



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

January 30, 2014

Kathleen H. Burgess
Secretary
New York State Department
of Public Service
3 Empire State Plaza, 19th Floor
Albany, New York 12223

Re: Case 13-E-0573, Demand Response Programs

Dear Secretary Burgess:

An affidavit and copies of the published notice are enclosed, affirming that notice was published in the New York Post on December 30, 2013, and also on January 6, 13, and 20, 2014, regarding Con Edison's tariff filing issued in Case 13-E-0573 on December 18, 2013. The Company proposed changes to its electricity rate schedule, P.S.C. No. 10 – Electricity, related to demand-response programs.

Sincerely,

/s/ William A. Atzl, Jr.
Director
Rate Engineering Department

State of New York ss:
COUNTY OF NEW YORK

Jillian Passione 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" on the 30th
day of December 2013. and also
on January 6, 13 and 20th, 2014.

Jillian Passione

Sworn to before me this 23 day
of January 2014.

[Signature]

NOTARY PUBLIC

BYRON STEVENS
Notary Public, State of New York
No. 01ST6117803
Qualified in New York County
Commission Expires November 1, 2016

NJ casinos on hot seat

ATLANTIC CITY, NJ — Gov. Chris Christie says 2014 is a crucial year for Atlantic City.

It will be the fourth year of a five-year period the governor gave the resort and its casinos to reverse their struggling fortunes before he considers whether to expand casino gambling to the Meadowlands and, possibly, elsewhere.

Casino executives and tourism leaders say Atlantic City is making progress in attracting new nongambling investments and attractions, and believe the resort is on the right track. *AP*

Fed hack mystery

State Dept. whistleblower's Gmail hit

By S.A. MILLER
Post Correspondent

WASHINGTON — The personal e-mail account of a State Department whistleblower was hacked, and four years worth of messages — some detailing alleged wrongdoing at the agency — were deleted,

The Post has learned.

The computer attack targeted the Gmail account of Diplomatic Security Service criminal investigator Richard Higbie, his lawyer, Cary Schulman, confirmed.

"They took all of his e-mails and then they deleted them all," said Schul-

man. He said that he could not prove who was responsible for the hack job, but said the attack was "sophisticated" and called the targeting of Higbie "alarming."

"Obviously, somebody is not happy with something he's doing and wanted to get that information and also cause him an inability in the future to have ready access to that," Schulman said.

The e-mails included evidence about misconduct by top officials at the department, communications with other potential whistleblowers there, and correspondence with members of Congress who are investigating the allegations, Schulman said.

They also include correspondence between Higbie and Schulman about legal strategy, the lawyer said.

Schulman said he could not provide details about the evidence deleted with the e-mails.

Higbie has asked the FBI in Dallas, where he lives, to investigate the hacking, which occurred this month.

Higbie played a key role in helping fellow whistleblower Aurelia Fedenisn, a former investigator for the department's inspector general, reveal in June a pattern of alleged coverups by top department officials.

The alleged coverups in-

cluded keeping quiet separate IG investigations that found that members of then-Secretary Hillary Rodham Clinton's security detail had engaged hookers and that the Belgian ambassador had solicited underage prostitutes.

These were among a string of investigations by the service, responsible for protecting dignitaries and investigating crimes within the department, that were allegedly derailed by senior officials, including one instance of interference by Clinton Chief of Staff Cheryl Mills.

Higbie, a senior criminal investigator and the second-highest-ranking agent with the service's Dallas office, also has an employment lawsuit against the department, alleging it retaliated against him.

The hacking of Higbie's e-mail follows a mysterious break-in at Schulman's Dallas law firm in July, shortly after the whistleblower allegations came to light.

The burglar stole three computers, but left behind other valuables.

Although cops arrested a petty thief for the crime, Schulman said, "We feel like we're in a movie. It's nuts. It makes us wonder . . . maybe we've got something we don't even realize or maybe they're worried about something."

smiller@nypost.com

Con Edison Proposes Changes to its Demand Response Programs

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The tariff changes, which are proposed to become effective April 1, 2014, are subject to Commission approval, modification, or rejection. A complete copy of the tariff filing is available for your inspection at the office of the Public Service Commission, 90 Church Street, 4th Floor, New York, New York 10007, and at offices where applications for Con Edison service may be made. You can also view the filings on the PSC's website at www.dps.ny.gov under Case 13-E-0573 or request copies by emailing DR@conEd.com.

