

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

9/30/04

To: Central Hudson Gas & Electric Corporation      Docket Nos. ER97-1523-082  
OA97-470-074  
ER97-4234-072

RE: Acceptance of Refund Report

Pursuant to authority delegated to the Director, Division of Tariffs and Market Development - East, under 18 C.F.R. 375.307, the refund report submitted by New York Independent System Operator, Inc. in the above referenced dockets is accepted for filing. The report states that a refund consisting of a principal amount of \$5,008,410.20, plus interest calculated according to 18 C.F.R. 35.19a(a)(2), was made to Sithe on May 20, 2004, and June 21, 2004.

Notice of the filing was published in the Federal Register with interventions, comments, or protests due on or before August 13, 2004. No comments, protests, or interventions were filed

This action does not constitute approval of any service, rate, charge, classification, or any rule, regulation, contract, or practice affecting such rate or service provided for in the filed documents; nor shall such action be deemed as recognition of any claimed contractual right or obligation affecting or relating to such service or rate; and such action is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against any of the applicant(s).

This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. 385.713.

Sincerely,

Rossell A. Glasgow, Jr., Acting Director  
Division of Tariffs and Market  
Development - East