P.S.C. No. 120 - ELECTRICITY
SUPERSEDING P.S.C. NO. 115

NEW YORK STATE ELECTRIC & GAS CORPORATION

RULES, REGULATIONS AND GENERAL INFORMATION

SCHEDULE

FOR

ELECTRIC SERVICE

Applicable
In
All territory served by this Corporation and
In all rate schedules except as otherwise
Provided in individual rate schedules

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GENERAL INFORMATION

1. Territory to which Schedule Applies (Cont'd):

BINGHAMTON AREA

BROOME COUNTY:

City:
Binghamton

Villages:
Endicott
Johnson City
Lisle
Port Dickinson
Whitney Point
Windsor

Towns:
Barker
Binghamton
Chenango
Colesville
Conklin
Dickinson
Fenton
Kirkwood
Lisle
Maine
Nanticoke
Triangle
Union
Vestal
Windsor

CHENANGO COUNTY:

Village:
Afton

Towns:
Afton
Coventry
German
Greene
McDonough
Otselic
Pharsalia
Pitcher
Smithville

CORTLAND COUNTY:

Towns:
Cincinnatus
Freetown
Harford
Lapeer
Marathon (Except that portion served by the Village of Marathon Municipal Lighting Plant
Taylor
Virgil (Southeastern portion)
Willett

TIOGA COUNTY:

Villages:
Newark Valley
Nichols
Owego

Towns:
Barton (Eastern Portion)
Berkshire
Newark Valley
Nichols
Owego
Richford
Tioga
Candor (Portion between the north and south border lines and within one-half mile of the west branch of Owego Creek)

GENERAL INFORMATION

1. Territory to which Schedule Applies (Cont'd):

EAST CENTRAL AREA

BROOME COUNTY:

Village:
Deposit

Town:
Sanford

CHENANGO COUNTY:

City:
Norwich

Villages
Bainbridge
New Berlin
Oxford
Smyrna

Towns:
Bainbridge
Columbus
Greene
Guilford
New Berlin
Norwich
North Norwich
Oxford
Plymouth
Preston
Sherburne
Smyrna

COLUMBIA COUNTY:

Villages:
Chatham
Philmont

Towns:
Austerlitz
Canaan
Chatham (Except Northwest Corner)
Claverack (Eastern Portion)

COLUMBIA COUNTY (Cont'd):

Towns (Cont'd):
Copake
Ghent
Hillsdale
New Lebanon
Taghkanic (Eastern Portion)

DELAWARE COUNTY:

Villages:
Andes
Delhi
Fleischmanns
Franklin
Hancock
Hobart
Margaretville
Sidney
Stamford
Walton

Towns:
Andes (Northern Portion)
Bovina
Colchester (Northern Portion)
Davenport
Delhi
Deposit
Franklin
Hamden
Hancock (Northern Portion)
Harpersfield
Kortright
Masonville
Meredith
Middletown
Roxbury
Sidney
Stamford
Tompkins
Walton

GENERAL INFORMATION

1. Territory to which Schedule Applies (Cont'd):

EAST CENTRAL AREA (Cont'd)

GREENE COUNTY:
Towns:
Ashland
Halcott
Jewett (Northern Portion)
Prattsville
Windham

HERKIMER COUNTY:
Village:
West Winfield

Towns:
Columbia (Southern Portion)
Litchfield (Southern Portion)
Warren
Winfield

MADISON COUNTY:
Villages:
Earlville
Madison
Morrisville

Towns:
Brookefield
Eaton
Georgetown
Hamilton
Lebanon
Madison
Smithfield

ONEIDA COUNTY:
Villages:
Bridgewater
Oriskany Falls
Waterville

Towns:
Augusta
Bridgewater

ONEIDA COUNTY (Cont'd):
Towns (Cont'd)
Kirkland (Southern Portion)
Marshall
Sangerfield

OTSEGO COUNTY:
City:
Oneonta

Villages:
Cooperstown
Gilbertsville
Laurens
Milford
Morris
Otego
Richfield Springs
Unadilla

Towns:
Burlington
Butternuts
Edmeston
Exeter
Hartwick
Laurens
Middlefield
Milford
Morris
New Lisbon
Oneonta
Otego
Otsego
Pittsfield
Plainfield
Richfield
Springfield
Unadilla
Westford

GENERAL INFORMATION

1. Territory to which Schedule Applies (Cont'd):

EAST CENTRAL AREA (Cont'd)

RENSSELAER COUNTY:
Towns:
Berlin
North Greenbush
Petersburgh
Sand Lake
Stephentown
Nassau (Southeast Corner)

SCHOHARIE COUNTY:
Towns:
Conesville
Gilboa
Jefferson

ULSTER COUNTY:
Towns:
Hardenburgh (Eastern Portion)
Shandaken

GRANVILLE DISTRICT

WASHINGTON COUNTY:
Villages:
Granville
Salem

Towns:
Granville
Greenwich
Hebron
Jackson
Salem

MECHANICVILLE DISTRICT

RENSSELAER COUNTY:
Town:
Schaghticoke (Western Portion)

SARATOGA COUNTY:
City:
Mechanicville

Village:
Round Lake
Stillwater

SARATOGA COUNTY (Cont'd)
Towns:
Clifton Park (Northeastern Portion)
Halfmoon (Northern Portion)
Malta (Southern Portion)
Stillwater

GENERAL INFORMATION

1. Territory to which Schedule Applies (Cont'd):

ELMIRA AREA

ALLEGANY COUNTY:

Villages:
- Alfred
- Almond
- Canaseraga

Towns:
- Alfred
- Almond
- Birdsall
- Burns
- Grove
- Ward
- West Almond

CHEMUNG COUNTY:

City:
- Elmira

Villages:
- Elmira Heights
- Horseheads
- Millport
- Wellsburg

Towns:
- Ashland
- Baldwin
- Big Flats
- Catlin
- Chemung
- Elmira
- Erin
- Horseheads
- Southport
- Veteran

LIVINGSTON COUNTY:

Villages:
- Dansville
- Leicester

LIVINGSTON COUNTY (Cont'd):

Towns:
- Leicester
- Mount Morris
- Ossian
- Sparta
- Springwater
- West Sparta

ONTARIO COUNTY:

Village:
- Naples

Towns:
- Naples

SCHUYLER COUNTY:

Villages:
- Montour Falls
- Odessa

Towns:
- Catharine
- Cayuta
- Dix
- Montour
- Orange
- Reading
- Tyrone

STEUBEN COUNTY:

Cities:
- Corning
- Hornell

Villages:
- Addison
- Arkport
- Avoca
- Canisteo
- Cohocton

STEUBEN COUNTY (Cont'd):

Villages:
- Hammondsport
- North Hornell
- Painted Post
- Prattsburg
- Riverside
- Savona
- South Corning
- Wayland

Towns:
- Addison
- Avoca
- Bath
- Bradford
- Cameron
- Campbell
- Canisteo
- Caton
- Cohocton
- Corning
- Dansville
- Erwin
- Fremont
- Greenwood
- Hartsville
- Hornby
- Hornellsville
- Howard
- Jasper
- Lindley
- Prattsburg
- Pulteney
- Rathbone
- Thurston
- Troupsburg
- Tuscarora
- Urbana
- Wayland

GENERAL INFORMATION

1. Territory to which Schedule Applies (Cont'd):

ELMIRA AREA (Cont'd)

STEUBEN COUNTY (Cont'd):
Towns (Cont'd):
Wayne (Except Northeast Portion)
West Union
Wheeler
Woodhull

WYOMING COUNTY:
Villages:
Gainesville
Perry
Warsaw
Wyoming

Towns:
Castile
Gainesville
Genesee Falls
Middlebury
Perry
Warsaw

ITHACA AREA

CAYUGA COUNTY:
Village:
Moravia

Towns:
Locke
Moravia
Sempronius
Summerhill

CHEMUNG COUNTY:
Village:
Van Etten

Town:
Van Etten

SCHUYLER COUNTY:
Village:
Burdett

Town:
Hector

SENECA COUNTY:
Villages:
Interlaken
Lodi
Ovid

Towns:
Covert
Lodi
Ovid
Romulus (Southern Portion)

TIOGA COUNTY:
Villages:
Candor
Spencer

Towns:
Barton (Northern Portion)
Candor (Except that portion between the North & South Border Line & within one-half mile of the West Branch of Owego Creek)
Spencer

GENERAL INFORMATION

1. Territory to which Schedule Applies (Cont'd):

ITHACA AREA (Cont'd)

TOMPKINS COUNTY:

City:
Ithaca

Villages:
Cayuga Heights
Dryden
Freeville
Lansing
Trumansburg

TOMPKINS COUNTY (Cont'd)

Towns:
Caroline
Danby
Dryden
Enfield
Groton
Ithaca
Lansing
Newfield
Ulysses

NORTH CENTRAL AREA

CAYUGA COUNTY:

City:
Auburn

Villages:
Aurora
Cayuga
Port Byron
Union Springs
Weedsport

Towns:
Aurelius
Brutus
Fleming
Genoa
Ledyard
Mentz
Montezuma
Owasco
Scipio
Sennett
Springport
Throop
Venice

ONONDAGA COUNTY:

Villages:
Elbridge
Jordan
Marcellus

Towns:
Camillus
Elbridge
Marcellus
Otisco (Northwestern Portion)
Spafford
VanBuren (Southern Portion)

ONTARIO COUNTY:

City:
Geneva

Villages:
Clifton Spring
Phelps
Rushville

Towns:
Geneva
Gorham
Hopewell (Eastern Portion)
Manchester (Eastern Portion)
Phelps
Seneca

GENERAL INFORMATION

1. Territory to which Schedule Applies (Cont'd):

NORTH CENTRAL AREA (Cont'd)

SENECA COUNTY:
Villages:
Seneca Falls
Waterloo

Towns:
Fayette
Junius
Romulus (Northern Portion)
Seneca Falls
Tyre
Varick
Waterloo

STEUBEN COUNTY:
Town:
Wayne (Northeastern Portion)

WAYNE COUNTY
Villages:
Clyde
Lyons
Macedon
Newark
Palmyra
Savannah

WAYNE COUNTY (Cont'd)
Towns:
Arcadia
Galen
Lyons
Macedon
Palmyra
Savannah (Adjacent to Village)
Walworth

YATES COUNTY:
Villages:
Dresden
Dundee
Penn Yan
Rushville

Towns:
Barrington
Benton
Italy
Jerusalem
Middlesex
Milo
Potter
Starkey
Torrey

NORTHEAST AREA

CLINTON COUNTY:
Villages:
Champlain
Dannemora
Keeseville
Mooers

Towns:

Altona
Ausable
Beekmantown
Black Brook (Northeast and Southeast Corners)

CLINTON COUNTY (Cont'd):
Towns:
Champlain
Chazy
Clinton
Dannemora
Ellenburg
Mooers
Peru
Plattsburgh
Saranac
Schuyler Falls

GENERAL INFORMATION

1. Territory to which Schedule Applies (Cont'd):

NORTHEAST AREA (Cont'd)

ESSEX COUNTY:
Towns:
Chesterfield
Elizabethtown
Essex
Jay
Keene
Lewis
Newcomb
Willsboro
Wilmington

FRANKLIN COUNTY:
Villages:
Burke
Chateaugay

Towns:
Belmont (Eastern and Southern Portions)
Burke
Chateaugay
Constable (Except Northwest Corner)
Malone (Highway Northeast Portion)

HAMILTON COUNTY:
Towns:
Indian Lake (Northern Portion)
Long Lake

SOUTHEAST AREA

DELAWARE COUNTY:
Towns:
Andes (Southern Portion)
Colchester (Southern Portion)
Hancock (Southern Portion)

DUTCHESS COUNTY:
Village
Pawling

Towns:
Amenia
Beekman
Dover
Pawling

PUTNAM COUNTY:
Village:
Brewster

PUTNAM COUNTY (Cont'd):
Towns:
Carmel
Kent
Patterson
Putnam Valley
Southeast

SULLIVAN COUNTY:
Villages:
Jeffersonveille
Liberty
Monticello
Woodridge

Towns:
Bethel
Callicoon
Cochecton
Delaware

GENERAL INFORMATION

1. Territory to which Schedule Applies (Cont'd):

SOUTHEAST AREA (Cont'd)

SULLIVAN COUNTY (Cont'd):
Towns (Cont'd):
Fallsburg
Fremont
Highland
Liberty
Neversink (Western Portion)
Rockland
Thompson
Tusten

ULSTER COUNTY:
Town:
Hardenbergh (Western Portion)

WESTCHESTER COUNTY:
Towns:
Bedford
Lewisboro
North Salem
Poundridge
Somers
Yorktown

