

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

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Proceeding on Motion of the Commission :
To Examine the Safety of Consolidated : Case 04-M-0159
Edison Company of New York, Inc.'s :
Electric Transmission and :
Distribution Systems. :
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**COMMENTS OF
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
IN RESPONSE TO JULY 8, 2008 NOTICE SOLICITING COMMENTS**

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Dated August 22, 2008

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I. INTRODUCTION

On July 30, 2004, the Secretary to the Public Service Commission (“Commission”) issued a “Notice Soliciting Comments” (“Notice”) stating that the Commission is interested in receiving comments on revisions to the “Electric Safety Standards” issued on January 5, 2005 in this proceeding and previously revised by Commission order issued July 21, 2005 (“Safety Standards”). The Notice outlines six topics on which the Commission seeks comments and provides a draft of the Safety Standards showing proposed changes from the existing Safety Standards.

In this filing, Consolidated Edison Company of New York, Inc. (“Con Edison” or “the Company”) provides its comments on the six topics outlined in the Notice and on each of the proposed changes to the existing Safety Standards. In a separate filing, Con Edison is submitting joint comments with the other New York electric utilities.

Con Edison supports the Commission's use of electric safety and reporting standards. Over decades of operation, the safety of the public and its workers has been a fundamental objective of Con Edison's electric system specifications, work rules, and practices. The Commission's requirements for periodic testing and inspection of electric facilities reinforce the Company's commitment to the safety of the public and its workers and augment the Company's activities to promote system safety.

II. CON EDISON'S COMMENTS ON TOPICS PRESENTED IN THE NOTICE

These are Con Edison's comments on the six topics (*italicized text below*) stated in the Notice.

1) Performing mitigation efforts on any and all voltage findings greater than or equal to one volt.

Con Edison believes that mitigation should be performed only on stray voltage findings, i.e., "voltage conditions on electric facilities that should not ordinarily exist"¹ and not Voltage findings associated with normal conditions in the environment that cause differences in potential, or voltage, on surfaces. These conditions, which include induced voltages and neutral-to-earth voltages, are not harmful because the voltage does not carry significant amperage and therefore do not need to be mitigated. In these cases, despite mitigation techniques, such as the addition of multiple grounding rods or increasing the size of the cables and wiring on the electrical system, the voltage remains at the same level. Thus, these actions are not necessary for safety and may not be effective for

¹ See definition of "stray voltage" in Section 1(c) of the Safety Standards.

reducing the voltage to a level below one volt. The Commission should modify the Safety Standards to clarify that mitigation and reporting requirements pertain to stray voltage findings, and not all voltage findings.

In testing for stray voltage in the secondary network areas throughout its service area, Con Edison considers all voltage findings down to one volt to be a stray voltage finding and remediates the finding by identifying and repairing the utility facility source of the voltage.

2) In the event of a voltage finding on an electric facility, a requirement to test all metallic structures within a minimum 30 foot radius of that facility.

Upon finding stray voltage emanating from an electric facility, Con Edison tests near-by metallic structures to identify any with stray voltage. Rather than using a minimum test radius, the Company tests outward in all directions from the source to the point where structures are free of stray voltage. Thus, testing will extend in differing footages in the different directions emanating from the electric facility source to the point where stray voltage is no longer found. The tested radial distances may be more or less than 30 feet. Testing is performed with a certified hand held HD LV-S-5 detector and publicly accessible metallic structures are tested.

The proposal to test in a minimum “30” foot radius from the stray voltage source is arbitrary. The standard should promote finding energized structures rather than establish a fixed radius. To the extent that a fixed radius is deemed necessary, a 10 foot radius would reduce the potential for unnecessary and unproductive testing.

3) Implementing the proposed prioritization system for inspections, which include defined repair guidelines.

