From: Paul Agresta

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Cc: Julia Bielawski

Subject: Case 13-E-0030 et al. Discovery Dispute between UWUA and Con Edison

Date: 05/02/2013 11:44 AM

To All Parties:

We have read and considered the e-mail exchange regarding the current discovery dispute between UWUA and Con Edison and believe that the dispute is likely too complex to be resolved in a teleconference. Con Edison shall make its objection to the discovery requests in the form of a written brief served on all parties and us by close-of-business, Wednesday, May 8. UWUA and others wishing to reply shall submit reply briefs by close-of-business, Friday, May 10. We will consider reasonable extensions if parties need more time than we have provided.

In addition to its brief, Con Edison shall provide an inventory of all documents in its possession encompassed within categories A & B set forth below and provide a summary table describing the documents individually and giving a summary notation for each individual document either stating the bases for its objection to disclosure or that the document will be disclosed. After reviewing the inventory, we will decide whether we need to review the documents themselves.

Category A:

All internal reports, analyses, or related assessments that have been prepared by or for Con Edison concerning its performance in restoring service following Hurricane Sandy, and/or system readiness immediately prior to the storm.

Category B:

All documents provided to Con Edison's Board of Directors that concern or relate to the Company's performance in restoring service following Hurricane Sandy, including those that assess system readiness immediately prior to the storm.

We thank all parties for their continued cooperation and professionalism.

Paul Agresta

Julia S. Bielawski

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