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Weird
BUT
true

"Always low prices" were apparently not low enough for one Florida shopper.

Maria Desimone, 45, was busted at a Walmart in Palm Bay after she allegedly flipped out over the price of a skateboard there.

Desimone threatened to kill a sales manager and swung the not-so-inexpensive skateboard at her, authorities said.

Play time is over in one Florida community.

Managers of the Miramar subdivision in Lakewood Ranch have banned kids from playing in the streets.

"I just want to be outside, tossing a football. They are taking away all the fun, to be honest," said 15-year-old resident Nico Cardenas.

City Hall needs repairs — not a party.

Eric Papenfuse, the incoming mayor of Harrisburg, Pa., has opted against an inaugural ball and instead asked supporters to donate money to fix the crumbling City Hall.

Papenfuse said throwing himself a bash would send the wrong message when the building needs roof repairs and new flooring.

Always be prepared to do the right thing!

Scoutmaster Peter Brownstein and his Eagle Scout son brought 10 boxes of pizza to lovebirds in long lines at a Salt Lake City marriage bureau that's been overrun with same-sex couples seeking licenses.

"It's meant to show what true Scouting values are — of helping others and not being selective about who you are helping," said Brownstein, who considers himself a dedicated scoutmaster despite the group's controversial refusal to allow gay men into its ranks.

Ingenuity and a bucket of oats fished a cow out of an Oregon swimming pool.

The cow fell into an in-ground pool in McMinnville, fire officials said.

Homeowner Jeff Dyck and firefighters placed a wooden ramp in the pool and lured the 700-pound animal up with a bucket of oats. *David K. Li, Post Wires*

Inside NSA's elite cyber-spy squad

LONDON — A German magazine has lifted the lid on the operations of the US National Security Agency's hacker unit, revealing how spies intercepted computer deliveries, exploited hardware vulnerabilities and even hijacked Microsoft's bug-report system to spy on their targets.

Der Spiegel's revelations relate to a division of the NSA known as Tailored Access Operations, or TAO, which is painted as an elite

team of hackers specializing in stealing data from the toughest of targets.

Citing internal NSA documents, the mag said Sunday that TAO's mission was "getting the ungettable" and quoted an official as saying TAO had won "some of the most significant intelligence our country has ever seen."

Der Spiegel has published many NSA stories based on documents leaked by former intelligence worker Edward Snowden. *AP*

Mitt accepts apology

By S.A. MILLER
Post Correspondent



MITT ROMNEY

Black grandchild mocked.

on "Fox News Sunday."

"We love this little guy a great deal," he said of the baby boy adopted by his son Ben. "We love that he is part of our family."

smiller@nypost.com

WASHINGTON — Mitt Romney on Sunday refused to fire back at MSNBC for mocking his family's adoption of a black child.

The 2012 Republican presidential nominee graciously accepted the apology from MSNBC host Melissa Harris-Perry, who had made snide jokes about a family photo in which Mitt Romney held his recently adopted black grandson, Kieran.

"People make mistakes and the folks at MSNBC made a big mistake and they've apologized for it," Romney said

Romney said that he was a "fair target" but that children should be off-limits.

"And I think they understand that," he said. "I think it is a heartfelt apology, and I think for that reason, we hold no ill will whatsoever."

Harris-Perry first offered an apology on Twitter after a stinging backlash to the cruel jests that she and guests made on Dec. 30. She then made an on-air apology Saturday on her show.

"I am deeply sorry that we suggested that interracial families are in any way funny or deserving of ridicule," she said.

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NYPD DAILY BLOTTER



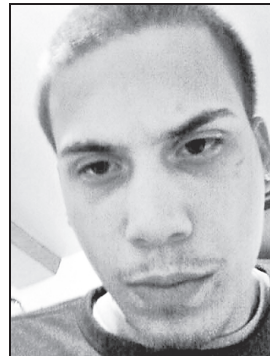
Brooklyn

■ A hateful vandal spray-painted swastikas on a Hebrew-school bus in Mapleton, sources said.

The manager of the United Talmudical Academy made the disturbing discovery on one of the school's buses at around 7:30 a.m. Dec. 30.

He spotted two gold swastikas scrawled across the right side of the bus, which was parked at 21st Avenue and 57th Street.

