

Orange and Rockland Utilities, Inc.
Case 07-E-0949
ALJ Questions Regarding Joint Proposal

48. At the first round of hearings (Tr. 82-84), I asked a Mr. Atzl a series of questions about whether any existing tariff language needs to be changed or clarified, even though the Company had not proposed such changes. What were the results of the Company's review of my questions?

Response:

The Company has reviewed ALJ Lynch's questions. The disposition of each is set forth below.

1. On Leaf 15D, General Information Section No. 7.C.(4)(c), last sentence, the word "application" will be changed to "applicable".
2. On Leaf 21, General Information Section No. 10.H.(1), the words "that shall be not" will be changed to "there shall be no".
3. On Leaf 32, under "Off-Roadway Luminaires", "46,500" will be changed to "46,000".
4. On Leaf 32A, Section 2(B), the word "complete" will be changed to "completely".

All of these changes will be made in the Company's compliance filing in this proceeding.

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49. At Tr. 1012, it was stated that O&R customers contributed \$32 million toward the cost of NYSERDA programs and that direct benefits to the Company's customers were on the order of \$13 million. Are these figures correct and are there any other pertinent facts that should be accounted for when evaluating whether the difference between those figures is reasonable?

Response:

According to information provided to the Company by NYSERDA, NYSERDA has spent less than half of the SBC funds collected from the Company's customers over the past eight years on programs within the Company's service territory, i.e., approximately \$14 million of \$32 million collected. This disparity is inherently unreasonable and the Company is not aware of any other pertinent facts which justify such disparity.