

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

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Acting Secretary

July 22, 2003

Re: Case 03-E-0188 – RPS Proceeding

To Active Parties:

This letter is to advise you of my intention to consult certain publicly available governmental reports and documents as background concerning issues in the RPS proceeding. These reports include the Center for Clean Air Policy, in Collaboration with the New York Greenhouse Gas Task Force, *Recommendations to Governor Pataki for Reducing New York State Greenhouse Gas Emissions* (April 2003)(GHG Report), the U.S. Environmental Protection Agency report, *Climate Change and New York* (publication EPA 230-F-97-0088ff)(1997)(EPA *New York*), and various published reports of NYSERDA. I am consulting these and comparable documents, some referred to by parties but not formally placed on the record, in this rulemaking proceeding pursuant to SAPA §202. See *McSpedon v. Roberts*, 117 Misc.2d 679 (S. Ct. N.Y. Cty 1983).

If any party is opposed to consideration of these reports, objections should be noted in Initial Comments filed August 20, 2003.

I appreciate your continued participation in this proceeding.

Sincerely,

Eleanor Stein
Administrative Law Judge