



SUSAN J. KIMBALL

ASSOCIATE COUNSEL

LAW DEPARTMENT

October 23, 2026

VIA ELECTRONIC DELIVERY

Records Access Officer
Office of the General Counsel
New York State Department of Public Service
Three Empire State Plaza
Albany, NY 12223
Recordsaccessofficer@dps.ny.gov

**Re: Case 18-E-0130: In the Matter of Energy Storage Deployment Program
Agreement Amendment – Trade Secret Protection**

Dear Michelle Zaludek:

By transmittal letter dated today, a copy of which is included herewith, Consolidated Edison Company of New York, Inc. ("Con Edison") has submitted to the Commission for filing a redacted version of an executed amendment to an Energy Storage Services Agreement into which Con Edison has entered. As further explained below, the redacted provisions of the Amendment contain confidential commercial information or proprietary business information as to which Con Edison requests trade secret protection. An unredacted copy is included with this request.

Consistent with the requirements for trade secret status set forth in 16 NYCRR 6-1.3 as well as Public Officers Law ("POL") §§ 86, 87, and 89, the redacted information consists of confidential, non-public proprietary business information. It also includes non-public project specific commercial information relating to negotiated pricing, legal and business risk allocation terms that are not capable of being independently ascertained, the disclosure of which could cause "substantial injury to [Con Edison's] competitive position" and negatively impact our ability to negotiate contract terms in the present solicitation (where negotiations with third parties remain on-going) and possible future solicitations for bulk energy storage dispatch rights.

Please feel free to contact me should you have any questions or need any additional information.

Very truly yours,

/s/ Susan J. Kimball

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