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FOIL Request

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Fri, Jan 17, 2014 at 4:10 PM

To: recordsaccessofficer@dps.ny.gov

Bcc: William Yates <williamdyates@gmail.com>

Dear Records Access Officer,

Please provide, pursuant to FOIL, the following records:

1. Data provided by utilities to the Department of Public Service comparing utility charges to residential customers with ESCO gas or electric service with the charges that would have been due the utility had the customers not switched to an ESCO.

As an aid to locating the records, the Commission Order Instituting Proceeding in Case 12-M-0476 at footnote 5 indicates data comparing residential customer bills containing charges for ESCO service with what utilities would charge for bundled service was received by DPS in connection with PSC Case 12-M-0476. Here is a link to the referenced Order: [Residential and Small Non-residential Retail Energy Markets in New York State, Retail Access Business Rules and Energy Service Company Price Reporting Requirements, Order Instituting Proceeding and Seeking Comments Regarding the Operation of the Retail Energy Markets in New York State](#)

We are requesting the records with the data mentioned in the decision, and, in addition, any subsequent data provided by utilities in connection with or maintained in the files relating to that case.

Please note that we already have the records relating to the Upstate Niagara Mohawk data mentioned in the first sentence of footnote 5, and so do not require Upstate Niagara Mohawk data for that particular period (August 2010-July 2012), but do require any subsequent data provided.

The data is requested in electronic form, in Excel spreadsheets if possible.

2. Reports or analysis of the staff of the Department of Public Service provided to the Public Service Commission or its members regarding the data described in (1) above.

3. Reports or analysis of the staff of the Department of Public Service regarding the charges paid for ESCO services by low-income residential customers.

With respect to all the above requests, electronic copies of the reports or analysis regarding the data are requested, in Excel format where appropriate, and via email. Paper copies are not requested.

We have no objection if the names of ESCOs are redacted from the records provided.

Thank you for your anticipated cooperation. If there are questions or if the request requires clarification, please contact me.

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