



Consolidated Edison Company  
of New York, Inc.  
4 Irving Place  
New York NY 10003  
www.conEd.com

Corresp  
05-S-1376

January 5, 2006

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

Dear Secretary Brillling:

Consolidated Edison Company of New York, Inc ("the Company") hereby submits proof of newspaper publication in the filing regarding Case 05-S-1376 to increase steam rates beginning October 1, 2006, in the form of notarized statements (original and 3 copies) attesting to the publication of the appropriate legal notice, once per week for four consecutive weeks in a newspaper having general circulation in the Company's service area. Attached to each notarized statement is the legal notice for one of the four successive weeks.

Respectfully submitted,

CONSOLIDATED EDISON COMPAN OF NEW YORK, INC.

By: Christine Colletti  
Christine Colletti  
Director  
Rate Engineering Department

Enclosures

State of New York  
COUNTY OF NEW YORK

SS:

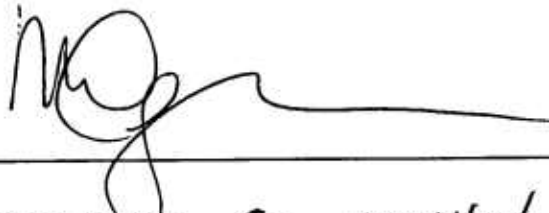
Michelle DeBlis

being duly sworn,  
says that he/she is the principal Clerk of the Publisher of the

***New York Post***

a daily newspaper of general circulation printed and published in the English language, in the County of New York, State of New York; that advertisement hereto annexed has been regularly published in the said "NEW YORK POST" once, on the

9, 16, 23, 30 day of NOVEMBER 2005



Sworn to before me this 30 day of Nov 2005



Notary Public

**BYRON STEVENS**  
Notary Public, State of New York  
No. 01ST6117803  
Qualified in New York County  
Commission Expires November 1, 2008

# MERCK PROBE IN ILL.

Merck & Co., the third-largest U.S. drugmaker, said it received a subpoena from the Illinois state attorney general in September seeking documents related to the repackaging of prescription drugs.

"Merck is cooperating fully with the investigation," spokeswoman Amy Rose said. She wouldn't comment further. A Securities and Exchange Commission filing by Whitehouse Station, N.J.-based Merck didn't say which product is being investigated.

The company also said prosecutors in Zurich and Bochum, Germany, are trying to determine whether criminal charges should be brought over Vioxx, a painkiller Merck pulled from the market last year after it was linked to an increased risk of heart attack.

States and the Justice Department have been investigating the way drug companies bill government health-care programs such as Medicare. Medco Health Solutions Inc., the benefit manager spun off from Merck in 2003, agreed last year to pay \$29.3 million to 20 states and change its practices to settle charges including improperly switching patients' prescriptions.

Melissa Merz, a spokeswoman for Illinois Attorney General Lisa Madigan, declined to comment today on the Merck subpoena.

Shares of Merck fell 8 cents to \$29.37 in composite trading on the New York Stock Exchange. They have declined 8.6 percent this year.

*Bloomberg*

## Credit Suisse slapped

Credit Suisse Group, an underwriter on Refco Inc.'s \$583 million initial public offering in August, was subpoenaed by regulators in connection with Refco's collapse into bankruptcy last month.

Credit Suisse, Switzerland's second-largest bank, said yesterday in a quarterly filing with the Securities and Exchange Commission that its securities unit received subpoenas and requests for information from regulators including the

SEC. The Zurich-based company said it's cooperating with the requests.

The subpoenas show the government's investigation into Refco's collapse is widening. Refco was the fourth-largest U.S. futures broker until it disclosed that former Chief Executive Phillip Bennett hid \$430 million in bad debts. The company filed for bankruptcy Oct. 17 and was to auction its assets today.

*Bloomberg*

### LEGAL NOTICE

#### NOTICE OF WORKER ELIGIBILITY FOR TRADE ACT BENEFITS

The United States Department of Labor, issued certifications of eligibility to apply for Trade Adjustment Assistance for all workers of the following firms. Pursuant to Section 223 of the Trade Act of 1974, all workers of these firms may be eligible for special benefits afforded under this Act. These benefits include training in a new skill, allowances to cover expenses while looking for work outside their commuting area, allowances to relocate their family and household goods to new employment outside their commuting area and weekly cash benefits.

NAME OF FIRM	SEPARATED ON OR AFTER	PRIOR TO
Liz Claiborne, Inc., Ellen Tracy Division New York, New York	6/21/04	8/30/07
Broadnax Mills, Inc., Sales Office New York, New York	6/29/04	8/30/07
John Chatillon and Sons, Inc. Test and Calibration Instrument Div., A Subsidiary of Ametex Kew Gardens, New York	8/28/04	9/15/07
Edward Fields, Inc., College Point, New York	7/28/04	9/23/07

Additional information and applications to apply for benefits may be obtained by calling (518) 402-0189 or by writing to NYS Department of Labor, Special Programs Team, State Office Building Campus, Suite 2004, Albany, N.Y. 12240.

### PUBLIC NOTICE

#### Con Edison Has Filed for a Steam Net Rate Increase of \$67.6 Million

On November 2, 2005, Con Edison filed with the New York State Public Service Commission ("PSC") a proposal to increase its steam rates beginning October 1, 2006.

The required net revenue increase is \$67.6 million, or 9.6 percent, for the twelve months ending September 30, 2007, based on estimated revenues for the twelve months ending September 30, 2007. The \$67.6 million increase is the net of a \$102.1 million increase in base rates less \$34.5 million of steam customers' share of East River Re-powering carrying charges, which are currently being recovered through the fuel adjustment clause and would be shifted to base rates. The Company also proposes a three-year plan under which the proposed level of charges would continue through September 30, 2009, except for moderate increases in the second and third years to cover limited cost changes.

The following tables show the effect of the proposed rate increase on selected monthly bills:

#### Service Classification No. 1 - General Service

Monthly Steam Usage in 1,000 pounds (Mlbs)	Current Bill	New Bill
20	\$ 1,086.52	\$ 1,369.99
30	1,441.05	1,781.38
50	2,150.11	2,604.17
100	3,638.73	4,300.97
150	5,127.35	5,997.78
250	8,104.58	9,391.38
500	15,547.68	17,875.39

#### Service Classification No. 2 - Annual Power Service

Monthly Steam Usage in 1,000 pounds (Mlbs)	Summer		Winter	
	Current Bill	New Bill	Current Bill	New Bill
250	\$ 6,520.11	\$ 6,918.06	\$ 6,747.36	\$ 7,203.98
500	11,105.55	11,768.64	14,182.26	15,641.87
1,000	20,276.44	21,469.81	29,052.06	32,517.66

#### Service Classification No. 3 - Apartment House Service

Monthly Steam Usage in 1,000 pounds (Mlbs)	Summer		Winter	
	Current Bill	New Bill	Current Bill	New Bill
50	\$ 2,123.81	\$ 2,555.82	\$ 2,166.70	\$ 2,608.60
150	4,134.05	4,701.22	3,849.72	4,351.25
250	6,144.29	6,846.62	6,638.60	7,454.84
500	11,169.88	12,210.11	13,610.80	15,213.80
1,000	20,045.11	21,489.57	26,155.84	29,009.56

The bills shown in these tables include a customer charge, a fuel adjustment charge based on the weighted average fuel adjustment for the 12 months ended June 30, 2005, and New York City and State revenue taxes. Sales tax is not included in the above tables. The summer billing period is the six-month period, May through October. The winter billing period is the six-month period, November through April.

Steam customers using over 1,000 Mlbs per month will likely see monthly bill changes under Service Classification ("SC") No. 2 in the range of 5.1% to 5.7% in the summer billing period and in the range of 12.2% to 12.7% in the winter billing period. SC No. 3 customers will likely see bill changes in the range of 4.6% to 6.4% in the summer billing period and in the range of 9.6% to 10.6% in the winter billing period. Actual increases depend on a customer's actual usage.

The Company further proposes to implement demand rates for approximately 290 SC No. 2 and SC No. 3 customers with annual consumption greater than 22,000 Mlbs. Billing at demand rates would commence with the 2007-2008 winter period. Prior to that period, almost all of the customers would receive sample bills showing the amount that would have been billed had demand rates been in effect.

The Company proposes other tariff changes, including: (a) modifying its steam repair service to establish fixed charges for various services and to update hourly labor and material handling rates; (b) increasing the charge for a temporary disconnection or reconnection of service (in excess of one request at no charge for each 12-month period); (c) establishing a new charge for investigation of a leak, pressure problem, or other steam-related condition at the customer's premises, when the Company determines that there is a problem with the customer's piping and/or equipment; (d) modifying the Special Monthly Adjustments component of the fuel adjustment clause to provide for recovery of the costs associated with steam business development activities provided in the current rate plan and recovery of lost revenues associated with implementation of a new steam demand reduction pilot program; and (e) extending the period under which customers may apply for the air conditioning incentive program under SC No. 2 and SC No. 3.

Con Edison's proposals are subject to review by the PSC and may be approved, modified, or rejected after hearings open to the public. It is anticipated that the PSC will render its decision and that rates will become effective in the fall of 2006. Copies of Con Edison's proposed tariff revisions are available for inspection at the office of the Public Service Commission, 90 Church Street, 4th floor, New York, New York 10007 and at Con Edison's office at 4 Irving Place, New York, New York 10003.

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

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Ad nea NATIONAL EDUCATION ASSOCIATION

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# NEW YORK POST Market Watch

Get Up-To-The-Minute Stock Prices at [www.nypost.com](http://www.nypost.com)

## Most Widely Held

Name	Vol (000)	Last	Chg
Chevron	5230	57.86	+0.46
Cisco	38017	17.86	+0.01
Citigroup	15753	46.60	+0.17
Comcast	14340	26.36	-0.10
ExxonMob	16584	57.37	+0.56
GenElec	14297	33.76	-0.26
Home Dep	9612	40.57	-0.93
Intel	39848	24.55	+0.05
IBM	3500	83.15	-0.26
JPMorgCh	7791	37.34	-0.34
Johnn	7380	60.77	-0.66
Lucent	48672	2.74	-0.06
Merck	6738	29.37	-0.08
Microst	59828	27.05	+0.04
Pfizer	20951	21.91	-0.17
ProctGam	6176	55.71	+0.13
SBC Com	10476	23.60	+0.19
TimeWam	19946	17.65	+0.04
VerizonCm	6923	30.66	+0.11
WalMart	7501	47.61	-0.44

## Most Active

Name	Close	Chg	Vol
<b>NYSE</b>			
Pfizer	21.91	-0.17	209511
TimeWam	17.65	+0.04	199462
ExxonMbl	57.37	+0.56	165842
TollBros s	33.91	-5.50	162875
Citigrp	46.60	+0.17	157532
GenElec	33.76	-0.26	142974
Motorola	23.19	+0.16	140348
ChesEng	28.62	+0.28	129243
TycoIntl	26.36	-0.36	115034
TextInst	31.13	+0.08	107318
<b>AMEX</b>			
SPDR	122.23	...	381292
ISHJapan	12.35	-0.03	275833
ISHrs2000 s	65.48	-0.24	204562
SemiHTr	35.45	+0.01	160043
SP Engy	49.05	+0.41	134222
<b>NASDAQ</b>			
Nasd100Tr	40.14	+0.01	770809
Microsoft	27.05	+0.04	598286
Intel	24.55	+0.05	398486
Cisco	17.86	+0.01	380174
ApplMatl	17.49	+0.37	336364
DellInc	29.09	-0.51	274481
eBay s	42.30	+0.43	265759
Oracle	12.62	+0.01	255330
SiriusS	6.83	-0.08	243176
AppleC s	59.90	-0.33	168614

