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**VIA EMAIL**

Records Access Officer  
New York State Department of Public Service  
Three Empire State Plaza  
Albany, New York 12223

Re: DG Ombudsman Working Group, Request for Non-Disclosure

Dear Records Access Officer:

Orange and Rockland Utilities, Inc. (“Orange and Rockland”) respectfully requests that the information in the attached file be treated by the Commission and the Department of Public Service as confidential pursuant to Public Officers Law §§ 87(2)(d) and 89(5), and the Commission’s implementing regulation, 16 NYCRR § 6-1.3. The file contains customer information that if disclosed would constitute an unwarranted invasion of personal privacy.

Public Officers Law, §87.2 (b) authorizes an agency to deny disclosure of records which “if disclosed would constitute an unwarranted invasion of personal privacy under the provisions of subdivision two of section eighty-nine of this article.” The Commission has stated that utility customers have “reasonable expectations of privacy, security and control over access to personally identifiable information” held by utilities and that “protection of consumer information is a basic tenet of the Public Service Law and our policies.”<sup>1</sup> Accordingly, the customer information contained in the attached file should be exempted from disclosure on the grounds stated in POL §87.2(b).

Orange and Rockland respectfully requests that the attached un-redacted files be treated as confidential customer information and afforded all of the protections against public disclosure available for such information, as provided by law.

Very truly yours,

/s/ Kyle J. Hayes

Kyle J. Hayes  
Staff Attorney

c: Elizabeth Gisaru (via email)

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<sup>1</sup> Case 07-E-0548, “Order On Rehearing Granting Petition For Rehearing,” December 3, 2010, pp 4, 17.