WALDEN DISTRICT

ORANGE COUNTY:
Village:
Walden

Towns:
Crawford (Northeastern Portion)
Montgomery (Western Portion)

ULSTER COUNTY:
Town:
Shawangunk (Western Portion)

GENERAL INFORMATION

1. Territory to which Schedule Applies (Cont'd):

WESTERN AREA

CATTARAUGUS COUNTY:

Villages:
- East Randolph
- Gowanda
- Perrysburg
- Randolph
- South Dayton

Towns:
- Conewango
- Dayton
- Leon
- Napoli
- New Albion
- Perrysburg (Eastern Portion)
- Persia

CHAUTAUQUA COUNTY:

Villages:
- Cherry Creek
- Forestville
- Silver Creek

Towns:
- Cherry Creek
- Ellington
- Hanover
- Villenova

ERIE COUNTY:

Villages:
- Alden
- Depew
- East Aurora
- Gowanda
- Hamburg
- Lancaster
- Orchard Park
- Sloan

ERIE COUNTY (Cont'd):

Towns:
- Alden
- Amherst
- Aurora
- Boston
- Cheektowaga (Eastern and Southern Portion)
- Clarence
- Colden
- Collins (Southwestern Portion)
- Concord (Except Southeastern Corner)
- Elma
- Hamburg (Eastern Portion)
- Holland
- Lancaster
- Marilla
- Orchard Park
- Sardinia (Except Southeastern Corner)
- Wales
- West Seneca (Eastern Portion)

NIAGARA COUNTY:

City:
- Lockport

Towns:
- Lockport
- Newfane (Portion adjacent to Town of Lockport)
- Pendleton (Portion adjacent to Town of Lockport)

WYOMING COUNTY:

Towns:
- Bennington
- Java
- Sheldon

GENERAL INFORMATION

2. Submetering:

Non-Residential

A customer may purchase electricity for resale under any service classification of this rate schedule that would be applicable if such electricity were not for resale and said customer may resell the electricity purchased to tenants on an individually metered basis subject to approval by the Public Service Commission in response to individual proposals concerning electric service furnished to:

A. Master metered, new or renovated non-residential buildings; and to commercial tenants who receive directly metered service; and

B. Commercial occupants of cooperatives, condominiums, campgrounds, recreational trailer parks or recreational marinas whose occupants were purchasing individually metered electric service on May 21, 1980.

Submetered Multi-unit Residential Premises
Submetering, remetering, or resale of electric service shall be permitted as provided in subparagraphs (a) through (d) of this Rule.

(a) Electric service shall only be provided to a multi-unit residential premises in which individual dwelling units in the premises receive submetered electric service if the submetering
  (i) is and continues to be authorized by PSC order where a PSC order was necessary;
  (ii) is and continues to be consistent with any conditions imposed by such order; and
  (iii) is and continues to be consistent with 16 NYCRR Part 96.

(b) Existing Direct Metered Multi-unit Residential Premises
  (1) Electric service provided to individual residential units in existing multi-unit residential premises through direct metering may not be discontinued or replaced by master metering unless a Petition to Submeter is filed that:
    (i) complies with the applicable requirements of 16 NYCRR 96.5 and 96.6;
    (ii) seeks to convert such premises from direct metering to master-metering with submetering; and
    (iii) demonstrates that the building or complex for which master metering with submetering is sought shall participate in building level demand response programs or
    shall employ on-site co-generation plant or an alternative, advanced energy efficiency
    design, the conversion to submetering may be authorized by the PSC.
  (2) All costs associated with a conversion to master metering shall be borne by the customer converting to master metering. Such costs shall be determined in accordance with P.S.C. No. 119, Rule 6, Charges for Special Services.

GENERAL INFORMATION

2. Submetering: (Cont'd)

Submetered Multi-unit Residential Premises (Cont'd)

(c) Assisted Living and Senior Living Facilities

1. Assisted Living and Senior Living Facilities may be exempted from residential individual metering requirements if they meet all of the following criteria:

(i) The applicant shall submit sufficient documentation to enable the Company to determine the applicant's eligibility as an Assisted Living or Senior Living Facility.

(aa) An Assisted Living Facility is a multi-unit residential premises, identified as assisted living facilities and certified by the NYS Department of Health.

(bb) A Senior Living Facility is a multi-unit residential premises in which energy-efficient housing or other services are provided, and shall be provided in the future, to resident senior citizens.

(ii) The Company shall inform the applicant if such documentation is insufficient to determine eligibility. Within 30 days of receipt of adequate documentation, the Company shall notify the applicant of its eligibility or ineligibility for master metering.

2. All costs associated with a conversion to master metering shall be borne by the customer converting to master metering. Such costs shall be determined in accordance with P.S.C. No. 119, Rule 6, Charges for Special Services.

3. Assisted Living and Senior Living Facilities that no longer meet the above criteria or desire to convert to a different use shall no longer be exempt from individual metering requirements and shall either convert to individual metering or petition the PSC for approval of an alternative means of receiving electric service.

(d) Campgrounds, Recreational Trailer Parks, Marinas, and Parking Facilities

Electric service may be provided to the facility owner or operator of campgrounds, recreational trailer parks, marinas and parking facilities for redistribution to individual campsites, trailer, boat hookups, or plug-in electric vehicle charging stations with or without submetering. Master metering and submetering, at the facility owner's or operator's option, may be installed and used for billing without PSC approval and are not subject to submetering service conditions.

(3) Submetering in Master-metered Residential Cooperatives and Condominiums

Master-metering with submetering in residential cooperatives or condominiums shall be authorized:

(a) after filing a Notice of Intent to Submeter which includes the information, descriptions, plans, forms, certifications, and other materials and representations specified for such Notices in 16 NYCRR 96.5;
(b) after individual notices to owners or shareholders are provided pursuant to 16 NYCRR 96.3(c); and
(c) upon the PSC's determination and order approving such submetering as in the public interest and consistent with the provision of safe and adequate electric service to residents.

GENERAL INFORMATION

3. Reserved for Future Use

GENERAL INFORMATION

3. Reserved for Future Use

GENERAL INFORMATION

4. Surcharge to Collect System Benefits Charge ("SBC")

A System Benefit Charge (SBC) recovers costs associated with clean energy activities conducted by the New York State Energy Research and Development Authority (NYSERDA). The SBC is collected from the following Service Classifications: 1, 2, 3, 5, 6, 7, 8, 9, 11, 12, 13, 14 and 15.

On an annual basis, the SBC Statement shall be filed on not less than 15 days' notice to become effective January 1st. The Company shall reserve the right to file the SBC Statement on a more frequent basis as necessary to accommodate changes to program costs as directed by a Commission Order. Such filing shall be made on not less than 15 days' notice prior to the effective date.

Such statement may be found at the end of this Schedule (P.S.C. No. 120 – Electricity). The statement shall set forth the following surcharge rates:

A. Clean Energy Fund (CEF) Surcharge Rate:
The CEF surcharge rate collects funds associated with clean energy activities administered by NYSERDA for the CEF and includes the following program activities: NYSERDA Low- to Moderate-Income (LMI) and Non-LMI Energy Efficiency and Building Electrification (EE/BE) Portfolios. The surcharge rate shall be calculated by dividing the necessary collections by the projected annual kWh sales. Necessary collections shall include:

1. Annual authorized collections for NYSERDA administered programs, plus or minus any under- or over-collections for prior years.
2. CEF component of revenues collected by customers through the Customer Benefit Contribution ("CBC") Charge pursuant to Rule 40.A and 40.B shall be included in the surcharge reconciliation.
3. The NYSERDA LMI EE/BE Surcharge shall collect funds for the LMI EE/BE Portfolio for the 2026-2032 period. Costs to be included shall be specified by the Commission under Case No. 25-M-0249. The rate shall be set annually with LMI EE/BE program costs divided by projected sales, plus or minus any under- or over-collections, with uncommitted funds and accrued interest used to offset future collections.
4. The NYSERDA Non-LMI EE/BE Surcharge shall collect funds for the Non-LMI EE/BE Portfolio for the 2026-2032 period. Costs to be included shall be specified by the Commission under Case No. 25-M-0248. The rate shall be set annually with Non-LMI EE/BE program costs divided by projected sales, plus or minus any under- or over-collections, with uncommitted funds and accrued interest used to offset future collections.

B. Clean Energy Standard – Tier 2 Maintenance Contracts and Backstop Charges:
The Company shall recover costs associated with the Tier 2 Maintenance Contracts and Backstop Charges (Rule 39) from all customers.

The rate shall be set annually based on expected Tier 2 Maintenance Contract costs divided by projected sales and shall include allowance for uncollectibles plus or minus any under or over-collections for prior years. If any backstop charges are incurred during the recovery period, the Company can reset the rate during that time. The Exemptions identified in Rule 4.D. below do not apply to this component of the SBC.

C. Integrated Energy Data Resource (IEDR) Surcharge
The Company shall recover costs associated with the implementation of the IEDR by NYSERDA. The surcharge shall collect costs from all customers.

The surcharge rate shall be set annually based on projected IEDR program costs divided by projected sales and shall include carrying charges using the Other Customer Provided Capital Rate, plus or minus any under- or over-collections for prior years.

D. Exemptions:
1. A customer that receives a NYPA allocation of Recharge New York power pursuant to Rule 11 or Western New York NYPA power pursuant to Rule 12 shall be exempt from the CEF surcharge of the SBC.
2. A customer with a Negotiated Agreement may be exempt from the SBC as provided for in the customer's agreement.

E. Company-Administered Energy Efficiency/Building Electrification ("EE/BE") Programs Surcharge
Costs associated with the Company-administered EE/BE programs shall be recovered from customers through the SBC. Costs shall be allocated to customers using the same allocations as included in base rate recoveries for the most recent rate case and recovered from customers on a per kWh basis for non-demand billed service classes, on a per kW basis for demand billed service classes, and on a On-Peak As-Used demand basis for SC-11 and SC-15.

GENERAL INFORMATION

Reserved for Future Use

GENERAL INFORMATION

4. Surcharge to Collect System Benefits Charge ("SBC") (Cont'd)

F. Retail and Residential Energy Storage Program Surcharge

The Company shall recover costs associated with the NYSERDA administered retail and residential energy storage programs. The surcharge shall collect costs from all customers, including NYPA customers.

The rate shall be set annually based on expected NYSERDA administered retail and residential energy storage program costs divided by projected sales and shall include carrying charges using the Other Customer Capital Rate, plus or minus any under or over-collections for prior years. The exemptions identified in Rule 4.D. above do not apply to this component of the SBC.

G. Innovation and Research ("I&R") Portfolio Surcharge

The Company shall recover costs associated with the NYSERDA administered I&R portfolio.

The rate shall be set annually to recover costs associated with NYSERDA I&R portfolio, set forth by the Commission under Case No. 25-M-0421, divided by projected sales to recover the necessary collections, plus or minus any under- or over-collections, with uncommitted funds and accrued interest used to offset future collections as directed by the Commission.

The exemptions identified in Rule 4.D. above apply to this component of the SBC.

6. Increase in Rates and Charges Applicable Where Service is Supplied:

The rates and charges for service under all Service Classifications, including minimum charges, shall be increased to collect taxes on commodity revenue and delivery revenue calculated from the aggregate percentage rate of the taxes imposed on the Company's commodity and delivery revenues pursuant to:

a) Section 186-a of the State Tax Law ("GIT"); and

b) Section 20-b of the General City Law and Section 5-530 of the Village Law. The Company shall only collect and remit taxes on behalf of a Village or City seeking to impose the tax on the delivery portion or revenue received from customers where the commodity is provided by an entity other than the Company (delivery only customers) if the Village or City seeking to impose the tax on the delivery portion of revenue received from customers where the commodity is provided by an entity other than the Company (delivery only customers) if the Village or City seeking to impose the tax on the delivery portion requests the Company to do so and provides a written agreement to the Company (similar to the Example Agreement attached as Appendix B to the Order Approving Tariff Filings with Modifications, Issued and Effective September 19, 2019 in Case 19-G-0374, et. al;). When a City or Village submits the materials required to the Company to collect the Muni Tax from delivery only customers, the Company shall file a new statement with the Public Service Commission as identified in this Rule.

c) Section 186-c and Section 209-b under Article 9 of the Tax Law -- Metropolitan Business Tax Surcharge.