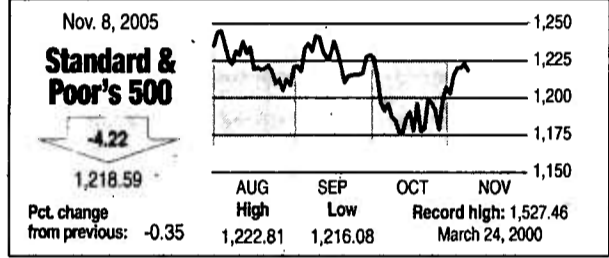
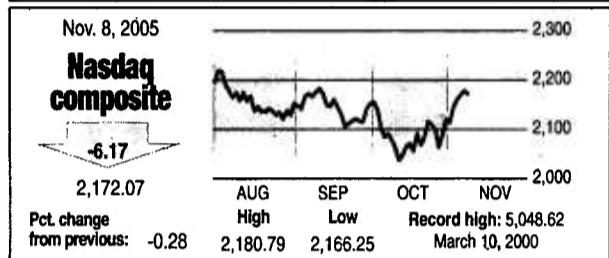
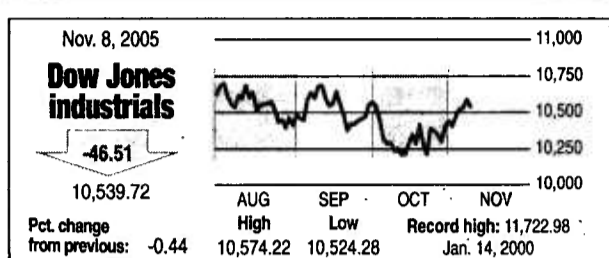
## Biggest Daily Gainers

Name	Close	% chg	Vol
<b>NYSE</b>			
Aleris Intl	30.47	+17.3	13496
WimmBD	20.07	+10.8	1032
ToddShp	21.90	+9.4	334
SeronoSA	17.97	+9.3	10192
HoustrEx	54.86	+8.1	15509
SCPIE	18.20	+8.0	1177
Orix	111.34	+7.9	169
Landrys	28.96	+7.8	13641
Sothbys	17.06	+6.6	8335
Stonerdg	8.02	+5.2	877
<b>AMEX</b>			
InfoSonic	7.36	+46.6	13521
Lannett	5.89	+17.3	1219
FieldPnt n	10.29	+16.3	4490
UGrdn	9.10	+8.3	475
CoastD	6.59	+8.0	453
<b>NASDAQ</b>			
MesaLb	14.40	+22.4	480
SprHaley	5.07	+19.3	7393
AmerTch	5.51	+18.0	3343
Relly	11.09	+17.4	1997
Abatix	15.15	+16.9	13268
MeadowVly	10.87	+14.5	9317
Qulgley	11.93	+14.2	1294
NitroMed	18.84	+12.4	63959
DXP Ent	13.98	+12.0	3090
MonrchBk	16.84	+11.9	22

## Biggest Daily Losers

Name	Close	% chg	Vol
<b>NYSE</b>			
TollBros s	33.91	-14.0	162875
Visteon If	7.72	-14.0	85045
OM Group	13.58	-12.3	17335
Meritage s	58.27	-11.2	14381
WLyOnHm	117.00	-10.7	4044
MI Homes	41.99	-10.1	2687
Nissin	8.09	-9.6	663
DR Hortn s	30.60	-9.3	70849
PulteH s	37.77	-8.9	74290
StdPac s	37.40	-8.1	20107
<b>AMEX</b>			
Riviera s	13.42	-25.0	8906
UTEK	12.10	-12.7	429
RdyMix n	13.39	-7.0	995
Sinovac n	5.13	-6.6	10599
NVR	668.00	-6.5	2067
<b>NASDAQ</b>			
SunHyd s	19.74	-24.8	11165
WheelPit	9.55	-24.0	8183
Netease	61.89	-21.9	111815
CleanH	27.93	-21.4	18230
NCO Grp	15.28	-17.1	6529
DynMatl s	22.64	-16.3	78797
Biocryst	12.19	-12.3	42410
WorldSpn	10.93	-11.1	4691
BldgMat	81.65	-10.0	10128
QLT	6.54	-9.8	38198

## Daily Markets Roundup



## Currencies

	Yesterday	Pvs day
Argentina	2.9638	2.9812
Australia	1.3607	1.3637
Brazil	2.1935	2.2115
Britain	1.7434	1.7434
Canada	1.1874	1.1894
Chile	536.20	541.30
China	8.0862	8.0872
Denmark	6.3307	6.3267
Euro	.8485	.8480
Hong Kong	7.7537	7.7523
India	45.720	45.810
Israel	4.6865	4.6860
Japan	117.12	117.62
Mexico	10.7220	10.7040
N. Zealand	1.4658	1.4704
Pakistan	59.73	59.70
Russia	28.8586	28.7825
So. Africa	6.7106	6.7071
Switzerland	1.3091	1.3083
Taiwan	33.71	33.68
Venezuela	2147.30	2147.30

British pound expressed in U.S. dollars. All others show dollar in foreign currency.

## Bond Yields

	Yesterday	Pvs day
Prime Rate	7.00	7.00
Discount Rate	5.00	5.00
Federal Funds Rate	4.00	4.00
<b>Treasuries</b>		
3-mos. T-bill	3.87	3.84
6-mos. T-bill	4.14	4.12
5-yr. T-note	4.47	4.54
10-yr. T-note	4.56	4.63
30-year T-bond	4.76	4.82

## World Indexes

Name	Last	% chg
Amsterdam	402.80	+0.4
Brussels	3336.58	+0.2
Frankfurt DAX	5008.83	-0.3
FTSE 100	5460.90	...
Hong Kong Idx	14403.20	+0.3
CAC-40	4503.62	...
Nikkei 225 Index	14036.73	-0.2
Sydney	4501.20	+0.9
Milan	25502.00	-0.3

## US Indexes

Name	Day's high	Day's low	Last	% chg	YTD chg
30 Indus	10574.22	10524.28	10539.72	-0.4	-2.3
20 Transp	3978.12	3941.60	3961.24	-0.5	+4.3
15 Utilis	396.13	391.65	393.77	-0.2	+17.6
Nasdaq100	1636.84	1623.16	1628.40	-0.1	+0.5
Composite	2180.79	2166.25	2172.07	-0.3	-0.2
S&P 500	1222.81	1216.08	1218.59	-0.4	+0.6
S&P MidCap	715.78	708.40	710.53	-0.7	+7.1
Russell 2000	661.24	654.67	656.23	-0.8	+0.7
DJ Wilshire	12244.00	12176.55	12204.36	-0.4	+2.0
5000	217.29	215.35	215.56	-0.6	+0.5
Internet	217.29	215.35	215.56	-0.6	+0.5

## Biggest Mutual Funds

Name	Obj	Total Assets (\$mlns)	4-wk	Total Return/12-mo	5-yr	Percent Load	Min Init Invnt
Vanguard Idx Fds: 500	SP	70,892	+3.3	+6.6/A	-7.8/A	NL	3,000
American Funds A: GwthA p	XG	68,625	+3.6	+13.9/B	+2.3/A	5.75	250
American Funds A: ICAA p	LV	66,254	+2.3	+7.1/C	+17.2/C	5.75	250
American Funds A: WshA p	LV	62,809	+2.7	+4.4/E	+25.2/B	5.75	250
Fidelity Invest: Contra	XG	55,682	+3.9	+18.1/A	+23.6/A	NL	2,500
PIMCO Instl PIMS: TotRt	IB	52,970	-1.3	+1.7/A	+41.0/A	NL	5,000,000
Fidelity Invest: Magelln	LC	52,491	+4.0	+6.2/C	+14.3/C	NL	2,500
Dodge&Cox: Stock	XV	49,915	+2.6	+12.3/A	+75.1/A	NL	2,500
American Funds A: IncoA p	MP	48,141	+0.7	+5.0/C	+51.2/A	5.75	250
American Funds A: CapIBA p	MP	42,503	0.0	+7.2/B	+60.8/A	5.75	250
American Funds A: EupacA p	IL	41,920	+0.2	+19.2/A	+27.0/B	5.75	250
Vanguard Instl Fds: InstlIdx	SP	39,362	+3.3	+6.8/A	-7.3/A	NL	5,000,000
American Funds A: CapWGA p	GL	37,631	+0.4	+15.2/B	+59.2/A	5.75	250
Fidelity Invest: LowP r	MV	37,195	+1.7	+12.9/C	+122.3/A	NL	2,500
Vanguard Admiral: 500Adml	SP	35,566	+3.3	+6.7/A	NS/	NL	100,000
American Funds A: N PerA p	GL	35,341	+1.0	+11.3/C	+21.9/B	5.75	250
American Funds A: Bala p	BL	32,396	+2.2	+4.2/D	+45.2/A	5.75	250
Fidelity Invest: GroInc	LC	31,288	+3.0	+4.1/E	-6.7/B	NL	2,500
Fidelity Invest: DivIntl	IL	30,283	0.0	+17.0/B	+45.7/A	NL	2,500
Vanguard Fds: Wndsl	LV	29,231	+1.8	+10.3/B	+36.2/A	NL	3,000
Vanguard Idx Fds: TotStk	XC	28,958	+3.6	+8.7/C	-2.1/C	NL	3,000
Vanguard Fds: Welltn	BL	26,446	+1.1	+7.9/A	+41.8/A	NL	3,000
Fidelity Invest: Eq Inc	EI	25,992	+3.5	+7.3/C	+17.9/D	NL	2,500
Fidelity Invest: GroCo	XG	25,668	+7.3	+15.7/B	-26.4/C	NL	2,500
Fidelity Invest: Puritn	BL	24,077	+1.9	+5.4/C	+26.3/A	NL	2,500
Dodge&Cox: Balanced	BL	23,381	+1.6	+8.3/A	+66.6/A	NL	2,500
American Funds A: FdlvA p	LV	23,370	+1.7	+11.6/A	+16.0/C	5.75	250
Fidelity Selects: EqIdxInv	SP	22,299	+3.3	+6.7/A	-7.9/A	NL	100,000
Fidelity Invest: BlueChGr	LC	22,244	+4.1	+5.7/D	-25.4/E	NL	2,500
Frank/Temp Frnk A: IncomA p	MP	21,907	-0.7	+4.2/D	+56.2/A	4.25	1,000

GR = Growth. GI = Growth & Income. SS = Single-state Muni. MP = Mixed Portfolio. LG = Long-term US Govt. EI = Equity Income. SC = Small Co Growth. CP = Cap Appreciation. IL = International. Total Return: Change in NAV with dividends reinvested. Rank: How fund performed vs. others with same objective: A is in top 20%, E in bottom 30%. Pct Load: Sales charge. Min init invt: Minimum \$ needed to invest in fund. NA = Not avail. NE = Data in question. NS = Fund not in existence. **Stock Footnotes:** n = New in past 52 weeks. pf = Preferred. s = Split or stock dividend of 20 percent or more in past 52 weeks. rt = Rights. u = Units. v + Trading halted on primary market. vj = In bankrupt or receivership. wd = When distributed. wl = When issued. wt = Warrants. ww = With warrants. **Mutual Fund Footnotes:** x = Ex cash dividend. NL = No up-front sales charge. p = Fund assets used to pay distribution costs. r = Redemption fee or contingent deferred sales load may apply. t = Both p and r. **Gainers and Losers** must be worth at least \$2 to be listed in tables at left. **Most Actives** must be worth at least \$1.

