

PROCEDURAL RESOLUTION NO. 26-2008, AUTHORIZING CONTINUED FUNDING IN CONNECTION WITH ENFORCEMENT OF LIPA SETTLEMENT AGREEMENT AGAINST LIPA OVERCHARGE OF SUFFOLK RATEPAYERS

WHEREAS, Procedural Motions Nos. 8-2002 and 7-2005 authorized the retention of Reilly, Like, and Tenety, 179 Little East Neck Road, North Babylon, NY 11702, to represent the County of Suffolk to seek full recovery of any and all overpayments by Suffolk County consumers of the LIPA Bill Credit Rate Differential for the period from on or about July 1, 1998 to the date on which such overpayments terminate; and

WHEREAS, in order to prosecute the lawsuit seeking recovery, Reilly, Like, and Tenety recommended the retention of Hudson River Energy Group, 120 Washington Avenue, Albany, NY 12210, as forensic accountants; and

WHEREAS, the County Legislature contracted directly with Hudson River Energy Group in the amount of \$50,000.00, which contract expired on December 31, 2005; and

WHEREAS, Resolution No. 6-2006 authorized continued funding for Hudson River Energy Group in the amount of \$62,500.00 to extend their services; and

WHEREAS, Resolution No. 5-2008 authorized continued funding for Hudson River Energy Group in the amount the \$45,000.00 to extend their services; and

WHEREAS, Special Counsel advises that additional funding is required for Hudson River Energy Group to act as a consultant as the County's case against LIPA enters a final phase; now, therefore, be it

1st RESOLVED, that this Legislature hereby authorizes the Presiding Officer to execute such agreements with Hudson River Energy Group to carry out their work in an amount not to exceed Twenty-Eight Thousand, Five Hundred Dollars and 00/100 (\$28,500.00) of County Legislative funds, said amount to be paid from the Budget Review Office Fees for Services: Non-Employees (001-LEG-1025-4560) appropriation; and be it further

2nd **RESOLVED**, that all other terms and conditions of Procedural Motions Nos. 8-2002 and 7-2005 shall remain in full force and effect.

DATED: Adopted September 16, 2008

EFFECTIVE IMMEDIATELY PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER

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