

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held in the City of
Albany on June 19, 1973

COMMISSIONERS PRESENT:

Joseph P. Swidler, Chairman
William K. Jones
Carmel Carrington Marr
Harold A. Jerry, Jr.

STATEMENT OF COMMISSION POLICY REGARDING CHANGES
IN UTILITY RATES DURING EFFECTIVENESS OF
EXECUTIVE ORDER NO. 11723

(Issued June 19, 1973)

Executive Order No. 11723, issued June 13, 1973, prohibits all wholesale and retail price increases (with certain exceptions not material herein) for a maximum period of 60 days beginning with the issuance of the Order. The Commission has been advised that the prohibition on price increases is applicable to utility rates. Accordingly, no rate increase by a utility company subject to our jurisdiction will be permitted to be made effective during the pendency of the current price freeze.

The Commission will continue to accept and process new rate increase filings submitted to it in accordance with normal procedures up to and including the Commission's Opinion and Order on the justness and reasonableness of rates. Where a rate increase is found to be justified, tariff schedules filed in accordance with the Commission's decision will be adjusted, either through temporary deletion of the effective date or by other means, so that their effectiveness will be consistent with the Executive Order and any rulings issued thereunder. Decisions will not be issued during the freeze period on requests for temporary rate increases.

As a general matter, no increases in purchased gas adjustments and fuel adjustments will be permitted beyond the maximum level of a company's filed adjustment in effect during the "freeze base period" (June 1 to June 8, 1973). Decreases in purchased gas adjustments and fuel adjustments, and increases therein to an amount not exceeding the maximum level of a company's filed adjustment in effect during the "freeze base period," will be made effective in accordance with the provisions included in the company's filed tariffs.

Purchased gas adjustments and fuel adjustments have been used as a vehicle for passing through to consumers refunds made by fuel suppliers to utility companies on purchases in past periods. Such refunds are unrelated to current utility rates or fuel costs. Consequently, to the extent that such refunds have been specifically stated in filed adjustments in effect during the "freeze base period" they may be excluded for the purpose of determining the permissible level of adjustments.

The policies here stated are intended to govern the Commission's procedures through the 60-day freeze period, subject to change when necessary to conform to any further Federal regulations, or interpretations having the force of law, having a bearing on the rates of regulated utility companies.

By the Commission,

(SEAL)

(SIGNED)

SAMUEL R. MADISON
Secretary