

August 26, 2026

Via Electronic Mail

Natara G. Feller, Esq.
Feller Law Group
159 20th St., Suite 1B
Brooklyn, NY 11232
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Re: Case 26-M-0431 – Proceeding on Motion of the Commission to Seek
Consequences against Median Energy Corp. for Violations of the Uniform
Business Practices.

Dear Natara Feller:

I received your August 20, 2026 letter, filed on behalf of Median Energy Corp. (Median), requesting an extension of 60 days to comply with the Commission's *Order Instituting Proceeding and to Show Cause* (Order), issued July 30, 2026, in this proceeding. Currently, Median must respond to the Order by August 27, 2026.

In support of the extension request, you note that you and several of your representatives will be unavailable due to vacation and the observance of various religious holidays. You also point to a FOIL request, submitted on August 17, 2026, as added justification for an extension of time to comply with the Order.

On August 20, 2026, the Department of Public Service's Office of Investigations and Enforcement (OIE) filed a letter opposing the 60-day extension request. OIE emphasizes that the FOIL request process and enforcement actions proceed on different tracks and argues that regulated entities cannot and should not be allowed to use FOIL as a delay tactic in the enforcement proceedings. OIE asserts that Median should maintain the records needed to establish its compliance with the guidelines and rules promulgated by the Commission, for the protection of consumers. OIE recommends that a more limited extension of 30 days should be granted, to help ensure the consumers' protection, as contemplated by the issuance of the Order.

The submission of a FOIL request does not justify granting any extension of time to comply with this Order. The Department's FOIL process and the Commission's enforcement actions proceed on different tracks, exist for different reasons, and have different objectives. Median is a regulated entity that provides services to customers in New York State on the condition that it adheres to guidelines and rules established by the Commission, for the

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protection of customers. Accordingly, it should have and maintain the records it needs to establish its compliance with said guidelines and rules and should not need to request additional time to show cause why it should not face consequences for failure to comply with any such rules. With respect to the vacations and holiday observances cited in support of the request for additional time, they account for approximately 11 business days. Considering all of the foregoing, there is insufficient justification for a 60-day extension.

Based on the information provided, please be advised that an extension, until September 28, 2026, is granted to Median Energy Corp. to comply with the Order. This extension is granted to promote the fair, orderly, and efficient conduct of this proceeding.

This ruling will be posted on the Department's website.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle L. Phillips", with a stylized, cursive script.

Michelle L. Phillips
Secretary