



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
Attorney General

April 12, 2007

Hon. Jaclyn A. Brillling
Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, NY 12223-1350

RE: Case 06-E-0894 – Proceeding on Motion of the Commission to Investigate the Electric Power Outages in Consolidated Edison Company of New York, Inc.'s Long Island City Electric Network.

April 5, 2007 Consolidated Edison letter
proposing settlement negotiations

Dear Secretary Brillling,

The Office of the New York State Attorney General urges the Commission to reject Con Edison's proposal, made in a letter to the Secretary dated April 5, 2007, to circumvent a prudence proceeding in this matter. As set forth at length in the Initial Comments and Reply Comments of this Office and of numerous other parties, including the Commission Staff in its final report on its investigation, a prudence proceeding is necessary for the development of a full evidentiary record upon which to determine the extent and degree of the company's imprudent acts and omissions, to determine the costs of the outages, to ensure that Con Edison takes all steps to prevent future outages, to ensure Commission oversight of the Company, and to ensure that the public interest is protected. Such a proceeding is also necessary to provide the transparency and open record to which the public is entitled on this important matter. Settlement negotiations that take place behind closed doors will not serve these public purposes.

The Commission should act quickly and decisively to reject Con Edison's proposal and to initiate a prudence proceeding in this case.

Sincerely,

S/
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Special Counsel

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cc: Hon. Eleanor Stein
Kimberley A. Harriman, Esq.
Con Edison
Active Parties