For the counties of Westchester, Putnam, Dutchess and Orange, the surcharge percentages will be adjusted to reflect the Temporary Metropolitan Business Tax Surcharge ("MTA Tax") as charged to the Company under Section 186-c and Section 209-b under Article 9 of the Tax Law. A revised surcharge percentage will be filed for each year the MTA Tax surcharge is applicable. The actual tax surcharge expense will be reconciled with the amount collected during each 12-month period and a reconciling adjustment will be made, if necessary, for the last two months of each 12-month period.

Aggregate percentage tax rates will be separately calculated for rates and charges for:

1) Residential Non-Retail Access Delivery Service
2) Non-Residential Non-Retail Access Delivery Service
3) Non-Retail Access Commodity Service (Residential and Non-Residential)
4) Residential Retail Access Delivery Service
5) Non-Residential Retail Access Delivery Service

The effective aggregate percentage tax rates will be computed as follows:

Areas not subject to MTA Tax:

a) Within cities or villages subject to Municipal Tax:
[[1/(1-(GIT + Muni Tax))]-1]*100
b) Outside of cities or villages subject to Municipal Tax:
[(1/(1-GIT))-1]*100

Areas subject to MTA Tax:

a) Within cities or villages subject to Municipal Tax:
[[1/[1/[(1 + MTA Tax)/[1-(GIT + Muni Tax)]]]]-1*100
b) Outside of cities or villages subject to Municipal Tax:
[[1/[1/[(1 + MTA Tax)/(1-GIT]]]]-1*100

GENERAL INFORMATION

6. Increase in Rates and Charges Applicable Where Service is Supplied: (Cont'd.)

The effective aggregate percentage tax rates will be computed as follows:

Areas not subject to MTA Tax:

a) Within cities or villages subject to Municipal Tax:

[[1/(1 - (GIT + Muni Tax))] – 1] * 100

b) Outside of cities or villages subject to Municipal Tax:

[(1/(1 - GIT)) – 1] * 100

Areas subject to MTA Tax:

a) Within cities or villages subject to Municipal Tax:

[[1/[1/[(1 + MTA Tax) / [1 – (GIT + Muni Tax)]]]] – 1] * 100

b) Outside of cities or villages subject to Municipal Tax:

[[1/[1/[(1 + MTA Tax) / (1 - GIT)]]] – 1] * 100

The applicable aggregate percentage rate and surcharge factor shall be set forth on a statement (Tax Surcharge Percentages Statement or "TSP Statement") filed with the Public Service Commission. Whenever the legislature, city, village or any other governmental authority levies a new tax on the Company, repeals such tax, or changes the rate of such tax, the Company will file a new statement.

Every such statement shall be filed not less than 15 business days before the date on which the statement is proposed to be effective, and no sooner than the date of the tax enactment to which the statement responds; shall become effective no sooner than the date when the tax enactment is filed with the Secretary of State; shall be applicable to bills subject to the tax enactments that are rendered on or after the effective date of the statement; and shall be canceled not more than five business days after the tax enactment either ceases to be effective or is modified so as to reduce the tax rate.

Such statement will be duly filed with the Public Service Commission, apart from this rate schedule, and will be available to the public at the Company offices at which application for service may be made.

GENERAL INFORMATION

7. Revenue Decoupling Mechanism Adjustment ("RDM")

1. Applicable to:
   a. All customers taking service under residential Service Classification Nos. 1, 8, and 12, except as noted in (c.) below, and general service under Service Classification Nos. 2, 3-Primary, 3-Subtransmission, 6, 7-1, 7-2, 7-3, 9, and 11 (as further explained below), whether receiving electricity supply from the Company or an ESCO, such customers shall be subject to a RDM Adjustment as described below.
      i. For reconciliation purposes, the Company shall combine all residential classes and shall maintain individual general service classes; as noted above in 1.a.
   b. A customer taking service under Service Classification Nos. 11 or 15, shall be subject to the RDM Adjustment based on their Otherwise Applicable Service Classification ("OASC"). A customer taking service under Service Classification No. 11 or 15 and their OASC is 7-4 Transmission shall be excluded from the RDM.
   c. The following customers shall be excluded from the RDM Adjustment: customers taking Seasonal Service under the Special Provisions in Service Classification Nos. 1 and 8, Service Classification No. 7-4 Transmission, Service Classification Nos. 5, 10, 13, and 14.
2. Definitions:
   a. "Delivery Service Revenue (DSR) Target": For residential service classifications, shall be based on combined residential service classification base delivery revenues for each month; and for general service classifications, shall be based on individual service classification base delivery revenues for each month. DSR Target for the Rate Year is set forth in accordance with the Commission Order issued and effective on May 14, 2026. The Delivery Service Revenue Target for the Rate Year shall repeat annually until changed by the Commission.
   b. "Actual Billed Delivery Service Revenue": For the purpose of RDM, shall be measured as the sum of the billed base delivery revenues from all customers for each service classification. Base delivery revenues include revenues related to the Customer Charge, Demand Charge (per kW), Reactive Charge (per rkvah), Energy Charge (including EV Phase-In Rate TOU Energy Charges established in Rule 31) for delivery (per kWh), Contract Demand Charge (per kW), As Used Demand (per kW) and the applicable delivery component of the Customer Benefit Contribution ("CBC") Charge. For purposes of this calculation, revenues related to the System Benefits Charge (SBC), Rate Adjustment Mechanism (RAM), Merchant Function Charge (MFC), Transition Charge, Earnings Adjustment Mechanism, Non-Wire Alternatives, and New York Power Authority (NYPA) supplied usage are excluded. All sales to customers with economic development discounts or low income bill credits shall be calculated at standard service classification rates.
   c. "Rate Year": For the purposes of RDM, the Rate Year shall be effective May 1st through April 30th of the following year.

7. Revenue Decoupling Mechanism Adjustment ("RDM") (Cont'd)

3. Calculation:

a. The RDM shall reconcile per service class actual billed delivery service revenue to allowed delivery service revenue.

b. For the residential and general service classifications or sub classification subject to the RDM as set forth in Rule 7.1.a (RDM), each month, the Company shall compare the Actual Billed Delivery Service Revenue and the Delivery Service Revenue Target. If the monthly Actual Billed Delivery Service Revenue exceeds the Delivery Service Revenue Target, the delivery service revenue excess shall be accrued for refund to customers at the end of the Rate Year. Likewise, if the monthly Actual Billed Delivery Service Revenue is less than the Delivery Service Revenue Target, the delivery revenue shortfall shall be accrued for recovery from customers at the end of the Rate Year.

c. At the end of the Rate Year, total delivery service revenues shall be compared to cumulative monthly target revenues for the residential service classifications and each general service classification or sub classification. Any variance from cumulative target revenues shall be either refunded or surcharged to customers over the 12 monthly periods of the immediately succeeding Rate Year. Any surcharge or credit amount shall reflect interest at the then effective other customer deposit rate and shall be either recovered or returned to residential service classifications (as described in 7.1.a. (RDM). The surcharge or credit for each applicable service classification or sub classification shall be determined by dividing the amount to be refunded or surcharged to customers in that service classification or sub classification by estimated kWh or kW deliveries to customers in that service classification or sub classification over a 12-month period. A per kW surcharge or credit shall be applied for those classes that do not have a kWh delivery charge. A per kWh surcharge or credit shall apply for all other service classifications.

7. **Revenue Decoupling Mechanism Adjustment ("RDM") (cont'd)**

3. Calculation (cont'd)

d. Following each RDM Adjustment period, any difference between the amounts required to be charged or credited to customers in each service classification or sub classification and amounts actually charged or credited shall be charged or credited to customers in that service classification or sub classification, with interest, over the subsequent RDM Adjustment period, or as determined by the Public Service Commission, if no RDM is in effect Credits applied to Customer accounts pursuant to P.S.C. No. 119, Rule 4.S. shall be excluded at the subsequent annual reconciliation.

e. The first two months of the Rate Year shall be adjusted upward to reverse the effect of proration of changes in effective delivery rates.

f. If a customer qualifies for and takes service under Service Classification Nos. 13 or 14, or receives an allocation of NYPA Power, or if a customer taking service under Service Classification Nos. 13 or 14 switches to another service classification subject to the RDM, or has an allocation of NYPA power that expires, such customer migration shall be treated symmetrically using the following methodology:

i. If a customer moves from a flexible rate contract to an RDM class, the RDM target shall increase by the level of revenue forecast for that customer in the rate year under the flexible rate contract pro-rated by the number of months in the new service class, making the Company whole for delivery revenues below the level forecast in the rate year. Any revenue in excess of the forecast shall be credited to the RDM class.

ii. If a customer moves from a RDM class to a flexible rate contract, the RDM target shall be decreased by that customer's sales in the flexible rate contract priced out at full tariff rates, making the RDM class whole for delivery revenues from the migrating customer.

iii. In situation (a) and (b) above, the Company shall adjust the RDM targets for the remaining months of the current rate year, and in the subsequent rate years.

g. If at any time during Rate Year, the actual total accumulated billed delivery service revenues vary plus or minus 1.50% or more from the total accumulated Delivery Service Revenue Targets, the Company may file an interim RDM Adjustment for each service classification and sub classification.

Such interim RDM Adjustment shall be limited to no more than one per Rate Year and shall occur over four months or until the end of the Rate Year, whichever is longer.

4. A Revenue Decoupling Mechanism (RDM) Statement setting forth the rate adjustment shall be filed with the Public Service Commission on not less than 30-days' notice to be effective July 1. Should the Company file an interim RDM Adjustment as described above, such filing shall occur on not less than 10-days' notice. Such statement can be found at the end of this Schedule (P.S.C. No. 120 – Electricity).

GENERAL INFORMATION

8. Reserved for Future Use

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10. Economic Development Power ("EDP"):

Economic Development Power within Service Classification No. 7 is available under the following conditions:

As of March 1, 2003, customers were taking deliveries of 36.1 MW of EDP pursuant to FERC Rate Schedule No. 179. Subject to the provisions of this Section, those customers shall continue to be billed for delivery in accordance with FERC Rate Schedule No. 179. If any EDP allocation comprising part of the 36.1 MW being delivered in accordance with FERC Rate Schedule No. 179 as of March 1, 2003 is surrendered, terminated, withdrawn or otherwise relinquished, renewed or extended, and is then re-allocated by NYPA,

i. such allocation shall be delivered by the Company at the standard ESCO Supply Service (ESS) rate (as specified in Section 25, Supply Service Options), which includes the Transition Charge, and

ii. the 36.1 MW level billed in accordance with FERC Rate Schedule No. 179 shall be reduced accordingly.

Beginning on August 1, 2007, customers taking deliveries of “New Allocations” of EDP shall be exempt from the Transition Charge in accordance with General Information Section 12.

EDP deliveries shall be exempt from the System Benefits Charge effective January 1, 2007. The rates and conditions provided in this provision are subject to review by, acceptance by or approval from the Federal Energy Regulatory Commission ("FERC") to the extent of the FERC's jurisdiction.

GENERAL INFORMATION

11. Recharge New York ("RNY") Power Program

Chapter 60 (Part CC) of the Laws of 2011 created the Recharge New York ("RNY") Power Program and under the RNY Power Program, NYPA is authorized to, among other things, allocate and sell up to 910 megawatts ("MW") of RNY Power to customers as provided for in Public Authorities Law § 1005(13-a) and Economic Development Law § within the entire service territory.
RNY Power currently consists of:

(i) 455 MW of certain firm hydroelectric power (i.e. capacity and energy) from the Niagara and Saint Lawrence hydroelectric projects; and
(ii) 455 MW of power (i.e. capacity and energy) procured by NYPA through market sources, or supplied by the Company or an ESCO.

Such implementation is conditioned upon entry by the Company and NYPA into a "Recharge New York Agreement" and upon the physical availability of RNY Power. Eligibility of individual customers is also conditioned upon compliance with the Eligibility Criteria described below

ELIGIBILITY

Effective July 1, 2012:

A. A customer otherwise qualifying under Service Classification Nos. 2, 3, 7 or 11 that has met the requirements of the Economic Development Power Allocation Board ("EDPAB"), together with all additional approvals pertaining to such recommendation, that pursuant to Chapter 60 (Part CC) of the Laws of the New York Laws of 2011, qualifies the customer to receive an allocation of RNY from NYPA, and remain in compliance with any applicable requirements therein; and

B. A customer receiving an RNY allocation that has received or receives an economic delivery rate pursuant to the Excelsior Jobs Program (EJ), shall choose between the economic development incentive and RNY delivery discount for which they qualify. Only one delivery discount shall be applied to a specific portion of the customer's load. The customer shall make a one-time election and provide its election to the Company in writing. If the customer fails to provide the Company with its written one-time election, the customer shall default to the EJ delivery rates. Choosing the EJ delivery rate shall not alter the supply load factor sharing described below.

