



Honorable Jeffrey C. Cohen
Acting Secretary
New York Public Service Commission
Three Empire State Plaza
Albany, New York 12223
secretary@dps.ny.gov

Date: May 31, 2013

**Re: NGO Group of Parties in the Consolidated Edison Electricity
Rate Case 13-E-0030**

Dear Acting Secretary Cohen:

We write to inform you that the Center for Climate Change Law at Columbia (“Columbia”), the Natural Resources Defense Council (“NRDC”), the Environmental Defense Fund (“EDF”), and the Pace Energy and Climate Center (“Pace”), are coordinating engagement in the ongoing Con Edison electricity rate case as a unified “NGO Group”. Going forward and wherever practical and appropriate, we intend to participate in any settlement discussions and formal proceedings as a unified group.

The outcome of this rate case will determine whether Con Edison will move in the direction of a modern, 21st century utility, or continue making merely incremental modifications to a system that has its roots in the 19th century. More of the same is not in the interests of Con Edison ratepayers or the communities they serve. The Commission can ensure that the outcomes of this rate case represent a significant step forward for both the utility and ratepayers.

The NGO Group seeks concrete measures that protect consumers and the environment and promote innovation toward greater efficiencies in the future. We are a unified voice for cost-effective resilience planning, and for a system that reduces carbon emissions through strategic placement of distributed generation and non-wires alternatives. We seek to empower consumers with dynamic pricing, access to metering information, and the means to seize the opportunities available through electric vehicles. We welcome the day when demand response programs are powered by reliable negawatts made possible by innovative new technologies at the fingertips of Con Edison’s customers.

Toward these ends, the individual members of the NGO Group will present expert testimony as follows:

NGO Group Parties

Case 13-E-0030
Page 1 of 3

- I. Columbia** will present expert testimony on the projected increases in temperature and sea level rise as well as increased frequency and intensity of heat waves, coastal flooding, and other extreme weather events in New York State and New York City due to climate change. This testimony will establish that, as early as the 2020s and increasingly throughout the coming decades, New York climate will be significantly different from what we have observed historically. In order to anticipate and prepare for these changes, Con Edison's planning processes will need to address climate change directly and address these new conditions explicitly when assessing the current and future vulnerability of its infrastructure.
- II. Pace** will present testimony on the role distributed generation (DG) and microgrids can play as less costly alternatives to the transmission and distribution system investments Con Edison has proposed to the Commission. Despite the DG Collaborative required as an outcome of Con Edison's last rate case, the Company continues to not only fail to make its service territory a friendly place for DG, but it actively impedes development of DG resources throughout its service territory to the substantial detriment of its ratepayers and the community. Pace's witnesses will describe generally the steps necessary to bring the Con Edison system into the 21st century instead of what has been proposed—more of the same 20th century investments we've seen in prior rate cases.
- III. NRDC** will present testimony on electric vehicle charging and voluntary time of use rates. Con Edison should work with the Public Service Commission to provide electric vehicle charging rates and services that are practical and beneficial to consumers, the grid and the environment. The proposed time-of-use rates fail to meet these criteria because they result in higher bills and more limited charging windows for electric vehicle owners compared to whole-house flat rates. With the proposal, consumers are likely to choose flat rates that lack an incentive to shift household load and charge off-peak, adding avoidable stress and higher costs to the grid. Con Edison and the Public Service Commission should develop attractive time-of-use rates for typical whole-house metering and for a dedicated, low-cost electric vehicle metering or submetering solution that avoids high fixed customer charges. Further, Con Edison should educate current and prospective electric vehicle consumers to encourage adoption of equipment installations and rates that minimize costs and maximize environmental benefits.
- IV. EDF** will present expert testimony on the importance of enhancing the resilience of Con Edison's transmission and distribution systems, including aspects of resilience other than hardening; strategies for optimizing load for overall system efficiency as well as management of emergency conditions, including the role of advanced metering infrastructure (AMI), price-responsive demand, and distributed resources for achieving these ends. In addition, our testimony will address the importance of investing in smart grid-

related research, development, and demonstration in a manner that can transform the system with the speed that climate change, efficient operation of the system, and changing customer needs require, and the need for regulatory oversight to provide a workable and effective framework achieving the needed transformations of the electric system and the retail marketplace.

While each of the NGO Group parties will continue to represent itself in the proceeding, the Group will seek coordinated hearing and settlement schedules and generally supports each other across the NGO Group issues listed here. If necessary, one member of the Group may represent the other members of the Group from time to time.

If you have any questions regarding the NGO Group, please do not hesitate to contact Franz Litz at (518) 424-5832 or at flitz@law.pace.edu.

Respectfully submitted,



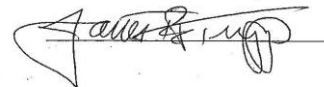
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