

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE  
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September 23, 2013

Christopher Amato, Esq.  
Earthjustice  
156 William Street, Suite 800  
New York, New York 10038-5326

Re: Case 12-E-0577

Dear Mr. Amato:

I am in receipt of your Motion, dated September 16, 2013, on behalf of the Ratepayer and Community Intervenors, Citizens Campaign for the Environment, and Environmental Advocates of New York, pursuant to New York Public Commission regulation 16 NYCRR § 3.6, for an Order granting access to complete and unredacted copies of the documents, records and communications specified in the Motion, and granting such other and further relief as the Commission deems just and proper.

In cases where no “presiding officer has been assigned,” 16 NYCRR §3.6(b) provides that “motions shall be addressed to and filed with the secretary.” Therefore, I have reviewed your motion, and determined that it is a request for access to documents governed by 16 NYCRR Subpart 6-1. Inasmuch as no presiding officer has been assigned, 16 NYCRR §6-1.4 does not apply, and this request for access will be handled by the Department’s Records Access Officer pursuant to 16 NYCRR §6-1.3. The Records Access Officer will therefore consider your request for documents pursuant to Public Officers Law §87.

The Department’s Records Access Officer is Donna Giliberto. You may contact Ms. Giliberto at (518) 408-1736 or [Donna.Giliberto@dps.ny.gov](mailto:Donna.Giliberto@dps.ny.gov).

Very truly yours,

Kathleen H. Burgess  
Secretary

cc: Service List