Con Edison supports the categorization by repair priority of deficiencies found during electric facility inspections. The categorization of deficiencies by priority will assist in allocating field resources appropriately among the many functions, including but certainly not limited to repairs, that must be performed to maintain safe and reliable electric service. The categorization of deficiencies by priority should recognize not only that the repair of certain deficiencies must be accorded a high priority; but also that many others deficiencies do not present safety or operational ramifications. The repair of deficiencies that do not affect safety or reliable system operation should be addressed in the larger context of work priorities related to maintaining the overall safe and reliable operation of the electric system, and an arbitrary two-year time limit for repair should not be applied to such deficiencies. The Company will present an alternative proposal in its comments in Section III below on the specific proposed repair priority levels.

4) Accurately tracking repair activities in response to inspection findings.

Con Edison generally supports the requirement for accurately tracking repair activities; however, the Company does not currently have a system in place to track the repair activities as required by the proposed changes to the Safety Standards. New reporting requirements should reflect a reasonable transition period to allow the Company an opportunity to both modify its current operational procedures and build/modify its inspection and repair management systems. Pending further evaluation,

the Company expects that the earliest it could meet this obligation would be for the repair activities conducted in 2010.

5) Changes to testing, inspection, and quality assurance practices needed to comply with the proposed changes.

As a general matter, the proposed modifications to the Safety standards will require significant changes to Con Edison's work practices and management systems that reasonably will not be implemented until at least 2010. The Company respectfully requests that changes to the Safety Standards not become effective before the stray voltage and inspection cycles that commence in 2010 so that the Company may have at least one year to implement practices and systems required for compliance.

In addition, although not included as a revision to the Safety Standards at this time, we are soliciting comments on the efficacy of utilizing mobile stray voltage testing technology (currently only used by Con Edison) on a statewide basis.

Con Edison's Mobile Stray Voltage Program has enhanced the Company's ability to detect stray voltage conditions in the underground networked areas of its service territory. The program, though very costly in terms of resources, has a significant positive impact on public safety. Nonetheless, the choice to use mobile testing should be left to the individual utilities, and Con Edison believes that use of mobile technology should be permitted but not be imposed by the Safety Standards.

On March 25, 2008, Con Edison petitioned the Commission to approve the certification of the Company's mobile stray voltage detection system and to authorize

mobile stray voltage detection use in lieu of manual stray voltage testing using a handheld detector. The Company urges the Commission to consider the Company's petition in adequate time for the Company to act on the Commission's determination for implementation in the 2009 stray voltage testing year.

III. CON EDISON'S COMMENTS ON THE PROPOSED SAFETY STANDARDS REVISIONS

These are Con Edison's comments on the proposed Safety Standard revisions (italicized text below) attached to the Notice.

SECTION 1: DEFINITIONS

(e) Stray Voltage Testing – The process of checking an electric facility for stray voltage using a hand-held device capable of reliably detecting and audibly and/or visually signaling voltage in the range of 4.5 to 600 volts.

The proposed definition of "Stray Voltage Testing" should be modified to state as follows:

Stray Voltage Testing – The process of checking an electric facility for stray voltage using a device capable of reliably detecting and audibly and/or visually signaling voltage in the range of 6 to 600 volts.

Con Edison supports the reduction of the detection threshold from the current 8 volt standard to 6 volts. The reduction of the detection threshold to 4.5 volts would preclude use of the detection technology commonly in use throughout the state, i.e., the

HD LV-S-5 detector and Con Edison's mobile stray voltage technology. Permitting the use of detection equipment with detection capability in the range of 6 volts to 600 volts would permit the use of both the HD LV-S-5 detector and Con Edison's mobile stray voltage technology. .

The HD LV-S-5 detector is the only hand held detector certified for use for stray voltage detection in New York. This detector is certified to detect voltage only as low as 5 volts. Thus, the proposed 4.5 volt rating would preclude use of this detector.