## Most Active MEDIA

company	ticker	vol (000)	close price	% change	52 wk high	52 wk low	P/E
SiriusS	SIRI	24317	6.83	-1.2	9.43	3.72	
TimeWam	TWX	19946	17.65	+0.2	19.90	16.10	32
Comcast	CMCSA	14340	26.36	-0.4	34.50	26.38	43
Comc sp	CMCSK	9192	25.70	-0.5	34.16	25.82	42
Disney	DIS	7428	25.16	...	29.99	22.89	19
LibtyMA	L	6154	7.95	-0.3	9.53	7.59	44
NewsCpa	NWS/A	5921	14.49	-0.1	18.88	13.94	
ViacomB	VIA/B	5864	32.33	+0.1	38.99	29.93	
Interpublic	IPG	5438	10.47	+0.1	13.80	10.05	
ChartCm	CHTR	4549	1.25	-4.1	2.75	0.88	
XM Sat	XMSR	4133	28.76	-3.5	40.89	26.16	
PaxsnC	PAX	4084	1.00	+14.9	2.15	0	
CablvsNY	CVC	3853	25.51	-0.2	33.86	19.9	
aQuantive	AQNT	3659	20.81	-7.4	23.25	7.59	33
EchoStar	DISH	3480	26.28	-2.4	34.38	26.28	9
NewsCpB	NWS	2950	15.21	+0.1	19.41	14.76	25
DirctTV	DTV	2613	14.37	-1.4	17.01	13.81	
ClearChan	CCU	2568	31.15	+0.1	35.07	28.75	24
Ventiv	VTIV	2137	27.00	+6.3	27.99	16.25	19
LamarAdv	LAMR</						

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100	3,638.73	4,300.97
150	5,127.35	5,997.78
250	8,104.58	9,391.38
500	15,547.68	17,875.39

#### Service Classification No. 2 - Annual Power Service

Monthly Steam Usage in 1,000 pounds (Mlbs)	Summer		Winter	
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250	\$ 6,520.11	\$ 6,918.06	\$ 6,747.36	\$ 7,203.98
500	11,105.55	11,768.64	14,182.26	15,641.87
1,000	20,276.44	21,469.81	29,052.06	32,517.66

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Monthly Steam Usage in 1,000 pounds (Mlbs)	Summer		Winter	
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150	4,134.05	4,701.22	3,849.72	4,351.25
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CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

# Rat love sets trap for execs



## RODENT SYMPATHY: A p.r. challenge.

By HOLLY M. SANDERS

There isn't much to love about rats, especially in this city, where many residents fear they are outnumbered by the toothsome vermin.

So it struck more than a few people as strange when a campaign promoting the reviled rodent popped up on local cable outlet NY1, and in several publications for advertising and p.r. professionals.

The cartoon-like ads depicted the lonely rat as the target of discrimination, forced to watch through the window as a little girl showers her puppy with love, or to forage through the trash as a man nearby feeds the pigeons.

A group of rat lovers calling itself the Great Pointed Archer Society — apparently, a grandiose movement to re-label the rat — claimed credit, although the true backers of the campaign remained a mystery.

Observers, of course, smelled a rat.

And they were right. The "Learn to Love" campaign is a stealth attempt by a top p.r. firm to draw the attention of marketing officers at

big corporations.

Executives at Cohn & Wolfe, part of WPP Group, hoped to persuade potential clients that they could take a huge p.r. problem — in this case, the lowly rat — and change public opinion.

The firm, along with independent ad agency DiMassimo, mulled a more straightforward approach before seizing on the off-beat idea.

"We realized that if you really want to prove that you're so creative and inventive, you have to take on these influence challenges," said Mark DiMassimo, CEO and creative director.

Cohn has its work cut out for it. Most people view rats as disease-carrying vermin. Last year, rodent complaints rose 40 percent to almost 31,600, although exterminations also rose to 88,000, according to a report from the mayor's office.

Cohn isn't done with its campaign. The firm is holding a Great Pointed Archer rally today in Washington Square Park, complete with a huge inflatable rat.

## Home prices up again

WASHINGTON — The nation's booming housing market continued to push prices higher in the summer with 69 metropolitan areas reporting double-digit increases, compared with a year ago, a real estate trade group reported.

The National Association of Realtors said that the median price of an existing home rose by 14.7 percent in the July-September quarter to \$215,900, compared with a median price of \$188,200 a year ago.

The Northeast saw a third quarter existing-home sales rate of 1.20 million units, up 6.9 percent from

the third quarter of 2004. Massachusetts experienced the strongest increase in the region with sales activity 11.2 percent above a year ago, followed by Connecticut, up 8.3 percent, and New York, which increased 7.0 percent.

Led by Phoenix, Ariz., and Orlando, Fla., the nation's hottest markets far outperformed the nationwide figure. The price of existing homes sold during the third quarter in the Phoenix-Mesa-Scottsdale area jumped to \$268,000, a whopping 55.2 percent higher than the same period a year ago. AP

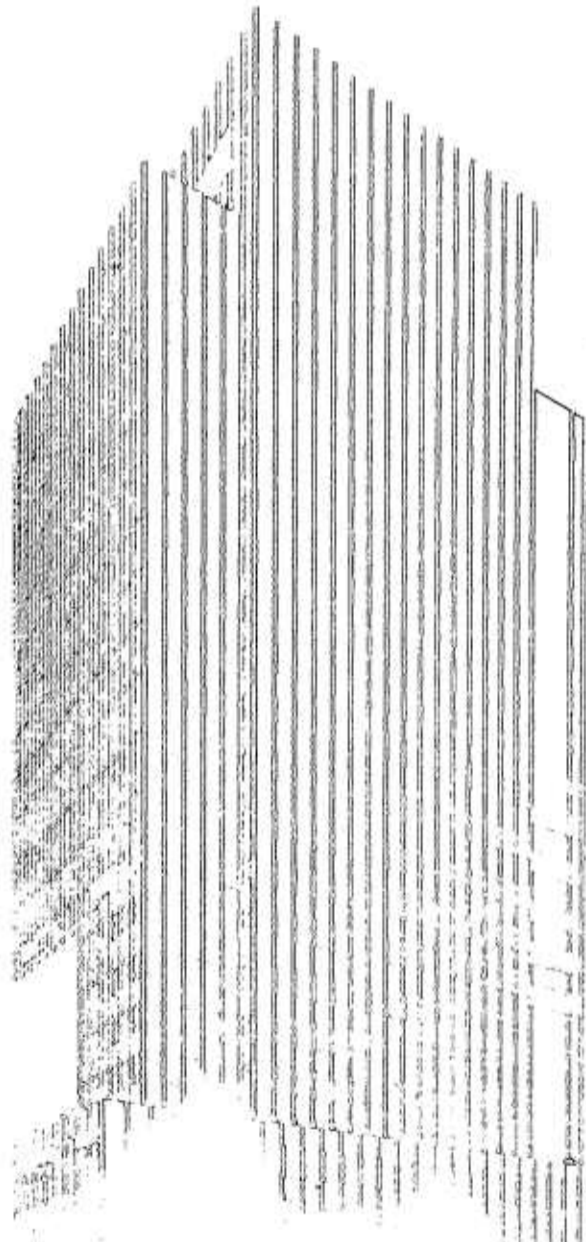
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CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

# FDNY pair rescue boy



**BREATHTAKING:** Steve Devaney sits with the 8-year-old boy he helped pull from a fire yesterday.

By JOHN DOYLE and BRIGITTE WILLIAMS

Two off-duty firefighters happened by the same Queens fire early yesterday — then charged into the flame- and smoke-filled building with no equipment and helped save an 8-year-old boy.

Everyone else inside 137-03 Booth Memorial Ave., in Flushing, escaped safely.

The firefighters and five tenants, including the child, were treated for smoke inhalation.

Firefighter Steve Devaney was the first to arrive as neighbors placed a ladder against the building.

"I said, 'Is anyone in

there?" he recalled last night. "There was a little kid making his way down the stairs and I helped him — I kind of bumped into the kid."

Firefighter Thomas Morgan, meanwhile, was nearby when he saw the blaze and learned Devaney, whom he didn't know, was inside.

"Where are you, brother?" Morgan screamed, according to businessmen Vincent Valenzuela and Bob Mozilo — and then made his way to Devaney by the sound of his voice.

The one-alarm blaze was under control within 45 minutes.

john.doyle@nypost.com

## Germ fears at 2nd Brooklyn school

For the second time in as many weeks, state inspectors found workers at a public school for disabled kids were not being properly protected from dangerous blood-borne pathogens, like hepatitis, according to a state Labor Department official.

An inspection of PS 370 in Brooklyn last week found employees hadn't been offered hepatitis vaccines as regulations require — nor any barriers to protect skin or clothing other than gloves.

Inspectors were called to

the Coney Island school for disabled students after a teacher complained a first-grade boy spit in her eyes and mouth.

A week earlier, an inspector found a special-education program at PS 231 in Brooklyn out of compliance.

Education spokeswoman Margie Feinberg said that employees at PS 370 were scheduled to receive hepatitis vaccines next month and that the agency is in the process of widening staff training and distributing protective clothing to all schools.

David Andreatta

## Met meets Italy over 'loot'

ROME — The director of New York's Metropolitan Museum of Art met with Italian Culture Ministry officials in Rome yesterday to discuss antiquities in the Met's collection that Italy claims were looted.

Italy is seeking the return of a painted Greek vase dating from the sixth century B.C., and news reports have said it has also asked for other artifacts.

Italian officials have long insisted the vase, called the Euphronios Krater, was looted.

AP

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**Weird**  
**but**  
**true**

Jeremy Miljour must have thought the family jewels were gone forever.

Miljour, 26, was naked and allegedly breaking windows and asking women to touch him inappropriately when officers in Fort Myers Beach, Fla., attempted to zap him with a stun gun.

He resisted, they slipped and zapped him in an extremely delicate area:

"When someone is moving like that, it doesn't matter if you have a Taser, or a pistol. [Officers] can't aim," explained Cpl. Matt Chitwood.

Miljour was treated at a hospital and taken to Lee County jail.

Adding insult to injury, he's been charged with indecent exposure, resisting an officer and criminal damage.

Mary Colthup set out from her nursing home for a short stroll — and ended up walking for 1,860 miles.

The plucky, 79-year-old resident of Melbourne, Australia, was finally located in Brisbane six days later, a little tired and hungry, but otherwise OK.

Justice stinks in England. That's where a Gloucester judge was forced to abandon a blackmail trial because of a smelly juror.

After two other jurors complained about the stench, Judge Carole Hagen halted the case, explaining, "It seems entirely unreasonable to expect any citizen to have to contend with that for two to three days."

Benedict Frank proved to be the biggest boob in his topless joint when he attempted to show inspectors that the jiggle joint was fireproof.

After they questioned whether the paper decorations in the Cabaret Club met fire safety rules, Frank set them ablaze with his lighter to show there was no need to worry.

The fire spread through the club and a neighboring restaurant in Kienberg, Switzerland — burning both establishments to the ground.

Speaking of hot topics, residents of the Romanian town of Barlad have been threatening to set their mayor on fire after he turned down a proposal for cheap housing.

But Mayor Adrian Solomon isn't backing down — and has ordered his secretary to follow him around with a fire extinguisher whenever he goes to a public event.

Bill Hoffmann, Wire Services



**HOT DEAL:** Debra Lafave, in court yesterday, got a no-jail deal for sex with a 14-year-old.

## Teach is just too sexy for the clink

By BILL HOFFMANN

The stunning blond schoolteacher who repeatedly bedded one of her 14-year-old students was spared jail by a Florida judge yesterday — just days after her lawyer argued she was too pretty to be sent to the slammer.

Sexy Debra Lafave looked relieved as she was hit with three years of house arrest for having a fast and furious fling with the boy, a student at Greco Middle School in the Tampa suburb of Temple Terrace. The 25-year-old hottie pleaded guilty to lewd and lascivious behavior for five trysts with the teen over four days — once on a classroom couch, once at her home and three times in the back seat of her SUV.

"I accept full responsibility for my actions and I am very sorry for everything that has occurred," said Lafave, who appeared in court in a white satin blouse, above-the-knee black skirt and a silver cross around her neck.

Hillsborough Circuit Judge Wayne Timmerman, who could have whacked her with 30 years in prison, agreed to the slap on the wrist as part of a plea bargain hammered out by prosecutor Mike Sinacore.

Sinacore insisted the no-jail deal was made because the victim's family was desperate to get the case over, following intense media coverage they feared would "negatively affect" the teen.

But eyebrows were raised last week when Lafave's lawyer, John Fitzgibbons, told reporters his client was so hot, she'd be toast in an all-female prison.

