December 29, 2011

Hon. Jaclyn A. Brilling
Secretary
State of New York
Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350

Re: Case No. 09-E-0115, Proceeding on Motion of the Commission to Consider Demand Response Initiatives

Dear Secretary Brilling:

An affidavit and copies of the published notice are enclosed, affirming that notice was published in the New York Post on December 1, 8, 15, and 22, 2011, regarding Con Edison’s proposed changes to its Demand Response programs.

Sincerely,

/s/ Christine Colletti
Christine Colletti
Director
Rate Engineering Department
State of New York  
COUNTY OF NEW YORK

Lisa Medica 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” once,
on the 18, 15, 22 day of December 2011

Sworn to before me this 22 day
of December 2011

BYRON STEVENS
Notary Public, State of New York
No. 01ST6117803
Qualified in New York County
Commission Expires November 1, 2012
Nicked by Nielsen

‘SpongeBob’ net’s ratings squeeze

By CLAIRE ATKINSON

Oh, barnacles! Viacom’s Nickelodeon, home to kid shows like “SpongeBob Squarepants,” is having to dole out free airtime to compensate advertisers for an unprecedented ratings shortfall, The Post has learned.

The network is offering advertisers — which spend millions of dollars on the network to reach kids during the crucial holiday season — so-called make-goods after ratings fell below the levels promised to advertisers earlier in the year.

“I’m angry; the clients are angry because if their ad buyer Shelly Hirsch at Beacon Media Group, who noted that additional air-time is of little value to toy marketers on Dec. 26.

A Nickelodeon spokesman confirmed that the company is compensating for the ratings shortfall.

“It’s business as usual. To the extent that we need to make good, we absolutely will,” he said.

In early November, CEO Philippe Dauman warned of a softer ad market in the fourth quarter and said the company would lose some revenue from holiday advertisers as a result of weaker ratings.

“Toys are a strong category in this quarter,” he said at the time. “This is why it’s so vexing to have this issue.”

The kids channel, the second-biggest ad generator in cable, behind ESPN, first started to experience ratings declines in September, when kids’ viewing fell by 11 percent. Since then it’s dropped 17 percent in October and 19 percent during the first three weeks of November.

Viacom blames Nielsen’s new ratings sample for the sudden falloff, while Nielsen has stood by its data. The Media Ratings Council is due to report its independent opinion on the matter next week.

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Under Rider L, the Company proposes to eliminate the summer 2012 Peak Load-Shaving Pilot Program and add peak-load shaving to the reasons that the Company proposes to improve the design of Riders L, S, and U, and retire Rider T.

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The tariff changes, which are proposed to become effective February 23, 2012, are subject to Commission approval, modification, or rejection. Complete copies of the tariff filings are 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.state.ny.us under Case 09-E-0115 or request copies by emailing DR@conEd.com.

NOW IT’S PANIC TIME

CRUDELE from Page 41

countries suffering from financial woes.

That rumor turned out to be not true — the IMF wasn’t a member of the overnight rescue party. But the whiff of something happening was in the air for those in-the-know.

(Business Week ran a story earlier this week about how Hank Paulson, the former US Treasury Secretary and Goldman Sachs chairman, was leaking important upcoming developments to Wall Street firms.

As my readers know, I broke this story years ago. And I’ll get back to it next week if the current market anxiety calms down.)

So what caused the central banks to panic?

There’s been widespread gossip over the past month that Greece and perhaps some other hard-pressed countries might have to abandon the European Union. And that led to even more dire speculation that the currency itself might not survive for much longer.

That talk got louder last week when Germany — the crème de la crème of European economies — failed to sell all the bonds it was offering, the proceeds of which would be used to fund government operations.

Interest rates in Europe generally have been moving much higher in recent weeks as investors started demanding a premium because of the perceived risk involved in lending money in those countries.

Most of this was already known by the financial markets by the time trading ended Tuesday in the US.

What the financial markets didn’t know (but the central bankers probably were aware of) was that Standard & Poor’s, the US rating agency, had downgraded Washington’s debt this summer, was about to lower its opinion on 15 major US banks.

The two most important downgrades were probably Bank of America, which is hobbled by a staggering amount of bad mortgage debt, and JPMorgan Chase, which seems to be under pressure from investors in complicated financial derivatives.

Bank of America’s stock price is now so low that many financial institutions might be prohibited from holding its shares. This could have been one reason for concern.

The S&P downgrade was officially announced after the US financial markets had finished trading on Tuesday. So this move could have tipped the central bankers into panic mode.

Indeed, reports are that the Fed started talking about action as early as Monday, S&P would typically give Washington a heads up that a downgrade was coming.

