

# STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

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August 12, 2003

To Active Parties:

On August 11, 2003 DPS Staff, joined by joint utility parties, IPPNY, Reliant Energy, Multiple Intervenors, and the New York State Consumer Protection Board moved to amend the schedule established in my ruling dated July 21, 2003. That ruling provided for initial comments in this proceeding to be filed on August 20, 2003, and reply comments on August 29, 2003. Movants seek to extend the schedule substantially in order to fully assess or reconcile the competing cost and benefit analyses; allow for development of a fuller record; and provide opportunities for negotiation to narrow differences. Movants request an extension of the filing date for initial comments to September 22, 2003 and reply comments to October 20, 2003.

On August 12, 2003, the RETEC coalition parties responded, agreeing to a modest extension of the filing schedule (initial comments on September 5, replies on September 19, 2003). The RETEC parties, however, oppose further extensions, citing the difficulty in prompt implementation and resultant loss of early renewable industry investment. In addition, the RETEC parties see no need for such substantial extensions to either analyze cost and benefit studies or conduct additional negotiations.

All parties agree that early implementation of an RPS is essential to reach the 2013 target indicated by the Commission in the Instituting Order. Further, all parties seem to agree that further negotiation to narrow differences would be fruitful.

In order to afford an opportunity for other parties to respond to the motion for an extension, parties may file support or opposition to this motion until August 14, 2003. Because of the imminence of the current filing dates, an expedited motion schedule is essential.

In courtesy to the parties working on deadline, however, I am informing you today that I am inclined to grant a substantial extension of the date to file initial comments and that I will rule on this motion immediately following August 14, 2003.

ELEANOR STEIN  
Administrative Law Judge