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September 28, 2007

Hon. Jaclyn A. Brilling
Secretary
State of New York
Public Service Commission
Three Empire State Plaza
Albany, N.Y. 12223-1350

RE: Case Number 06-G-1332

Dear Secretary Brilling:

Consolidated Edison Company of New York, Inc. ("Con Edison" or the "Company") is filing today with the Public Service Commission ("the Commission") amendments to its Schedule for Gas Service ("the Schedule"), PSC No. 9 - Gas. The changes to the Schedule are set forth in the attached tariff leaves and Statements, which bear an effective date of October 1, 2007 and a notation that the leaves and Statements are issued in compliance with the Commission's Order dated September 25, 2007 ("September 2007 Order") in the subject case. [1] A list of the revised tariff leaves is set forth on Appendix A. Supplement No. 35 to the Schedule, canceling, as of October 1, 2007, the tariff leaves filed on November 2, 2006, and the related supplements that postponed the effective date of such leaves, has been filed on September 27, 2007 under separate cover.

<u>Reasons for the Proposed Changes</u>

On November 2, 2006, the Company submitted a filing to the Commission proposing rate and other tariff changes to become effective December 2, 2006, in Case 06-G-1332, with the expectation that such leaves would become effective at the conclusion of the Company's current gas rate plan, October 1, 2007. On June 1, 2007, the Company, the Department of Public Service Staff, the City of New York, and other parties submitted a Joint Proposal ("Joint Proposal") to the Commission proposing a three-year gas plan commencing October 1, 2007.

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[1] Case 06-G-1332, *Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Gas Service*, Order Adopting In Part the Terms of a Joint Proposal, issued and effective September 25, 2007.

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The tariff amendments being filed herewith are in compliance with the Commission's September 2007 Order. The September 2007 Order implements a comprehensive three-year rate plan ("Gas Rate Plan") for Con Edison's gas service covering the period from October 1, 2007 through September 30, 2010. The Gas Rate Plan is designed to balance the customers' preference for rate predictability with the Company's need for rate relief to cover increased expenses and to provide for investment in the Company's gas infrastructure. The Gas Rate Plan also promotes the continued development of competitive gas supply, provides for an energy efficiency program and a revenue decoupling mechanism, and provides rate relief to low-income customers.

Summary of Proposed Changes

The rates reflected on the attached tariff leaves have been designed to produce an increase in delivery revenues of approximately $36.3 million (including gross receipt taxes) in the first Rate Year ("RY1"), commencing October 1, 2007, based on the estimated level of firm delivery volumes for the twelve months ended September 30, 2008. In addition, the Company will recover an estimated $17.2 million of uncollectibles and gas in storage working capital associated with the Merchant Function Charge ("MFC") and the Monthly Rate Adjustment ("MRA"), and $14 million in energy efficiency program costs. The last increase in gas delivery rates was in October 2004.

The attached tariff leaves reflect the following:

Rate Design

1. Allocation of Increased Revenue Requirement

In accordance with the September 2007 Order, the RY1 revenue increase of $36,277,000, less gross receipt taxes of $787,859, was allocated to the Company's firm sales and firm transportation Customers in Service Classification Nos. ("SC") 1, 2, 3, 9 and 13 in the following manner:

- Revenue deficiencies and surpluses (as shown in Appendix D, Table 3 of the Joint Proposal) were used to realign Rate Year revenue at current rate levels for SC1, SC2 Heating and SC2 Non Heating;
- The overall average percentage increase was applied to the realigned revenue for all classes;
- The total rate increase for each class was determined by adding the rate increase for each class to each class's deficiency or surplus; and
- The total rate increase for each class was then reduced by the unbundled competitive service costs including billing and payment processing charges, competitive supply-related charges, and competitive collections/theft related charges shown in Appendix D, Table 2 of the Joint Proposal, in order to determine the increase applicable to delivery rates.

The overall average percentage increase for Rate Year 1 was determined by dividing the Rate Year 1 delivery revenue increase by the total Rate Year delivery revenues at current rates.