1. If a customer that is participating in the EJ incentive and has a baseload elects to receive the EJ delivery rate, the customer shall receive the RNY delivery discount on the baseload up to their designated RNY allocation.
2. If a customer that is participating in the EJ incentive and does not have a baseload elects to receive the EJ delivery rate, the customer shall receive the EJ incentive delivery rate on their entire load and shall not receive the RNY delivery discount.
3. A customer that is participating in the EJ and elects to receive the RNY Program delivery discounts shall receive the RNY Program delivery discounts on their entire RNY allocation and shall receive the EJ delivery rate on any qualified load above the RNY allocation.

A customer that elects to receive the EJ delivery rate shall automatically revert to receiving the RNY Program delivery discount if the EJ delivery rate is, or becomes, the same as standard service classification rates. If the EJ delivery rate becomes lower than the standard service classification rates, the customer's election of the EJ delivery rate shall be reinstated.

If a customer participating in the EJ Program does not receive its annual certification from ESD in any year they are participating in the EJ Program, the customer shall automatically revert to receiving the RNY Program delivery discount until such customer receives its certification from ESD for the EJ Program.

C. If a customer receiving service under this Special Provision has a demonstrated financial need, such customer shall be eligible to combine the RNY delivery discount with any other economic development incentive or flexible tariff rate, term or condition under Service Classification Nos. 13 and 14 for the same portion of the customer's load. Simply qualifying for a RNY Program allocation and another economic development program is not sufficient showing of financial need for the purpose of combining delivery rate discounts on the same portion of a customer's load. A customer that qualified for a RNY Program allocation and received another economic development incentive prior to March 18, 2013, shall be grandfathered under this Rule.

NYPA shall give the Company not less than 30 days written notice prior to the requested effective date of any of the following events: (a) initial communication of a RNY allocation; (b) a change in the amount of a RNY allocation previously reported to the Company; and (c) a termination of a RNY allocation. The change to the RNY Power Allocation billing shall become effective with the next full billing period that is practicable after the notification of the change, except for customers receiving a Power for Jobs allocation whose RNY allocation becomes effective on July 1, 2012; these customers shall receive their RNY benefits starting on July 1, 2012. A change to a delivery point shall be handled as a termination of a RNY allocation to the current delivery point and an enrollment of a RNY Allocation to the new delivery point.

Service under this provision is available to customers approved by EDPAB, subject to the partial or complete withdrawal of such allocation by NYPA or the EDPAB, in the event the customer fails to maintain mutually agreed upon terms of their contracts. Service under this provision shall be available to qualified customers for the duration that such an allocation, specifically designated for the purpose of the RNY Power Program, is made available through NYPA.

11. Recharge New York ("RNY") Power Program (Cont'd)

Billing:

a. The customer's "RNY Contract Demand" shall be the level of demand specified in the customer's RNY allocation approved by NYPA. The RNY allocation is comprised of 50% firm hydroelectric power (i.e. capacity and energy) from the Niagara and Saint Lawrence hydroelectric projects, and 50% market power (i.e. capacity and energy). The market power can be supplied by NYPA or the customer's supplier for electricity in accordance with the Supply Service Options set forth in General Information Section 25.

b. Delivery
   i. The customer's RNY allocation shall be subject to the Delivery Charges listed within the customer's Service Classification and the Transition Charge (Non-Bypassable Charge ["NBC"]).

   ii, The customer's RNY allocation shall be exempt from paying the System Benefit Charge. The customer's RNY allocation shall be exempt from the Revenue Decoupling Mechanism ("RDM") Adjustment (as described in General Information Section 7.). The RNY allocations shall be subject to the DCFC Surcharge for a period of one year as described in Rule 43.

c. Supply
   The non-NYPA supplied load shall be billed at the ESCO Supply Service rate or the NYSEG Supply Service rate of the customer's Service Classification. A customer eligible to take supply service from NYPA pursuant to Rule 45 of this schedule may elect such service in lieu of supply from an ESCO or the Company.

Demand Exceeding the RNY Contract Demand:

To the extent that a customer's maximum billing demand (maximum metered demand for S.C. No. 11), for the current month exceeds its RNY Contract Demand, the customer's billing determinants shall be allocated between NYPA and the Company or the ESCO as described below in the section denominated "Load Factor Sharing."

Load Factor Sharing:

For customers receiving a portion, but not all, of their electric requirements pursuant to a RNY allocation, the Company shall apply a billing algorithm, the Billing Determinant Ratio ("BDR")," to identify, for the purposes of billing delivery charges, the load eligible for the RNY program pursuant to Chapter 60 (Part CC) of the Laws of 2011 and the load considered non-RNY load.

Determination of Billing Demand and Energy:

For the purposes of this procedure, Billing Demand and Energy shall be determined in accordance with the customer's Service Classification, for S.C. No. 11 Standby customers maximum metered demand shall be used. The RNY Contract Demand shall not be prorated for billing periods less than 25 days or longer than 35 days.

Demand:

A. Calculate the BDR which is used to allocate the present month's Billing Demand (maximum metered demand for S.C. No. 11) and Energy between RNY and Non-RNY. The BDR's numerator is the RNY Contract Demand and the BDR's denominator is the greater of:
   1. the maximum Billing Demand for the current month, the maximum metered demand for S.C. No. 11,
   2. the value (size in kW) of the RNY Contract Demand.

   The calculated value shall then be greater than zero and less than or equal to 1.0.

GENERAL INFORMATION

11. Recharge New York ("RNY") Power Program (Cont'd)

Demand: (cont'd)

B. Calculate the RNY Billing Demand. The RNY Billing Demand is the mathematical product of the BDR and the current month's Billing Demand, the maximum metered demand for SC No. 11.

C. Calculate the non-RNY Billing Demand. The non-RNY Billing Demand is the difference between the Billing Demand (maximum metered demand for SC No. 11) for the billing period and the RNY Billing Demand from step B, above.

Energy:

A. Calculate RNY Energy. RNY Energy is the mathematical product of the BDR and total energy consumption, consumption by peak and off-peak, or consumption by hour as applicable.

B. Calculate non-RNY Energy. Non-RNY Energy is the difference between total energy consumption, consumption by peak and off-peak, or consumption by hour as applicable and RNY Energy from step A, above.

Capacity:

When the Company develops installed capacity ("ICAP") requirements for RNY Power Program participants, the Company shall derive them on an individual basis at the time of the monthly NYCA peak date and time. When hourly data is not available, the appropriate service class profile will be used to determine the customer's capacity responsibility. A new capacity responsibility amount will be established for each customer each April, to be effective on or after May 1. The ICAP requirement for the RNY Power portion of the total ICAP requirement for each Program Participants shall be split based on the demand at the NYCA peak.

GENERAL INFORMATION

12. Western New York NYPA Power (formerly known as New Allocations of NYPA Power)

Pursuant to the Commission's Order Adopting Joint Proposal on New York Power Authority Issues, issued and effective July 20, 2007 and Order Approving Request and Directing the Filing of Tariff Amendments, issued and effective November 15, 2013, Case 13-E-0109:

Western New York ("WNY") NYPA allocations are defined as allocations of NYPA Power that are part of the Expansion Power, Replacement Power, High Load Factor Manufacturer Power, or Preservation Power programs made to customers within the Company's service territory.

For customers receiving WNY Allocations of NYPA Power, such NYPA load shall be served under the applicable Service Classification Nos. 2, 3, or 7 at the Company's standard ESCO Supply Service (ESS) tariff rates, or if applicable the Excelsior Jobs Program (EJ).

a. New allocations of NYPA power for customers served under Service Classification Nos. 2, 3, or 7, as applicable, up to a total of 100 MW, shall be exempt from the Non-Bypassable Charge. For certain adjustments approved by the Commission, a separate credit shall be calculated and placed on the customer's bill, and
b. WNY Allocations of power for customers served under Service Classification Nos. 2, 3, or 7, shall be exempt from the Revenue Decoupling Mechanism Adjustment.
c. A customer receiving a WNY allocation that has received or receives an economic delivery rate pursuant to the EJ incentive shall choose between the economic development incentive and WNY delivery discount for which they qualify. Only one delivery discount shall be applied to a specific portion of the customer's load. The customer shall make a one-time election and provide its election to the Company in writing. If the customer fails to provide the Company with its written one-time election, the customer shall default to the EJ delivery rates.

    1. If a customer that is participating in the EJ incentive and has a baseload elects to receive the EJ delivery rate, the customer shall receive the WNY delivery discount on the baseload up to their designated WNY allocation.
    2. If a customer that is participating in the EJ incentive and does not have a baseload elects to receive the EJ delivery rate, the customer shall receive the EJ delivery rate on their entire load and shall not receive the WNY delivery discount.
    3. A customer that is participating in the EJ incentive and elects to receive the WNY Program delivery discounts shall receive the WNY Program delivery discounts on their entire WNY allocation and will receive the EJ delivery rate on any qualified load above the WNY allocation.

A customer that elects to receive the EJ delivery rate shall automatically revert to receiving the WNY Program delivery discount if the EJ delivery rate is, or becomes, the same as standard service classification rates. If the EJ delivery rate becomes lower than the standard service classification rates, the customer's election of the EJ delivery rate shall be reinstated.

If a customer participating in the EJ Program does not receive its annual certification from ESD in any year they are participating in the EJ Program, the customer will automatically revert to receiving the WNY Program delivery discount until such customer receives its certification from ESD for the EJ Program.

If a customer receiving service under this Special Provision has a demonstrated financial need, such customer shall be eligible to combine the WNY delivery discount with any other economic development incentive or flexible tariff rate, term or condition under Service Classification Nos. 13 and 14 for the same portion of the customer's load. Simply qualifying for a WNY Program allocation and another economic development program is not sufficient showing of financial need for the purpose of combining delivery rate discounts on the same portion of a customer's load.

Supply:
For any load that is not supplied by NYPA, a customer may be eligible to take supply service from NYPA pursuant to Rule 45 of this schedule If a customer elects such service, the supply shall be in lieu of supply from an ESCO or the Company.

GENERAL INFORMATION

12. Reserved for Future Use

Issued in compliance with order in Case No. 05-E-1222 dated 08/23/06.

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15. Reserved for Future Use

GENERAL INFORMATION

16. General Retail Access:

A. Introduction:

1. This Section contains the terms and conditions pertaining to General Retail Access. The rate options under which customers may take retail access are detailed in Rule 25, Supply Service Options.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

A. Introduction: (Cont'd.)

2. All transmission service within New York State is obtained through the New York Independent System Operator ("NYISO") pursuant to the NYISO Tariffs. This General Retail Access tariff may be revised, modified, clarified, supplemented, amended or superseded as may be necessary as a result of the NYISO Tariffs. The Company may seek to revise the terms and conditions of the tariff, the Electric Supplier Manual and the Operating Agreement (including any pricing terms) as necessary to comply with the requirements of the NYISO Tariffs.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

B. Definitions:

As used herein, the following terms shall have the meanings set forth below. Additionally, other terms used within this Schedule are defined in the Uniform Business Practices ("UBPs") (UPB Addendum).

Ancillary Services: Those services necessary to support the transmission of energy from generation resources to loads while maintaining reliability of the electric system. Ancillary Services are described and provided for in the NYISO (defined below).

Auction: the Company's auction of coal-fired generation assets as set forth in the Agreement approved in the Settlement Order.

Balancing and Settlement: Load Balancing and Settlement is the process of reconciling (1) scheduled deliveries of Electric Power Supply by an ESCO/DC to serve their own needs or those of Eligible Customers, to (2) total actual customer load of the ESCO or a DC's load, on an hourly basis. The NYISO provides energy imbalance service (also known as Balancing and Settlement) in accordance with the NYISO Market Services Tariff.

Business Days: As defined in the Company's Tariff, P.S.C. No. 119 - Electricity, as the same may be revised, modified, amended, supplemented, clarified or superseded.

Combination Account: A common account for both gas and electric service for the purpose of combined gas and electric billing by the Company. A Combination Account is served under P.S.C. No. 87 - Gas or P.S.C. No. 88 - Gas, and under this Schedule.

Commission or PSC: Public Service Commission of the State of New York, or any successor agency thereto.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

B. Definitions: (Cont'd.)

Customer: A customer that takes service through an account that meets the customer eligibility criteria set forth in Section 16.D.

Department of Public Service ("DPS"): The Public Service Commission Staff which is responsible for developing and implementing New York State regulatory and energy policies; receiving, investigating, and resolving complaints on billing, services, or other utility practices; and administering regulations issued by the Commission. (For example, ESCOs must file their initial eligibility application with the Commission's Consumer Services Division, a part of DPS.)