The culprit also tagged the bus with unintelligible writing.



■ A thief took advantage of a passed-out strap-hanger on a Brooklyn-bound subway train — but didn't get away unnoticed, authorities said.

The phone he stole was equipped with an application that snapped his picture (above).

The phone's slogged owner, 23, had boarded the southbound No. 4 train at 101st Street in Manhattan at around 3 a.m. Dec. 8 and fell asleep, cops said.

The thief sat down next to the vulnerable victim and used a sharp object to cut open the man's pockets, removing his wallet and cellphone, cops said.

When the victim awoke near the Borough Hall station in Brooklyn, he realized he had been pick-pocketed and called police.

■ Police have released the identity of an East Flatbush man who was gunned down in broad daylight while shoveling

snow, authorities said.

Duane Lett, 34, was digging out his car near his home on Rockaway Parkway at 1 p.m. Saturday when the killer walked up and shot him four times in the head before running off, cops said.

Lett was rushed to Kings County Hospital, where he was pronounced dead, cops said.

■ A city sanitation worker was arrested for stealing merchandise while moonlighting at a Home Depot in East New York, authorities said.

Alexander Ortiz, 33, was working part-time at the home-improvement store and was apparently giving stolen items to family members, cops said. He allegedly altered inventory records to cover his tracks.

Ortiz was arrested Friday.

■ Police arrested a teenage gunman who opened fire on a group of rivals in Brownsville, according to a Criminal Court complaint.

Kareem Hendricks, 16, was hanging out near the Brownsville Houses at Rockaway and Sutter avenues with a group of friends at noon Dec. 18 when he suddenly started shouting at other teenagers across the street, the complaint says.

Hendricks then allegedly pulled out a gun and started blasting at the teens, sending both groups scattering.

Hendricks tried to ditch the Jennings .22-caliber pistol under a parked car, but responding officers quickly found it and arrested him, the complaint says.

He was charged with reckless endangerment and possession of a weapon, according to the complaint.

Staten Island

■ An Arden Heights man drunkenly assaulted two guys and hit a woman with his car before fleeing, authorities said.

Anthony Fiore, 24, punched two men in the face during an altercation at East Service Road and Arthur Kill Road in Rossville at 3 a.m. Nov. 24, according to a Criminal Court complaint.

Fiore then hit a woman with his 2013 BMW as he fled, authorities said. He also struck the victim's car several times, the complaint alleges.

He was arrested more than five miles away, at Buffalo Street and Hylan Boulevard, after cops stopped him and found him allegedly intoxicated and reeking of alcohol.

Fiore refused to take a Breathalyzer test and was charged with DWI, assault and leaving the scene of an accident, according to the complaint.

The woman's injuries were not life-threatening.

The Bronx

■ Three thugs brutally beat and robbed a man in the West Bronx, authorities said.

The unidentified victim was standing outside a building on East Burnside Avenue near Morris Avenue at around noon Nov. 16 when the men snatched his Samsung Galaxy cellphone from his hands, according to a Criminal Court complaint.

When the victim grabbed his phone back, the brutes punched him and beat him while he was on the ground.

The injured man attempted to run, but was chased down by the muggers and repeatedly punched and kicked, according to the complaint.

He was treated at an area hospital for cuts and bruises.

Christopher Vernon, 23, was arrested and charged with robbery, grand larceny and assault in the crime. The other two thugs are still at large, the complaint states.

Daniel Prendergast
and Antonio Antenucci

Crime Stoppers offers rewards of up to \$2,000 for your help in solving violent crimes. You don't have to reveal your identity. Call Crime Stoppers at (800) 577-TIPS or go to www.nypdcrimestoppers.com.

Como se dice O'Care?

ALBUQUERQUE, NM — Mirroring problems with HealthCare.gov, people around the nation attempting to navigate the Spanish version have discovered their own set of difficulties.

CuidadoDeSalud.gov was launched in December, more than two months late.

A Web page with Spanish instructions linked users to an English form. And the translations were so clunky and full of mistakes that critics say they must have been computer-generated.

The name of the site itself can literally be read "for the caution of health."

"It's written in Spanglish,

so we end up having to translate it for them," said Adrian Madriz, a health-care navigator in Miami.

Federal officials say they have been working to make the site better and plan improvements soon. Administrators say they try to fix typos or other errors quickly.

