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Hon. Kathleen Burgess and Commissioners
Judges Dakin Lecakes and Maureen F. Leary
Administrative Law Judges
New York State Public Service Commission
Three Empire State Plaza
Albany, NY 12223-1350

Case # 18-E-0067/18-G-0068

October 18, 2018

~ Application for subpoena duces tecum issuance ~

Dear Secretary Burgess, Judges Leary and Lecakes, Commissioners Rhodes, Sayre, Burman and Alesi:

I have prepared the attached subpoena duces tecum and present for Your Honors' consideration for signature for service upon Aclara Meters LLC, Aclara Smart Grid Solutions, LLC, and Aclara Technologies LLC.

The reasons for the subpoena duces tecum request are explained in it pursuant to 16 NYCRR §3.4. In brief, O&R made claims about what it was told orally by one or more of the Aclara entities about effects or lack thereof on functionality of the meters in regard to the metering of electricity. The claims should be substantiated with whatever documents the Aclara entities have.

Furthermore O&R's statement raises questions about what other kinds of evidence are in the possession of the Aclara entities about the meters in the rate base, which affects the calculation of the rate increase. Such information is likely to have bearing upon the proper depreciation calculation of the meters, which affects the calculation of the rate increase. The information requested relates to meter functionality, effects on billing and related costs as well as service life.

The information requested was not necessarily provided in Cases 16-E-0242 and 16-E-0366; in any event, notwithstanding prior approval of use of the equipment, any new information that exists since the orders in those cases would shed light on a proper depreciation and other accounting calculations that are directly relevant to Case #18-E-0067/18-G-0068.

Sincerely yours,



/s/ Deborah Kopald

CC:

Active Parties via email
Aclara Meters LLC via personal service
Aclara Smart Grid Solutions, LLC via personal service
Aclara Technologies LLC via personal service