The proposed 4.5 volt rating would also preclude use of Con Edison's mobile stray voltage technology. The Company's March 25, 2008 petition seeking the Commission's approval for use of the mobile stray voltage testing device includes a testing-laboratory certification that this technology is capable of detecting stray voltage as low as 6 volts.

In addition, Con Edison also refers to the Joint Comments of the New York State Utilities on this proposed standard.

(f) Findings – Any confirmed voltage reading on an electric facility greater than or equal to 1V measured using a volt meter and a 500 ohm shunt resistor.

Con Edison refers to the Joint Comments of the New York State Utilities on this proposed standard.

(g) Mitigation – Necessary actions performed by the utility to effectively eliminate the stray voltage findings.

The proposed definition of “mitigation” should be modified to state as follows::

Mitigation – Necessary actions performed by the utility to effectively eliminate the stray voltage findings pending repair of the condition causing the findings.

The Company’s proposed definition clarifies that “effective elimination” of stray voltage findings does not necessarily require that the condition causing the stray voltage must be repaired. Interruption of the supply of power may be an appropriate measure pending a repair, as for example, when a repairman – either utility or customer supplied depending on ownership of the defective equipment – is not immediately available.

SECTION 3: STRAY VOLTAGE TESTING

(g) All equipment used for stray voltage testing must be certified by an independent test laboratory as being able to reliably detect voltages of 4.5 to 600 volts.

The proposed testing equipment certification requirement should be modified to state as follows:

All equipment used for stray voltage testing must be certified by an independent test laboratory as being able to reliably detect alternating current voltages of 6 to 600 volts.

As stated previously in the comments for Section 1 (e), the reduction to 4.5 volts would preclude use of the HD LV-S-5 detector commonly in use throughout the state and would preclude the use of Con Edison's mobile stray voltage technology. In addition, it should be clarified that the voltage should be AC voltage, and not DC voltage, as the HD LV-S-5 detector detects only AC voltage, and is not rated to detect DC voltage.

(h) Any facility for which a finding is discovered shall be guarded by the utility immediately and continuously until the utility has performed mitigation and made the area safe. The utility must perform mitigation irrespective of whether the stray voltage is determined to be caused by its own or a customer-owned facility. Mitigation shall be completed on any voltage findings.

This proposed standard should be modified to state as follows:

*Any facility for which a **stray voltage** finding is discovered shall be guarded by the utility immediately and continuously until the utility has performed mitigation and made the area safe. The utility must perform mitigation irrespective of whether the stray voltage is determined to be caused by its own or a customer-owned facility. Mitigation shall be **performed** on any **stray voltage** findings.*

The term "stray voltage" is used to modify "finding" to clarify (consistent with the definition of "stray voltage") that the requirement to guard and mitigate pertains only to stray voltage conditions, i.e., "voltage conditions on electric facilities that should not

ordinarily exist.” This modification clarifies that guarding and mitigation do not apply to induced voltage conditions or neutral-to-ground conditions that can be associated with properly functioning electric equipment. The use of the term “stray voltage finding” is consistent with the use of the same term in sections “1(g)” and “3(k).”

The word “performed” is substituted for “completed” to use consistent terminology regarding implementation of mitigation (the prior sentence states “perform mitigation”) and to avoid an implication that “completion” of mitigation necessitates an immediate repair of equipment.

(i) In the event of a finding on an electric facility during stray voltage testing, the utility shall test for stray voltage on all metallic structures that are capable of conducting electricity within a minimum 30 foot radius of the electric facility.

Con Edison refers to the Joint Comments of the New York State Utilities on this proposed standard.

(k) In instances where a stray voltage [finding] is determined to be caused by customer-owned equipment, the area must be immediately made safe. The utility shall immediately notify the customer or a responsible person associated with the premises or the customer-owned facility of the unsafe condition and the need for the customer to arrange for a permanent repair to the customer’s equipment.

No comments.