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2. Proposed Delivery Rate Design within the Firm Classes

The gas rates for RY1 were designed as follows:

- The minimum charges (the charge for the first 3 therms or less) for SCs 1, 2 and 3 and for the corresponding SC9 rates for RY1 were increased to better reflect the Company's cost to provide service. The SC 13 minimum charge and the corresponding SC 9 minimum charge, which collect minimum charges over seven months as opposed to twelve months, were increased accordingly.
- The remaining SC 1 rate block (for usage over 3 therms per month) was designed to collect the balance of the revenue increase assigned to SC 1 after accounting for the increased revenues to be collected through the minimum charge.
- The remaining rate blocks within SC 3 were increased by an equal cents per therm in order to collect the remaining SC3 class revenue increase after deducting the increase in annual revenues resulting from the changes to the Minimum Charge and the air-conditioning rates (as explained below).
- The remaining blocks for SC2 Heating and Non Heating were not increased for RY1.
- All of the increased revenue to be collected for SC 13 for RY1 was designed to be collected through the SC 13 Minimum Charge. The block rates for SC 13 remain unchanged. The SC 2 and 3 air-conditioning rates were set equal to the block rates in SC 13, and so also remain unchanged.
- Riders G and I incentive rates, for usage up to 250 therms per month, were set equal to the SC 2 rates. The delivery rates for usage in excess of 3,000 therms per month ("terminal rate") were set at 50% of the corresponding SC 2 delivery rates. To maintain the existing rate differential between the SC 2 penultimate and terminal rates, the Riders G and I delivery rates for usage between 250-3,000 therms ("penultimate rate") were set at the increased terminal rates plus the difference between the proposed SC 2 penultimate rate and the SC 2 terminal rate. The Riders G and I block rates were not increased since these rates are tied to the SC 2 Heating and Non Heating rates, which were not increased.
- The Rider H and J Distributed Generation rates were increased by the average rate increase for RY1.
- No increases were allocated to SC 14 or to bypass Customers taking firm service under contract rates.

Appendix B shows by service classification, the annualized service class revenues for the twelve months ended December 31, 2005 at October 1, 2004 rates, the corresponding annualized service class revenues at the October 1, 2007 rates, the total increase in annual service class revenues and the associated number of customers' bills.

3. Low Income Rate Provision

The low income rate provision, applicable to low-income residential customers, served under SC1 and SC3 or under the equivalent SC9 rates who are receiving benefits under certain governmental assistance programs,[2] or who received a Home Energy Assistance Program grant

[2] Supplemental Security Income, Temporary Assistance to Needy Persons, Safety Net Assistance, Medicaid, or Food Stamps.

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and participate in the low income rate program, has been modified to recover average annual rate reductions of $1.6 million through a reduction of $0.2029 off the delivery rate for monthly usage in excess of 3 therms for an eligible SC 1 customer, and for monthly usage between 4 and 90 therms for an eligible SC 3 customer. In addition, SC3 customers will pay the same minimum charge for the first 3 therms as SC1 customers and the full delivery rate for usage occurring in the remaining therm usage blocks contained in SC3. The rate reduction may be reset in RY3 if the aggregate actual rate reductions are expected to exceed $6.0 million or to be less than $5.0 million over the three rate years. If the Company revises such rates in RY3, the rate reduction established for RY3 shall not be increased or decreased by more than 25%. At the end of RY3, any difference remaining between $5.0 million and the aggregate actual level of low income reductions provided over the three Rate Years shall be credited or surcharged to firm customers as an adjustment to the Monthly Rate Adjustment over a twelve-month period, commencing October 1, 2010.

