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Public Service Commission

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January 22, 2024

Dr. Paugh Shadow
[REDACTED]
[REDACTED]
[REDACTED]

Ms. Doris Castro
Consolidated Edison Company of New York, Inc.
4 Irving Place, 9th Floor North
New York, NY 10003
castrod@coned.com

Re: Case 22-G-0118 (175876)
Dr. Paugh Shadow v. Consolidated
Edison Company of New York, Inc.

Dear Dr. Paugh Shadow and Doris Castro:

At its January 2024 session, the Public Service Commission decided the appeal submitted in the above proceeding. Enclosed is a copy of the Commission's determination.

The applicable regulations (16 NYCRR Section 12.14[b]) provide that in deciding appeals of informal hearings or reviews, the Commission "may uphold, change, reject or return the decision to the informal hearing officer or reviewer for additional consideration." The Commission also has the discretion to order a formal evidentiary hearing if it finds this to be appropriate under the circumstances.

The Commission's decision, effective the date of this letter, may be challenged through judicial review pursuant to Article 78 of the Civil Practice Law and Rules, or may be the subject of a petition for rehearing. A petition for rehearing must, pursuant to Section 22 of the Public Service Law, be sent to the Secretary to the Commission at the above address (or by electronic mail to secretary@dps.ny.gov) and must be received at the Secretary's office no later than 30 days from the date of this letter. Petitions that are untimely may be rejected.

A petition for rehearing must also meet the requirements of the Commission's rules and regulations, specifically here 16 NYCRR §3.7(b), which states:

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Rehearing may be sought only on the grounds that the commission committed an error of law or fact or that new circumstances warrant a different determination. A petition for rehearing shall separately identify and specifically explain and support each alleged error or new circumstance said to warrant rehearing.

A rehearing petition that does not meet these requirements may be rejected.

Judicial review may be sought without first requesting rehearing by the Commission. The time limit under state law for commencing an Article 78 proceeding to obtain judicial review of a Commission determination is four months from the date that the Commission determination becomes final and binding on the party seeking review.

By direction of the Commission,

Michelle L. Phillips
Secretary

cc: Edward Sherwin, Esq.
Consolidated Edison Company of New York, Inc.
4 Irving Place, 18th Floor
New York, NY 10003

Enc.