

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

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*Secretary*

April 3, 2003

Honorable Magalie R. Salas, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Room 1-A209  
Washington, D.C. 20426

Re: Docket No. PL03-1-000 - Proposed Pricing Policy  
for Efficient Operation and Expansion of  
Transmission Grid

Dear Secretary Salas:

For filing, please find the Motion to File Answer and Answer of the New York State Public Service Commission in the above-entitled proceeding. Should you have any questions, please feel free to contact me at (518) 473-8178.

Very truly yours,

David G. Drexler  
Assistant Counsel

Attachment



Although Rule 213 does not permit answers to protests unless otherwise ordered by the Commission, the Commission has accepted pleadings for good cause, such as when the responsive pleading would assist in the Commission's analysis, provide useful and relevant information, or would otherwise facilitate a complete and accurate record upon which the Commission can base its decision.<sup>2</sup> Good cause exists to allow the NYPSC's Answer because it will contribute to the development of a complete and accurate record, provide useful information, and assist the Commission's understanding and deliberations on this matter.

Specifically, we request that the Commission refrain from adopting a policy statement that incorporates proposals which were not contemplated in the Proposed Policy until the implications of those new ideas have been thoroughly reviewed and analyzed by the parties. Transmission incentives could have a major impact on the successful development of competitive markets and the Proposed Policy should be subject to public comment before the Commission acts on them.

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Similarly, the Energy East Companies requested that energy delivery companies be afforded the same benefits as ITCs (Comments of Energy East Companies at pp. 8-10, dated March 13, 2003).

<sup>2</sup> See, e.g., *East Tennessee Natural Gas Co.*, 81 FERC ¶ 61,219 at n.4 (1997); *National Gas Pipeline Co. of America*, 81 FERC ¶ 61,216 at n.3 (1997); *Pacific Interstate Transmission Co.*, 81 FERC ¶ 61,369 at n.2 (1997); *Florida Gas Transmission Co.*, 79 FERC ¶ 61,147 at n.7 (1997).

**CONCLUSION**

The Commission should grant the Motion and consider this Answer in its decision-making process.

Respectfully submitted,

Dawn K. Jablonski  
General Counsel

By: David G. Drexler  
Assistant Counsel  
Public Service Commission  
of the State of New York  
3 Empire State Plaza  
Albany, NY 12223-1305  
(518) 473-8178

Dated: April 3, 2003  
Albany, New York

CERTIFICATE OF SERVICE

I, Jacquelynn Nash, do hereby certify that I will serve on April 4, 2003 the foregoing Notice of Intervention and Comments of the Public Service Commission of the State of New York by depositing a copy thereof, first class postage prepaid, in the United States mail, properly addressed to each of the parties of record, indicated on the official service list compiled by the Secretary in this proceeding.

Date: April 4, 2003  
Albany, New York

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Jacquelynn Nash