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March 11, 2002

Hon. Janet Hand Deixler  
Secretary  
New York State Public Service Commission  
Three Empire State Plaza  
Albany, New York 12223-1350  
**VIA FEDERAL EXPRESS**

**RE: Case 00-M-0504 - Competitive Opportunities Proceeding -  
Unbundling Track**

Dear Secretary Deixler:

The National Energy Marketers Association (NEM) hereby files comments in response to Judge Stockholm's Procedural Ruling issued March 5, 2002, in the above-referenced proceeding. NEM is encouraged that the Ruling sets forth an aggressive schedule for review of the utilities' embedded cost of service studies. NEM does not want to delay the process of implementing unbundled rates in any fashion but does request clarification of the process for review of the revised studies and tariffs to be filed on June 15.

The revised studies and tariffs filed on June 15 are to include proposed lost revenue recovery mechanisms consistent with the Commission's Order expected in phase two of the case. Unbundled tariffs are then to go into effect on July 15. NEM is concerned that the schedule does not explain or set forth a schedule pertaining to review of the June 15 filings. If these filings are not in conformance with Commission Orders or the rulings issued at the May hearings, parties must be provided an opportunity to comment on any such deviations and revised filings should be required. Therefore, NEM recommends that the Procedural Schedule be amended to provide specific timelines for review and comment on the June 15 filings.

Respectfully submitted,

Stacey Rantala  
Attorney  
National Energy Marketers Association

cc: active parties (via e-mail)  
Judge Stockholm and Judge Garlin (via email)