SECTION 4: INSPECTIONS

(j) As part of the inspection process, deficiencies identified shall be categorized by the time period for the repair based on the severity of the condition. Utilities will prioritize deficiencies by three categories: Level I – repair as soon a possible but not longer than one week, Level II – repair within 6 months of discovery, or Level III – repair within two years. When prioritizing deficiencies, utilities should carefully account for the safety and operational effects should the facility fail prior to repair.

This proposed standard should be modified to state as follows:

As part of the inspection process, deficiencies identified shall be categorized in one of the following Repair Classification Levels: Level I – repair as soon a possible but not longer than one week, Level II – repair within one year of discovery, Level III – repair within three years, and Level IV – address through system upgrade programs. Level I deficiencies present actual or imminent safety hazards or immediate threats to the delivery of power by reason of a existing failure. Level II deficiencies present potential safety and operational effects should the facility fail prior to repair. Level III deficiencies do not present safety and operational effects but should be repaired prior to failure. Level IV deficiencies do not present potential safety and operational effects should the facility fail prior to repair. The Level IV classification level is used to inventory information on actual field conditions to be used for investment strategy and work

planning purposes related to equipment upgrade programs. When prioritizing deficiencies, utilities should carefully account for the safety and operational effects should the facility fail prior to repair.

The proposal to require that all deficiencies, whether related to safety or reliability or not, must be repaired within two years fails to consider that the Company's workforce capability is already straining to meet the current inspection requirement, as well as other reliability requirements (such as remote network monitoring repairs, shunt removals, and streetlight service replacements, as required in the Reliability Performance Mechanism established in Case 07-E-0523). In fact, the Company has had to hire contractors to perform underground system structure inspections in order to meet the inspection targets of the Safety Standards. The net cumulative effect of these various requirements, combined with regular maintenance as required to maintain system reliability, is already stretching the Company's resources to its maximum capacity.

Although the Company can hire any number of contractors to support testing and inspection, the Company cannot do the same for repair resources. The Company's resources available to work on its electric system, and particularly on its extensive underground network environment, are finite. The training required to work in this environment is both extensive and rigorous, due to the dangerous nature of the work. To ensure both worker safety from injury and quality of workmanship for the safe and reliable operation of the underground electric system, new resources require several years of training. The scarcity of resources is further exacerbated by the loss of older, experienced workers due to retirement. Establishing a two-year repair requirement for all

categories of repairs is simply impractical given the current workforce capability constraints.

Con Edison proposes a one year period for repair of deficiencies that present potential safety and operational effects should the facility fail prior to repair (Level II), and a three year period for repair of deficiencies that do not present safety and operational effects but should be repaired prior to failure (Level III). Identifying, but not setting a time limit for repair of Level IV conditions recognizes that many conditions do not have an impact on the safe operation of the electric distribution system, even if the facility fails, and can be most efficiently addressed in the context of other scheduled field activity associated with the equipment or structure upgrade programs, whether in the short or the long term. This would promote system reliability by avoiding the need to divert scarce resources from higher priority work merely to meet an arbitrary repair target. This would also promote a strategic process for enhancing system safety and reliability that will encompass existing programs such as new circuit reconstruction, system enhancement work, and public improvement programs to address Level IV conditions in an economically efficient means that maximizes shareholder and ratepayer value. The requirement to report annually on Level IV work will provide the Commission and Staff the opportunity to determine whether the utility is appropriately addressing Level IV conditions in the overall context of its operations.

Repair priorities should be developed by the local Utility Engineering and Operations personnel who are much more familiar with the different operating issues of specific electrical systems. Con Edison does not believe that a universal prioritization system should be imposed on the utilities. Each utility has its own unique electrical

systems, and issues with these different systems will vary from utility to utility. Therefore, while one utility may deem a deficiency to be a low priority, the same deficiency may be a high priority in another utility's environment.

