

# STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

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## PUBLIC SERVICE COMMISSION

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*Acting General Counsel*

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*Secretary*

September 8, 2008

### VIA E-MAIL

Hon. Gerald L. Lynch  
Administrative Law Judge  
NYS Department of Public Service  
Three Empire State Plaza  
Albany, New York 12223

Hon. Howard A. Jack  
Administrative Law Judge  
NYS Department of Public Service  
Three Empire State Plaza  
Albany, New York 12223

Re: Case 08-E-0539 – Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Electric Service.

Case 08-M-0618 – Petition for Approval, Pursuant to Public Service Law, Section 113(2) of a Proposed Allocation of Certain Tax Refunds Between Consolidated Edison Company of New York, Inc. and Ratepayers.

Dear Judges Lynch and Jack:

Enclosed please find both redacted and unredacted copies of the Department of Public Service Staff (Staff) testimony and exhibits in the above-referenced proceedings. With the exception of Con Edison, who is also receiving service of unredacted and redacted testimony and exhibits, the Commission's Secretary and remaining active parties are only being served with redacted versions of Staff's testimony and exhibits. Further, pursuant to the instructions in Judge Lynch's September 4, 2008 e-mail to the parties, hard copies will be provided to the Commission's Secretary, Your Honors, and to those active parties designated for such service.

Sincerely yours,

STEVEN J. KRAMER

Staff Counsel

DAVID R. VAN ORT

Staff Counsel