continued economic well being of on-system interruptible customers, particularly during the heating season."

Notice of the Commission's action was published in the State Register on February 21, 2001. The time for comments, pursuant to SAPA §202(1), expired on April 9, 2001, and the 90-day time allowance for taking final action provided by the emergency action provision of SAPA §202(6) would expire on May 1, 2001. Therefore, Commission action is required by the April 25, 2001 session.

No comments were received by April 9, 2001. Under these circumstances, the Commission should adopt its January 31, 2001 Order Establishing Interruptible Service Guidelines for KeySpan Energy Delivery Long Island on a permanent basis pursuant to SAPA §202(1), for the reasons set forth in that Order.