



Consolidated Edison Company  
of New York, Inc.  
4 Irving Place  
New York NY 10003  
www.conEd.com

February 22, 2017

Honorable Kathleen H. Burgess  
Secretary  
New York State Public Service Commission  
3 Empire State Plaza, 19<sup>th</sup> Floor  
Albany, New York 12223

**RE: Case 15-G-0185, In the Matter of Heating Fuel Oil Supply Coordination with  
Interruptible Gas Service Customers**

Dear Secretary Burgess:

Consolidated Edison Company of New York, Inc. (“Con Edison” or the “Company”) is filing with the Public Service Commission (the “Commission”) amendments to its Schedule for Gas Service, P.S.C. No. 9 – Gas (the “Gas Tariff”), applicable to its customers in Manhattan and the Bronx, the First and Third Wards of Queens, and certain municipalities in the County of Westchester.

The following Gas Tariff amendments are issued February 22, 2017 to become effective on February 23, 2017, on a temporary basis.

<u>Leaf</u>	<u>Revision</u>	<u>Superseding</u>
317	6	5
318	5	4
342	5	4

**Reason for Filing and Tariff Changes**

On December 30, 2016, the Company filed amendments to its Gas Tariff (“December Compliance Filing”) in compliance with the Commission’s Order Adopting New Communication Protocols (the “Order”), issued and effective December 16, 2016 in the above referenced case, which directed that changes be made by all local distribution companies (“LDC”) to the provisions for interruptible service contained in the LDC tariffs and Gas Transportation and Operations Manual (“GTOP”) to ensure safe and reliable service for all customers at times of peak demand.

The Order proposed changes in the following areas: (1) the required communications between the LDC and interruptible customers<sup>1</sup> prior to, during, and immediately following an interruption; (2) the filing of an annual customer affidavit attesting to compliance with the LDC tariff from all interruptible customers except those customers who have elected to cease using natural gas when directed in lieu of maintaining an alternate fuel inventory (“Shut Down customer”); (3) the inclusion of certain information in the annual customer affidavit; and (4) an additional unannounced interruption test at the end of January of every year.

In the December Compliance Filing, the Company revised Service Classification (“SC”) Nos. 9 and 12 to: (1) explicitly state that any interruptible customer will be required to submit the affidavit contained in the GTOP by October 1 of each year; (2) indicate that there may be more than one planned interruption test each year; and (3) revise the one time waiver of certain penalties contained in SC Nos. 9 and 12 of the Gas Tariff for a customer’s failure to interrupt due to documented equipment failures. These Gas Tariff changes became effective January 1, 2017.

Changes were also filed to the Company’s GTOP on December 30, 2016, amending the existing affidavit for customer information and outlining the required communications between the Company and its interruptible customers prior to, during, and immediately following an interruption. After discussions with the Department of Public Service Staff (“Staff”), it was requested that the Company add language to the Gas Tariff stating that these required communications protocol and affidavit requirements could be found in the GTOP. In this filing, the Company is revising SC Nos. 9 and 12 of the Gas Tariff to include the language that, effective January 1, 2017, the daily communications protocol and customer affidavit requirements as established in the Order were implemented by the Company and are further described in the GTOP.

### **Withdrawal of Request for Clarification**

In the December Compliance Filing, the Company requested that the Commission clarify that the Order was not intended to modify existing utility waivers related to documented equipment failures but, rather, that the Commission simply directed utilities to extend existing waivers to planned interruptions. After discussions with Staff, it has been confirmed the Gas Tariff changes made in the December Compliance Filing properly reflect the opportunity for a second waiver of certain penalties for failing to interrupt during any second planned interruption test due to documented equipment failures (i.e., the waiver will apply to the two-violation rule and Charge for Inoperable Alternate Fuel/Energy Facilities or Inadequate Fuel Reserves, but the waiver will not apply to the Charge for Unauthorized Use of Gas). Therefore, the Company withdraws its previous request for clarification.

---

<sup>1</sup> In the Order, the Commission refers to interruptible customers as “demand response customers.”

**Conclusion and Notice**

Ordering Clause 2 of the Order directed utilities to file, on not less than one days' notice. Therefore the Company is filing these tariff changes to be issued on February 22, 2017, and effective on February 23, 2017 on a temporary basis.

The newspaper publication requirements of §66(12)(b) of the Public Service Law are waived pursuant to Ordering Clause 3 of the Order.

Please direct any questions regarding this filing to Margie Lenz at (212) 460-2217.

Sincerely,

William A. Atzl, Jr.  
Director  
Rate Engineering Department