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May 15, 2013

Mr. Douglas DiCeglio, President
Utility Rate Analysis Consultants (URAC)
156 Scranton Avenue
Lynbrook, New York 11563

Re: Petition of Utility Rate Analysis Consultants for a Declaratory Ruling concerning failure of Keyspan Energy Delivery to comply in a timely manner with an Informal Hearing Decision that directs a refund to overcharged consumers (Matter No. 13-00836)

Dear Mr. DiCeglio:

In your petition for a Declaratory Ruling dated April 17, 2013, you complain that Keyspan Energy Delivery, currently known as National Grid-Metro NY, repeatedly requested extensions of time in order to comply with an informal hearing decision that directed a refund for past overcharges to customers. You specifically refer to complaint case files: 921896, 935370, and 935406.

The concern raised in the petition is addressed in *Title 16 of New York Codes, Rules and Regulations Consumer Complaint Procedures* (16NYCRR). Specifically, Part 12.8(c) allows the hearing officer to grant reasonable requests to extend the time period to submit information. These complaints were related to the rebilling of multiple nonresidential accounts over an extended time period. Therefore, it was not unreasonable for the company's response time to be extended so that multiple accounts could be analyzed and recalculated, especially when interest on overpayments needed to be determined and incorporated. The final reconciliations of your clients' accounts were completed by the company on April 26, 2013. Therefore, your complaint of not receiving a timely refund is moot.

Since the actions taken were in accordance with existing regulations, there is no basis for your request for a Declaratory Ruling, and therefore, the Commission declines to rule. This closes Matter No. 13-00836.

Very truly yours,

Jeffrey C. Cohen
Acting Secretary