

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 03-G-1671 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Gas Service.

CASE 03-S-1672 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Steam Service.

RULING ESTABLISHING RATE CASE
SCHEDULES AND INITIAL PROCEDURES

(Issued January 29, 2004)

WILLIAM BOUTEILLER, Administrative Law Judge:

On November 21, 2003, Consolidated Edison of New York, Inc. filed its proposals to increase gas rates by \$105.7 million (about 9.5%) and steam rates by \$140.3 million (about 13.8% after crediting customers with \$71.7 million of fuel savings primarily from the East River Repowering Project). The Commission's decisions in these cases are expected by mid-October 2004.

Discovery in the two rate proceedings has commenced and Department of Public Service staff is busy investigating the basis for the utility company's rate proposals. Interested persons, with plans to participate in these cases, have been routinely added to the active party list that is posted, updated and made available on the Department's electronic website.

By electronic mail received on January 16, 2004, DPS Staff proposed a schedule for these proceedings that it developed with the active parties. No party has objected to the proposed schedule and no other alternatives have been provided. Given their consistency with the statutory period ascribed for the rate proceedings, I am adopting the dates Staff has proposed for prefiled testimony, evidentiary hearings, and trial briefs, as follows:

Staff and Intervenor Testimony Due	March 16, 2004
All Rebuttal Testimony Due	March 30, 2004
Evidentiary Hearings Begin	April 26, 2004
Initial Briefs Due	May 21, 2004
Reply Briefs Due	June 4, 2004

If, at any time, party conferences are necessary to assist in the development of any orderly record, they will be convened on short, but reasonable, notice to the active parties. Telephone conferences may be used if they are suitable for the intended purposes and convenient for the parties.

The parties' discovery practices shall abide by the requirements of 16 NYCRR Part 5. All testimony and briefs are due, in hand, on the respective dates listed above to the persons whose names appear on the active party list. Copies of the parties' submissions shall also be filed with the Commission's Secretary in accordance with 16 NYCRR §§4.5(d) and 4.8.

Separate dates will be established for conducting public statement hearings in the Consolidated Edison service area. The evidentiary hearings in April 2004 will be held in the Commission's New York City offices.

(SIGNED)

WILLIAM BOUTEILLER