

# STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

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March 28, 2008

Robert S. Glasser, Esq.  
Thompson Hine, LLP  
Attorneys for Central Hudson Gas &  
Electric Corporation  
335 Madison Avenue  
New York, New York 10017

Re: Case 07-M-0548 – Energy Efficiency Portfolio Standard

Dear Mr. Glasser:

On March 25, 2008, Central Hudson Gas & Electric Corporation (“Central Hudson”) filed a Motion with the Commission for an expedited interlocutory review of the Ruling on Staff Motion for Reconsideration and Revising Schedule (issued March 20, 2008). Since the relief sought by the Motion is not precluded by the March Ruling, it is my conclusion that this matter need not be presented to the Commission.

The essence of Central Hudson’s Motion is that it should not be precluded from having the Commission consider its previously proposed Energy Efficiency Program in the context of the revised schedule set forth by the March Ruling. The March Ruling, however, specifically envisions that parties are encouraged to address Staff’s Fast Track suite of programs, along with “any other Fast Track proposals that have previously been submitted” (March Ruling at p. 10). Since Central Hudson’s Energy Efficiency Programs have been previously submitted in this docket, the Company is not precluded from revising its programs and advocating their adoption, including the provision of direct comparisons with other program proposals, on or before April 8, 2008, the date the March Ruling established for the filing of initial briefs. Because the March Ruling provides a procedural vehicle for the consideration of Central Hudson’s Energy Efficiency Programs, it is unnecessary for the Commission to address the interlocutory appeal.

Sincerely,

JACLYN A. BRILLING

Secretary

cc: All Active Parties