

GENERAL INFORMATION

32. Excelsior Jobs Program

PURPOSE:

This service is provided in cooperation with the New York State Empire State Development (“ESD”), pursuant to Article 17 of the Economic Development Law, to assist in job creation and financial investment in targeted industries such as biotechnology, pharmaceutical, high-tech, clean-technology, green technology, financial services, agriculture and manufacturing throughout the Company's service territory.

A. ELIGIBILITY CRITERIA:

- 1) A customer must be approved by the local ESD and the Company must be notified by ESD that the customer has entered into a formal agreement with ESD.
- 2) A customer must qualify for service under and in accordance with the provisions of Service Classification Nos. 2, 3, 6, 7, and 9.
- 3) A customer must receive an annual certification of tax credit from ESD verifying that they have satisfied the eligibility criteria and must also satisfy any usage thresholds for additional load as set forth below. The customer shall receive the Excelsior incentive for one year each year that they are issued a certification from ESD. In the event that a 12-month period has ended but the Company has not yet received notification from ESD regarding the next year's certification the customers benefits shall continue until either an additional three months have passed or the Company receives notification that the customer shall not be issued a tax certificate for the year
- 4) A customer who increases their demand or energy usage by 25% on a monthly basis above their baseload shall be eligible to receive the appropriate Excelsior Jobs Program rates. A customer with a baseload of zero shall receive the appropriate Excelsior Jobs Program rates on their entire load. A customer who achieves the % increase above their baseload shall receive the appropriate Excelsior rates on all of the load above the baseload.

B. TERM:

A qualified customer shall be eligible to receive the Excelsior Jobs Program delivery rates for no more than 10 years from the initial certification from ESD or until a customer's Excelsior certification becomes invalid.

If a customer's Excelsior certification becomes invalid, the customer shall not receive Excelsior Jobs Program delivery rates until the Company is notified by ESD that the customer has been recertified.

C. BILLING AND PROGRAM BENEFITS

The Company shall calculate bills for service supplied under the Excelsior Jobs Program rates in accordance with the applicable Special Provision under Service Classification Nos. 2, 3, 6, 7, or 9.

In addition to the Excelsior Jobs Program delivery rates, qualifying load shall be exempt from the Non-Bypassable Charge and EV Make-Ready Surcharge components of the Transition Charge and the Revenue Decoupling Mechanism (RDM) adjustment. For certain adjustments approved by the Commission, a separate credit shall be calculated and placed on the customer's bill.

The customer's bills shall be calculated with the Excelsior Jobs Program rates for the qualifying load beginning with the usage billed with the first full bill after the Company receives notification that the customer has received a certificate of tax credit and end no later than 15 months after receipt of the most recent certificate of tax credit notification.

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32. Excelsior Jobs Program (Cont'd)

D. INCREASE IN RATES AND CHARGES

The rates and charges under this rider, including any adjustments, are increased by the applicable effective aggregate percentage shown in General Information Section 6 for service supplied the municipality where the customer is taking service.

E. SUPPLY SERVICE OPTIONS:

Excelsior Jobs Program customers may select one of the following electricity supply pricing options: ESCO Supply Service (ESS) or NYSEG Supply Service (NSS) as further described in the otherwise applicable service classification.

The Excelsior Jobs Program customer must choose the same Supply Service Option for its incentive load, non-incentive load, and all future Excelsior load at the facility.

F. OTHER

A qualified customer will pay a monthly service bill at the rates and charges under this rate for all kW or kWh in excess of a base amount of kW or kWh established for each monthly billing period.

- a. For an existing customer, the base amount of kW or kWh will be determined by the Company using an annual historical period. The customer may request an adjustment to the base amount if the customer has installed energy conservation measures pursuant to an energy efficiency program approved by the Commission.
- b. For a prospective customer, the base amount of kW or kWh will be zero.

If it is determined that the bill calculated under this provision exceeds the bill calculated under the otherwise applicable standard Service Classification rates, the customer will pay the lower of the two bills.

If the customer is receiving Empire Zone or Economic Development Zone discounts, such customer agrees to forfeit any prospective discounts received under the Empire Zone or Economic Development Zone program at any location or locations that qualify for Excelsior Jobs Program discounts as of the date the customer begins to receive Excelsior Jobs Program discounts.