Unbundling Changes

1. Merchant Function Charge

Changes have been made to the tariff provisions applicable to firm full service customers (i.e., SCs 1, 2, 3 and 13) and to firm full service customers taking service under Riders G, H, I and J, to implement a Merchant Function Charge ("MFC"). The MFC consists of four components as follows:

a. Supply-Related Component
b. Supply-related Credit and Collections/Theft Component ("C&C Component")
c. Uncollectible Accounts Expense associated with supply ("UBs")
d. Gas in Storage Working Capital

For the Supply-Related Component and the C&C Component of the MFC, separate unit costs will be set for residential and non-residential classes.[3] For the UB Component of the MFC, the charge will be based upon actual supply costs for each month as shown in the Company's Gas Cost Factor ("GCF") and will be updated monthly. Separate UB factors will be calculated for each class by applying uncollectible percentages of 0.8053% for residential customers and 0.3466% for non-residential customers to each of the three GCF monthly factors and will reflect an overall UB rate of 0.543%. A separate UB component will be applicable to the Monthly Rate Adjustments ("MRA") applicable to Firm Sales and Firm Transportation customers and will be updated monthly and included in the MRA. The UBs applicable to the MRA will reflect an overall UB rate of 0.543%.

The Gas in Storage Working Capital Component will be allocated between firm full service customers (through the MFC) and all firm customers (through the MRA). For RY1, the allocation between full service customers and all customers will be such that the volumetric rate for full service customers will be twice the rate applicable to all customers. Thus for RY1 the

[3] Supply-related credit and collections costs attributable to customers receiving a utility consolidated bill will be collected from ESCOs through the POR discount rate rather than through the MFC.

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Gas in Storage Working Capital component of the MFC is $0.8450¢/therm and the rate applicable to the MRA is 0.4225¢/therm.

At the end of RY1, the Supply-Related component and the C&C Component of the MFC will be trued up to the rate design targets shown in Appendix D, Table 2 of the Joint Proposal. The Gas in Storage Working Capital component will be trued-up to actual costs. Any differences resulting from the true-ups will be included in the calculation of these components for RY2. The UB rates for residential and non-residential customers will be updated annually, prior to each Rate Year, to reflect the overall UB rate of 0.543%.

2. Billing and Payment Processing Charge

Changes have been made to the General Information section of the Tariff to include provisions for an unbundled Billing and Payment Processing ("BPP") Charge. The BPP rate for a single service gas customer is either $0.94 or no charge and the rate for a dual service gas customer is either $0.47 or no charge. For bills that include periods before and on and after October 1, 2007, the BPP charge to customers and any credit due to customers will prorated accordingly. Appendix D, Table 4 of the Joint Proposal lays out the charges for a single service or dual service gas customer as well as the charges to be paid by a gas ESCO.

3. Transition Adjustment for Competitive Services

The Transition Adjustment for Competitive Services has been modified to include a reconciliation of (1) actual revenues received from the C&C component of the POR discount rate with the amount of such charge actually included in the discount rate, and (2) the lost revenue attributed to BPP charges associated with customers migrating to retail access and billed for their gas use through an ESCO consolidated bill. For RY1, the reconciliation of the C&C component will be based on the rate design targets for RY1, shown in Appendix D, Table 4 of the Joint Proposal.

Revenue Decoupling Mechanism Adjustment

For RY1, the General Information Section of the Tariff was amended to include a partial reconciliation of pure base revenue through a Revenue Decoupling Mechanism ("RDM") Adjustment. The RDM Adjustment will be applicable to firm full service and firm transportation customers served under SCs 2, 3 and 9 (who would otherwise have taken service under SC 2 or 3), but will exclude customers served under Riders G, H, I and J as well as low income customers and customers receiving a firm by-pass rate. The RDM Adjustment will reconcile actual and allowed pure base revenue as described below.

There will be four groupings of RPC measurements: SC2 Heating, SC2 Non Heating, SC3 with 1-4 dwelling units, and SC3 with more than 4 dwelling units. The RDM Adjustment for each grouping will be calculated as the difference between Actual Pure Base Revenues and Allowed Pure Base Revenues, where Actual Pure Base Revenues are the total of 12 months of RY1 pure base revenues billed for each grouping and Allowed Pure Base Revenues are the RY1

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pure base revenue targets, as shown in attached Appendix C, times the actual number of customers for that grouping for RY1.

