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POWER GETS A NEW NAME IN NEW YORK: THE NEW YORK ENERGY CONSUMERS COUNCIL

New Advocacy Group Now New York's Largest for Energy Issues

NEW YORK, NY (October 19, 2004) --- Two of the most formidable voices raised on behalf of major customers in Con Edison's service territory have now combined forces to become the largest energy customer advocacy organization in New York. The new entity, known as the **New York Energy Consumers Council** (NYECC), is the result of the just-completed consolidation of the **Owners' Committee on Electric Rates, Inc.** (OCER) and the **New York Energy Buyers Forum, Inc.** (NYEBF), a strategic move that brings together a record of more than 60 years of intervention, during which time more than \$1 billion in savings in energy costs was achieved on behalf of the real estate and building industry.

Headed by Co-Presidents Peter L. DiCapua (OCER's president for 20 years) and Jay Raphaelson (NYEBF's president for the past three years and board member for the past decade), the new group counts among its 77 members more than 1,000 office towers, major corporate tenants, hospitals/health complexes, hotels and related facilities, residential buildings and universities. Members use approximately **one-third** of all the energy—gas, oil, steam and electricity—consumed by commercial entities in New York City and Westchester County.

Its membership also includes energy service companies, public benefit corporations and energy consultants. While members are critical to funding and performing the intervention work, the results benefit most major customers in the Con Edison service area.

And the advocacy has already begun. The NYECC is at work fighting the proposed Con Edison electric rate increase in a proceeding (PSC Case No. 04-E-0572) currently pending before the New York State Public Service Commission (PSC). Con Edison's proposed increase would raise electric rates by approximately \$550 million the first year, effective April 2005, and \$1 billion over a proposed three-year term. Certain customers, such as buildings with hybrid chiller plants, could face a 25% jump in demand charges.

The NYECC, who is among the active parties in the pending PSC proceeding, is (and has been) marshalling its membership in a campaign to fight the increase, calling it "unprecedented. It will cause economic hardship for tenants, owners and property managers," Co-President Raphaelson notes.

The value of collaboration between the NYECC's two former constituent groups was demonstrated prior to the consolidation. Since 2002, both organizations have negotiated jointly in proceedings at the PSC on issues such as the recent Con Edison steam rate case, and on the case regarding the rate allocation between Westchester County and New York City. On September 27, 2004, the PSC issued an Order, effective that day, adopting the terms of Joint Proposal among many of the active parties in the Con Edison gas and steam rate proceedings (PSC Cases 03-G-1671 and 03-G-1672). The two constituent organizations of the NYECC were both signatories to this Joint Proposal. The PSC's order saves the NYECC's members using Con Edison steam \$.10 per square foot over the two-year settlement period, which in the aggregate, totals in the millions of dollars.

Reaping the Dividends

Previous joint efforts laid the foundation for what Co-President DiCapua characterizes as "the smoothest of transitions from separate entities into one powerful force." It produced "dividends far beyond what we could have done individually," continues Co-President Raphaelson. "Joining OCER's 50 year record of highly successful regulatory intervention with NYEBF's two decades of member education and regulatory intervention experience gives us the strongest voice possible, and I have no doubt it will be heard even more effectively than before in Albany."

Serving as additional officers of NYECC are: Vice Presidents: Timothy Clancy, The Durst Group; Len Mellusi, Continuum Health Partners; Gerard V. Schumm, Trizec Properties; and Yvette Wright, Silverstein Properties; Secretary: David Bomke, Bomke & Associates; and Treasurer: Ed Strauss, Helmsley-Spear.

The NYECC has created a number of standing and ad hoc committees, dedicated to "preserving, protecting and defending the interests of the ever-expanding spectrum of major energy users" in New York City and Westchester County through advocacy in such regulatory and legislative arenas as hearings before the PSC, the New York Independent System Operator (NYISO) and the Federal Energy Regulatory Commission. The group also seeks to continue to educate its members regarding the evolving energy marketplace and is a leading source of such information and communication in the industry.

The group is a registered New York State corporation headquartered at Eleven Penn Plaza in Manhattan and is located at www.nyecc.com on the web.

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