

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

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January 6, 2004

Re: Case 03-E-0188 – Proceeding on Motion of the Commission
Regarding a Retail Renewable Portfolio Standard.

TO ACTIVE PARTIES:

The purpose of this letter is to respond to two schedule-related inquiries by parties. The first concerns the next iteration of the cost study in preparation by Department Staff members, the second the re-convening of Working Group Four.

As to the next cost study, by letter dated December 8, 2003, a group of parties comprising Central Hudson, Con Edison, O&R, IPPNY, Multiple Intervenors, NYSEG, RG&E, Niagara Mohawk, the Business Council and the Energy Association requested that I authorize Staff to provide parties with a description of the next iteration of cost studies currently under development, as soon as possible. The parties seek descriptive or quantitative information in advance of the release of the study to aid in preparation for the technical conference to be scheduled upon release of the cost study.

Based upon my queries to Staff members preparing the cost study, there does not yet appear to be any information available for release for this purpose. If there is some useful draft information available in advance of the study's release, Staff will share it with the parties.

I appreciate parties' concerns that they have adequate time to prepare for the technical conference following the release of the cost study, and invite scheduling proposals at that time.

As to Working Group Four, I have received numerous proposals concerning the tasks before that Group; in addition, many participants have volunteered. Many parties have given these issues a great deal of thought, have experience in the area of credit trading, and see the value in early preparation for implementation. I am concerned, however, that if this group convenes in a formal manner prior to the issuance of the Recommended Decision, if not the final Commission decision, it will not be able to productively use its time. Once some of the basic parameters of the New York RPS are recommended, this group's task will be far more concretely defined. Accordingly, I am holding parties' suggestions for procedures and scope, and parties' expressions of interest in the Group, until after the issuance of the Recommended Decision. That said, I continue to urge parties to use this time to discuss these issues among yourselves and identify some common ground.

Eleanor Stein
Administrative Law Judge