

**CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.**  
**4 Irving Place**  
**New York, N.Y. 10003**

February 2, 2004

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

**Re: Case No. 98-M-1343, 99-M-0631 and 03-M-0017**

Dear Secretary Brillling:

Consolidated Edison Company of New York, Inc. ("Con Edison" or the "Company") is filing today with the Public Service Commission (the "Commission") amendments to Service Classification No. 9 of the Company's Schedule for Gas Service, P.S.C. No. 9 – Gas.<sup>1</sup>

The tariff amendments are reflected on the attached Second Revised Leaf No. 315.1. Such tariff leaf is issued as of February 2, 2004 and has an effective date of February 3, 2004.

**Reason for Filing**

This filing is being made pursuant to the Commission's Order on Petitions for Rehearing and Clarification (the "December 5 Order"), issued and effective December 5, 2003, and the Order Granting Extensions and Denying Petitions in Part (the "December 19 Order"), issued and effective December 19, 2003, in Case Nos. 98-M-1343, 99-M-0631, and 03-M-0117, concerning retail access business rules, customer billing arrangements, and implementation of Chapter 686 of the Laws of 2002. Ordering Clause 1 of the December 19 Order directed each utility to file tariff revisions incorporating the Commission's requirements relating to proration of payments made toward consolidated bills, with such filing to take effect on February 3, 2004.<sup>2</sup>

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<sup>1</sup> A separate filing is being made to make changes to the Company's Schedule for Electric Retail Access, P.S.C. No. 2 – Retail Access, effective February 3, 2004.

<sup>2</sup> An additional filing will be made, on no less than one day's notice, to take effect on February 19, 2004, as required by Ordering Clause 2 of the December 19 Order. That Ordering Clause directs each utility to file further revisions to its tariffs and operating procedures as necessary incorporating the Uniform Business Practices as adopted by the Commission's Order Adopting Revised Uniform Business Practices dated

### **Tariff Change**

The following text was added to Miscellaneous Provision (C)(5) – “Consolidated Billing” of Service Classification No. 9 stating the following:

For Consolidated Bills issued on or after February 3, 2004, Customer payments shall be allocated and prorated in accordance with the Uniform Business Practices adopted by the Public Service Commission in Case 98-M-1343, as may be amended from time to time, the Home Energy Fair Practices Act (Public Service Law, Article 2) and applicable orders of the Commission.

Other minor editorial changes were also made to this Miscellaneous Provision to clarify the definition of a Consolidated Bill.

### **Conclusion and Notice**

In compliance with Ordering Clause 1 of the December 19 Order, tariff changes are filed to become effective, on a temporary basis, on February 3, 2004. Ordering Clause 4 of the December 5 Order waived newspaper publication. A copy of this filing will be mailed by regular mail to all parties to Case Nos. 98-M-1343, 99-M-0631 and 03-M-0017.

Sincerely,

Joel H. Charkow  
Director  
Rate Engineering

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November 21, 2003, and as further amended by the December 5 Order, and making any changes necessary to implement the December 5 Order.