With that as the glum backdrop, the US financial markets will next be dealing with the Labor Department’s November job report that will be announced tomorrow morning.

Wall Street is expecting job growth of 123,000. In normal times that number would be disappointing. These days the financial markets would gladly take it.

The trouble is, November is one of the months that isn’t helped by favorable statistical assumptions by the Labor Department. In a normal month, the department adds jobs to its tally for small companies it can’t reach by phone that it assumes are hiring.

So much to worry about; so much to panic over — and the central banks seem to have done just that.

Alibaba, Blackstone, Bain bid for Yahoo!

Alibaba Group Holding and Softbank are in advanced talks with Blackstone Group and Bain Capital about making a bid for all of Yahoo, two people said. The Silver Lake-led group offered to buy a stake for about $16.60 a share, people said. TPG’s offer was higher, they said.

Alibaba is interested in buying back Yahoo’s 40 percent stake in itself, Softbank wants to buy Yahoo’s 35 percent stake in Yahoo! Japan, while Blackstone and Bain would take control of the US operations, another person said.

While Alibaba is in advanced talks with Blackstone and Bain, the company is still talking with other private-equity firms including Providence Equity Partners about an offer, one person said.

Alibaba may also decide not to make a bid, the person said.

Bloomberg
Baby left in Burger King

By KIRSTAN CONLEY, IKIMULISA LIVINGSTON and WILLIAM SHILLING

A mother abandoned her baby on a bench next to a Burger King restroom and inexplicably dashed out of the Queens restaurant, police said yesterday.

Kimberly Burnridge, 27, was charged with child abandonment for leaving her 4-month-old daughter at the Burger King on Rockaway Boulevard, near the Belt Parkway, Tuesday at around 10:50 p.m., authorities said.

The girl’s father, Westley Kendall, 20, was charged with child endangerment, although it was unclear yesterday what his alleged role was in the incident.

The baby was rushed to Jamaica Hospital in an ambulance shortly after being found, but she was released to the Administration for Children’s Services in good condition yesterday morning, authorities said.

Authorities could not say why Burnridge fled the restaurant when employees approached her, but diners there said they were stunned that any mother would walk out on her kid.

“How can you leave a child? I wouldn’t leave a dog,” said Annie Albaneze, of East Moriches, LI, who stopped in for a bite to eat on her way to eastern Pennsylvania. “That’s terrible.”

Burnridge could face up to four years in jail if convicted on child-abandonment charges.

HEROES: Pearl Harbor survivor John Jankowski joins other World War II vets aboard the Intrepid Museum yesterday.

Remember Pearl Harbor!

By SABRINA FORD

Seventy years after the sneak attack on Pearl Harbor, the dwindling number of survivors of the Japanese raid on US military forces are heartened that America still remembers them.

Seven local survivors, as well as former USS Intrepid crew members, braved rain and heavy wind aboard the Intrepid Sea, Air & Space Museum yesterday to lay a wreath to mark the anniversary.

“It’s a nice warm feeling that people remember the guys who lost their lives,” said former GI Armando Galella, 90, of Sleepy Hollow in Westchester County. Galella, who attended the ceremony with his son Mike, added, “Having my family here is the best feeling. They’re going to have to carry it on. We’re dwindling.”

Survivor Dan Frutcher, 92, recalled the attack — at 7:55 a.m., Dec. 7, 1941, on the US naval base in Hawaii. “I had just completed breakfast and was waiting to be picked up by friends for a luau,” he said.

For Robert Eakin, 92, of Bayonne, NJ, it was his first such ceremony for survivors of the “date which will live in infamy.”

“It was great — great that people remember,” Eakin said. “We just did what we had to do. We’re lucky to be alive.”

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CONSORTIUM EDISON COMPANY OF NEW YORK, INC.
To solve a Su Doku, you must put a number, from 1 to 9, in each empty box.
Each number must appear once in each horizontal row, as well as in each vertical column and in each of the 3-by-3 grids.
Impossible? Not once you get the hang of it.
**Solutions on Page 70**

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*Tips at www.sudoku.com © Puzzles by Pappocom*
Taped-tot post a bust

NY gal’s hunt for lost sibling

CHICAGO — A Chicago man was arrested after he posted a photo of his 22-month-old daughter bound in duct tape on Facebook, police said yesterday.

André Curry, 21, was charged with aggravated domestic battery Tuesday, police said.

The image, circulated on the Internet, showed the girl bound with duct tape on her mouth, wrists and ankles. A caption said: “This is what happens when my baby hits me back.”

The Chicago Police Department said the child is now in the care of another family member.

A spokesman for the Illinois Department of Children and Family Services said the agency was investigating the image.

The family wasn’t investigated before, the spokesman said.

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