The Company has not yet conducted an analysis of whether it can meet these timeframes. Although the Company has repaired all of its high priority defects (Tier 1A) on its underground system (over 72,000) in the first three years of current five-year inspection cycle, it has not repaired all of its low priority defects (Tier 1B). This backlog has grown each year during the inspection cycle to nearly 4,000 pending repairs as of the third year of the five year inspection cycle. In addition to the existing backlog of deficiencies, new deficiencies are being discovered during ongoing inspections. The Company recognizes that this building backlog of repairs will need to be incorporated into a well-coordinated plan to ensure efficient prioritization and completion of the work while using the same resources (skilled mechanics and capital dollars) that must be dedicated for, perhaps, higher priority projects.

If repair time limits are established in the Safety Standards, Con Edison proposes that, except for Level I deficiencies, these become effective beginning with deficiencies discovered during the second five-year inspection cycle that begins in 2010. The time limits for Level I repairs should become effective immediately. For deficiencies identified during the five-year inspection cycle ending in December 2009 ("first inspection cycle"), the Commission should require the Company to propose a repair schedule that begins in 2010 and reflects the Company's workforce capabilities to repair the backlog of deficiencies from the first inspection cycle while it meets the Safety Standards time limits for repair of new deficiencies discovered during the second

inspection cycle. The Company's proposal would be developed in the context of its 2010 budget development process and would be provided to Staff for review by September 1, 2009.

(k) Utilities are expected to permanently repair deficiencies identified by the inspection program within the priority time period established during the inspection.

This proposed standard should be modified to state as follows:

Absent extraordinary circumstances, utilities are expected to permanently repair deficiencies identified by the inspection program within the time period established for its repair classification level.

There may be instances where the repair timeframes will be exceeded, due to system emergencies such as severe storms, catastrophic events or labor strikes, or other conditions beyond the Company's control. The Safety Standards should recognize the potential for such extreme circumstances.

(l) When a temporary repair is located during an inspection or made by the company, best efforts shall be used to affect a permanent repair of the facility within 45 days. A temporary repair to the facility may remain in place for more than 45 days only in extraordinary circumstances, which may include major

storms that require significant repair activity. In such event, the utility shall periodically perform site visits to monitor the condition of the temporary repair. All exceptions must be identified and justified as part of the reporting requirements under Section 9.

The Commission should reject the proposal to establish a removal standard for temporary repairs

Temporary repairs are an accepted, necessary, and long-used practice in operating a utility system and are not inherently unsafe or unreliable. Temporary repairs are necessitated by conditions that are often not in the utility's control and the duration of the temporary repair is often unpredictable due both to the condition that requires it and to the availability of resources vis-à-vis system operating priorities. Accordingly, temporary repairs are constructed to be durable.

Requiring removal of temporary repairs within 45 days is arbitrary. Requiring the utility to report and justify each instance where a temporary repair of any type persists beyond a particular period of time (45 days or other) is unreasonably burdensome and intrusive on the discretion that should be accorded the utility to manage its day-to-day operations on its system to best utilize its resources.

For Con Edison, the Commission has already identified temporary repairs that can potentially affect public safety and has established duration removal standards in the Company's Reliability Performance Mechanism. These RPM standards cover temporary pole repairs and temporary street shunts. Further, the RPMPRM establishes a duration standards for repair of streetlight services – also a public safety concern. The Company's

RPM also recognizes that particular types of temporary repairs, specifically shunts installed inside customer facilities not accessible to the general public, are not inherently hazardous or threats to reliability and should not be subject to the RPM's duration standard.

The varying duration times for temporary repairs found in Con Edison's RPM demonstrates quite starkly the unreasonableness and arbitrariness of establishing a uniform 45 day rule for removal of all temporary repairs. The Company's RPM establishes 30 days for the removal of 90 percent of temporary pole repairs with the balance to be removed in 6 months. The RPM establishes 90 days or 60 days (depending on the time of year) to remove 90 percent of street shunts with the balance to be removed within 6 months.