Electric Power Supply: The electricity required to meet the Eligible Customer's needs, including energy, Energy Losses, Unaccounted for Energy ("UFE"), Capacity, Capacity Reserves, Capacity Losses, ancillary services, NYPA Transmission Access Charges ("NTAC"), transmission project costs allocated to the Company under the NYISO tariff as approved by FERC, and Supply Adjustment Charge. ESCOs/DCs are responsible for providing the full Electric Power Supply requirements of their eligible customers.

Energy Losses: The unusable energy that results from the generation, transformation, transmission and distribution of Electric Power Supply to an Eligible Customer's meter. Unaccounted For Energy ("UFE") is also included.

Industrial Customer: An account of a customer which is coded Revenue Class 30 as defined by Division "D" of the Standard Industrial Classification ("SIC") Manual that is engaged in manufacturing (SIC Codes 20-39) or Division "B" mining (SIC Major Codes 10-14) and which does not qualify for the Industrial/High Load Factor provision within S.C. Nos. 2, 3, and 7 of this tariff as more particularly described herein.

FERC: Federal Energy Regulatory Commission, or any successor agency thereto.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

B. Definitions: (Cont'd.)

Interruptible Service: Special Provision (c) of S.C.7 sets forth the terms under which the Company will provide a monthly billing credit to customers who agree to reduce their demand to a specified level when service interruption is requested by the Company.

Involuntary Switch: A process or situation where an Eligible Customer's ESCO is changed from one provider e.g., ESCO or utility, to another without the Eligible Customer's authorization. An involuntary switch that is not in accord with the "Discontinuance of Service" provision set forth in this tariff is referred to as "slamming." Examples of involuntary switches include, but are not limited to, situations where a customer returns to the Company's service as a result of an ESCO's failure to deliver, the ESCO going out of business, or the termination of the ESCO's participation in the Company's Program.

New York Independent System Operator ("NYISO"): An organization formed under FERC approval to provide equal access to the transmission system of New York State and to maintain system reliability, and any successor organization thereto.

NYISO Open Access Transmission Tariff ("NYISO OATT"): The tariff filed with and approved by FERC as the same may be revised, modified, amended, clarified, supplemented or superseded, that sets forth the rates, terms and conditions under which the NYISO provides open access transmission service.

NYISO Tariffs: The NYISO OATT (defined above) and the NYISO Market Services Tariff, as well as NYISO technical bulletins, procedures and any other guidelines issued by the NYISO that set forth the rates, terms and conditions under which the NYISO provides open access transmission services.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

B. Definitions: (Cont'd.)

Operating Agreement: The standard form agreement between the Company and the ESCO or the DC setting forth the duties, responsibilities and obligations of the Company and the ESCO or the DC, which agreement must be executed and delivered by the ESCO or the DC as a condition to participate in the Program.

Opinion No. 97-5: The Commission's Opinion and Order Establishing Regulatory Policies for the Provision of Retail Energy Services, issued and effective May 19, 1997, in Case No. 94-E-0952, as the same may be revised, modified, amended, clarified, supplemented or superseded.

Opinion No. 99-3: The Commission's Opinion and Order concerning Uniform Business Practices, in Case 98-M-1343, issued February 16, 1999 (the "UBP Order") as the same may be revised, modified, amended, clarified, supplemented or superseded.

Order: The Commission's Order Establishing Retail Access Pilot Programs, issued and effective June 23, 1997, Case No. 96-E-0948, as the same may be revised, modified, amended, clarified, supplemented or superseded.

Partial Requirements Customers: Those customers that are taking service for a portion of their load under the Company's economic incentives, Interruptible Service or NYPA service.

POLR: The Provider Of Last Resort as defined in Section 16.D.15 of this General Retail Access tariff.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

B. Definitions: (Cont'd.)

Segment Load Profiles: The electric power consumption (kWh) as measured in one hour intervals, statistically valid for a specified group of Eligible Customers.

Standard Load: Load served at the Company's standard tariff rates, terms and conditions.

GENERAL INFORMATION

16. General Retail Access:

B. Definitions: (Cont'd.)

Supplier Manual: The Customer Advantage Supplier Manual dated August 1, 1998, as the same may be revised, modified, amended, supplemented, clarified or superseded.
Uniform Business Practices (UBPs) shall mean those practices set forth in the UBP Addendum, which are incorporated herein by reference.

Unforced Capacity ("UCAP"): power supply resources (maximum realizable generator capabilities adjusted for forced outage rates, also may include special case resources) obtained by an ESCO/DC to meet the peak load the ESCO/DC will serve in a given Obligation Procurement Period.

Unforced Capacity Losses ("UCAP Losses"): The unusable energy and associated capacity that results from the generation, transformation, transmission and distribution of energy to meet peak load.

Unforced Capacity Reserves ("UCAP Reserves"): power supply resources (maximum realizable generator capabilities adjusted for forced outage rates, also may include special case resources) in excess of the system peak load required by the NYISO. The UCAP Reserves amount is set annually by the New York State Reliability Council ("NYSRC") or the NYISO.

Voluntary Switch: A process or situation where an Eligible Customer's ESCO is changed from one provider to another with the customer's authorization or where an Eligible Customer returns to the Company on its own initiation. A Voluntary Switch is any switch authorized by the Eligible Customer. An ESCO may act as the customer's authorized designee in a voluntary switch situation.

C. Implementation

1. See Rule 25 of this Schedule, Supply Service Options, to elect a Retail Access Rate Option.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation:

1. Eligibility Requirements:

Eligibility to participate in General Retail Access is open to all customers subject to requirements set forth in Rule Nos. 16 (General Retail Access) and 25 (Supply Service Options.)

(a) For customers taking service under an economic incentive provision, *i.e.*, EJ, the Company shall bill such incentivized or discounted load at the applicable rate option as specified in the applicable Special Provision for Economic Incentives of the respective service classifications, subject to Rule 25, Supply Service Options. The customer shall select the same Supply Service Option for all of their load, including the portion of their load receiving the incentive.

(b) Customers whose entire load is served under Service Classification Nos. 13 or 14 may be eligible for retail access after their contracts expire, unless their contracts with the Company permit such customer to become eligible earlier. Upon expiration of such S.C. 13 or S.C. 14 contracts, customers may be eligible to select any Supply Service Option in accordance with Rule 25, Supply Service Options.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

1. Eligibility Requirements: (Cont'd.)

(d) Customers who receive a portion of their Electric Power Supply from NYPA, (Expansion, EDP, HLFM, Replacement or Preservation Power, Recharge NY Power), with Standard Load (non-NYPA load), shall be permitted to take General Retail Access service for their Standard Load.. The NYPA load will continue to be billed at the appropriate NYPA rate as specified in General Information Rule 11 or the Special Provision of Service Classification No. 7. If the NYPA allocation expires or is terminated, the customer will have 30 days to elect a Supply Service option for that load, subject to the provisions of Section 25, Supply Service Options.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

1. Eligibility Requirements: (Cont'd.)

(e) The following customer eligibility requirements also apply:

i. A Customer, whose Electric Power Supply and delivery would otherwise be provided by the Company, under S.C. Nos. 1, 2, 3, 5, 6, 7, 8, 9, 11 or 12, may arrange for Electric Power Supply only from an ESCO that meets the requirements set forth herein.
ii. A Customer may select only one ESCO at a time per customer account, regardless of the number of meters.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: See UBP Addendum

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation:

1. Customer Information - Current:

All information to be furnished by the Company shall be provided electronically via EDI to ESCOs/DCs when the data is acceptable to the Company for the purposes of billing its Customers for service provided by the Company. Where estimated meter readings are used, the estimated usage must be provided to ESCOs/DCs when the data is acceptable by the Company to bill its Customers for service provided by the Company. All subsequent changes or corrections and adjustments to previously supplied data shall be made available to the ESCOs/DCs when the data is acceptable to be used for its Customers.

2. Historical & Current Information Available Free of Charge:

For usage and billing information, the Company shall provide up to 24 months of the most recent historic usage and billing information except as provided for in paragraph 3 below. For credit information, the Company shall provide information on whether the Customer had late payments and/or disconnections due to non-payment during the immediately preceding 24 months or life of the account, whichever is shorter.

3. Historical & Current Information Available For A Fee:

For historical usage and billing information, see UBP Addendum, Section 4.E. Should a Customer and/or its designee request historical usage and billing information for more than 24 consecutive months, the Company shall provide this information (if available) for a fee of $15 for each additional 12 month period or portion thereof. Should a Customer or its authorized designee request historical interval data in special customized formats, a fee shall apply for data in excess of 24 months. Detailed interval data for an account, if available, shall be provided at a fee of $40 per meter, per request, for data in excess of to 24 months. The fees detailed in this section shall be payable by the requestor. Information not identified in this paragraph shall be supplied, if available, at the Company's incremental cost. All information shall be provided via a non-EDI method. The Company reserves the right not to be required to provide data in any special customized format.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

4. Sending Customer Information:

Usage and billing information shall be sent to the requestor via EDI. ESCOs shall be required to obtain and retain proper customer authorization for such information. Credit information shall be mailed to the Customer's address unless the Company receives the proper written customer authorization from the ESCO in which case it shall be provided to the ESCO.

5. Confidentiality:

The ESCO must keep confidential any customer information (usage and billing and credit information) obtained from the Company. This information shall not be disclosed to any party, unless otherwise authorized by the Customer in writing. All other customer information, such as account numbers (and any passwords used, if applicable), telephone numbers and service addresses, shall also be kept confidential and not disclosed to others, unless otherwise authorized in writing by the Customer.

The Company shall not disclose a customer's usage and billing and credit information to an ESCO unless the Customer has notified the Company, in writing, that such information may be disclosed.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

RESERVED FOR FUTURE USE

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

6. Changes in Supplier:

(a) Voluntary Switch Back to the Company Service
If a Customer voluntarily chooses to switch back to the Company service for Electric Power Supply, such Customer must notify the Company at least five business days before the Customer's next scheduled meter reading date, interim estimated meter reading date or a requested Special Meter Reading date.

(b) Involuntary Switch

An involuntary switch is a process or situation where a Customer's ESCO is changed from one provider e.g., ESCO or utility, to another without the Customer's authorization. An involuntary switch that is not in accord with the "Discontinuance of Service" provisions set forth in the UBP Addendum, Section 2.F. is referred to as "slamming." Examples of involuntary switches include, but are not limited to, situations where a customer returns to the Company service as a result of an ESCO's failure to deliver, the ESCO going out of business, or the termination of the ESCO's participation in the Company's General Retail Access Program.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

6. Changes in Supplier: (Cont'd.)

RESERVED FOR FUTURE

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GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

6. Changes in Supplier: (Cont'd.)

(c) Special Meter Reading Fees

A $20 fee per customer location, per meter, per read attempt, shall be charged to the party requesting a Special Meter Reading. A Special Meter Reading is a meter reading performed on a date other than the Customer's regularly scheduled meter reading date. Requests for Special Meter Reading dates must be made not less than five business days in advance of the requested meter reading date.

(d) Budget Billing Adjustments

The Company Budget Billings, as set forth in the Company's tariff, P.S.C. No. 119 - Electricity, at Rule 4.O, may be adjusted at the switch dates as required to reflect changes in the Company's service and, if adjusted, shall be reflected in the Customer's next bill.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

7. Metering:

(a) The metering requirements set forth in the Company's Tariff, P.S.C. No. 119 - Electricity, General Information Section 3 - Service Connections, apply here. Eligible Customers shall continue to use existing meters. .

(b) An Eligible Customer that does not take service under an economic incentive provision that requests a meter other than that provided by the Company, commensurate with the Eligible Customer's Service Classification, is subject to the additional requirements set forth in the above referenced tariff. Meter upgrades, subject to the availability of equipment, shall be installed and operated by the Company at the Eligible Customer's expense.

(c) The Company shall continue to own, install, maintain, and read Eligible Customers' meters used for billing purposes, with the exception of large commercial and industrial time-of-use customers who have the option of owning a Commission-approved meter as set forth in P.S.C. No. 119, with the Company retaining sole control of that meter.

Eligible large commercial and industrial time-of-use customers, or their designees, shall be allowed to receive meter data on a real-time or other basis, without incurring a fee, provided that such customers install and maintain, at their own expense, the necessary ancillary equipment required to receive such data. Such access may require the installation by the Company of a different type of meter/recorder that shall allow multiple access, with the cost responsibility of such meter/recorder and installation to be borne by the customer and with the Company retaining sole control of the meter and responsibility for the installation and maintenance of the meter and compliance with applicable Commission regulations.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

7. Metering: (Cont'd)

(c) (Cont'd.)