"To place an attractive young woman into that kind of hellhole is like putting a piece of raw meat in with the lions," the lawyer charged. "I am not sure that Debra would be able to survive."

# JAIL BAIT



**HOT WHEEL:** Debra Lafave as a biker-babe pinup; having a drink; and with hubby Owen. Her lawyer said she's so stunning, jailing her would be tossing "raw meat in with the lions."

Lafave — married just three months when she made the teen her teacher's pet — was also sentenced to seven years on probation, and will be registered as a sex offender and have her Florida teaching certificate revoked.

Outside court, Lafave waved off reporters' questions, saying, "I'm tired."

Last year, cops say, Lafave approached the teen, told him her

marriage was in trouble and, on June 3, 2004, performed oral sex on him. "She told me that she was thinking about me a lot and had feelings for me," the boy told cops.

He said he and Lafave first got it on on a classroom couch after she seductively sidled up next to him in black terry-cloth shorts and thong panties. After that, the pair had subsequent relations, and the teen believed that Lafave had real

feelings for him. The affair came to a crashing end when the boy's aunt spotted him in Ocala and told his mom, who got him to confess the whole sordid story.

Besides teaching, Lafave was also a bikini model for Models & Makes magazine, where she was seen mounting a motorcycle and posing suggestively in fishnet stockings.

bill.hoffmann@nypost.com

# LIGHTS! CAMERA! GOOGLE?

By SAM GUSTIN

Today the Web, tomorrow... Hollywood?

After conquering Silicon Valley and Wall Street, Internet phenomenon Google has appointed a veteran movie executive to its board of directors — a sign the company may now be eyeing Tinseltown.

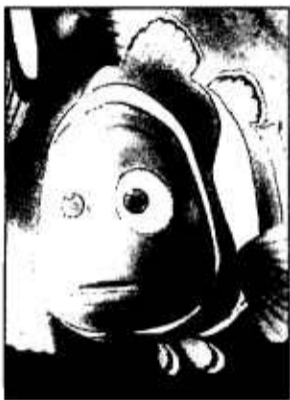
Ann Mather, 45, a former executive at Walt Disney and Pixar, becomes the first Google board member to come from the entertainment world. Mather, who was Pixar's chief financial officer from 1999 to 2004, will chair Google's audit committee.

Mather's appointment is a "potential harbinger" of things to come, as the major entertainment and Internet companies warily begin to embrace each other, said UBS Internet analyst Benjamin Schachter.

"Mather's appointment gives Google's board a media perspective that it currently lacks," said Schachter. "This is the first person on the board without a purely technological/academic background."

Ferry Semel, Yahoo's chairman, was a movie mogul who once headed Warner Bros.

Mather's experience in the movie business could help Google navigate a media landscape in which technology and content are becoming increasingly in-



**OUT OF WATER**  
Google and the movies.

terdependent, Schachter said.

In addition, Mather's reputation for integrity makes her a good choice to head the audit committee, as does her experience in finance and accounting.

"I trust Ann completely," said one industry insider who worked with Mather for years before she left Pixar. "I never felt like I was getting spun. She's a morally and ethically upstanding person."

While Mather was at Pixar, she served as "the prime contact" with Disney on distribution issues as part of the two companies' co-production agreement, according to Google.

Prior to joining Pixar, Mather was the CFO at Village Roadshow Pictures and held several executive positions at Disney.

## Rosy consumer data may be gift to retailers

By SUZANNE KAPNER

Consumer confidence rebounded in November to levels not seen since 2003, as gasoline prices declined and the employment outlook brightened, the Conference Board said yesterday.

The improving consumer sentiment comes just in time for the holiday season, when shoppers are expected to spend \$440 billion, a 6 percent increase over 2004, according to the National Retail Federation.

However, Lynn Franco, the director of the Conference Board Consumer Research Center, warned

against making too tight a correlation between improving levels of confidence and retail sales.

"Despite this latest boost in confidence," she said, in a statement, "holiday spending will be driven by the bargains consumers have come to expect."

The index, a bellwether of consumer sentiment, now stands at 98.9, the highest level since U.S. troops invaded Iraq in the spring of 2003. It was at 85.2 in October.

Franco credited a "decline of more than 40 cents in gasoline prices" in November and an "improving job outlook" for the jump.

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# NEW YORK POST Market Watch

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### Most Widely Held

Name	Vol (000)	Last	Chg
AT&T Inc	15981	25.05	-0.03
Chevron	7462	57.37	+0.19
Cisco	62743	17.51	+0.03
Citigroup	15424	49.09	-0.21
Comcast	16140	26.75	-0.33
ExxonMob	18510	58.34	-0.40
GenElec	22039	35.93	-0.05
Home Dep	7545	42.00	+0.45
Intel	55925	26.78	-0.08
IBM	5043	89.10	-0.01
JPMorgCh	10254	38.96	+0.06
JohnJn	8572	62.00	-0.40
Lucent	18536	2.83	-0.05
Merck	14954	30.02	+0.46
Microsf	61603	27.68	-0.07
Pfizer	33647	21.47	-0.12
ProctGam	6611	57.68	+0.57
TimeWam	27388	17.87	-0.22
VerizonCm	10853	32.15	-0.03
WalMart	18078	49.01	-0.99

### Most Active

Name	Close	Chg	Vol
Pfizer	21.47	-0.12	336479
TimeWam	17.87	-0.22	273889
GenElec	35.93	-0.05	220396
ExxonMbl	58.34	-0.40	185105
FordM	8.53	+0.17	182680
WalMart	49.01	-0.99	180781
QwestCm	5.17	-0.02	178085
Motorola	24.15	+0.07	176652
AT&T Inc	25.05	-0.03	159816
Citigrp	49.09	-0.21	154242

### AMEX

SPDR	126.09	-0.14	480373
iShJapan	12.59	+0.01	264282
iShRs2000s	67.16	+0.10	220974
SP Engy	49.36	+0.08	149425
SemiHTr	37.10	-0.13	144357

### NASDAQ

Nasd100Tr	41.34	-0.20	750248
Cisco	17.51	+0.03	627432
Microsoft	27.68	-0.07	616032
Intel	26.78	-0.08	559255
SiriusS	7.12	+0.12	387296
AppleC s	68.10	-1.56	317344
Oracle	12.73	+0.19	280376
Yahoo	40.19	-0.92	274359
DellInc	30.42	+0.20	238565
Google	403.54	-19.94	212006

### Biggest Daily Gainers

Name	Close	% chg	Vol
Ferro If	19.52	+12.2	10384
PerotSys	13.75	+7.8	19156
RedLionH	8.60	+7.5	235
GolLinhas	45.01	+7.0	6852
USSteel	45.24	+6.5	105033
USStl pfb	145.00	+6.5	2
Cenveo	12.50	+6.4	6470
Mosaic pf	89.71	+6.3	1
SoJern s	28.40	+5.8	5504
Ahold	7.51	+5.6	12395

### AMEX

InfoSonic	12.40	+9.9	3168
TrioTch	5.63	+6.6	169
HallwdGp s	80.50	+5.9	14
Gainsco rs	6.45	+5.7	249
PhxFoot	5.99	+5.1	461

### NASDAQ

PW Eagle	18.74	+18.8	13655
Staktek	5.85	+18.7	10157
DuraAt pf	11.33	+14.0	540
Depomed	5.98	+13.3	22455
QiaoXing	8.00	+13.0	17418
OraSure	13.28	+10.9	55092
OriginAg wt	5.33	+10.8	3840
AtriCure n	13.20	+10.6	2147
StratgDis	10.65	+10.6	15
Answers	12.57	+9.9	2195

### Biggest Daily Losers

Name	Close	% chg	Vol
Chiquita wt	6.70	-9.7	231
Navteq	42.97	-8.3	32783
Pier 1	12.27	-8.2	47456
AIPC If	6.20	-7.7	8219
Natl RV h	5.72	-7.7	970
IntlCoal n	11.15	-6.5	4089
BKF Cap If	20.74	-6.0	1054
Perini Cp	24.08	-5.9	4216
YPF Soc	58.01	-5.8	78
Stonerdg	6.82	-5.5	261

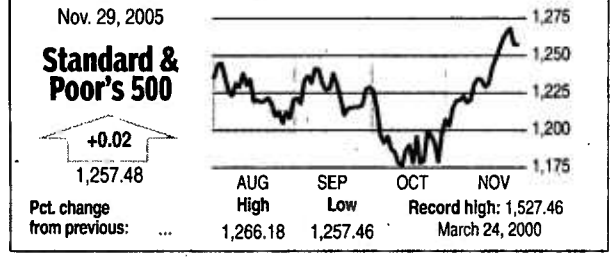
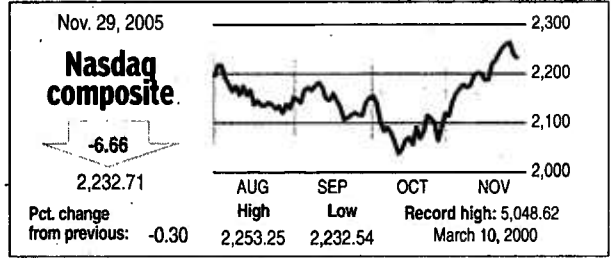
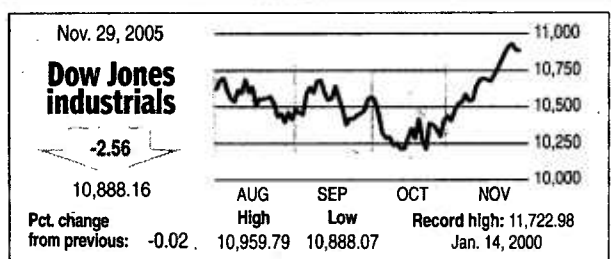
### AMEX

Sinovac n	5.61	-9.1	14330
FieldPnt n	6.95	-8.4	2420
MinesMgt	7.73	-5.6	1150
RELM n	6.25	-3.8	1938
Graham s	21.30	-3.5	173

### NASDAQ

PacEthann	11.28	-16.3	3158
AWoodmk	25.50	-15.5	10852
Tweeter	5.42	-14.9	5538
Albemarle	11.15	-14.2	3054
Reinhold s	21.35	-12.4	198
WillisLF If	8.20	-10.9	1139
ChinAuto	7.05	-10.8	3466
UndArmr n	21.35	-9.9	20139
TiVo Inc	5.18	-9.6	106536
HITcPhm	37.17	-9.5	5438

## Daily Markets Roundup



## Currencies

	Yesterday	Pvs day
Argentina	2.9750	2.9950
Australia	1.3545	1.3426
Brazil	2.1875	2.2010
Britain	1.7193	1.7328
Canada	1.1681	1.1678
Chile	519.00	519.15
China	8.0791	8.0820
Denmark	6.3269	6.2683
Euro	.8485	.8422
Hong Kong	7.7539	7.7537
India	45.830	45.850
Israel	4.6680	4.6722
Japan	119.52	118.57
Mexico	10.5600	10.5460
N. Zealand	1.4271	1.4154
Pakistan	59.76	59.70
Russia	28.7862	28.7837
So. Africa	6.4616	6.4638
Switzerland	1.3124	1.3025
Taiwan	33.47	33.60
Venezuela	2147.30	2147.30

British pound expressed in U.S. dollars. All others show dollar in foreign currency.

