



Consolidated Edison Company
of New York, Inc.
4 Irving Place
New York NY 10003-0987

Records Access Officer
State of New York Department of Public Service
Three Empire State Plaza
Albany, NY 12223-1350

CONFIDENTIAL

RE: ESCO Slamming Reports-
Matter Number 14-02557. The
data being submitted consists
of a Monthly Slamming Report
for **October 2022**.

Dear Ms. Giliberto:

Staff has requested that Consolidated Edison Company of New York, Inc. submit current data on customers served in its retail access program who have reported a Slam by an ESCO. Con Edison submits this information to you under the provisions of Public Officers Law section 89(5)(a) and requests that the information requested by Staff be excepted from disclosure under the provisions of Public Officers Law section 87(2)(d) and Part 6-1.3 of the Rules of the Department of Public Service.

The data being submitted consists of electric and gas customer enrollment by ESCO that were later reported as a Slam by the customer for the period of **October 2022**. **We request that the data being submitted remains confidential.**

The disclosure of this information could cause substantial competitive injury, not only directly but also in terms of public perception, to the ESCOs participating in retail access programs. When developing marketing strategies, ESCOs look at all available information concerning their competitors and the volume of competitive commodity sold to retail access customers. The advantage accruing to some ESCOs from this information would be detrimental to others. Customers' selection of an ESCO may be inappropriately affected by customer assumptions based solely on market share and sales volumes. New ESCOs might be deterred from entering the market not only because of the presence of a few very strong players but also because public perception of new entrants may be negatively affected by disclosure of small enrollments and low commodity sales volumes without regard to ESCO reliability or business considerations. These factors justify exception from disclosure of the information being provided.

This month's submission also includes our monthly report (summary by ESCO and account detail) of customer slamming claims.

If you have any questions, please do not hesitate to contact me at (212) 780-8646

Sincerely,
Ron Giron
Senior Specialist
Customer Operations