The RDM Adjustments will be a cents per therm refund or surcharge. Each customer grouping will have a separate RDM Adjustment. The RDM Adjustment for each grouping will become effective in the second calendar month following the end of the Rate Year for which the RDM Adjustment is calculated, and will be recovered through a separate adjustment not to exceed eleven months, with one exception. Should the projected reconciliation for the combined RPC groupings equal or exceed $10 million at any time prior to the end of RY1, the Company will implement interim RPC Adjustments for each grouping. All RDM Adjustments will be subject to reconciliation at the end of each reconciliation period.

RDM Adjustments by grouping will be shown on the Statement of Revenue Decoupling Mechanism Adjustment. The Statement will be filed with the Commission whenever RDM Adjustments are established or changed, no later than the second work day prior to the date on which the RDM Adjustments are to take effect.

Other Tariff Changes

The Company has made the following additional tariff changes in compliance with the Order:

1. Gas Cost Factor: The pertinent section of the tariff describing the Factor of Adjustment Ratio for line losses that will be used in computing the Gas Cost Factor ("GCF") has been revised. Specifically, for RY1, the line loss factor ("LLF") will be calculated based on the Company's three-year average actual line losses for the three year period ended August 31, 2007. For RY2 and RY3, the LLF will be calculated based on the Company's three-year average actual line losses for the three year periods ended August 31, 2008 and August 31, 2009, respectively.

2. Disposition of Non-Firm Revenues: Provisions related to the disposition of Non-Firm Revenues have been revised in accordance with the Order. Specifically, Non-Firm Revenues will no longer include (i) capacity release revenues applicable to capacity releases to firm customers and/or ESCOs serving firm customers under the Company's capacity release program that became effective November 1, 2001 and any amended, extended, or superseding programs ("Capacity Release Service Program"), and (ii) the demand charges recovered through the Winter Bundled Sales Service ("WBSS"). In addition, for each rate year commencing October 1, 2007, and for each rate year thereafter, the Company will continue to retain the first $35 million of Non-Firm Revenues. Non-Firm Revenues above $35 million will be allocated for the benefit of firm customers as follows: (i) 80% of the amount in excess of $35 million up to $50 million; and (ii) 75% of the amount in excess of $50 million. If Non-Firm Revenues for any Rate Year are less than $35 million, the Company will defer for future recovery the amount by which Non-Firm Revenues are less than $35 million.

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3. Monthly Rate Adjustment ("MRA"): Provisions related to the computation of the MRA applicable to SCs 1, 2, 3 and 13 Customers and corresponding SC 9 firm transportation Customers have been amended to provide for the following:

    a. The Gas Efficiency Surcharge applied to the MRA is being revised in RY1 to recover quarterly payments to NYSERDA for program costs, not to exceed $14 million in total. The Company shall recover these payments during the three month period following each payment, and shall reconcile recoveries to payments at the end of each recovery period. In addition, the Company is entitled to recover, through the MRA, payments made to NYSERDA under the Transitional Program Order (Case 03-G-1671, Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. For Gas Service Order Establishing Gas Efficiency Program for 2007-2008 Heating Season, issued and effective May 16, 2007) as well as lost revenues from the Transitional Program to the extent not recovered through the RDM.
    b. The Transition Adjustment for Competitive Services component of the MRA has been amended to include a reconciliation of the C&C component of the POR discount rate and a recovery of lost revenue attributable to certain BPP charges associated with an ESCO consolidated bill, as further explained under the "Unbundling Changes" section above.
    c. Gas in Storage Working Capital costs applicable to all firm customers will be recovered through the MRA, as explained in the Merchant Function Charge section above. For RY1, as shown on the enclosed statements (i.e., for firm full service customers, the Statement of Monthly Rate Adjustment, and for firm transportation customers, the monthly rate adjustment included in the Statement of Rate for Service Classification No. 9), the Gas in Storage Working Capital surcharge is 0.4225 cent per therm.
    d. The Uncollectible Accounts Expense ("UB") factor related to the MRA will be calculated monthly and included in the MRA (see discussion in the Merchant Function Charge section above).
    e. The Company will recover $1.47 million each Rate Year for incentives associated with the Company's Oil Heating to Gas Heating Conversion Incentive Program, through a surcharge to the MRA