A schedule of meter upgrade charges shall be provided by the Company upon the request of the customer or its authorized designee. The Company maintains a schedule of meter upgrade charges that covers standard metering options, and such schedule is available upon request.

(d) The Company shall perform meter readings in accordance with established reading cycles and current practices and provide relevant meter reading information to the ESCO. Information provided to an ESCO may be used solely by the ESCO for the purpose of billing the customer.

8. Reserved for Future Use

9. Reserved for Future Use

10. Reserved for Future Use

11. Reserved for Future Use

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

12. Billing

(a) Except as specified in Rule J. of this Schedule, Consolidated Billing and Payment Processing, the Company will bill a Customer only for the delivery of Electric Power Supply and other services provided by the Company. The ESCO is responsible for billing its Customer for the Electric Power Supply and other services the ESCO provides to the Customer.

(b) The Company bill will be issued to a Customer in accordance with established billing cycles and practices applicable to such Customer.

(c) A DC, ESCO or NYPA acting as an agent for Customers, is responsible for: (i) obtaining and scheduling Electric Power Supply with the NYISO, and (ii) complying with the provisions herein relating to Scheduling, Balancing and Settlement as specified in Rule 16.E.9 of this Schedule, with respect to its or an Customer's Electric Power Supply requirements.

13. Reserved for Future Use

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

13. Reserved for Future Use (Cont'd.)

Issued in compliance with order in Case No. 07-E-0479 dated 08/29/07.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

D. Eligible Customer Participation: (Cont'd.)

14. Customer's Agent:

(a) Participation by an Customer in the General Retail Access Program shall be deemed an election by such customer for the ESCO selected by the Customer, to act as such customer's agent and attorney-in-fact for all matters relating to acquisition of Electric Power Supply, power scheduling, and transmission service (including, but not limited to, designation by such customer's ESCO or another ESCO to take responsibility for Scheduling, Balancing and Settlement), and Customers shall be bound by any determinations, decisions, understandings or agreements reached by such ESCO with respect to Scheduling, Balancing and Settlement.

15. Provider of Last Resort ("POLR"):

(a) The Company will be the POLR for those customers: (i) for whom competition is not a viable option, (ii) who choose not to participate in retail access, (iii) who terminate their agreements with an ESCO and fail to designate a substitute ESCO, (iv) who are acting as a DC, or (v) who are impacted by an ESCO's discontinuance of service.

(b) As a POLR, the Company will:

i. Accept customers, subject to Commission consumer protection rules, and provide related customer services;

ii. Obtain and deliver Electric Power Supply for such customers, consistent with the then-current NYISO Tariffs and retail tariffs; and

iii. Provide for any programs, as approved by the Commission to assist low-income customers.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO/DC Participation:

1. Eligibility Criteria:

(a) To be eligible to participate in General Retail Access, an ESCO/DC must meet the requirements specified in the UBP Addendum.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO/DC Participation: (Cont'd.)

2. ESCO or DC Requirements:

(a) ESCOs and DCs must sign and deliver to the Company an Operating Agreement.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO/DC Participation: (Cont'd.)

2. ESCO or DC Requirements: (Cont'd.)

(b) ESCOs and DCs are responsible for meeting the scheduling requirements of the NYISO as specified in the NYISO Transmission Tariffs and any applicable NYISO operating manuals. Electric Power Supply is defined as the electricity required to meet the Customer's needs, including energy, Energy Losses, Unaccounted for Energy, Capacity, Capacity Losses, Capacity Reserves, ancillary services, NTAC, transmission project costs allocated to the Company under the NYISO tariff as approved by FERC, and Supply Adjustment Charge. It is the responsibility of the ESCOs/DCs to schedule enough Electric Power Supply to account for Energy Losses, Unaccounted For Energy ("UFE"), and UCAP Losses associated with their load on the Company's distribution system. The Loss and UFE factors are as set forth below.

Voltage Level	Service Classification	Energy Loss Factor	Capacity Loss Factor
Transmission	7-4	1.0000	1.0000
Subtransmission	3S, 7-3	1.0150	1.0200
Primary	3P, 7-2	1.0377	1.0480
Secondary	1, 2, 6, 7-1, 8, 9, 12, Outdoor/Street Lighting	1.0728	1.0738

In the event there is a material change or an anticipated substantial increase in the Electric Power Supply requirement of a Customer or Customers, ESCO or DC shall notify the Company of such change prior to such change or increase according to the details set forth in the Supplier Manual, and shall cooperate with the Company, as reasonably required by the Company, to accommodate such change or increase.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

2. ESCO or DC Requirements: (Cont'd.)

(c) ESCOs must provide Home Energy Fair Practices Act (HEFPA) protections to residential customers, in compliance with the Commission's Order Relating to Implementation of Chapter 686 of the Laws of 2003 and Pro-Ration of Consolidated Bills, Case Nos. 99-M-0631 and 03-M-0017, issued June 20, 2003, together with the rules and regulations implementing the same, as may be revised, modified, amended, clarified, supplemented or superseded. Further information is available at the New York Public Service Commission's website (http://www.dps.ny.gov/hefpa.htm).

3. Reserved for Future Use

4. Reserved for Future Use

5. Reserved for Future Use

6. Reserved for Future Use

7. Reserved for Future Use

8. Reserved for Future Use

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: See UBP Addendum

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

Reserved for Future Use

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

Reserved for Future Use

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

Reserved for Future Use

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO or DC Participation: (Cont'd.)

9. Scheduling, Balancing and Settlement:

(a) The following applies to scheduling, balancing and settlement with the NYISO:

i. ESCOs/DCs shall schedule Electric Power Supply directly with the NYISO.

ii. The Company shall calculate customer load including the Company System Losses and UFE, by hour, and combine accounts by ESCO/DC and by subzone.

iii. The Company shall adjust the sum of all ESCO/DC load so that the hourly usage equals the NYISO-supplied subzone loads.

iv. The Company shall communicate the hourly load calculations to the NYISO, in accordance with the NYISO's Billing Schedule requirements for true-ups.

v. The NYISO shall balance those hourly load calculations with the ESCO/DC bulk power deliveries, price the imbalance, and invoice or credit the ESCO/DC for the cost of the imbalance.

(b) When calculating wholesale hourly electric load allocations per ESCO/DC for reporting to the NYISO, the Company shall not allocate any portion of the subzonal UFE to Hourly Pricing customer load. The load assigned to ESCO/DCs for Hourly Pricing customers shall be the Hourly Pricing customer’s metered hourly load plus the tariff voltage level / service class energy loss factor for that customer. All subzonal UFE shall be allocated to ESCO/DCs based on each ESCO/DCs share of non-Hourly Pricing load in a given hour.

F. Reserved for Future Use

G. Reserved for Future Use

H. Reserved for Future Use

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

See UBP Addendum

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

RESERVED FOR FUTURE USE

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GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

RESERVED FOR FUTURE USE

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

I. Indemnity and Limitation on Liability:

1. Indemnification:

ESCO and DC, as applicable, agree to indemnify, defend and save harmless the Company from and against any and all liabilities, losses, damages, costs, expenses, causes of action, suits, judgments and claims, including, but not limited to, reasonable attorneys fees and the costs of investigation, (collectively "claims"), in connection with any action, suit or proceeding by or on behalf of any person, firm, corporation or other entity arising from, caused by or relating to the (i) curtailment or interruption of services to the ESCO or its Customers, or a DC, as applicable, due to causes beyond the control of the Company (including, without limiting the generality of the foregoing, executive or administrative rules or orders issued from time to time by State or Federal officers, commissions, boards or bodies having jurisdiction) or (ii) interruption, irregularity, failure or defective character of services to the ESCO, its Customers, or a DC, as applicable, due to causes beyond the control of the Company (including, without limiting the generality of the foregoing, executive or administrative rules or orders issued from time to time by State or Federal officers, commissions, boards or bodies having jurisdiction) or (iii) failure by ESCO or DC, as applicable, to perform any of the agreements, terms, covenants or conditions of the General Retail Access Program to be performed by ESCO or DC, as applicable, or (iv) failure of ESCO to perform any agreement between ESCO and its Customers.

2. Limitation on Liability:

The Company shall endeavor at all times to provide regular and uninterrupted service to the ESCO, its Customers, or a DC, as applicable, but in case the service shall be interrupted or irregular or defective or shall fail, from causes beyond the control of the Company (including, without limiting the generality of the foregoing, executive or administrative rules or orders issued from time to time by State or Federal officers, commissions, boards, or bodies having jurisdiction) or because of the ordinary negligence of the Company or its employees, contractors, subcontractors, servants or agents, the Company shall not be liable to the ESCO, its Customers, or a DC, as applicable, therefor.

Compliance with directives of the NYISO shall, without limitation by reason of specification, constitute a circumstance beyond the control of the Company for which the Company shall not be liable; provided, however, that the Company shall not be absolved from any liability to which it may otherwise be subject for gross negligence or intentional wrong doing in the manner in which it carries out the NYISO instructions.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

I. Indemnity and Limitation on Liability: (Cont'd.)

2. Limitation on Liability: (Cont'd.)

Without limiting the generality of the foregoing, the Company may, without liability therefor, interrupt, reduce or impair service to any ESCO, its Customers, or the DC, in the event of an emergency threatening the integrity of the Company's system, or any other systems with which it is directly or indirectly interconnected, if in the Company's sole judgment or that of the NYISO, such action shall prevent, alleviate or reduce the emergency condition, for such period of time as the Company or the NYISO deems necessary.

ESCOs serving Customers who require service which is uninterrupted, unreduced or unimpaired on a continuous basis should ensure that the Customers provide their own emergency or back-up capability the Company shall not be liable for any special, incidental, indirect, exemplary, punitive or consequential damages, including, but not limited to, lost profits, purchased power costs, or amounts owed by a DC or an customer to its ESCO, suffered by an ESCO, its Eligible Customers, or a DC or to any other persons or entities caused by, arising from or related to the performance of or failure to perform any of the services or obligations of the Company under the General Retail Access Program as set forth in the Company's tariff or the Electric Supplier Manual, even if the Company has been advised of the possibility of such damages.

16. General Retail Access: (Cont'd.)

J. Consolidated Billing and Payment Processing

1. Description:
A Customer may elect Consolidated Billing and Payment Processing, consistent with the Commission's Order Establishing Uniform Retail Access Billing and Payment Processing Practices, Case 99-M-0631, issued May 18, 2001, as the same may be revised, modified, amended, clarified, supplemented or superseded. Further information is available at the New York Public Service Commission's website (http://www.dps.ny.gov/ubr.htm)

Company specific terms and conditions regarding Consolidated Billing and Payment Processing are detailed in the Billing Services Agreement and Supplier Manual.

2. Customer Eligibility:
(a) Once EDIC for Consolidated Billing and Payment Processing is operational, Customers taking service under this Schedule, Service Classification Nos. 1, 2, 3, 5, 6, 7, 8, 9, or 12; or P.S.C. No. 121 - Electricity, may elect a Consolidated Billing and Payment Processing option, consistent with the above-referenced PSC Order.
(b) Customers taking service under the NYPA Program, Rule 45, are not eligible for Consolidated Billing and Payment Processing.

3. Bill Issuance Charge:
A Customer electing Consolidated Billing and Payment Processing pursuant to this Section shall not be billed the monthly Bill Issuance Charge for the electric service for which Consolidated Billing and Payment Processing has been elected. All other customers receiving electric, gas, or combination service shall be billed one Bill Issuance Charge per bill.

4. Bill Processing Charges:
ESCOs shall be assessed a bill processing charge of $0.89 per bill for a Company rendered consolidated bill for those customers with electric-only or gas-only service. ESCOs shall be assessed a bill processing charge of $0.45 for electric service and $0.44 for gas service for a Company rendered consolidated bill for those customers with a combination of electric and gas service.

5. Purchase of ESCO Accounts Receivable Program (POR):
(a) ESCOs that elect the Company’s consolidated billing option for all or a portion of their customers shall be required to sell their accounts receivable for such customers to the Company under the terms of the POR. ESCOs continue to have the right to issue their own bill using dual billing for all or a portion of their customers. Such ESCOs shall be precluded from participating in the POR for customers receiving dual billing.
(b) The POR obviates the need for the Company to prorate partial customer payments among ESCOs that are participating in the POR.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

J. Consolidated Billing and Payment Processing (Cont'd)

6. Account Separation Fee

In accordance with Section 9.C.4 of the UBP addendum to this schedule, an ESCO desiring to issue the Consolidated Bill for a customer with a Combination Account may request the Company to establish a separate account for the electric or gas service to be supplied by the ESCO. A fee of $18.00 shall be charged to the ESCO requesting establishment of a separate electric or gas account.

