

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

- CASE 23-G-0225 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of The Brooklyn Union Gas Company d/b/a National Grid NY for Gas Service.
- CASE 23-G-0226 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of KeySpan Gas East Corporation d/b/a National Grid for Gas Service.
- CASE 23-G-0200 - Petition of The Brooklyn Union Gas Company d/b/a National Grid NY for a New York State Sales Tax Refund under 16 NYCRR Section 89.3 and Request for an Extension.

RULING ESTABLISHING PROCEDURAL SCHEDULE
FOR CONSIDERATION OF JOINT PROPOSAL

(Issued April 11, 2024)

JAMES A. COSTELLO and MAUREEN F. LEARY, Administrative Law
Judges:

On April 9, 2024, The Brooklyn Union Gas Company d/b/a National Grid NY and KeySpan Gas East Corporation d/b/a National Grid (collectively, the Companies) filed a Joint Proposal with supporting appendices reflecting settlement of the captioned proceedings. In addition to the Companies, signatories to the Joint Proposal include Trial Staff for the Department of Public Service (DPS Staff), the City of New York, the Environmental Defense Fund, and NRG Energy, Inc.

This ruling establishes the following procedural schedule for further proceedings to consider the Joint Proposal:

Statements in Support/Opposition

Wednesday, May 1, 2024

Replies to Statements

Friday, May 10, 2024

List of Witnesses for Cross-Examination and Areas/Issues	Wednesday, May 15, 2024
Draft Consensus Exhibit List	Wednesday, May 15, 2024

A virtual procedural conference will be held on **Thursday, May 16, 2024 at 2:00 P.M.** for purposes of preparing for the evidentiary hearing and clarifying the hearing process. Prior to the conference, a WebEx invitation to participate will be circulated to all parties.

The evidentiary hearing will commence on **Monday, May 20, 2024 at 11 A.M** at the Department of Public Service, 19th Floor, Three Empire State Plaza, Albany, New York. Any party intending to participate in the evidentiary hearing is required to email Aisha Hammer (Aisha.Hammer@dps.ny.gov) to register to attend and must present a valid photo identification upon arrival on the hearing date to gain admission to the building.

The Companies and DPS Staff shall file expert witness affidavits adopting the factual statements made in their respective Statements in Support and Replies and in the Joint Proposal. Other signatory parties to the Joint Proposal may, but are not required to, file such affidavits. Factual assertions made in all Statements in Support/Opposition and Replies otherwise shall be supported by citations to pre-filed testimony and/or exhibits or to the Joint Proposal. Statements in Support/Opposition and Replies shall be served on all parties and the Administrative Law Judges (ALJs) and shall subsequently be filed with the Secretary by no later than 4:30 P.M. on the dates noted above.

Any party intending to conduct cross-examination of witness(es) must attend the evidentiary hearing in person. By no later than **Monday, May 13, 2024**, a party intending to conduct cross-examination of any witness of a signatory party to the Joint Proposal shall advise counsel for such party by email of

its intention, shall identify the areas and issues to be covered in cross-examination, and shall confirm the availability of the signatory party's witness(es) on the hearing date. The List of Witnesses and Areas/Issues to be addressed on cross-examination shall be served on all parties and the ALJs by no later than **4:30 P.M. on Wednesday, May 15, 2024** (but shall not be filed with the Secretary) and shall be sufficiently detailed to allow for witness preparation and to advise the ALJs of the relevance of the testimony and of the potential duration of the cross-examination.

The Companies shall circulate to all parties for review and comment a Draft Consensus Exhibit List in Excel spreadsheet format by no later than **12:00 noon on Monday, May 13, 2024**. Parties are required to review the List promptly and shall advise the Companies by no later than **4:30 P.M. Tuesday, May 14, 2024**, either that the Draft Consensus Exhibit List is accurate with respect to that party's filings, or that corrections must be made to render it accurate. If any party proposes the admission of new evidence to the Exhibit List, which may be used in cross-examination, the proposed exhibits shall be set forth separately at the end of the Draft Consensus Exhibit List under the heading "Exhibits Proposed for Admission." The Companies shall serve the parties and the ALJs with a final version of the Draft Consensus Exhibit List, including any corrections/revisions, by no later than **4:30 P.M. on Wednesday, May 15, 2024**.

CASES 23-G-0225, 23-G-0226 and 23-G-0200

A separate ruling will be issued outlining the evidentiary hearing process. A determination of the need for post-hearing briefs will be made following the evidentiary hearing.

(SIGNED)

JAMES A. COSTELLO

(SIGNED)

MAUREEN F. LEARY