4. Gas Manufacturing Incentive Rate: The provisions of Rider I, the Gas Manufacturing Incentive Rate ("MIR") have been modified to (i) enable any existing Con Edison gas manufacturing customer to take advantage of the MIR rate if they increase manufacturing process usage by 25% per month for three consecutive months and submit to a NYSERDA energy audit under the Energy Audit Program/Flex Tech, and (ii) to extend availability under the Company program to existing buildings that qualify for NYC or Westchester County matching benefits, submit to a NYSERDA energy audit, and provide evidence of private sector job creation/retention and capital investment, under separate City and County programs. The Company program will be

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available for up to 2 million therms in total, and the City and County programs will be available for 2.5 million therms and 0.5 million therms, respectively. Funding will continue to be done by means of $3 million previously set aside under the program previously in effect.

5. The definition of pure base revenue included in the Weather Normalization Adjustment ("WNA"), in General Information Section IX has been revised to include MFC revenue, BPP charge revenue, and the RDM adjustment as a subtraction from total revenue. In addition, the 2.2% deadband around the existing WNA is eliminated.

6. Certain adjustments in the MRA, such as the CRCC surcharge and the Property Tax Reconciliation surcharge from the existing rate agreement will continue to account for uncollected or refundable amounts from the third rate year of the gas rate plan in effect through September 30, 2007.

7. A reconnection charge has been added to the General Information Section III for reestablishment of gas service to a customer whose service was discontinued for non-payment of a deposit or for any rates and charges billed. The fee will be $65 for SC1 and low income customers and $245 for all other customers.

8. Riders E (Area Development Rate) and F (Business Incentive Rate) were discontinued and were removed from the Tariff.

9. In accordance with the Gas Rate Plan, provisions were added to SC20 to provide for a dispute resolution procedure. The procedure lays out the ESCO's responsibilities when a customer makes a claim for an amount billed by Con Edison for ESCO charges under the POR program. It establishes a charge to the ESCO by the Company if the ESCO has not complied with the procedure.

10. The Company is filing minor housekeeping changes to certain tariff leaves, including tariff language modifications to Rider I tariff leaves as agreed to in the Joint Proposal.

Enclosed with this filing is a Statement of Merchant Function Charge, a revised Statement of Monthly Rate Adjustment applicable to firm full service customers, and a revised Statement of Rate for Service Classification No. 9, which includes a revised monthly rate adjustment applicable to firm transportation customers.

Conclusion

Pursuant to Ordering Clause No. 3 of the September 25, 2007 Order, the Company has filed the tariff changes to take effect on a temporary basis on October 1, 2007. Publication of notice of these changes will be completed after October 1, 2007.

As directed in Ordering Clause No. 2, the Company is to cancel the tariff leaves submitted by the Company in November 2006 and related supplements. Accordingly, Supplement No. 35 to P.S.C. No. 9 – Gas, was issued on September 27, 2007, canceling the tariff leaves issued on November 15, 2006, and Supplement Nos. 30 and 31.

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The Company is serving copies of this filing upon all parties to this proceeding.

Respectfully submitted,
Consolidated Edison Company of New York, Inc.

By: ___________________________
Christine Colletti
Director, Rate Engineering Department

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PSC NO. 9 – GAS

Leaf 4 – Revision 4
Superseding Revision 2

Leaf 5 – Revision 9
Superseding Revision 4

Leaf 6 – Revision 1
Superseding Revision 0

Leaf 76 – Revision 4
Superseding Revision 1

Leaf 76.1 – Revision 2
Superseding Revision

Leaf 126 – Revision 2
Superseding Revision 0

Leaf 127 – Revision 2
Superseding Revision 0

Leaf 128 – Revision 2
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Leaf 131 – Revision 2
Superseding Revision 0

