

**From:** [billsalo@salolaw.com](mailto:billsalo@salolaw.com)  
**To:** "[Lisa A. LeCours](mailto:Lisa A. LeCours)"; "[jmcmanus@harrisbeachmurtha.com](mailto:jmcmanus@harrisbeachmurtha.com)"; "[rmarcoccia@harrisbeachmurtha.com](mailto:rmarcoccia@harrisbeachmurtha.com)"; "[Coyne, Ryan \(DPS\)](mailto:Coyne, Ryan (DPS))"; "[jessica.difiore@dps.ny.gov](mailto:jessica.difiore@dps.ny.gov)"; "[joshua.tallent@dps.ny.gov](mailto:joshua.tallent@dps.ny.gov)"  
**Subject:** Notice of Intended OSC Application – Mack v. PSC, Index No. 901525-26  
**Date:** Monday, April 6, 2026 3:25:00 PM

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Counsel:

Please take notice that Petitioners intend to present and electronically file an Order to Show Cause on Tuesday, April 8, 2026, at approximately 11:30 a.m., or as soon thereafter as Chambers permits, in *Mack, et al. v. New York State Public Service Commission, et al.*, Index No. 901525-26.

The proposed application will seek:

- (i) leave to renew and reargue the Court's March 9, 2026 determination; and
- (ii) a temporary restraining order restoring and preserving the *status quo ante* existing before submeter billing commenced on March 9, 2026, including restraint against billing, collection, enforcement, late charges, and adverse action based on submeter charges pending determination of the motion.

This notice is being provided in good faith pursuant to 22 NYCRR § 202.7(f). Petitioners have contacted Chambers directly regarding presentation of the application. If Chambers directs a different presentation time, I will promptly advise all counsel.

The supporting papers will be provided under separate cover and/or with the NYSCEF filing as soon as finalized.

Regards,

F. William Salo, Esq.  
*Trial Attorney*  
1295 Fifth Avenue, 18-C  
New York, NY 10029  
Tel: 212-517-3050  
Fax: 212-517-3055  
Cel: 917-968-2517  
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**From:** [billsalo@salolaw.com](mailto:billsalo@salolaw.com)  
**To:** "[John T. McManus](#)"; "[Coyne, Ryan \(DPS\)](#)"; "[Lisa A. LeCours](#)"; "[Rachel K. Marcoccia](#)"; "[DiFiore, Jessica \(DPS\)](#)"; "[Tallent, Joshua \(DPS\)](#)"  
**Subject:** RE: Notice of Intended OSC Application - Mack v. PSC, Index No. 901525-26  
**Date:** Tuesday, April 7, 2026 8:53:00 PM

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Counsellors:

I apologize for the typo in my email.

I intend to submit my OSC for a TRO tomorrow to the Hon. James R. Farrell, via NYSCEF e-filing system only.

**PLEASE TAKE NOTICE that I will be filing it on Wednesday, April 8, 2026, at or about 4:00 p.m.**

F. William Salo, Esq.  
*Trial Attorney*  
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**From:** John T. McManus <[jmcmamus@harrisbeachmurtha.com](mailto:jmcmamus@harrisbeachmurtha.com)>  
**Sent:** Tuesday, April 7, 2026 2:36 PM  
**To:** Coyne, Ryan (DPS) <[Ryan.Coyne@dps.ny.gov](mailto:Ryan.Coyne@dps.ny.gov)>; [billsalo@salolaw.com](mailto:billsalo@salolaw.com); Lisa A. LeCours <[LLeCours@harrisbeachmurtha.com](mailto:LLeCours@harrisbeachmurtha.com)>; Rachel K. Marcoccia <[RMarcoccia@harrisbeachmurtha.com](mailto:RMarcoccia@harrisbeachmurtha.com)>; DiFiore, Jessica (DPS) <[Jessica.DiFiore@dps.ny.gov](mailto:Jessica.DiFiore@dps.ny.gov)>; Tallent, Joshua (DPS) <[Joshua.Tallent@dps.ny.gov](mailto:Joshua.Tallent@dps.ny.gov)>  
**Cc:** John T. McManus <[jmcmamus@harrisbeachmurtha.com](mailto:jmcmamus@harrisbeachmurtha.com)>  
**Subject:** RE: Notice of Intended OSC Application - Mack v. PSC, Index No. 901525-26

Mr. Salo,

Following up on the below timing question from DPS.

**John T. McManus** | Partner  
Direct: [518.701.2734](tel:518.701.2734) | Cell: [518.859.0774](tel:518.859.0774) | Email: [jmcmamus@harrisbeachmurtha.com](mailto:jmcmamus@harrisbeachmurtha.com)



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**From:** Coyne, Ryan (DPS) <[Ryan.Coyne@dps.ny.gov](mailto:Ryan.Coyne@dps.ny.gov)>  
**Sent:** Monday, April 6, 2026 4:41 PM  
**To:** [billsalo@salolaw.com](mailto:billsalo@salolaw.com); Lisa A. LeCours <[LLeCours@harrisbeachmurtha.com](mailto:LLeCours@harrisbeachmurtha.com)>; John T. McManus <[jmcmamus@harrisbeachmurtha.com](mailto:jmcmamus@harrisbeachmurtha.com)>; Rachel K. Marcoccia <[RMarcoccia@harrisbeachmurtha.com](mailto:RMarcoccia@harrisbeachmurtha.com)>; DiFiore, Jessica (DPS) <[Jessica.DiFiore@dps.ny.gov](mailto:Jessica.DiFiore@dps.ny.gov)>; Tallent, Joshua (DPS) <[Joshua.Tallent@dps.ny.gov](mailto:Joshua.Tallent@dps.ny.gov)>  
**Subject:** RE: Notice of Intended OSC Application - Mack v. PSC, Index No. 901525-26

Mr. Salo:

Could you please clarify whether you intend to present your proposed order to show cause on Tuesday, April 7 or Wednesday, April 8?

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Ryan Coyne (he/him)  
Senior Attorney  
Office of General Counsel  
Department of Public Service

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**From:** [billsalo@salolaw.com](mailto:billsalo@salolaw.com) <[billsalo@salolaw.com](mailto:billsalo@salolaw.com)>  
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**Subject:** Notice of Intended OSC Application - Mack v. PSC, Index No. 901525-26

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Counsel:

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*Commission, et al.*, Index No. 901525-26.

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Regards,

F. William Salo, Esq.

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**Subject:** Proposed OSC filing today. Mack v. Pub. Serv. Comm'n, et al., Index No. 901525-26  
**Date:** Wednesday, April 8, 2026 12:43:00 PM

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Counsel:

This is a courtesy update regarding Petitioners' anticipated Order to Show Cause application. Although I previously expected to file at approximately 4:00 p.m. today, I am still finalizing the papers and now expect to file later today, after 5:00 p.m.

I will provide notice promptly once the application has been e-filed.

Best,

F. William Salo, Esq.

*Trial Attorney*

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New York, NY 10029

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