K. Purchase of ESCO Accounts Receivable Program (POR):

In accordance with the Joint Proposal on Purchase of Accounts Receivable ("POR JP") dated October 28, 2005, in Case 05-M-0453, as approved by the Public Service Commission's Order Adopting the Terms and Conditions of the Joint Proposal for the Purchase of Accounts Receivable, issued December 27, 2005, as amended with the Joint Proposal dated July 14, 2010 in Cases 09-E-0715, 09-G-0716, 09-E-0717, and 09-G-0718, and as further amended by the Joint Proposal dated February 19, 2016, in Cases 15-E-0283, 15-G-0284, 15-E-0285, and 15-G-0286. The Company shall purchase accounts receivable at a discount and without recourse for commodity sales by ESCOs that provide commodity service in the Company's territory.

Eligibility Requirements:

ESCOs that elect the Company's consolidated billing option for all or a portion of their customers shall be required to sell their accounts receivable for such customers to the Company under the terms of the POR. ESCOs continue to have the right to issue their own bill using dual billing for all or a portion of their customers. Such ESCOs shall be precluded from participating in the POR for customers receiving dual billing.

Purchase Price:

Electric accounts receivable shall be purchased at a discount off face value of the ESCO receivable. The discount rate shall be sufficient to compensate the Company for its financial risk in purchasing electric receivables, and be comprised of the following components:

a) Commodity-related Uncollectible percentage based on total Company uncollectible costs for the most recent available 12-month period divided by the sum of the total retail, retail access, and purchased ESCO receivables revenue for the same 12-month period.
b) Financial Risk Adder set at 20% of the applicable uncollectible percentage;
c) Commodity-related credit and collections and call center percentage.

Discount rates shall be adjusted each year to reflect the Company's most recent 12-month experience for uncollectible expense. Additionally, the credit and collections and call center allocation included in the discount rate shall be reconciled annually, with any under- or over-collections included in the following year's discount rate.

Beginning with the statement to be effective May 1, 2017, a POR Discount (DISC) Statement setting forth the electric discount and the gas discount shall be filed with the Public Service Commission 60 days prior to the May 1, effective date of each annual update.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

K. **Purchase of ESCO Accounts Receivable Program (POR): (Cont'd.)**

Payments:

As specified in Appendix B of the POR JP, payments to ESCOs shall be made, via ACH (Automated Clearing House), 20 days after acceptance of the EDI 810 transaction.

Other Considerations:

The POR shall be subject to modifications based upon Commission orders, rules, and regulations applicable to retail access, including, but not limited to, the Uniform Business Practices, proration of customer payments under a single bill, and provisions of Home Energy Fair Practices Act. The POR obviates the need for the Company to prorate partial customer payments among ESCOs that are participating in the POR.

L. Community Choice Aggregation ("CCA") Program

1. A CCA Program allows municipalities (villages, towns and cities) to aggregate the usage of eligible CCA customers (residential and small non-residential customers) within a defined jurisdiction in order to secure an alternative energy supply contract on a community-wide basis.

   i. In accordance with the Orders issued April 21, 2016, December 14, 2017, and January 19, 2023, in Case 14-M-0224, designee (CCA Administrator or ESCO):
      (a) must sign a Data Security Agreement acceptable to the Company, and
      (b) must have an approved implementation plan and certification of local authorization approved by the NYS PSC.

   ii. Upon fulfilling the requirements in Rule 1.i, the Company will provide the following information to the municipality or their designee in accordance with the terms stated herein.
      (a) Aggregated customer data, including the number of customers by service class, the meter read cycle, the aggregated peak demand (kW) by month for the past 12 months by service class if applicable, and the aggregated energy (kWh) by month for the past 12 months by service class. This information will be provided to the municipality or CCA Administrator within twenty days of a request.

GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

L. Community Choice Aggregation ("CCA") Program (Cont'd)
ii. (Cont'd)

(b) After each municipality has entered into a CCA contract with an ESCO, the Company shall transfer customer-specific data to the municipality or CCA Administrator within five days of receipt of a request to support the mailing of opt-out notices. The data shall include all customers in the municipality eligible for opt-out treatment based on the CCA and the requirements of the April 21, 2016, and January 29, 2023, Orders issued in Case 14-M-0224. The data should include:

1) Customer of record's name
2) Mailing Address
3) Primary Language (if available from the Company's billing system)
4) Any customer-specific alternate billing name and address
5) Bill cycle and period code
6) Tax-exempt Status
7) Net metered/VDER/solar account indicator
8) Dual-meter indicator

(c) After the opt-out process has been completed, the Company shall transfer account numbers for eligible customers that did not opt-out to the ESCO providing service within five days of receipt of a list of customers that opted out. These account numbers may be transmitted via electronic mail in secured, encrypted spreadsheets, through access to a secure website, or through other secure methods of transfer.

(d) Upon request by the municipality or CCA Administrator the Company will transfer the customer data in (b) to the requestor within five days of the request for newly eligible customers that became customers of the Company since the last eligible customer list was provided and were not on a previous eligible for out-out list. The Company will distinguish between new accounts and customers that are now opt-out eligible for other reasons. After the opt-out process has been completed for those customers, the Company will provide account numbers for customers that did not opt-out as described in (c).

2. Dispute Resolution

For disputes arising in relation to a CCA, the Company, CCA Administrators, and Energy Service Entities may utilize the dispute resolution process specified in the January 19, 2023, Order issued in Case No. 14-M-0224.

17. Reserved for Future Use

GENERAL INFORMATION

18. High Load Factor Manufacturer Power ("HLFM")

Before service will commence under this Special Provision the Corporation and the New York Power Authority ("NYPA") must execute an agreement governing additional terms of HLFM service. Subject to the execution of that agreement by the Corporation with NYPA related to the provision of HLFM service, NYSEG will deliver NYPA HLFM power for customer loads not previously served by NYSEG, at the rates set forth in Special Provision (d) - Economic Incentives, Sub-Section No. 9 - High Load Factor Manufacturer Power within Service Classification No. 7.

HLFM service for all other customers who receive HLFM allocations shall be provided pursuant to the General Retail Access provision as set forth in Section 16 in the General Information section of this Schedule.

The rates and conditions provided in this provision are subject to review by, acceptance by, or approval of, the Federal Energy Regulatory Commission to the extent of the Federal Energy Regulatory Commission's jurisdiction.

The portion of the customer's demand and energy needs met by the delivered HLFM power will be billed in accordance with Special Provision (d)(8), - High Load Factor Manufacturer Power, within Service Classification No. 7. The customer's power requirements in excess of the HLFM power will be billed at the Service Classification No. 7 rates applicable to the customer's voltage level.

GENERAL INFORMATION

19. Reserved for Future Use

GENERAL INFORMATION

19. Reserved for Future Use

GENERAL INFORMATION

20. Reserved for Future Use

GENERAL INFORMATION

20. Reserved for Future

GENERAL INFORMATION

21. Reserved for Future Use

GENERAL INFORMATION

21. Reserved for Future Use

GENERAL INFORMATION

22. Distributed Energy Resources

The following requirements are applicable to all customers that install an eligible Distributed Energy Resource (DER) as described for each program. A customer with a DER shall take service under the otherwise applicable standard service classification and shall be exempt from Standby Service.

A. Interconnection

a. Interconnection Requirements

i. Interconnection requirements are established in P.S.C. No. 119, General Rule No. 9, Distributed Energy Resource Interconnection Requirements.
ii. Applicable to any customer installing a Distributed Energy Resource (DER) unit (e.g. distributed generation or energy storage system) 5 MW or less, connected in parallel with the Company's utility distribution system.
iii. These requirements are not applicable to a DER unit which is not connected to the Company's distribution grid.
iv. A customer that is installing DER is required to comply with the Standardized Interconnection Requirements (SIR), including the standard applications and contracts, are set forth within Addendum-SIR to P.S.C. No. 119.

B. Uniform Business Practices – Distributed Energy Resources Providers

The rules applicable to DER Suppliers are contained in the Addendum, UBP-DERS, attached to this Schedule, which are incorporated herein.

The UBP-DERS contains provisions applicable to all DER Suppliers as well as provisions applicable only to Community DG providers (pursuant to Rule 37) and on-site mass market DG providers.

C. Metering Requirements applicable

a. A Net Metered Generation Facility that has completed Step 8 of the SIR Addendum-SIR or has installed Net Metered Generation Facility on or prior to March 9, 2017 ("Existing"), the Company shall install metering appropriate for the customer's service classification that enables the Company to measure the electricity delivered to the customer and measure the electricity supplied by the customer to the Company.
b. A Net Metered Generation Facility that does not meet the requirements in a. above, or the Host Account of a project that is participating in Remote Crediting: the Company shall install metering capable of recording net hourly consumption and injection for a customer. The customer shall be responsible for the cost of the meter, the installation, the communication to the meter and any additional costs.
c. Where the Company determines that a second meter should be installed, no additional costs shall be billed to the customer. When a second meter is requested by the customer that is not required by the Company, the customer shall be responsible for the cost of the meter, the installation, and any additional costs.

GENERAL INFORMATION

22. Distributed Energy Resources (Cont'd)

D. Programs
1. Grandfathered NEM

Grandfathered Net Energy Metering for Solar Electric Generating Equipment, Farm Waste Electric Generating Equipment, Micro-Combined Heat and Power Generating Equipment, Fuel Cell Electric Generating Equipment, and Micro-Hydroelectric Generating Equipment (PSL §66-j) and Wind Generation Equipment (PSL §66-l). Such system must be connected to the customer's electric system and must be operated in accordance with applicable government and industry standards, that is connected to the electric system and operated in conjunction with the Company's transmission and distribution facilities, and that is operated in compliance with any standards and requirements established under this section. A customer may include energy storage equipment when submitting an application for net metering pursuant to this subdivision of Grandfathered NEM.

A. Eligible Generation Facilities pursuant to PSL §66-j:

1. Eligible Capacity
The total rated generating capacity for solar, farm waste, micro-hydroelectric, MCHP and fuel cell electric generating equipment owned, leased or operated by customer-generators in the Company's service area shall not exceed 98.16 MW, the total rated generating capacity of interconnected projects served by the Company under PSL §66-j as of the close of business on March 9, 2017, including projects to be served by the Company under PSL §66-j for which either Step 8 (for projects greater than 50kW) or Step 4 (for projects 50kW or less) of the Standard Interconnection Requirements (SIR), as applicable, had been completed by the close of business on March 9, 2017. This MW limit shall automatically decrease as projects served under PSL §66-j are taken out of service, but shall not decrease below 28.26 MW, representing 1% of the Company's electric demand for the year 2005.

a) A Residential Customer (as defined by HEFPA), and farm customer as defined in Subdivision 11 of Section 301 of the Agriculture and Markets Law, may install and operate solar generating equipment located and used at his or her residence. Solar generating equipment is defined as a solar system, with a rated capacity of not more than 25 kW that is manufactured, installed and operated in accordance with applicable government and industry standards. Farm customers may install solar generating equipment with a rated capacity of not more than 100 kW, that is manufactured, installed and operated in accordance with applicable government and industry standards.

b) A Non-Residential Customer who operates solar generating equipment located and used at its premises. Solar generating equipment is defined as a solar system that is manufactured, installed and operated in accordance with applicable government and industry standards with a rated capacity of not more than 2,000 kW.

