

# **EXHIBIT H**

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From: **Carley, John L. - Regulatory** <[CarleyJ@coned.com](mailto:CarleyJ@coned.com)>

Date: Fri, Jul 21, 2017 at 5:07 PM

Subject: RE: Borough of Upper Saddle River/ Eruv <External Sender>

To: "Robert T. Regan" <[rtregan@rtreganlaw.com](mailto:rtregan@rtreganlaw.com)>, "[eruvmonsey@gmail.com](mailto:eruvmonsey@gmail.com)" <[eruvmonsey@gmail.com](mailto:eruvmonsey@gmail.com)>

Cc: "Brizzolara, Tom" <[BRIZZOLARAT@oru.com](mailto:BRIZZOLARAT@oru.com)>, "Carley, John L. - Regulatory" <[CarleyJ@coned.com](mailto:CarleyJ@coned.com)>

Thank you for your email below. Rockland Electric Company (“RECO”) fails to see the need for such an accelerated timeframe, as the eruv facilities plainly present no threat to public safety. A more deliberate schedule will allow the Borough and the eruv association to resolve any and all open issues. In RECO’s view, any removal of the eruv facilities should be performed by the eruv association. In addition, for safety reasons, RECO does not condone the removal of items from its poles. The Borough should be aware of the hazards associated with work on energized facilities and exercise all appropriate safeguards. RECO also would caution the Borough that, while highly improbable, if its removal activities result in any damages to RECO’s poles and/or facilities, the Borough may be liable for such damages.

John L. Carley

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**From:** Robert T. Regan [mailto:[rtregan@rtreganlaw.com](mailto:rtregan@rtreganlaw.com)]  
**Sent:** Friday, July 21, 2017 3:01 PM  
**To:** Carley, John L. - Regulatory; [eruvmonsey@gmail.com](mailto:eruvmonsey@gmail.com)  
**Cc:** Brizzolara, Tom  
**Subject:** Borough of Upper Saddle River/ Eruv <External Sender>

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As you are aware, the undersigned is the attorney for the Borough of Upper Saddle River. My prior letter dated July 18, 2017 detailed that the placement of the devices and strips on utility poles intended to establish an Eruv violates Section 122-17G of the Borough Code. The Borough has consistently and uniformly enforced this Ordinance by removing items placed on utility poles contrary to this Section.

This established policy permits the Borough to remove the devices relating to the Eruv immediately. However, I have been directed by the Governing Body to advise that, as a courtesy, the Borough will withhold removing the devices until 12 noon on Wednesday July 26, 2017. If these items have not been removed by that time, the Borough will act to remove these devices, materials and items. Please be guided accordingly.

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