If the Commission's Safety Standards were to establish duration standards for temporary repairs, the Safety Standards should (a) identify only specific types of conditions that present a safety hazard or an impending impact on reliability and (b) establish reasonable time frames specific to the operating issues presented by each of the particular conditions. Such time frames should be no less than six months. Also, the Standards should allow utilities time to organize their resources, practices, and management/tracking systems by establishing interim duration goals, e.g., initially 18 months and then 12 months, that progress toward the final duration periods, e.g., 6 months.

SECTION 5: QUALITY ASSURANCE

Each utility shall develop a quality assurance program to ensure timely and proper compliance with these safety standards. The quality assurance program shall be independent of the stray voltage testing and visual inspection programs.

No comments.

SECTION 6: RECORDKEEPING

(c) Each utility shall develop procedures and protocols to track the permanent repairs made based on inspection data and whether the repairs were made in the appropriate timeframe. An inventory of outstanding repairs by priority level should also be maintained.

(d) Each utility shall develop procedures and protocols to track temporary repairs made on the system and whether these locations were permanently repaired within 45 days after making or locating a temporary repair.

Con Edison does not have comments on the substance of these proposed standards except to say that the final wording should be modified as appropriate to reflect changes made to the Safety Standards adopted for inspection deficiency and temporary repairs. For example, the term “priority level” in the second sentence of Section 6(c) above should be changed to “repair classification level” to be consistent with the modifications that the Company proposed for Section 4(j).)

The Company will need significant time to establish a repair tracking system to support the reporting requirements of these proposed standards. The Company's system for tracking Safety Standards inspections was not designed to track the progress of the repairs and categorize repairs by repair timeframes. It would be difficult to change the existing system to meet the requirements of the proposed standard. In addition, while the Company tracks temporary repairs associated with stray voltage repairs and reliability performance mechanisms (pole repairs and shunt removals), temporary repairs made during normal routine work and in response to storms are not formally tracked system wide.

These proposed modifications to the Safety Standards will require time and funding to develop necessary interfaces within the current work management system, outage management system and data management systems to properly manage, record and report this information. The Company believes that the most cost effective solution should be part of a larger comprehensive work management system improvement and migration plan. The Company has not yet prepared a plan to accomplish this. Accordingly, subject to the Company's ability to timely establish the necessary systems and interfaces, the Company proposes that, if time frames are ordered for repairs, these tracking and reporting requirements become effective for the first year of the second inspection cycle, i.e., 2010, with reporting to commence with the annual report for that year.

SECTION 9: REPORTING REQUIREMENTS

(a) Each utility shall file a comprehensive report by February 15 each year that:

1. details the results of stray voltage tests and inspections conducted over the 12-month period ending December 31 of the prior calendar year;

No comments.

4. contains a breakdown of the voltage findings in a tabular format as detailed in Appendix B;

Con Edison refers to the Joint Comments of the New York State Utilities on this proposed standard.

5. contains a breakdown of the shock reports received from the public as detailed in Appendix C;

7. describes the priority levels used to gauge the severity of a deficiency, including repair timeframes;

No comments.

8. contains a breakdown of facilities to be inspected, unique inspection conducted per year, and the cumulative number of unique inspections conducted to meet the five year requirement;

Con Edison refers to the Joint Comments of the New York State Utilities on this proposed standard.

9. contains a breakdown of the deficiencies found, permanent repair actions taken by year, whether the repair was completed within the required timeframe, and the number of deficiencies awaiting repair. The information should be provided on a yearly basis by priority level and by equipment groupings as detailed in Appendix D;

The Company's comments regarding the repair classifications levels (Section 4(j) above) propose that (a) the repair time limits commence in the first year of the second inspection cycle (2010) for deficiencies identified during that cycle and (b) that the Company submit a plan to repair during the second cycle the safety and reliability-related deficiencies identified during the first cycle. Accordingly, the dates on the reporting template in Appendix D should be changed, from 2005 through 2009 (as currently shown) to 2010 through 2014.

