

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
4 Irving Place
New York, NY 10003

September 18, 2007

Hon. Jaclyn A. Brillling
Secretary
State of New York
Public Service Commission
Three Empire State Plaza
Albany, NY 12223

Re: Case 03-G-1671

Dear Secretary Brillling:

Consolidated Edison Company of New York, Inc. ("Con Edison" or the "Company") is filing with the Public Service Commission ("Commission") Supplement No. 34 to its Schedule for Gas Service, PSC No. 9 – Gas ("Gas Tariff").

On April 1, 2005, in compliance with the Commission's Order dated September 27, 2004 in the above-referenced proceeding,¹ the Company filed with the Commission amendments to its Gas Tariff in order to implement a marketer assignment program ("April Filing"). The specific leaves being revised bore an effective date of August 1, 2005.

Subsequent to the April Filing, the Company (at the request of Staff) issued Supplement Nos. 24, 25, 29, 32 and 33, postponing the effective date of the tariff leaves to April 1, 2006, November 1, 2006, August 1, 2007, September 1, 2007 and April 1, 2008, respectively.

By order dated August 30, 2007, in Case 07-G-0299 (the "Order"), the Commission directed the Company and the other New York gas companies to implement, on November 1, 2007, a mandatory capacity release program.² The Company discussed with Staff the status of the Company's marketer assignment program filing in light of the Order, which is based in part on the inability to establish workable marketer assignment programs. Moreover, since all gas marketers serving firm transportation customers under the Company's gas retail access program

¹ 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 Adopting the Terms of a Joint Proposal (issued and effective September 27, 2004).

² The Order directs that the implementing tariffs be put into effect on a temporary basis until approved by the Commission.

will be taking capacity released by the Company for 100 percent of their load for the upcoming winter period (i.e., there is no marketer to which the Order's grandfathering provision will apply), a marketer assignment program on the Company's system is now a moot issue. Accordingly, Staff has advised the Company to file a supplement cancelling the marketer assignment program filing.

Accordingly, Con Edison files today Supplement No. 34 to its Gas Tariff, cancelling, effective November 1, 2007, the tariff leaves and the various supplements postponing the Company's marketer assignment program.³ The Company respectfully requests that the requirement for newspaper publication of the change proposed by the supplement be waived.

Please direct any questions pertaining to this filing to Alan Schain at (212) 460-6826.

Respectfully submitted,

Christine Colletti
Director
Rate Engineering

³ Orange and Rockland is also filing a supplement to cancel their January 2004 gas reliability filing that is postponed to April 1, 2008.