## Bond Yields

	Yesterday	Pvs day
Prime Rate	7.00	7.00
Discount Rate	5.00	5.00
Federal Funds Rate	4.00	4.625

### Treasuries

3-mos. T-bill	3.90	3.90
6-mos. T-bill	4.16	4.16
5-yr. T-note	4.40	4.32
10-yr. T-note	4.48	4.41
30-year T-bond	4.69	4.62

## World Indexes

Name	Last	% chg
Amsterdam	420.33	+0.7
Brussels	3406.03	-0.2
Frankfurt DAX	5199.48	+0.4
FTSE 100	5491.00	+0.3
Hong Kong Idx	15028.76	-0.5
CAC-40	4588.73	+0.3
Nikkei 225 Index	14927.70	-0.4
Sydney	4585.30	-0.5
Milan	26021.00	+0.2

## US Indexes

Name	Day's high	Day's low	Last	% chg	YTD chg
30 Indus	10959.79	10888.07	10888.16	-0.0	+1.0
20 Transp	4161.86	4129.89	4129.89	+0.2	+8.7
15 Utils	406.54	402.17	403.57	+0.4	+20.5
Nasdaq100	1697.58	1676.76	1676.84	-0.5	+3.4
Composite	2253.25	2232.54	2232.71	-0.3	+2.6
S&P 500	1266.18	1257.46	1257.48	+0.3	+3.8
S&P MidCap	738.15	730.76	733.66	+0.4	+10.6
Russell 2000	678.06	671.50	673.69	+0.3	+3.4
DJ Wilshire 5000	12659.44	12573.66	12575.60	+0.0	+5.1
Internet	229.01	224.55	224.80	-1.0	+4.8

## Biggest Mutual Funds

Name	Obj	Total Assets (\$Mlns)	4-wk	Total Return/12-mo	5-yr	Percent Load	Min Init Invnt
Vanguard Idx Fds: 500	SP	68,144	+4.4	+8.1/A	+1.6/A	NL	3,000
American Funds A: GwthA p	XG	67,771	+4.9	+14.8/B	+15.4/A	5.75	250
American Funds A: ICAA p	LV	64,884	+3.4	+7.7/C	+24.0/C	5.75	250
American Funds A: BalA p	LV	61,281	+3.9	+6.2/D	+31.4/B	5.75	250
Fidelity Invest: Contra	XG	54,996	+4.7	+18.0/A	+38.3/A	NL	2,500
PIMCO Instl PIMS: TotRt	IB	53,284	+0.9	+2.9/A	+40.9/A	NL	5,000,000
Fidelity Invest: Magelln	LC	50,671	+3.7	+7.1/D	+5.8/C	NL	2,500
Dodge&Cox: Stock	XV	49,203	+3.8	+12.1/B	+81.7/A	NL	2,500
American Funds A: IncoA p	MP	47,316	+1.9	+5.1/C	+55.4/A	5.75	250
American Funds A: CapIBA p	MP	42,303	+1.9	+6.8/B	+65.4/A	5.75	250
American Funds A: EupacA p	IL	40,820	+5.4	+20.3/A	+39.2/B	5.75	250
Vanguard Instl Fds: InstlDx	SP	38,086	+4.4	+8.3/A	+2.3/A	NL	5,000,000
American Funds A: CapWGA p	GL	37,562	+4.0	+15.1/B	+69.0/A	5.75	250
Vanguard Admiral: 500Adml	SP	36,311	+4.4	+8.3/A	+2.0/A	NL	100,000
Fidelity Invest: LowP r	MV	35,303	+4.0	+10.7/C	+129.8/A	NL	2,500
American Funds A: N PerA p	GL	34,478	+4.2	+11.7/C	+33.0/B	5.75	250
American Funds A: BalA p	BL	32,234	+2.8	+5.5/D	+48.1/A	5.75	250
Fidelity Invest: GroInc	LC	30,693	+4.0	+6.2/D	+0.4/B	NL	2,500
Fidelity Invest: DivIntl	IL	29,613	+4.3	+16.6/B	+56.6/A	NL	2,500
Vanguard Idx Fds: TotStk	XC	28,384	+4.4	+9.5/C	+10.5/C	NL	3,000
Vanguard Fds: Wndsil	LV	28,199	+2.9	+9.9/B	+40.9/A	NL	3,000
Vanguard Fds: Welltn	BL	25,621	+2.8	+8.8/A	+45.3/A	NL	3,000
Fidelity Invest: Eq Inc	EI	25,347	+4.8	+8.5/C	+25.0/C	NL	2,500
Fidelity Invest: GroCo	XG	25,341	+6.2	+16.4/B	+9.7/C	NL	2,500
Fidelity Invest: Puritn	BL	23,657	+3.3	+6.5/C	+31.1/A	NL	2,500
Dodge&Cox: Balanced	BL	23,102	+2.5	+8.4/A	+69.9/A	NL	2,500
American Funds A: FdlvA p	LV	22,710	+4.1	+11.5/A	+25.5/B	5.75	250
Fidelity Invest: BlueChGr	LC	21,875	+4.6	+7.3/C	-15.7/E	NL	2,500
Frank/Temp Frnk A: IncomA p	MP	21,664	+0.5	+3.4/D	+56.1/A	4.25	1,000
Vanguard Idx Fds: TotBnd	IB	20,731	+0.8	+2.3/B	+32.6/C	NL	3,000

GR = Growth. GI = Growth & Income. SS = Single-state Muni. MP = Mixed Portfolio. LG = Long-term US Govt. EI = Equity Income. SC = Small Co Growth. CP = Cap Appreciation. IL = International. Total Return: Change in NAV with dividends reinvested. Rank: How fund performed vs. others with same objective: A is in top 20%, E in bottom 30%. Pct Load: Sales charge. Min init invnt: Minimum \$ needed to invest in fund. NA = Not avail. NE = Data in question: NS = Fund not in existence. **Stock Footnotes:** =New in past 52 weeks. pf = Preferred. s = Split or stock dividend of 20 percent or more in past 52 weeks. rt = Rights. u = Units. v = Trading halted on primary market. vj = In bankrupt or receivership. wd = When distributed. wi = When issued. wt = Warrants. ww = With warrants. **Mutual Fund Footnotes:** x = Ex cash dividend. NL = No up-front sales charge. p = Fund assets used to pay distribution costs. r = Redemption fee or contingent deferred sales load may apply. t = Both p and r. **Gainers and Losers** must be worth at least \$2 to be listed in tables at left. **Most Actives** must be worth at least \$1.

## Most Active MEDIA

company	ticker	vol (000)	close price	% change	52 wk high	52 wk low	P/E
Sirius	SIRI	38729	7.12	+1.7	9.43	4.36	
TimeWam	TWX	27388	17.87	-1.2	19.90	16.10	32
Comcast	CMCSA	16140	26.75	-1.2	34.50	26.05	44
Interpublic	IPG	15334	9.30	-4.5	13.80	9.57	
LibtyMA	L	15238	7.73	...	9.53	7.59	
Comc sp	CMCSK	8203	26.35	-1.4	34.16	25.57	43
ChartCm	CHTR	8104	1.19	+1.7	2.40	0.88	
ViacomB	VIA/B	6348	33.95	-0.8	38.99	29.93	
Disney	DIS	5510	25.08	+0.2	29.99	22.89	20
NewsCpA	NWS/A	5273	14.99	-0.8	18.88	13.94	
DirectV	DTV	4416	13.41	-2.5	17.01	13.47	
CablvsNY	CVC	3419	24.23	-1.8	33.86		

State of New York  
COUNTY OF NEW YORK

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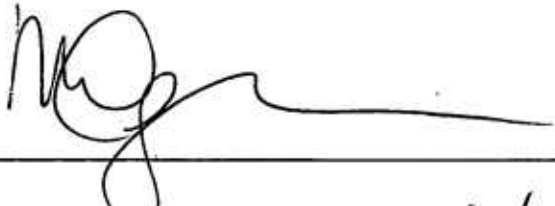
Michelle DeBliss

being duly sworn,  
says that he/she is the principal Clerk of the Publisher of the

***New York Post***

a daily newspaper of general circulation printed and published in the English language, in the County of New York, State of New York; that advertisement hereto annexed has been regularly published in the said "NEW YORK POST" once, on the

9, 16, 23, 30 day of NOVEMBER 2005



Sworn to before me this 30 day of Nov 2005



Notary Public

**BYRON STEVENS**  
Notary Public, State of New York  
No. 01ST6117803  
Qualified in New York County  
Commission Expires November 1, 2008

# MERCK PROBE IN ILL.

Merck & Co., the third-largest U.S. drugmaker, said it received a subpoena from the Illinois state attorney general in September seeking documents related to the repackaging of prescription drugs.

"Merck is cooperating fully with the investigation," spokeswoman Amy R... said. She wouldn't comment further. A Securities and Exchange Commission filing by Whitehouse Station, N.J.-based Merck didn't say which product is being investigated.

The company also said prosecutors in Zurich and Bochum, Germany, are trying to determine whether criminal charges should be brought over Vioxx, a pain-killer Merck pulled from the market last year after it was linked to an increased risk of heart attack.

States and the Justice Department have been investigating the way drug companies bill government health-care programs such as Medicare. Medco Health Solutions Inc., the benefit manager spun off from Merck in 2003, agreed last year to pay \$29.3 million to 20 states and change its practices to settle charges including improperly switching patients' prescriptions.

Melissa Merz, a spokeswoman for Illinois Attorney General Lisa Madigan, declined to comment today on the Merck subpoena.

Shares of Merck fell 8 cents to \$29.37 in composite trading on the New York Stock Exchange. They have declined 8.6 percent this year.

Bloomberg

## Credit Suisse slapped

Credit Suisse Group, an underwriter on Refco Inc.'s \$583 million initial public offering in August, was subpoenaed by regulators in connection with Refco's collapse into bankruptcy last month.

Credit Suisse, Switzerland's second-largest bank, said yesterday in a quarterly filing with the Securities and Exchange Commission that its securities unit received subpoenas and requests for information from regulators including the

SEC. The Zurich-based company said it's cooperating with the requests.

The subpoenas show the government's investigation into Refco's collapse is widening. Refco was the fourth-largest U.S. futures broker until it disclosed that former Chief Executive Phillip Bennett hid \$430 million in bad debts. The company filed for bankruptcy Oct. 17 and was to auction its assets today.

Bloomberg

### LEGAL NOTICE

#### NOTICE OF WORKER ELIGIBILITY FOR TRADE ACT BENEFITS

The United States Department of Labor, issued certifications of eligibility to apply for Trade Adjustment Assistance for all workers of the following firms. Pursuant to Section 223 of the Trade Act of 1974, all workers of these firms may be eligible for special benefits afforded under this Act. These benefits include training in a new skill, allowances to cover expenses while looking for outside their commuting area, allowances to relocate their family and household goods to new employment outside their commuting area and weekly cash benefits.

NAME OF FIRM	SEPARATED ON OR AFTER	PRIOR TO
Liz Claiborne, Inc., Ellen Tracy Division New York, New York	6/21/04	8/30/07
Broadnax Mills, Inc., Sales Office New York, New York	6/29/04	8/30/07
John Chatillon and Sons, Inc. Test and Calibration Instrument Div., A Subsidiary of Ametex Kew Gardens, New York	8/28/04	9/15/07
Edward Fields, Inc., College Point, New York	7/28/04	9/23/07

Additional Information and applications to apply for benefits may be obtained by calling (518) 402-0189 or by writing to NYS Department of Labor, Special Programs Team, State Office Building Campus, Suite 2004, Albany, N.Y. 12240.

### Con Edison Has Filed for a Steam Net Rate Increase of \$67.6 Million

On November 2, 2005, Con Edison filed with the New York State Public Service Commission ("PSC") a proposal to increase its steam rates beginning October 1, 2006.

The required net revenue increase is \$67.6 million, or 9.6 percent, for the twelve months ending September 30, 2007, based on estimated revenues for the twelve months ending September 30, 2007. The \$67.6 million increase is the net of a \$102.1 million increase in base rates less \$34.5 million of steam customers' share of East River Re-powering carrying charges, which are currently being recovered through the fuel adjustment clause and would be shifted to base rates. The Company also proposes a three-year plan under which the proposed level of charges would continue through September 30, 2009, except for moderate increases in the second and third years to cover limited cost changes.

