



## Public Service Commission

### Public Service Commission

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Three Empire State Plaza, Albany, NY 12223-1350

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February 5, 2018

David Warner  
Associate Counsel  
Consolidated Edison Company of  
New York, Inc.  
4 Irving Place  
New York, NY 10003

Re: Case 17-E-0428 - In the Matter of an Investigation into the April 21, 2017  
Metropolitan Transportation Authority Subway Power Outage and  
Consolidated Edison Company of New York, Inc.'s Restoration Efforts.

Dear Mr. Warner:

Thank you for your letter dated December 21, 2017, on behalf of Consolidated Edison Company of New York, Inc. ("Con Edison"), in which you explain that an extension of time will be necessary for three provisions contained in Ordering Clause 7 of the Commission's *Order Directing Steps to Safeguard and Maintain Adequate Utility Service to the Subway System* ("Order"), issued November 10, 2017 in the above referenced proceeding.

Ordering Clause 7 directed Con Edison to perform the work described in the Appendix to the Order entitled "Ordering Clause 7 – Scope of Work" by May 9, 2018, subject to the Metropolitan Transit Authority ("MTA") providing Con Edison access to MTA's facilities as required. You note that a significant amount of work required in Ordering Clause 7 will be completed by the dates in the Order. However, you state that an extension is necessary to comply with Section C.1.ii (Transfer Panels), Subsection C.2.i (Signal Power Locations), and Subsection C. 3.vii. (Protection/Disconnects) of the "Scope of Work."

For each of these subsections, you propose to determine the extended date jointly with MTA and Department of Public Service Staff ("DPS Staff"), which you state would be consistent with the process set forth in Ordering Clauses 13 and 16. Ordering Clauses 13 and 16 provide that Con Edison shall complete a subset of work described in each clause by a date certain, determined in consultation with MTA and DPS Staff, after the deadline for the substantive portion of the work described in each clause is completed. The work that is

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described for these three provisions within Ordering Clause 7 is, similarly, a subset of the work that would be completed following the deadline by which the substantive work required by the Commission's Order must be completed. Therefore, the process that is employed in Clauses 13 and 16 is applicable to determine the proposed date by which the three subsections within the Scope of Work for Clause 7 will be completed.


In light of the above and based upon the information in your letter and provided by DPS Staff, please be advised of the following:

First, with respect to Section C.1.ii (Transfer Panels), you state in your letter that contractors will "identify, inspect and test" by May 9, 2018 the currently installed Automatic Transfer Panels for the remaining locations beyond the 73 Automatic Transfer Panels identified in Section C.1.i, which are to be replaced by May 9, 2018. Your request for an extension to retrofit and perform repair work on the Automatic Transfer Panels in the remaining locations will be granted. As indicated in your letter, I expect that you will submit a request by March 31, 2018 with the specific date that this work will be completed, recognizing the urgency for the completion of this aspect of the Scope of Work. The deadline to replace the 73 Automatic Transfer Panels identified in Section C.1.i and the deadline to identify, inspect and test the Automatic Transfer Panels in the remaining locations is not extended and is to be completed by May 9, 2018.

Second, your request for an extension of the May 9, 2018 deadline with respect to the subset of work in Subsection C.2.i (Signal Power Locations) will be granted because of the difficulties acquiring the volume of sag protectors necessary in order to complete this aspect of the Scope of Work. Consistent with the above, I expect that you will include in your March 31, 2018 submission a specific date that will reflect an expeditious completion of this subsection.

Finally, with respect to your request for an extension of the May 9, 2018 deadline for the completion of Subsection C. 3.vii. (Protection/Disconnects), you indicated in your letter that the deadline to install 162 quick connects and other equipment needed to deploy back-up generators, primarily for the elevated subway lines, as determined by Con Edison, DPS and the MTA will be met and, therefore, will not be extended. Likewise, the review of the remaining subway signal locations to determine the most effective way to provide alternate electric service following a loss of Con Edison electric service to a signal location, including whether additional quick connects are needed, will also be completed by May 9, 2018. Your request for an extension beyond May 9, 2018 to complete any construction as a result of this review will be granted if determined to be necessary. Similarly, your request with the specific date for such extension should likewise reflect the necessity for completion of this subsection as expeditiously as possible.

Sincerely,



Kathleen H. Burgess  
Secretary