



Orange and Rockland Utilities, Inc.  
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June 29, 2005

Honorable Jaclyn A. Brilling,  
Secretary  
New York State Public Service Commission  
Three Empire State Plaza  
Albany, NY 12223-1350

RE: Case 02-G-1553

Dear Secretary Brilling:

Orange and Rockland Utilities, Inc. ("O&R" or "the Company") is filing electronically today with the Public Service Commission ("the Commission") Supplement No. 38 to its Schedule for Gas Service, PSC No. 4 – Gas ("Gas Tariff").

On January 23, 2004, the Company filed with the Commission proposed tariff leaves to provide the Company with the right to use or acquire firm, non-recallable, primary delivery point capacity obtained by marketers from third parties in a manner that would enable the Company to rely on such capacity for reliability purposes. The implementing tariffs were filed to become effective May 1, 2004.

By orders dated March 31, 2004, May 7, 2004, June 4, 2004, July 28, 2004, and August 10, 2004, the Commission postponed the effective date of the filing to June 1, 2004, July 1, 2004, August 1, 2004, and August 1, 2005.

Staff and the Company have now agreed to postpone the filing until April 1, 2006, in order to allow the Company, Staff, marketers, gas pipelines and other interested parties time to further explore the parameters of a marketer assignment program<sup>1</sup>.

Accordingly, the Company files today Supplement No. 38 to its Gas Tariff postponing until April 1, 2006 the tariff leaves filed on January 23, 2004. 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 me at (212) 460-3308.

Respectfully submitted,

William A. Atzl, Jr.  
Director – O&R Rates

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<sup>1</sup> Consolidated Edison Company of New York, Inc. also has filed to postpone to April 1, 2006 the marketer assignment program filed with the Commission on April 1, 2005.