The following tables show the effect of the proposed rate increase on selected monthly bills:

#### Service Classification No. 1 - General Service

Monthly Steam Usage in 1,000 pounds (Mlbs)	Current Bill	New Bill
20	\$ 1,086.52	\$ 1,369.99
30	1,441.05	1,781.38
50	2,150.11	2,604.17
100	3,638.73	4,300.97
150	5,127.35	5,997.78
250	8,104.58	9,391.38
500	15,547.68	17,875.39

#### Service Classification No. 2 - Annual Power Service

Monthly Steam Usage in 1,000 pounds (Mlbs)	Summer		Winter	
	Current Bill	New Bill	Current Bill	New Bill
250	\$ 6,520.11	\$ 6,918.06	\$ 6,747.36	\$ 7,203.98
500	11,105.55	11,768.64	14,182.26	15,641.87
1,000	20,276.44	21,469.81	29,052.06	32,517.66

#### Service Classification No. 3 - Apartment House Service

Monthly Steam Usage in 1,000 pounds (Mlbs)	Summer		Winter	
	Current Bill	New Bill	Current Bill	New Bill
50	\$ 2,123.81	\$ 2,555.82	\$ 2,166.70	\$ 2,608.60
150	4,134.05	4,701.22	3,849.72	4,351.25
250	6,144.29	6,846.62	6,638.60	7,454.84
500	11,169.88	12,210.11	13,610.80	15,213.80
1,000	20,045.11	21,489.57	26,155.84	29,009.56

The bills shown in these tables include a customer charge, a fuel adjustment charge based on the weighted average fuel adjustment for the 12 months ended June 30, 2005, and New York City and State revenue taxes. Sales tax is not included in the above tables. The summer billing period is the six-month period, May through October. The winter billing period is the six-month period, November through April.

Steam customers using over 1,000 Mlbs per month will likely see monthly bill changes under Service Classification ("SC") No. 2 in the range of 5.1% to 5.7% in the summer billing period and in the range of 12.2% to 12.7% in the winter billing period. SC No. 3 customers will likely see bill changes in the range of 4.6% to 6.4% in the summer billing period and in the range of 9.6% to 10.6% in the winter billing period. Actual increases depend on a customer's actual usage.

The Company further proposes to implement demand rates for approximately 290 SC No. 2 and SC No. 3 customers with annual consumption greater than 22,000 Mlbs. Billing at demand rates would commence with the 2007-2008 winter period. Prior to that period, almost all of the customers would receive sample bills showing the amount that would have been billed had demand rates been in effect.

The Company proposes other tariff changes, including: (a) modifying its steam repair service to establish fixed charges for various services and to update hourly labor and material handling rates; (b) increasing the charge for a temporary disconnection or reconnection of service (in excess of one request at no charge for each 12-month period); (c) establishing a new charge for investigation of a leak, pressure problem, or other steam-related condition at the customer's premises, when the Company determines that there is a problem with the customer's piping and/or equipment; (d) modifying the Special Monthly Adjustments component of the fuel adjustment clause to provide for recovery of the costs associated with steam business development activities provided in the current rate plan and recovery of lost revenues associated with implementation of a new steam demand reduction pilot program; and (e) extending the period under which customers may apply for the air conditioning incentive program under SC No. 2 and SC No. 3.

Con Edison's proposals are subject to review by the PSC and may be approved, modified, or rejected after hearings open to the public. It is anticipated that the PSC will render its decision and that rates will become effective in the fall of 2006. Copies of Con Edison's proposed tariff revisions are available for inspection at the office of the Public Service Commission, 90 Church Street, 4th floor, New York, New York 10007 and at Con Edison's office at 4 Irving Place, New York, New York 10003.

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

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#### Service Classification No. 2 - Annual Power Service

Monthly Steam Usage in 1,000 pounds (Mlbs)	Summer		Winter	
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250	\$ 6,520.11	\$ 6,918.06	\$ 6,747.36	\$ 7,203.98
500	11,105.55	11,768.64	14,182.26	15,641.87
1,000	20,276.44	21,469.81	29,052.06	32,517.66

#### Service Classification No. 3 - Apartment House Service

Monthly Steam Usage in 1,000 pounds (Mlbs)	Summer		Winter	
	Current Bill	New Bill	Current Bill	New Bill
50	\$ 2,123.81	\$ 2,555.82	\$ 2,166.70	\$ 2,608.60
150	4,134.05	4,701.22	3,849.72	4,351.25
250	6,144.29	6,846.62	6,638.60	7,454.84
500	11,169.88	12,210.11	13,610.80	15,213.80
1,000	20,045.11	21,489.57	26,155.84	29,009.56

The bills shown in these tables include a customer charge, a fuel adjustment charge based on the weighted average fuel adjustment for the 12 months ended June 30, 2005, and New York City and State revenue taxes. Sales tax is not included in the above tables. The summer billing period is the six-month period, May through October. The winter billing period is the six-month period, November through April.

Steam customers using over 1,000 Mlbs per month will likely see monthly bill changes under Service Classification ("SC") No. 2 in the range of 5.1% to 5.7% in the summer billing period and in the range of 12.2% to 12.7% in the winter billing period. SC No. 3 customers will likely see bill changes in the range of 4.6% to 6.4% in the summer billing period and in the range of 9.6% to 10.6% in the winter billing period. Actual increases depend on a customer's actual usage.

The Company further proposes to implement demand rates for approximately 290 SC No. 2 and SC No. 3 customers with annual consumption greater than 22,000 Mlbs. Billing at demand rates would commence with the 2007-2008 winter period. Prior to that period, almost all of the customers would receive sample bills showing the amount that would have been billed had demand rates been in effect.

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CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

# Rat love sets trap for execs



## RODENT SYMPATHY: A p.r. challenge.

By HOLLY M. SANDERS

There isn't much to love about rats, especially in this city, where many residents fear they are outnumbered by the toothsome vermin.

So it struck more than a few people as strange when a campaign promoting the reviled rodent popped up on local cable outlet NY1, and in several publications for advertising and p.r. professionals.

The cartoon-like ads depicted the lonely rat as the target of discrimination, forced to watch through the window as a little girl showers her puppy with love, or to forage through the trash as a man nearby feeds the pigeons.

A group of rat lovers calling itself the Great Pointed Archer Society — apparently, a grandiose movement to re-label the rat — claimed credit, although the true backers of the campaign remained a mystery.

Observers, of course, smelled a rat.

And they were right. The "Learn to Love" campaign is a stealth attempt by a top p.r. firm to draw the attention of marketing officers at

big corporations.

Executives at Cohn & Wolfe, part of WPP Group, hoped to persuade potential clients that they could take a huge p.r. problem — in this case, the lowly rat — and change public opinion.

The firm, along with independent ad agency DiMassimo, mulled a more straightforward approach before seizing on the off-beat idea.

"We realized that if you really want to prove that you're so creative and inventive, you have to take on these influence challenges," said Mark DiMassimo, CEO and creative director.

Cohn has its work cut out for it. Most people view rats as disease-carrying vermin. Last year, rodent complaints rose 40 percent to almost 31,600, although exterminations also rose to 88,000, according to a report from the mayor's office.

Cohn isn't done with its campaign. The firm is holding a Great Pointed Archer rally today in Washington Square Park, complete with a huge inflatable rat.

## Home prices up again

WASHINGTON — The nation's booming housing market continued to push prices higher in the summer with 69 metropolitan areas reporting double-digit increases compared with a year ago, a real estate trade group reported.

The National Association of Realtors said that the median price of an existing home rose by 14.7 percent in the July-September quarter to \$215,900, compared with a median price of \$188,200 a year ago.

The Northeast saw a third quarter existing-home sales rate of 1.20 million units, up 6.9 percent from

the third quarter of 2004. Massachusetts experienced the strongest increase in the region with sales activity 11.2 percent above a year ago, followed by Connecticut, up 8.3 percent, and New York, which increased 7.0 percent.

Led by Phoenix, Ariz., and Orlando, Fla., the nation's hottest markets far outperformed the nationwide figure. The price of existing homes sold during the third quarter in the Phoenix-Mesa-Scottsdale area jumped to \$268,000, a whopping 55.2 percent higher than the same period a year ago. AP

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500	15,547.68	17,875.39

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# FDNY pair rescue boy



**BREATH TAKING:** Steve Devaney sits with the 8-year-old boy he helped pull from a fire yesterday.

By JOHN DOYLE and BRIGITTE WILLIAMS

Two off-duty firefighters happened by the same Queens fire early yesterday — then charged into the flame- and smoke-filled building with no equipment and helped save an 8-year-old boy.

Everyone else inside 137-03 Booth Memorial Ave., in Flushing, escaped safely.

The firefighters and five tenants, including the child, were treated for smoke inhalation.

Firefighter Steve Devaney was the first to arrive as neighbors placed a ladder against the building.

"I said, 'Is anyone in

there?'" he recalled last night. "There was a little kid making his way down the stairs and I helped him — I kind of bumped into the kid."

Firefighter Thomas Morgan, meanwhile, was nearby when he saw the blaze and learned Devaney, whom he didn't know, was inside.

"Where are you, brother?" Morgan screamed, according to businessmen Vincent Valenzuela and Bob Mozilo — and then made his way to Devaney by the sound of his voice.

The one-alarm blaze was under control within 45 minutes.

john.doyle@nypost.com

## Germ fears at 2nd Brooklyn school

For the second time in as many weeks, state inspectors found workers at a public school for disabled kids were not being properly protected from dangerous blood-borne pathogens, like hepatitis, according to a state Labor Department official.

An inspection of PS 370 in Brooklyn last week found employees hadn't been offered hepatitis vaccines as regulations require — nor any barriers to protect skin or clothing other than gloves.

Inspectors were called to

the Coney Island school for disabled students after a teacher complained a first-grade boy spit in her eyes and mouth.

A week earlier, an inspector found a special-education program at PS 231 in Brooklyn out of compliance.

Education spokeswoman Margie Feinberg said that employees at PS 370 were scheduled to receive hepatitis vaccines next month and that the agency is in the process of widening staff training and distributing protective clothing to all schools.

David Andreatta

## Met meets Italy over 'loot'

ROME — The director of New York's Metropolitan Museum of Art met with Italian Culture Ministry officials in Rome yesterday to discuss antiquities in the Met's collection that Italy claims were looted.

Italy is seeking the return of a painted Greek vase dating from the sixth century B.C., and news reports have said it has also asked for other artifacts.

Italian officials have long insisted the vase, called the Euphronios Krater, was looted.

AP

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# LIGHTS! CAMERA! GOOGLE?

By SAM GUSTIN

Today the Web, tomorrow... Hollywood?

After conquering Silicon Valley and Wall Street, Internet phenomenon Google has appointed a veteran movie executive to its board of directors — a sign the company may now be eyeing Tinseltown.

Ann Mather, 45, a former executive at Walt Disney and Pixar, becomes the first Google board member to come from the entertainment world. Mather, who was Pixar's chief financial officer from 1999 to 2004, will chair Google's audit committee.

Mather's appointment is a "potential harbinger" of things to come, as the major entertainment and Internet companies warily begin to embrace each other, said UBS Internet analyst Benjamin Schachter.

"Mather's appointment gives Google's board a media perspective that it currently lacks," said Schachter. "This is the first person on the board without a purely technological or academic background."

Terry Semel, Yahoo's chairman, was a movie mogul who once headed Warner Bros.

Mather's experience in the movie business could help Google navigate a media landscape in which technology and content are becoming increasingly in-



**OUT OF WATER**  
Google and the movies.

terdependent, Schachter said.

In addition, Mather's reputation for integrity makes her a good choice to head the audit committee, as does her experience in finance and accounting.

"I trust Ann completely," said one industry insider who worked with Mather for years before she left Pixar. "I never felt like I was getting spun. She's a morally and ethically upstanding person."

While Mather was at Pixar, she served as "the prime contact" with Disney on distribution issues as part of the two companies' co-production agreement, according to Google.

Prior to joining Pixar, Mather was the CFO at Village Roadshow Pictures and held several executive positions at Disney.