"We continue to work closely with key stakeholders to get feedback," Health and Human Services Department spokesman Richard Olague said.

Still, efforts to enroll Spanish speakers in Obama-Care have fallen short in several states with large Hispanic populations, and

critics say CuidadoDeSalud.gov could have helped boost those numbers.

Veronica Plaza, a professor teaching medical Spanish at the University of New Mexico, said a recent study by her students found the translations were done "by a computer-generated process."

The site, for example, translates "premium" into "prima," but that word is more commonly used to mean "cousin," she said.

HHS says the site was translated with the same methods and team used to translate for the Centers for Medicare and Medicaid Services. AP

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NYPD DAILY BLOTTER



The Bronx

■ A gunman opened fire on a South Bronx strip club, sending patrons and passers-by scurrying for cover, police revealed Sunday.

The shooter was caught on surveillance video walking past Sin City on Park Avenue, between the Major Deegan Expressway and East 138th Street, at around 3:10 a.m. Christmas Day, when he turned and fired several shots into the front entrance of the jiggle joint, according to police.

No one was injured, but the video, released Sunday, shows bystanders running for their lives and diving underneath cars before the unidentified shooter fled.

Queens

■ Cops nabbed two graffiti vandals who tagged a subway car in Richmond Hill, officials said.

Sgt. Jimmy Conwell, Detective Christopher Diaz and Officer Anthony D'Ascanio, were patrolling the subway station at Jamaica Avenue and 111th Street just after midnight Saturday when they spotted Tommy Martinez, 19, and Jeremy Cautin, 21, sitting on a bench near a J-train car that had just been vandalized, cops said.

Diaz noticed Martinez trying to close a backpack with spray-paint cans inside, while Cautin had one green latex glove and a can of spray paint protruding from his jacket pocket, according to police.

The three plainclothes members of the Transit Bureau's Vandal's Task Force say Martinez painted "FEAL" in letters that were 10 feet wide and nearly 4 feet high on the subway car while Cautin acted as a lookout.

Both men were charged with criminal mischief, making graffiti, posses-

sion of graffiti instruments and trespass, police said.

Brooklyn

■ A city Department of Sanitation worker was pulled over for a traffic violation in East New York and wound up under arrest on a weapons-possession charge, according to officials.

Dandy Montalvo, 35, was driving his 2006 Pontiac with no taillights at around 12:20 a.m. Sunday, when he illegally passed another car on the right, police said.

Officers pulled him over and found he had a knife in the car and was driving without insurance, police said.

Montalvo was charged with insufficient taillights, passing a vehicle on the right, driving without insurance and weapon possession.



■ Three suspects (two of whom are pictured above) are wanted in connection with the murder of a bodega worker in East New York, according to police.

Video surveillance released Saturday night

shows the first suspect unlocking the door of the 797 Deli Grocery at Stanley Avenue and Cleveland Street on Friday morning.

The first suspect is seen entering the deli and returning with his head hung low and a black plastic bag in his hand.

A second man then walks into the store and exits a short time later with an unidentified object in his hand.

A third suspect stands lookout on the corner.

Soon after the men were caught on tape, cops found deli worker Hisham Zidan, 55, dead inside the bodega's bathroom with cuts and bruises on his head.

The cash register was on the floor with change scattered around it.

The store's security system was missing, but the suspects were captured on a surveillance system nearby, according to police.

Manhattan

■ A Fairway employee has been charged with the murder of a co-worker and friend who was stabbed to death outside the supermarket's warehouse in Manhattanville, police said.

Jovanny Paulino, 25, was slapped with charges of second-degree murder and felony assault, cops said.

Paulino was in an argument with pal Pedro Miguel Payero Valerio, 22, at the wholesale grocery outlet on 12th Avenue near West 135th Street at around 1:45 p.m. Saturday, cops said.

The fight continued across the street, in front of the Hudson River Cafe, where Paulino pulled out a knife and stabbed the victim in the chest, cops said.

Valerio was rushed to St. Luke's Hospital, where he was pronounced dead on arrival. *Kirstan Conley*

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LA fire largely tamed

GLENDORA, Calif. — Firefighters continued their steady progress Sunday in surrounding a wildfire near Los Angeles that destroyed several homes.

The Los Angeles County Fire Department said the fire was 78 percent contained, with full containment expected Wednesday.

