



Sara Schoenwetter
Assistant General Counsel

April 14, 2009

Steven Blow, Esq.
Records Access Officer
State of New York Department of Public Service
Three Empire State Plaza
Albany, NY 12223-1350

RE: Case 09-M-0074 Request for Exemption from Disclosure of Cost Estimates

Dear Mr. Blow:

Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc. (together, the “Companies”) are today filing with the Secretary of the Public Service Commission their Supplemental Plan for AMI Pilot Projects (the “Supplemental Plan”), as directed by the Commission’s February 13, 2009 Order Adopting Minimum Functional Requirements for Advanced Metering Infrastructure Systems.

The Companies’ cost estimates for equipment and services associated with their Supplemental Plan are contained in Appendix C to today’s filing. The Companies are filing Appendix C with your office and not in the document being filed with the Secretary because they request that it be exempted from disclosure on the ground that it constitutes confidential commercial information. 16 NYCRR §6-1.3. This information has been compiled by the Companies from various sources, many non-public, including information supplied to them as trade secrets in response to a Request for Information issued to vendors and contractors, and is not known to others. The information cannot be duplicated from other sources outside of the Companies without significant effort.

If the Supplemental Plan is approved by the Commission, the Companies will purchase equipment and services to implement the pilot projects described in the Plan. The Companies expect to make their purchases of equipment and services through a competitive procurement process. Cost estimates in public documents, such as the information in Appendix C, could have substantial value to the potential vendors of equipment and to potential service contractors by providing them with an expectation regarding the prices the Companies are willing to pay. Disclosure of this information could distort the competitive process thereby depriving the Companies of their ability to obtain the most advantageous prices and terms available in the market. The Companies and their customers would incur economic damage if this were to occur. See Case 05-E-1222, Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of New York State Electric & Gas Corporation for Electric Service, Ruling Granting Trade Secret Protection to NYSEG’s Mobile Radio System Cost Estimates (Oct. 13, 2005), pp. 1-2.

For the foregoing reasons, the Companies respectfully request that their Appendix C be exempted from disclosure.

Sincerely,
/s/Sara Schoenwetter

c: Active Parties List (email) (without enclosure)