## Rosy consumer data may be gift to retailers

By SUZANNE KAPNER

Consumer confidence rebounded in November to levels not seen since 2003, as gasoline prices declined and the employment outlook brightened, the Conference Board said yesterday.

The improving consumer sentiment comes just in time for the holiday season, when shoppers are expected to spend \$440 billion, a 6 percent increase over 2004, according to the National Retail Federation.

However, Lynn Franco, the director of the Conference Board Consumer Research Center, warned

against making too tight a correlation between improving levels of confidence and retail sales.

"Despite this latest boost in confidence," she said, in a statement, "holiday spending will be driven by the bargains consumers have come to expect."

The index, a bellwether of consumer sentiment, now stands at 98.9, the highest level since U.S. troops invaded Iraq in the spring of 2003. It was at 85.2 in October.

Franco credited a "decline of more than 40 cents in gasoline prices" in November and an "improving job outlook" for the jump.

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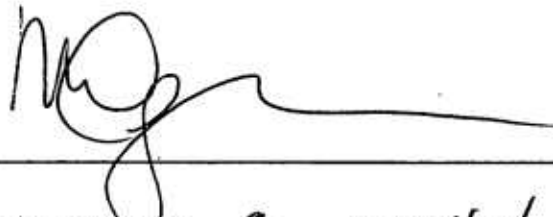
Michelle DeBliss

being duly sworn,  
says that he/she is the principal Clerk of the Publisher of the

*New York Post*

a daily newspaper of general circulation printed and published in the English language, in the County of New York, State of New York; that advertisement hereto annexed has been regularly published in the said "NEW YORK POST" once, on the

9, 16, 23, 30 day of NOVEMBER 2005



Sworn to before me this 30 day of Nov 2005



Notary Public

**BYRON STEVENS**  
Notary Public, State of New York  
No. 01ST6117803  
Qualified in New York County  
Commission Expires November 1, 2008

# MERCK PROBE IN ILL.

Merck & Co., the third-largest U.S. drugmaker, said it received a subpoena from the Illinois state attorney general in September seeking documents related to the repackaging of prescription drugs.

"Merck is cooperating fully with the investigation," spokeswoman Amy Rose said. She wouldn't comment further. A Securities and Exchange Commission filing by Whitehouse Station, N.J.-based Merck didn't say which product is being investigated.

The company also said prosecutors in Zurich and Bochum, Germany, are trying to determine whether criminal charges should be brought over Vioxx, a painkiller Merck pulled from the market last year after it was linked to an increased risk of heart attack.

States and the Justice Department have been investigating the way drug companies bill government health-care programs such as Medicare. Medco Health Solutions Inc., the benefit manager spun off from Merck in 2003, agreed last year to pay \$29.3 million to 20 states and change its practices to settle charges including improperly switching patients' prescriptions.

Melissa Merz, a spokeswoman for Illinois Attorney General Lisa Madigan, declined to comment today on the Merck subpoena.

Shares of Merck fell 8 cents to \$29.37 in composite trading on the New York Stock Exchange. They have declined 8.6 percent this year.

Bloomberg

## Credit Suisse slapped

Credit Suisse Group, an underwriter on Refco Inc.'s \$583 million initial public offering in August, was subpoenaed by regulators in connection with Refco's collapse into bankruptcy last month.

Credit Suisse, Switzerland's second-largest bank, said yesterday in a quarterly filing with the Securities and Exchange Commission that its securities unit received subpoenas and requests for information from regulators including the

SEC. The Zurich-based company said it's cooperating with the requests.

The subpoenas show the government's investigation into Refco's collapse is widening. Refco was the fourth-largest U.S. futures broker until it disclosed that former Chief Executive Phillip Bennett hid \$430 million in bad debts. The company filed for bankruptcy Oct. 17 and was to auction its assets today.

Bloomberg

### LEGAL NOTICE

#### NOTICE OF WORKER ELIGIBILITY FOR TRADE ACT BENEFITS

The United States Department of Labor, issued certifications of eligibility to apply for Trade Adjustment Assistance for all workers of the following firms. Pursuant to Section 223 of the Trade Act of 1974, all workers of these firms may be eligible for special benefits afforded under this Act. These benefits include training in a new skill, allowances to cover expenses while looking for work outside their commuting area, allowances to relocate their family and household goods to new employment outside their commuting area and weekly cash benefits.

NAME OF FIRM	SEPARATED ON OR AFTER	PRIOR TO
Liz Claiborne, Inc., Ellen Tracy Division New York, New York	6/21/04	8/30/07
Broadnax Mills, Inc., Sales Office New York, New York	6/29/04	8/30/07
Chattillon and Sons, Inc. Test Calibration Instrument Div., A Subsidiary of Ametex Kew Gardens, New York	8/28/04	9/15/07
Edward Fields, Inc., College Point, New York	7/28/04	9/23/07

Additional Information and applications to apply for benefits may be obtained by calling (518) 402-0189 or by writing to NYS Department of Labor, Special Programs Team, State Office Building Campus, Suite 2004, Albany, N.Y. 12240.

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CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

# Rat love sets trap for execs



## RODENT SYMPATHY: A p.r. challenge.

By HOLLY M. SANDERS

There isn't much to love about rats, especially in this city, where many residents fear they are outnumbered by the toothsome vermin.

So it struck more than a few people as strange when a campaign promoting the reviled rodent popped up on local cable outlet NY1, and in several publications for advertising and p.r. professionals.

The cartoon-like ads depicted the lonely rat as the target of discrimination, forced to watch through the window as a little girl showers her puppy with love, or to forage through the trash as a man nearby feeds the pigeons.

A group of rat lovers calling itself the Great Pointed Archer Society — apparently, a grandiose movement to re-label the rat — claimed credit, although the true backers of the campaign remained a mystery.

Observers, of course, smelled a rat.

And they were right. The "Learn to Love" campaign is a stealth attempt by a top p.r. firm to draw the attention of marketing officers at

big corporations.

Executives at Cohn & Wolfe, part of WPP Group, hoped to persuade potential clients that they could take a huge p.r. problem — in this case, the lowly rat — and change public opinion.

The firm, along with independent ad agency DiMassimo, mulled a more straightforward approach before seizing on the off-beat idea.

"We realized that if you really want to prove that you're so creative and inventive, you have to take on these influence challenges," said Mark DiMassimo, CEO and creative director.

Cohn has its work cut out for it. Most people view rats as disease-carrying vermin. Last year, rodent complaints rose 40 percent to almost 31,600, although exterminations also rose to 88,000, according to a report from the mayor's office.

Cohn isn't done with its campaign. The firm is holding a Great Pointed Archer rally today in Washington Square Park, complete with a huge inflatable rat.

## Home prices up again

WASHINGTON — The nation's booming housing market continued to push prices higher in the summer with 69 metropolitan areas reporting double-digit increases compared with a year ago, a real estate trade group reported.

The National Association of Realtors said that the median price of an existing home rose by 14.7 percent in the July-September quarter to \$215,900, compared with a median price of \$188,200 a year ago.

The Northeast saw a third quarter existing-home sales rate of 1.20 million units, up 6.9 percent from

the third quarter of 2004. Massachusetts experienced the strongest increase in the region with sales activity 11.2 percent above a year ago, followed by Connecticut, up 8.3 percent, and New York, which increased 7.0 percent.

Led by Phoenix, Ariz., and Orlando, Fla., the nation's hottest markets far outperformed the nationwide figure. The price of existing homes sold during the third quarter in the Phoenix-Mesa-Scottsdale area jumped to \$268,000, a whopping 55.2 percent higher than the same period a year ago. AP

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The following tables show the effect of the proposed rate increase on selected monthly bills:

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150	5,127.35	5,997.78
250	8,104.58	9,391.38
500	15,547.68	17,875.39

#### Service Classification No. 2 - Annual Power Service

Monthly Steam Usage in 1,000 pounds (Mlbs)	Summer		Winter	
	Current Bill	New Bill	Current Bill	New Bill
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500	11,105.55	11,768.64	14,182.26	15,641.87
1,000	20,276.44	21,469.81	29,052.06	32,517.66

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# FDNY pair rescue boy



**BREATHTAKING:** Steve Devaney sits with the 8-year-old boy he helped pull from a fire yesterday.

By JOHN DOYLE and BRIGITTE WILLIAMS

Two off-duty firefighters happened by the same Queens fire early yesterday — then charged into the flame- and smoke-filled building with no equipment and helped save an 8-year-old boy.

Everyone else inside 137-03 Booth Memorial Ave., in Flushing, escaped safely.

The firefighters and five tenants, including the child, were treated for smoke inhalation.

Firefighter Steve Devaney was the first to arrive as neighbors placed a ladder against the building.

"I said, 'Is anyone in

there?" he recalled last night. "There was a little kid making his way down the stairs and I helped him — I kind of bumped into the kid."

Firefighter Thomas Morgan, meanwhile, was nearby when he saw the blaze and learned Devaney, whom he didn't know, was inside.

"Where are you, brother?" Morgan screamed, according to businessmen Vincent Valenzuela and Bob Mozilo — and then made his way to Devaney by the sound of his voice.

The one-alarm blaze was under control within 45 minutes.

john.doyle@nypost.com

## Germ fears at 2nd Brooklyn school

For the second time in as many weeks, state inspectors found workers at a public school for disabled kids were not being properly protected from dangerous blood-borne pathogens, like hepatitis, according to a state Labor Department official.

An inspection of PS 370 in Brooklyn last week found employees hadn't been offered hepatitis vaccines as regulations require — nor any barriers to protect skin or clothing other than gloves.

Inspectors were called to

the Coney Island school for disabled students after a teacher complained a first-grade boy spit in her eyes and mouth.

A week earlier, an inspector found a special-education program at PS 231 in Brooklyn out of compliance.

Education spokeswoman Margie Feinberg said that employees at PS 370 were scheduled to receive hepatitis vaccines next month and that the agency is in the process of widening staff training and distributing protective clothing to all schools.

David Andreatta

## Met meets Italy over 'loot'

ROME — The director of New York's Metropolitan Museum of Art met with Italian Culture Ministry officials in Rome yesterday to discuss antiquities in the Met's collection that Italy claims were looted.

Italy is seeking the return of a painted Greek vase dating from the sixth century B.C., and news reports have said it has also asked for other artifacts.

Italian officials have long insisted the vase, called the Euphronios Krater, was looted.

AP

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**CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.**

# LIGHTS! CAMERA! GOOGLE?

By SAM GUSTIN



**OUT OF WATER**  
Google and the movies.

terdependent, Schachter said.

In addition, Mather's reputation for integrity makes her a good choice to head the audit committee, as does her experience in finance and accounting. "I trust Ann completely," said one industry insider who worked with Mather for years before she left Pixar. "I never felt like I was getting spun. She's a morally and ethically upstanding person."

While Mather was at Pixar, she served as "the prime contact" with Disney on distribution issues as part of the two companies' co-production agreement, according to Google.

Prior to joining Pixar, Mather was the CFO at Village Roadshow Pictures and held several executive positions at Disney.

against making too tight a correlation between improving levels of confidence and retail sales.

"Despite this latest boost in confidence," she said, in a statement, "holiday spending will be driven by the bargains consumers have come to expect."

The index, a bellwether of consumer sentiment, now stands at 98.9, the highest level since U.S. troops invaded Iraq in the spring of 2003. It was at 85.2 in October.

Franco credited a "decline of more than 40 cents in gasoline prices" in November and an "improving job outlook" for the jump.

Today the Web, tomorrow Hollywood?

After conquering Silicon Valley and Wall Street, Internet phenomenon Google has appointed a veteran movie executive to its board of directors — a sign the company may now be eyeing Tinseltown.

Ann Mather, 45, a former executive at Walt Disney and Pixar, becomes the first Google board member to come from the entertainment world. Mather, who was Pixar's chief financial officer from 1999 to 2004, will chair Google's audit committee.

Mather's appointment is a "potential harbinger" of things to come, as the major entertainment and Internet companies warily begin to embrace each other, said UBS Internet analyst Benjamin Schachter.