Meanwhile, hundreds of residents from suburbs about 25 miles northeast of downtown Los Angeles who fled the blaze returned home Saturday evening as red-flag warnings of extremely dangerous fire conditions expired. Officials cautioned that bone-dry

winter conditions remain a threat for the region.

Crews focused on securing fire lines around the roughly 3-square-mile blaze and looked ahead to rehabilitating the burn area to prevent erosion and possible mudslides, said US Forest Service spokesman Robert Brady.

"It's starting to look fairly good," Brady said. "We're still in very dry conditions, so I would remind people to be careful out there."

The fire erupted early Thursday in the Angeles National Forest when Santa Ana winds hit a campfire that authorities said was

recklessly set by three men. Gusts quickly spread flames from the San Gabriel Mountains into Glendora and Azusa, where some 3,700 people had to evacuate at the fire's peak.

Five homes were destroyed and 17 other houses, garages and structures were damaged, according to early assessments.

The state is in a period of extended dry weather compounded in Southern California by repeated periods of the Santa Anas, dry and powerful winds that blow from the interior toward the coast, raising temperatures to summer-like levels. AP

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NYPD DAILY BLOTTER



Brooklyn



■ A sneaky thief snatched cash from a Mediterranean restaurant in Midwood after darting behind the counter toward the register, police said.

The crook (pictured above) walked up to the counter at Nemo's Shish Kebab on Kings Highway near Avenue P at around 9:06 a.m. Jan. 10, stood there for a moment, then circled around toward the register, where he plucked a handful of cash from the drawer and fled, according to cops.

No one was injured, police said.

The thief was last seen wearing black sneakers, a dark jacket and blue jeans.



■ Cops are looking for a man (above) who used a stolen credit card in Brooklyn Heights after someone snatched the victim's pricey Coach wallet, authorities said.

The 36-year-old New Jersey woman was on a D-train platform near Pacific Street at around 6:45 a.m. Dec. 17 when she noticed that her wallet, worth \$150 and containing several

credit cards, was missing, police said.

About a half-hour later, the man used one of the cards to make a purchase at Smith's Finest Deli on Smith Street near Sacket Street, cops said.

■ A thug who stabbed a man to death in Bedford-Stuyvesant is still on the loose, police said.

Marcus Cherry, 37, was stabbed twice in the back at Lewis Avenue and Hart Street at around 1:10 a.m. Saturday, police said.

He was rushed to Woodhull Hospital, where he was pronounced dead. The motive for the slaying was not clear.

Manhattan



■ An armed man made off with \$3,000 after holding up a Starbucks at gunpoint in Gramercy, police said.

The thug (pictured above) walked into the shop on Third Avenue near East 15th Street at around 9:30 p.m. Thursday, cops said.

He pulled out a gun and demanded cash from two baristas — a woman, 21, and a man, 22 — before ordering them to get down on the floor, according to police.

The workers complied, only to have the gunman zip-tie their hands during the terrifying heist, cops said.

The thief then grabbed \$3,000 in cash from the register and fled.

The stocky gunman is believed to be in his late 30s, between 5-foot-7 and

5-foot-9, and weighing about 200 pounds.

He wore square-framed glasses, a dark sweat shirt with the Ecko brand name on the front, a black jacket and matching gloves.

Queens

■ Cops are looking for a killer who stabbed a man to death outside the Cypress Hills Cemetery in Ridgewood.

The victim, Emilliano Llamas, 26, of Pulaski Street in Brooklyn, was found unconscious with stab wounds to the chest, after a 911 caller reported seeing him on Cypress Hills Street near 78th Avenue at around 2:10 a.m. Saturday.

Llamas was taken to Jamaica Hospital, where he was pronounced dead.



■ Cops have released photos of three people wanted for questioning about a hate-fueled homophobic attack in an Astoria Diner.

Two women and a man (pictured above) argued with a 30-year-old woman and a 32-year-old man inside the Neptune Diner on Astoria Boulevard near 32nd Street at around 5 a.m. Wednesday.

Things escalated when the thugs began hurling anti-gay remarks at the victims, police said.

Finally, the attackers threw dinner plates from their table at the couple before fleeing, according to cops.

Both victims were taken to Astoria General Hospital with cuts to their faces, authorities said.

Investigators from the Hate Crimes Task Force are looking into the incident.

Kirstan Conley and Matt McNulty

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