

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

www.dps.ny.gov

PUBLIC SERVICE COMMISSION

AUDREY ZIBELMAN

Chair

PATRICIA L. ACAMPORA

GARRY A. BROWN

GREGG C. SAYRE

DIANE X. BURMAN

Commissioners



OFFICE LOCATIONS
3 EMPIRE STATE PLAZA
ALBANY, NY 12223-1350

90 CHURCH STREET
4TH FLOOR
NEW YORK, NY 10007-2919

295 MAIN STREET
SUITE 1050
BUFFALO, NY 14203-2508

KIMBERLY A. HARRIMAN, *Acting General Counsel*

KATHLEEN H. BURGESS, *Secretary*

February 28, 2014

Douglas DiCeglio
Utility Rate Analysis Consultants (URAC)
156 Scranton Avenue
Lynbrook, NY 11563

Shannon Villanueva
National Grid
One MetroTech Center, 13th Floor
Brooklyn NY 11201

**Re: Case 10-G-0527, Cross Appeals by Apartment Management and Grid-Metro
(932768)**

Dear Mr. DiCeglio and Mr. Villanueva:

This is to acknowledge the receipt of Mr. DiCeglio's letter dated February 27, 2014, e-mailed on that date to the Secretary to the Commission, requesting rehearing of the Commission's appeal determination, issued February 24, 2014, resolving 22 separate cases. Case 10-G-0527 (one of the cases resolved) involves three separate utility accounts. Rehearing is requested with respect to the denial of rebilling with respect to the third-listed of those accounts, with respect to the March 2008 to March 2009 period.

The Petition is timely, because it was filed within the 30 day period, prescribed in Public Service Law (PSL) §22 and 16 NYCRR 3.7, following issuance of the Commission's decision.

Mr. DiCeglio's letter indicates that the petition for rehearing has been served by regular mail on Ms. Vivienne Bracken, Senior Vice President, Shared Services National Grid. With this letter, which is being sent by e-mail, we will also send the letter requesting rehearing to Mr. Villanueva. Under the Commission's regulations (16 NYCRR §3.7(c)), National Grid has the option to respond (to the Secretary to the Commission) within 15 days of the date of service of the rehearing request. A copy of any response by National Grid should be sent to Mr. DiCeglio at the same time.

The timely-filed petition invokes the PSL §22 requirement that the Commission consider rehearing this matter. Upon conducting its rehearing evaluation, the Commission may reaffirm the appeal determination or adhere to it with additional rationale, modify the decision, reverse the decision or take such other or further action as it deems necessary.

When the matter is resolved, the parties will receive a copy of the Commission's decision on the rehearing petition in writing. No in-person hearing is held in connection with the Commission decision of a request for rehearing. The decision is based on review of the written request and response (if any), the case file and relevant statutes, regulations, and tariffs.

The statute of limitations controlling the time to seek review and challenge the decision by filing an Article 78 proceeding has been tolled pursuant to CPLR §7801(1). The four-month period in which to seek review under CPLR §217 will commence upon issuance of a Commission decision on rehearing.

Sincerely,

Corinna Chille, Supervisor
Appeals Unit
Office of Consumer Services