"Mather's appointment gives Google's board a media perspective that it currently lacks," said Schachter. "This is the first person on the board without a purely technological or academic background."

Terry Semel, Yahoo's chairman, was a movie mogul who once headed Warner Bros.

Mather's experience in the movie business could help Google navigate a media landscape in which technology and content are becoming increasingly in-

## Rosy consumer data may be gift to retailers

By SUZANNE KAPNER

Consumer confidence rebounded in November to levels not seen since 2003, as gasoline prices declined and the employment outlook brightened, the Conference Board said yesterday.

Improving consumer sentiment comes just in time for the holiday season, when shoppers are expected to spend \$440 billion, a 6 percent increase over 2004, according to the National Retail Federation.

However, Lynn Franco, the director of the Conference Board Consumer Research Center, warned

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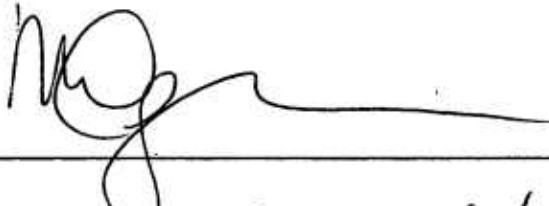
Michelle DeBlis

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says that he/she is the principal Clerk of the Publisher of the

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9, 16, 23, 30 day of NOVEMBER 2005



Sworn to before me this 30 day of Nov 2005



Notary Public

**BYRON STEVENS**  
Notary Public, State of New York  
No. 01ST6117803  
Qualified in New York County  
Commission Expires November 1, 2008

# MERCK PROBE IN ILL.

Merck & Co., the third-largest U.S. drugmaker, said it received a subpoena from the Illinois state attorney general in September seeking documents related to the repackaging of prescription drugs.

"Merck is cooperating fully with the investigation," spokeswoman Amy Rose said. She wouldn't comment further. A Securities and Exchange Commission filing by Whitehouse Station, N.J.-based Merck didn't say which product is being investigated.

The company also said prosecutors in Zurich and Bochum, Germany, are trying to determine whether criminal charges should be brought over Vioxx, a painkiller Merck pulled from the market last year after it was linked to an increased risk of heart attack.

States and the Justice Department have been investigating the way drug companies bill government health-care programs such as Medicare. Medco Health Solutions Inc., the benefit manager spun off from Merck in 2003, agreed last year to pay \$29.3 million to 20 states and change its practices to settle charges including improperly switching patients' prescriptions.

Melissa Merz, a spokeswoman for Illinois Attorney General Lisa Madigan, declined to comment today on the Merck subpoena.

Shares of Merck fell 8 cents to \$29.37 in composite trading on the New York Stock Exchange. They have declined 8.6 percent this year.

Bloomberg

## Credit Suisse slapped

Credit Suisse Group, an underwriter on Refco Inc.'s \$583 million initial public offering in August, was subpoenaed by regulators in connection with Refco's collapse into bankruptcy last month.

Credit Suisse, Switzerland's second-largest bank, said yesterday in a quarterly filing with the Securities and Exchange Commission that its securities unit received subpoenas and requests for information from regulators including the

SEC. The Zurich-based company said it's cooperating with the requests.

The subpoenas show the government's investigation into Refco's collapse is widening. Refco was the fourth-largest U.S. futures broker until it disclosed that former Chief Executive Phillip Bennett hid \$430 million in bad debts. The company filed for bankruptcy Oct. 17 and was to auction its assets today.

Bloomberg

### LEGAL NOTICE

#### NOTICE OF WORKER ELIGIBILITY FOR TRADE ACT BENEFITS

The United States Department of Labor, issued certifications of eligibility to apply for Trade Adjustment Assistance for all workers of the following firms. Pursuant to Section 223 of the Trade Act of 1974, all workers of these firms may be eligible for special benefits afforded under this Act. These benefits include training in a new skill, allowances to cover expenses while looking for outside their commuting area, allowances to relocate their family and household goods to new employment outside their commuting area and weekly cash benefits.

NAME OF FIRM	SEPARATED ON OR AFTER	PRIOR TO
Liz Claiborne, Inc., Ellen Tracy Division New York, New York	6/21/04	8/30/07
Broadnax Mills, Inc., Sales Office New York, New York	6/29/04	8/30/07
John Chatillon and Sons, Inc. Test and Calibration Instrument Div., A Subsidiary of Ametex Kew Gardens, New York	8/28/04	9/15/07
Edward Fields, Inc., College Point, New York	7/28/04	9/23/07

Additional information and applications to apply for benefits may be obtained by calling (518) 402-0189 or by writing to NYS Department of Labor, Special Programs Team, State Office Building Campus, Suite 2004, Albany, N.Y. 12240.

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# Rat love sets trap for execs



**RODENT SYMPATHY:** A p.r. challenge.

By HOLLY M. SANDERS

There isn't much to love about rats, especially in this city, where many residents fear they are outnumbered by the toothsome vermin.

So it struck more than a few people as strange when a campaign promoting the reviled rodent popped up on local cable outlet NY1, and in several publications for advertising and p.r. professionals.

The cartoon-like ads depicted the lonely rat as the target of discrimination, forced to watch through the window as a little girl showers her puppy with love, or to forage through the trash as a man nearby feeds the pigeons.

A group of rat lovers calling itself the Great Pointed Archer Society — apparently, a grandiose movement to re-label the rat — claimed credit, although the true backers of the campaign remained a mystery.

Observers, of course, smelled a rat.

And they were right. The "Learn to Love" campaign is a stealth attempt by a top p.r. firm to draw the attention of marketing officers at

big corporations.

Executives at Cohn & Wolfe, part of WPP Group, hoped to persuade potential clients that they could take a huge p.r. problem — in this case, the lowly rat — and change public opinion.

The firm, along with independent ad agency DiMassimo, mulled a more straightforward approach before seizing on the off-beat idea.

"We realized that if you really want to prove that you're so creative and inventive, you have to take on these influence challenges," said Mark DiMassimo, CEO and creative director.

Cohn has its work cut out for it. Most people view rats as disease-carrying vermin. Last year, rodent complaints rose 40 percent to almost 31,600, although exterminations also rose to 88,000, according to a report from the mayor's office.

Cohn isn't done with its campaign. The firm is holding a Great Pointed Archer rally today in Washington Square Park, complete with a huge inflatable rat.

## Home prices up again

WASHINGTON — The nation's booming housing market continued to push prices higher in the summer with 69 metropolitan areas reporting double-digit increases compared with a year ago, a real estate trade group reported.

The National Association of Realtors said that the median price of an existing home rose by 14.7 percent in the July-September quarter to \$215,900, compared with a median price of \$188,200 a year ago.

The Northeast saw a third quarter existing-home sales rate of 1.20 million units, up 6.9 percent from

the third quarter of 2004. Massachusetts experienced the strongest increase in the region with sales activity 11.2 percent above a year ago, followed by Connecticut, up 8.3 percent, and New York, which increased 7.0 percent.

Led by Phoenix, Ariz., and Orlando, Fla., the nation's hottest markets far outperformed the nationwide figure. The price of existing homes sold during the third quarter in the Phoenix-Mesa-Scottsdale area jumped to \$268,000, a whopping 55.2 percent higher than the same period a year ago. AP

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# FDNY pair rescue boy



**BREATHKING:** Steve Devaney sits with the 8-year-old boy he helped pull from a fire yesterday.

By JOHN DOYLE and BRIGITTE WILLIAMS

Two off-duty firefighters happened by the same Queens fire early yesterday — then charged into the flame- and smoke-filled building with no equipment and helped save an 8-year-old boy.

Everyone else inside 137-03 Booth Memorial Ave., in Flushing, escaped safely.

The firefighters and five tenants, including the child, were treated for smoke inhalation.

Firefighter Steve Devaney was the first to arrive as neighbors placed a ladder against the building.

"I said, 'Is anyone in

there?'" he recalled last night. "There was a little kid making his way down the stairs and I helped him — I kind of bumped into the kid."

Firefighter Thomas Morgan, meanwhile, was nearby when he saw the blaze and learned Devaney, whom he didn't know, was inside.

"Where are you, brother?" Morgan screamed, according to businessmen Vincent Valenzuela and Bob Mozilo — and then made his way to Devaney by the sound of his voice.

The one-alarm blaze was under control within 45 minutes.

john.doyle@nypost.com

## Germ fears at 2nd Brooklyn school

For the second time in as many weeks, state inspectors found workers at a public school for disabled kids were not being properly protected from dangerous blood-borne pathogens, like hepatitis, according to a state Labor Department official.

An inspection of PS 370 in Brooklyn last week found employees hadn't been offered hepatitis vaccines as regulations require — nor any barriers to protect skin or clothing other than gloves.

Inspectors were called to

the Coney Island school for disabled students after a teacher complained a first-grade boy spit in her eyes and mouth.

A week earlier, an inspector found a special-education program at PS 231 in Brooklyn out of compliance.

Education spokeswoman Margie Feinberg said that employees at PS 370 were scheduled to receive hepatitis vaccines next month and that the agency is in the process of widening staff training and distributing protective clothing to all schools.

David Andreatta

## Met meets Italy over 'loot'

ROME — The director of New York's Metropolitan Museum of Art met with Italian Culture Ministry officials in Rome yesterday to discuss antiquities in the Met's collection that Italy claims were looted.

Italy is seeking the return of a painted Greek vase dating from the sixth century B.C., and news reports have said it has also asked for other artifacts.

Italian officials have long insisted the vase, called the Euphronios Krater, was looted.

AP

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# LIGHTS! CAMERA! GOOGLE?

By SAM GUSTIN

Today the Web, tomorrow... Hollywood?

After conquering Silicon Valley and Wall Street, Internet phenomenon Google has appointed a veteran movie executive to its board of directors — a sign the company may now be eyeing Tinseltown.

Ann Mather, 45, a former executive at Walt Disney and Pixar, becomes the first Google board member to come from the entertainment world. Mather, who was Pixar's chief financial officer from 1999 to 2004, will chair Google's audit committee.

Mather's appointment is a "potential harbinger" of things to come, as the major entertainment and Internet companies warily begin to embrace each other, said UBS Internet analyst Benjamin Schachter.

"Mather's appointment gives Google's board a media perspective that it currently lacks," said Schachter. "This is the first person on the board without a purely technological or economic background."

Terry Semel, Yahoo's chairman, was a movie mogul who once headed Warner Bros.

Mather's experience in the movie business could help Google navigate a media landscape in which technology and content are becoming increasingly in-



**OUT OF WATER**  
Google and the movies.

terdependent, Schachter said.

In addition, Mather's reputation for integrity makes her a good choice to head the audit committee, as does her experience in finance and accounting.

"I trust Ann completely," said one industry insider who worked with Mather for years before she left Pixar. "I never felt like I was getting spun. She's a morally and ethically upstanding person."

While Mather was at Pixar, she served as "the prime contact" with Disney on distribution issues as part of the two companies' co-production agreement, according to Google.

Prior to joining Pixar, Mather was the CFO at Village Roadshow Pictures and held several executive positions at Disney.

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## Rosy consumer data may be gift to retailers

By SUZANNE KAPNER

Consumer confidence rebounded in November to levels not seen since 2003, as gasoline prices declined and the employment outlook brightened, the Conference Board said yesterday.

The improving consumer sentiment comes just in time for the holiday season, when shoppers are expected to spend \$440 billion, a 6 percent increase over 2004, according to the National Retail Federation.

However, Lynn Franco, the director of the Conference Board Consumer Research Center, warned

against making too tight a correlation between improving levels of confidence and retail sales.

"Despite this latest boost in confidence," she said, in a statement, "holiday spending will be driven by the bargains consumers have come to expect."

The index, a bellwether of consumer sentiment, now stands at 98.9, the highest level since U.S. troops invaded Iraq in the spring of 2003. It was at 85.2 in October.

Franco credited a "decline of more than 40 cents in gasoline prices" in November and an "improving job outlook" for the jump.

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