



3333 K Street, NW, Suite 425
Washington, D.C. 20007
Tel: 202-333-3288
Fax: 202-333-3266

February 21, 2001

The Honorable Janet H. Deixler
Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, NY 12223

**RE: Case 96-E-0948 - Petition of Dairylea Cooperative Inc. to Establish
an Open Access Pilot Program for Farm and Food Processor
Electricity Customers**

Dear Secretary Deixler:

The National Energy Marketers Association (NEM) submits the following Comments with respect to the extension of the Farm and Food Processor Electric Pilot Program. NEM supports the extension of the Pilot Program to October 31, 2001, to further the development of competition in the New York market. The participation in the Pilot Program by commercial farmers and food processors thus far has been encouraging. However, if the Pilot Program were to end on the scheduled date of March 31, 2001, the gains made in furtherance of a competitive market will likely be lost.

The National Energy Marketers Association (NEM) is a national, non-profit trade association representing both wholesale and retail marketers of energy and energy-related products, services, information and technologies throughout the United States. NEM's membership includes: small regional marketers, large international wholesale and retail energy suppliers, billing and metering firms, Internet energy providers, energy-related software developers, risk managers, energy brokerage firms, and information technology providers. Our membership has both affiliated and unaffiliated companies.

The Commission justified a previous extension of the Pilot Program in its Order of October 13, 2000, because a number of factors, including the lack of development of competitive markets, billing issues, metering issues, and EDI issues remained unsettled. NEM asserts that the status of these factors has not changed appreciably which weighs in favor of the further extension of the Pilot Program.

For the foregoing reasons, NEM supports the extension of the Farm and Food Processor Electric Pilot Program to October 31, 2001.

Sincerely,

Craig G. Goodman, Esq.
President,
National Energy Marketers Association