GENERAL INFORMATION

22. Distributed Energy Resources (Cont'd)
D. Programs (Cont'd)
1. Grandfathered NEM (Cont'd)
A. Eligible Generation Facilities pursuant to PSL §66-j: (Cont'd)

c) A customer, residential or non-residential, who owns or operates farm waste electric generating equipment that generates electric energy from biogas produced by the anaerobic digestion of agricultural wastes with a rated capacity of not more than 2,000 kW, located and used at their "farm operation" as defined in Subdivision 11 of Section 301 of the Agriculture and Markets Law. Such definition states that a "farm operation" means the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this Section 301 of the Agriculture and Markets Law.

i. The farm waste electric generating equipment must be manufactured, installed and operated in accordance with applicable government and industry standards. The equipment must be fueled, at a minimum of 90% on an annual basis, by biogas produced from the anaerobic digestion of agricultural waste such as livestock manure materials, crop residues and food processing waste. The equipment must be fueled by biogas generated by anaerobic digestion with at least 50% by weight of its feedstock being livestock manure materials on an annual basis. The customer, at its expense, shall promptly provide to the Company all relevant, accurate and complete information, documents, and data, as may be reasonably requested by the Company, to enable the Company to determine whether the customer is in compliance with these requirements.

d) A Residential Customer (as defined by HEFPA) who owns, leases or operates MCHP generating equipment. MCHP generating equipment is defined as an integrated, cogenerating building heating and electrical power generation system, operating on any fuel and of any applicable engine, fuel cell, or other technology, with a rated capacity of at least one kW and not more than 10 kW electric and any thermal output that at full load has a design total fuel use efficiency in the production of heat and electricity of not less than 80%, and annually produces at least 2,000 kWh of useful energy in the form of electricity that may work in combination with supplemental or parallel conventional heating systems, that is manufactured, installed and operated in accordance with applicable government and industry standard.

e) A Residential Customer (as defined by HEFPA) who owns, leases or operates fuel cell generating equipment located and used at his or her residence. Fuel cell generating equipment is defined as a solid oxide, molten carbonate, proton exchange membrane or phosphoric acid fuel cell with a combined rated capacity of not more than 10 kW; that is manufactured, installed and operated in accordance with applicable government and industry standards.

f) A Non-Residential Customer who owns, leases or operates fuel cell generating equipment located and used at their premises. Fuel cell generating equipment is defined as a solid oxide, molten carbonate, proton exchange membrane or phosphoric acid fuel cell with a combined rated capacity of not more than 2,000 kW that is manufactured, installed and operated in accordance with applicable government and industry standards.

GENERAL INFORMATION

22. Distributed Energy Resources (Cont'd)
D. Programs (Cont'd)
1. Grandfathered NEM (Cont'd)
A. Eligible Generation Facilities pursuant to PSL §66-j: (Cont'd)

g) A Residential Customer (as defined by HEFPA) who owns or operates micro-hydroelectric generating equipment located and used at their residence. Micro-hydroelectric generating equipment is defined as a hydroelectric system with a rated capacity of not more than 25 kW; that is manufactured, installed and operated in accordance with applicable government and industry standards.

h) A Non-Residential Customer who owns or operates micro-hydroelectric generating equipment located and used at their premises. Micro-hydroelectric generating equipment is defined as a hydroelectric system with a rated capacity of not more than 2,000 kW; that is manufactured, installed and operated in accordance with applicable government and industry standards.

2. Term
1. The Company shall net the electricity (kWh) delivered to the customer life of the generating system for a customer that on or prior to March 9, 2017 has:
a. completed Step 4 of the SIR Addendum for generating equipment less than 50 kW; or
b. installed generating equipment on or prior to March 9, 2017.
c. A customer may opt to take service under Rule 40, Value of Distributed Energy Resources (VDER). Such election shall be a one-time election and shall be irrevocable.

2. A customer that installs solar generating equipment after March 9, 2017 shall refer to Rule 40, Value of Distributed Energy Resources (VDER), A. Phase One Net Energy Metering ("NEM") or B. Value Stack, as applicable

3. Billing

1. Residential
For each billing period during the term of the SIR Contract, the Company shall net the electricity (kWh) delivered to the customers with the electricity (kWh) supplied by the customer to the Company.
a) If the electricity (kWh) supplied by the Company exceeds the electricity supplied by the customer to the Company during the billing period the customer shall be billed for the net kWh supplied by the Company to the customer at the standard service class rates. For customers billed on time-differentiated rates (TOU meter), e.g., On-Peak/Off-Peak or Day/Night, netting shall occur in each time period.
b) If the electricity (kWh) supplied by the customer to the Company during the billing period exceeds the electricity (kWh) supplied by the Company to the customer, a kWh credit shall be carried forward for the next billing period. For customers billed on time-differentiated rates (TOU meter), e.g., On-Peak/Off-Peak or Day/Night, the kWh credit shall be carried forward as a credit to the appropriate time period.

GENERAL INFORMATION

22. Distributed Energy Resources (Cont'd)

D. Programs (Cont'd)
1. Grandfathered NEM (Cont'd)
A. Eligible Generation Facilities pursuant to PSL §66-j:
3. Billing (Cont'd)
1. Residential (Cont'd)

c) For customers billed on TOU rates, if the electricity (kWh) supplied by the customer to the Company is not metered for each TOU period and until such time as metering is installed to measure electricity supplied to the Company in each TOU period, an allocation of the electricity supplied to the Company shall be done according to allocation factors as set forth in a Special Provision provided in each service classification in this Schedule.

d) For Residential Solar and Farm Waste Generators – Cash-Out Provision
1. If (a) on an annual basis, during the term of the SIR Contract or (b) on the date the SIR Contract is terminated pursuant to the terms and conditions of said Contract, there exists a positive (kWh) balance for an accumulation of excess generation provided to the Company, then a cash payment shall be issued to the customer.
i. For a Non-hourly Pricing customer, the payment shall be for an amount equal to the product of the excess balance times the average avoided cost for energy over the most recent 12-month period.
ii. For an Hourly Pricing customer, the payment shall be for the remaining portion of the excess credit priced at avoided cost, after credits are applied to the current bill period. Any remaining non-avoided cost monetary credits are reset to zero.
2. A customer shall be provided a one-time option to select an individual anniversary date for the annual cash-out of excess net metering credits.
i. For a Non-hourly Pricing customer, the initial cash-out payment shall be equal to the product of excess balance multiplied by the average avoided cost for the energy over the number of months the customer has taken service under this provision.
ii. For an Hourly Pricing customer, the initial cash-out payment shall be for the remaining portion of the excess credit priced at avoided cost, after credits are applied to the current bill period. Any remaining non-avoided cost monetary credits are reset to zero. Upon the Company's determination that the customer has taken service under this Section while in violation of the conditions of service set forth herein, the customer shall forfeit any positive balance accrued during the annual period in which the violation occurred.

2. Non-Residential
For each billing period during the term of the SIR Contract, the Company shall net the electricity (kWh) delivered to the customers with the electricity (kWh) supplied by the customer to the Company.

Non-Hourly Pricing
a) If the electricity (kWh) supplied by the Company exceeds the electricity supplied by the customer to the Company during the billing period, the customer shall be billed for the net kWh supplied by the Company to the customer at the standard service class rates. For customers billed on Time-differentiated rates (TOU meter), e.g., On-Peak/Off-Peak, netting shall occur in each time period.
b) If the electricity (kWh) supplied by the customer to the Company during the billing period exceeds the electricity (kWh) supplied by the Company to the customer, a kWh credit shall be carried forward for the next billing period. For customer billed on time-differentiated rates (TOU meter), e.g., On-Peak/Off-Peak, the kWh credit shall be carried forward as a credit to the appropriate time period.

GENERAL INFORMATION

22. Distributed Energy Resources (Cont'd)

D. Programs (Cont'd)
1. Grandfathered NEM (Cont'd)
A. Eligible Generation Facilities pursuant to PSL §66-j: (Cont'd)

3. Billing (Cont'd)
2. Non-Residential (Cont'd)

c) For a demand-billed customer, prior to carrying forward any kWh credit, the kWhs shall be converted to a dollar value using the applicable tariff per kWh rate and applied as a credit to the current utility bill. If the dollar value of the kWh exceeds the current utility bill, any remaining dollars shall be converted back to kWhs and carried forward for the next billing period as a kWh credit.
d) For customers billed on TOU rates, if the electricity (kWh) supplied by the customer to the Company is not metered for each TOU period and until such time as metering is installed to measure electricity supplied to the Company in each TOU period, an allocation of the electricity supplied to the Company shall be done according to allocation factors as set forth in a Special Provision provided in each service classification in this Schedule.

Hourly Pricing
a) For customers billed on Hourly Pricing, for each hour, the customer's usage and its generation are netted within the hour.
b) Kilowatt-hour charges are calculated using the consumption in each hour in which the customer's usage exceeds the customer's generation multiplied by the applicable charge.
c) For each hour the electricity generated and supplied by the customer exceeds the customer's usage, the kWh difference is multiplied by the applicable tariff per kWh rates (e.g., Energy Charge, Supply Charge, Merchant Function Charge, Ancillary & NTAC, transmission project costs allocated to the Company under the NYISO tariff as approved by FERC, SBC, RDM, and Supply Adjustment Charge.) This is the current month's excess monetary credit.
d) The excess monetary credit from the current and/or prior bill period(s) is applied to the current billing period. If the excess monetary credit exceeds the current utility bill, the monetary credit is carried forward to the next billing period.

B. Eligible Wind Generation PSL §66-l

1. Eligible Capacity
Application of the Wind Residential Service Option shall be available to eligible customers, on a first come, first served basis, until the total rated generating capacity for all wind electric generating equipment owned or operated by customer generators in the Company's service area is equivalent to 8,478 kW (3 /10% of the Company's electric demand for the year 2005) and is available only in non-network areas of the Company's territory.

a. Applicable to any Residential Customer (as defined by HEFPA) who operates wind generating equipment located and used at his or her primary, legal residence. Wind generating equipment is defined as a wind system, with a rated capacity of not more than 25 kW that is manufactured, installed and operated in accordance with applicable government and industry standards.

GENERAL INFORMATION

22. Distributed Energy Resources (Cont'd)

D. Programs (Cont'd)
1. Grandfathered NEM (Cont'd)

B. Eligible Wind Generation (PSL §66-l): (Cont'd)
1. Eligible Capacity (Cont'd)

b. Applicable to any customer who owns or operates farm wind electric generating equipment ("Facility"), that generates electric energy with a rated capacity of not more than 500 kW; where the customer's primary residence is located on the same land used for his or her "farm operation" as defined in Subdivision 11 of Section 301 of the Agriculture and Markets Law. Such definition states that a "farm operation" means the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this Section 301 of the Agriculture and Markets Law.

c. Applicable to any Non-Residential Customer who operates wind generating equipment located and used at its premises. Wind generating equipment is defined as a wind system that is manufactured, installed and operated in accordance with applicable government and industry standards with a rated capacity of not more than 2,000 kW.

2. Billing
For each billing period during the term of the SIR Contract, the Company shall net the electricity (kWh) delivered to the customers with the electricity (kWh) supplied by the customer to the Company.

a) If the electricity (kWh) supplied by the Company exceeds the electricity supplied by the customer to the Company during the billing period the customer shall be billed for the net kWh supplied by the Company to the customer at the standard service class rates. For customers billed on time-differentiated rates (TOU meter), e.g., On-Peak/Off-Peak or Day/Night, netting shall occur in each time period.

b) If the electricity (kWh) supplied by the customer to the Company during the billing period exceeds the electricity (kWh) supplied by the Company to the customer, a kWh credit shall be carried forward for the next billing period. For customers billed on time-differentiated rates (TOU meter), e.g., On-Peak/Off-Peak or Day/Night, the kWh credit shall be carried forward as a credit to the appropriate time period.

c) <u>Cash-out</u>
Applicable to Residential Wind or Farm Wind customers:

a. If, (a) on an annual basis, during the term of the SIR Contract or (b) on the date the SIR Contract is terminated pursuant to the terms and conditions of said Contract, there exists a positive (kWh) balance for an accumulation of excess generation provided to the Company, then a cash payment shall be issued to the customer.
i. For a Non-hourly Pricing customer, the payment shall be for an amount equal to the product of the excess balance times the average avoided cost for energy over the most recent 12-month period.
ii. For an Hourly Pricing customer, the payment shall be for the remaining portion of the excess credit priced at avoided cost, after credits are applied to the current bill period. Any remaining non-avoided cost monetary credits are reset to zero.

GENERAL INFORMATION

22 - Distributed Energy Resources (Cont'd)

D. Programs (Cont'd)

1. Grandfathered NEM (Cont'd)

B. Eligible Wind Generation (PSL §66-l): (Cont'd)

2. Billing (Cont'd)

b. A customer shall be provided a one-time option to select an individual anniversary date for the annual cash-out of excess net metering credits.

C. Upon the Company's determination that the customer has taken service under Grandfathered NEM while in violation of the conditions of service set forth herein, the customer shall forfeit any positive balance accrued during the annual period in which the violation occurred.

2. Community Distributed Generation

Please refer to Rule 37, Community Distributed Generation for requirements specific to a Host and Satellite that is participating in Community Distributed Generation and for rules pertaining to the calculation and application of credits for excess generation.

3. Remote Net Metering

Please refer to Rule 42, Remote Net Metering for requirements specific to a customer that is participating in Remote Net Metering and for rules pertaining to the calculation and application of credits for excess generation.

4. Remote Crediting

Please refer to Rule 50, Remote Crediting Program for rules specific to a Host and Satellite that is participating in Remote Crediting program and for rules pertaining to the calculation and application of credits for excess generation.

GENERAL INFORMATION

22. Reserved for Future Use

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23. Reserved for Future Use

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