

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

- CASE 16-G-0058 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of KeySpan Gas East Corp. dba Brooklyn Union of L.I. for Gas Service.
- CASE 16-G-0059 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of The Brooklyn Union Gas Company dba National Grid NY for Gas Service.
- CASE 14-G-0091 - In the Matter of the Acts and Practices of The Brooklyn Union Gas Company d/b/a National Grid NY and KeySpan Gas East Corporation d/b/a National Grid Regarding Billing of Each Company's SC No. 2 Customers from March 2008 to March 2014.
- CASE 14-G-0503 - Petition for Approval, Pursuant to Public Service Law, Section 113(2), of a Proposed Allocation of Certain Tax Refunds between KeySpan Gas East Corp. d/b/a National Grid and Ratepayers.
- CASE 13-G-0498 - Petition for Approval, Pursuant to Public Service Law, Section 113(2), of a Proposed Allocation of Certain Tax Refunds between KeySpan Gas East Corp. d/b/a National Grid and Ratepayers.
- CASE 12-G-0544 - In the Matter of the Commission's Examination of The Brooklyn Union Gas Company d/b/a National Grid NY's Earnings Computation Provisions and Other Continuing Elements of the Applicable Rate Plan.
- CASE 11-G-0601 - Petition for Approval, Pursuant to Public Service Law Section 113(2) of a Proposed Allocation of Certain Tax Refunds between KeySpan Gas East Corp. d/b/a National Grid and Ratepayers.

RULING ON SCHEDULE FOR CONSIDERATION OF JOINT PROPOSAL

(Issued September 13, 2016)

DAVID R. VAN ORT, Administrative Law Judge:

On August 17, 2016 counsel for Brooklyn Union of L.I. (KEDLI) and National Grid NY (KEDNY) (collectively, "Companies") advised me that an agreement on the resolution of these cases had been reached and a Joint Proposal (JP) would be filed shortly. Given that representation, on August 19, 2016, I sent the parties an e-mail with the following proposed schedule for the remainder of the cases:

<u>Date</u>	<u>Event</u>
September 16, 2016	Statements in Support or Opposition to the JP
September 23, 2016	Reply Statements
October 26, 2016	Evidentiary Hearing begins

The proposed schedule was also reiterated in a Notice of Procedural Conference (Notice) issued August 29, 2016. The Notice indicated that a procedural conference was scheduled for September 8, 2016 to discuss the remaining case schedule and plan for an evidentiary hearing to be held on the Joint Proposal. The JP, filed on September 7, 2016, is signed by the Companies; trial staff of the Department of Public Service (Staff); City of New York; Environmental Defense Fund; Great Eastern Energy; Direct Energy Services, LLC; Consumer Power Advocates; Estates NY Real Estates Services, LLC; and Spring Creek Towers.

At the procedural conference, the Public Utility Law Project of New York, Inc. (PULP) stated that it will be opposing the Joint Proposal. PULP noted that it has issued discovery questions regarding the JP and may issue a few additional questions. PULP also proposed an alternative schedule for these cases wherein statements in support or opposition to the JP would not be submitted in advance of the evidentiary hearing; the evidentiary hearing would commence on September 26, 2016; and post-hearing briefs would be submitted about a week after

the hearing concludes. None of the other parties present expressed support for the schedule proposed by PULP.

I find the schedule initially proposed to the parties on August 19, 2016 to be preferable to the alternative schedule advocated by PULP. Receiving the parties' statements in support of or opposition to the Joint Proposal and their reply statements about a month in advance of the evidentiary hearing will assist the parties and me in gaining a thorough understanding of the basis for the provisions in the JP and determining those issues that require further illumination and augmentation at the evidentiary hearing. As a result, it may obviate the need for or limit the scope of questioning on certain issues at the hearing. I, therefore, adopt the schedule as originally proposed and noted in the August 19, 2016 e-mail and the August 29, 2016 notice, set forth above.

More detailed logistics regarding the evidentiary hearing will be addressed in a later ruling. There will be no opportunity for post-hearing briefs. Based on the testimony adduced at the evidentiary hearing, I will decide whether the parties will be permitted to make closing statements.

(SIGNED)

DAVID R. VAN ORT