Leaf 132 – Revision 8
Superseding Revision 6

Leaf 133 – Revision 2
Superseding Revision 0

Leaf 134 – Revision 2
Superseding Revision 0

Leaf 135 – Revision 2
Superseding Revision 0

Leaf 136 – Revision 2
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Leaf 137 – Revision 2
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Leaf 144 – Revision 2
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Leaf 146 – Revision 8
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Leaf 147 – Revision 2
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Leaf 152 – Revision 8
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Leaf 154.6 – Revision 3
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Leaf 154.7 – Revision 3
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Leaf 154.8 – Revision 3
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Leaf 154.15 – Revision 2
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Leaf 154.16 – Revision 1
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Leaf 154.17 – Revision 2
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Leaf 183.3 – Revision 3
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Leaf 228 – Revision 9
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Leaf 229 – Revision 1
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Leaf 269 – Revision 9
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Leaf 303.1 – Revision 4
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Leaf 316.4 – Revision 3
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Leaf 341.3 – Revision 3
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Leaf 390 – Revision 7
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Leaf 390.1 – Revision 1
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Leaf 390.4 – Revision 1
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Leaf 390.5 – Revision 1
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Leaf 397.2 – Revision 7
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Appendix B

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Estimated Effect on Gas Customers' Bills and Company Revenues Resulting from the Change in Gas Delivery Rates Effective October 1, 2007
Based on Sales for the Twelve Months Ended September 30, 2008 for Service Classification Nos. 1, 2, 3, 13 and 14
and the Corresponding SC 9 Firm Transportation Sub-classes

Firm Service Classification (Sales and Transportation)	Proposed Annual Therms	Annual Revenues at Modified 10/01/04 Rates	Annual Revenues at Proposed Rates (b) (d)	Estimated Annual Revenue Increase (c)	Percent Change	Number of Customers' Bills: Increased	Unchanged	Decreased
1 - Residential & Religious	47,871,636	$ 173,232,681.38	$ 186,208,175.46	$ 12,975,494.08	7.49%	8,361,920	-	-
2 - General - Rate I - Non-Heating (a)	200,346,419	$ 254,207,663.95	$ 259,056,770.33	$ 4,849,106.38	1.91%	724,500		
2 - General - Rate II - Heating (a)	294,237,549	$ 466,471,916.61	$ 474,178,127.61	$ 7,706,211.00	1.65%	731,390	-	-
2 - Total	494,583,968	$ 720,679,580.56	$ 733,234,897.94	$ 12,555,317.38	1.74%	9,817,810	-	-
3 - Residential & Religious - Heating (a)	605,209,051	$ 1,027,426,141.98	$ 1,054,410,575.80	$ 26,984,433.82	2.63%	3,088,239	-	-
13 - Seasonal Off Peak Firm Service	710,000	$ 965,414.58	$ 989,650.95	$ 24,236.37	2.51%	5,851	-	-
14 - Natural Gas Vehicles	120,000	$ 221,007.96	$ 221,007.96	$ -	0.00%	-	480	-
Total Firm Sales & Firm Transportation	1,148,494,655	$ 1,922,524,826.46	$ 1,975,064,308.11	$ 52,539,481.65	2.73%	12,911,900	480	-

(a) Gas air-conditioning is included in SC 2 and SC 3.
(b) Annual Revenues reflect the projected gas cost factor and monthly rate adjustments and projected gross receipt taxes.
(c) Based on projected firm sales and transportation volumes for the Rate Year Ended September 30, 2008
(d) Annual Revenues include gas supply costs for transportation customers equivalent to what these customers would have paid as full service customers.

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Appendix C

Consolidated Edison Company of New York, Inc.

Revenue Per Customer (RPC) Factors

Rate Year 1 (October 1, 2007 to September 30, 2008)

Customer Groups	Rate Year Pure Base Revenue	Rate Year Total Number of Bills	Average Number of Customers	RPC Factors *
	1	2	3	4
			Col (2) / 12	Col (1) / Col (3)
SC 2 Heat	$ 111,138,278	730,228	60,852	$ 1,826.37
SC 2 Non-Heat	$ 66,934,328	724,355	60,363	$ 1,108.86
SC 3 (1 - 4 DU's)	$ 190,244,222	2,835,987	236,332	$ 804.99
SC 3 (> 4 DU's)	$ 97,237,452	172,461	14,372	$ 6,765.76

DU's = Number of Dwelling Units