Furthermore, because the Company's current inspection system does not capture the inspection data in a manner conducive to producing the proposed data reports, as previously discussed under Section 6(c), the Company cannot retroactively manipulate the prior inspection data in order to report on previous years in the proposed format.

Con Edison also refers to the Joint Comments of the New York State Utilities on this proposed standard.

10. contains a review and analysis of the inspection results. Areas of concern should be identified along with remedial actions or future plans to alleviate inadequacies in current programs or assets; and

11. includes all other information that is pertinent to the issues addressed by the safety standards.

No comments.

APPENDIX D

Con Edison recommends the following changes to the reporting template in Appendix D:

- The dates on the reporting template should be changed, from 2005 through 2009 (as currently shown), to 2010 through 2014. As previously discussed, the requirement to report inspection findings on the Appendix D template should commence with the second five-year inspection cycle beginning with 2010 inspections. Furthermore, because the Company's current inspection system does not capture the inspection data in a manner consistent with the Appendix D template criteria, the Company cannot retroactively manipulate the prior inspection data in order to report on previous years in the proposed format.

- The “Racking Needed” and “Congested Structure” categories should also be removed from the reporting requirement on the “Underground” portion of the template if a “Level IV” repair classification is not adopted as discussed above under Section 4(j). These conditions do not have an impact on the safety or reliability of the underground system and are to be addressed as part of the Company’s longer-term secondary network upgrade program. These conditions are captured during the five-year inspection program for tracking purposes and analysis for capital improvement work.

IV. CON EDISON’S ADDITIONAL RECOMMENDATIONS

The Company proposes the following modifications to the Safety Standards in order to clarify ambiguities:

- Section 4 (e) should be clarified to state that “All electric facilities shall be inspected at least once **within a five year period.**” This change would clarify that once the first 5-year inspection cycle is complete at the year-end of 2009, the inspections required for 2010 are 20% of the Company’s system-wide structures, and not the specific structures/facility population that were inspected in 2005.
- The Commission’s “Order on Petitions for Rehearing and Waiver,” issued July 21, 2005 in this proceeding adopted modifications to the Electric Safety Standards issued on January 5, 2005. (“Order Instituting Safety Standards”). For example, the July 21, 2005 Safety Standards exclude stray voltage testing and inspection of fiberglass handholes. See Sections 3(c) and 4(a). These

modifications are not reflected in the Safety Standards issued with the Notice. The modified Safety Standards to be adopted in this proceeding should include the modifications adopted by the Commission's July 21, 2005 Order.

- A paragraph should be added to Section 3 stating that stray voltage testing is not required on non-metallic streetlights and/or traffic lights. New types of streetlight construction used by some municipalities in the Company's territory are constructed from fiberglass, composite, or other non-conductive materials and should be excluded from stray voltage testing similar to the exclusion in Section 3(c) for fiberglass handholes.

Finally, Con Edison refers to the proposal in the Joint Comments of the New York State Utilities that pad mount transformers and transmission line structures should be tested for stray voltage on a schedule that parallels facility inspections (e.g., 20% per year with 100% completed in each five year cycle). The Joint Comments have submitted research and data studies demonstrating that stray voltage on these facilities is exceedingly rare, that continued annual stray voltage testing is not warranted, and that testing at the time of the five-year cycle inspection will be entirely effective for identifying the unlikely occurrence of stray voltage. The Commission should adopt this proposal.

V. CONCLUSION

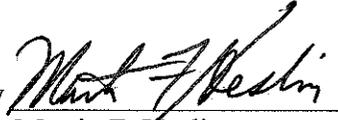
Con Edison respectfully requests that the Commission modify the proposed Safety Standards issued with the Notice in accordance with the modifications and clarifications proposed in the Company's comments.

Dated: August 22, 2008

Respectfully submitted,

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