



Consolidated Edison Company of NY, Inc.  
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June 30, 2009

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

Re: Case 09-M-0311 - Temporary Annual Assessment Pursuant to Public Service Law §18-a(6)

Dear Secretary Brillig:

Consolidated Edison Company of New York, Inc. ("Con Edison" or the "Company") hereby submits for filing revisions to its Schedule for Gas Service, P.S.C. No. 9 – GAS (the "Gas Tariff"). The changes to the Gas Tariff are set forth in the attached tariff leaves and statement which bear an effective date of July 1, 2009. A list of the revised tariff leaves and statement is set forth in Appendix A.

#### Reason for Filing

This filing is being made pursuant to the Commission's Order Implementing Temporary State Assessment (the "Order"), issued June 19, 2009, in Case 09-M-0311, "Implementation of Chapter 59 of the Laws of 2009 Establishing a Temporary Annual Assessment Pursuant to Public Service Law §18-a(6)." Pursuant to the Order, any Public Service Law §18-a amounts required to be collected above the amount in base rates for each State Fiscal Year (April through March) commencing Fiscal Year 2009-2010 are to be collected through a surcharge over 12 months (July through June) and shall include an adjustment for uncollectible expenses and working capital costs. Public Service Law §18-a amounts to be recovered are to be reconciled with actual amounts recovered, and any difference is to be reflected in a subsequent annual surcharge.

#### Tariff Changes

The tariff leaves filed herewith add a new provision entitled, "Temporary State Assessment Surcharge ("TSAS") Under Section 18-a of the Public Service Law" to General Information Section IX and Service Classification Nos. 9 and 12. The surcharge amount for each State Fiscal Year and the associated allocation to each customer class is based on class revenues (including estimated supply charges for retail access classes) inclusive of gross receipts taxes. Surcharge amounts will be collected from firm, interruptible and off-peak firm customers per therm of gas delivered.

In addition, changes to reflect the Temporary State Assessment Surcharge have been made in the Table of Contents and in the individual service classifications that will be assessed the new surcharge.

The Statement filed herewith reflects the unit amounts to be collected per service classification over the 12 months commencing July 1, 2009.

Honorable Jaclyn A. Brillig  
June 30, 2009  
Page 2

Housekeeping Changes

A housekeeping change is being made to Leaf 183, to change the SBC referred to at the top of the leaf from adjustment "18." to adjustment "16" and on Leaf 303.1 to add quotations and align paragraphs. In addition, housekeeping changes are being made to Leaves 171, 235, and 243 to add the System Benefits Charge, inadvertently omitted from several tariff provisions.

Notices

As directed by Ordering Clause 1 of the Order, the tariff amendment and Statement are being filed within ten business days of that Order's issuance, to become effective on July 1, 2009. (As directed by Ordering Clause 2 of the Order, future tariff statements are to be filed on 15 days' notice.) Pursuant to Ordering Clause 3 of the Order, Commission has waived the requirement for newspaper publication.

Questions regarding this filing may be directed to me at (212) 460-3325.

Very truly yours,

Christine Colletti  
Director – Rate Engineering

Enclosure

**PSC NO. 9 – GAS**

Appendix A  
Page 1 of 2

Leaf 5 – Revision 12  
Superseding Revision 11

Leaf 154.7 – Revision 5  
Superseding Revision 4

Leaf 154.9 – Revision 7  
Superseding Revision 6

Leaf 154.18 – Revision 7  
Superseding Revision 6

Leaf 154.24 – Revision 7  
Superseding Revision 6

Leaf 154.27 – Revision 5  
Superseding Revision 4

Leaf 167.1 – Revision 4  
Superseding Revision 3

Leaf 171 – Revision 4  
Superseding Revision 3

Leaf 183 – Revision 7  
Superseding Revision 6

Leaf 228 – Revision 13  
Superseding Revision 12

Leaf 231 – Revision 13  
Superseding Revision 12

Leaf 235 – Revision 5  
Superseding Revision 4

Leaf 240 – Revision 13  
Superseding Revision 12

Leaf 243 – Revision 7  
Superseding Revision 6

Leaf 255 – Revision 15  
Superseding Revision 14

Leaf 303.1 – Revision 6  
Superseding Revision 5

Leaf 303.2 – Revision 8  
Superseding Revision 7

Leaf 338 – Revision 3  
Superseding Revision 2

Leaf 339 – Revision 5  
Superseding Revision 4

Leaf 340 – Revision 2  
Superseding Revision 1

Leaf 349 – Revision 12  
Superseding Revision 11