

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 03-G-1671 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Gas Service.

CASE 03-S-1672 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Steam Service.

RULING AMENDING RATE CASE SCHEDULE

(Issued March 29, 2004)

WILLIAM BOUTEILLER, Administrative Law Judge:

On January 29, 2004, I set the schedule for these rate proceedings. In accordance with the schedule, testimony opposing elements of the rate filings was submitted by various parties on March 16. Also of note, the parties entered into settlement discussions on March 26, 2004.¹

At the parties' request, I conducted a telephone conference on March 29, 2004. All the parties participating in the conference supported a postponement of the evidentiary hearings by a week and a later date for the submission of rebuttal testimony. The parties favor a postponement to provide additional time for them to consider the potential settlement of some, if not all, of the contested issues that would simplify the litigation that would otherwise occur at the evidentiary hearing.

In accordance with the parties' proposals, the dates for rebuttal testimony and the evidentiary hearings will be postponed to allow additional time for settlement discussions. Rebuttal testimony is now due, in hand, on Monday, April 5, 2004 and the evidentiary hearings will begin on Monday, May 3, 2004. In all other respects, the January 29th ruling remains in effect.

¹ In compliance with the requirements of 16 NYCRR §3.9, Consolidated Edison provided advance notice of the parties' settlement discussions by letter dated March 18, 2004.

CASES 03-G-1671 and 03-S-1672

The next telephone conference in these cases is scheduled for 10:00 a.m. on Tuesday, April 20, 2004. At that time, I expect the parties to identify the specific matters that require litigation at the upcoming evidentiary hearing in May.

(SIGNED)

WILLIAM BOUTEILLER