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By Electronic Mail
secretary@dps.ny.gov

February 5, 2013

Hon. Jeffrey Cohen
Acting Secretary to the Commission
New York State Department of Public Service
Three Empire Plaza
Albany, New York 12223 – 1350

Re: Case 12-G-0297 Natural Gas Expansion

Dear Secretary Cohen,

I am writing on behalf of the Empire State Petroleum Association, Inc. (ESPA) seeking an extension of time to March 12, 2013 within which to file comments in the above-referenced proceeding.

ESPA is a trade association representing petroleum distributors including heating oil dealers throughout New York State. Members of the Association are predominantly local small businesses who provide vital energy services to consumers in the state. This proceeding will have a direct affect upon ESPA's members who are crucial components of the state's energy market, who compete with public utilities for energy customers and whose customers are being targeted for conversions. To our knowledge, no other party will be presenting information concerning New York's oil heat industry.

This proceeding was commenced by an order of the Commission dated November 30, 2012 that asked for responses to a set of twenty-one questions as well as other comments by February 25, 2013. The Commission also scheduled a technical conference that was held on January 9, 2013 in Albany. However, following the technical conference, Department Staff established three working groups to address certain issues in the

proceeding. The first meeting of these working groups was held on January 30, 2013. We are unaware whether further conferences will be convened.

ESPA intended to file comments by February 25, 2013 based on the Commission's Order and the presentations made at the technical conference. However, as this investigatory proceeding has progressed, the scope of the case has greatly expanded. As the only representative of the heating oil industry in this case, ESPA needs additional time to gather relevant information and prepare responses to the issues raised in this case so that the Commission can be given meaningful comments prior to its making any decision in this proceeding.

Consequently, we are requesting an extension of time until March 12, 2013 to file comments in this matter.

Respectfully submitted,

Emilio Petroccione, Esq.