

PSC NO: 121 ELECTRICITY  
NEW YORK STATE ELECTRIC & GAS CORPORATION  
Initial Effective Date: 12/01/20  
Issued in compliance with Order in Case No. 19-E-0378, dated November 19, 2020.

Leaf: 39  
Revision: 4  
Superseding Revision: 2

### **SERVICE CLASSIFICATION NO. 3**

#### **STANDARD STREET LIGHTING SERVICE AND SERVICE AVAILABLE FOR EXISTING AND NEW STANDARD FACILITIES, AND LIMITED CONTIGUOUS EXPANSION**

#### **APPLICABLE TO THE USE OF SERVICE FOR:**

Street, highway, roadway or other outdoor lighting for duly constituted public agencies, public authorities and public corporations.

The following rates and charges, indicated with an asterisk (\*), are applicable only to non-standard equipment installed or contracted for prior to the date of the tariff. Such facilities are no longer available for installations. Luminaires and other street lighting equipment denoted with a plus sign (+) are not available for new installations or replacements. Upon failure, luminaires shall not be replaced in kind. Customers may select an alternative luminaire from the tariff.

#### **CHARACTER OF SERVICE:**

Limited Period-Unmetered service; controlled from dusk (½ hour after sunset) to dawn (½ hour before sunrise), for approximately 4213 hours per year, on average.

The customer may designate the following types of service:

- A. Overhead Service, on poles which are a part of the Company's general distribution system or the Company's poles installed specifically for street lighting. The street lighting equipment is owned and maintained by the Company. Such service is available only in those areas where an overhead distribution system is maintained by the Company.
- B. Underground Service supplied from an existing underground circuit is no longer available for new installations.

Note: The rating of lamps in lumens is for identification purposes only and shall approximate the manufacturer's standard rating.

ISSUED BY: Joseph J. Syta, Vice President, Controller and Treasurer, Binghamton, New York

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

RATE: (Cont'd)

Energy use shall be the sum of monthly energy use calculated as explained in General Information Section 2 of this Schedule.

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMERS:**

Pursuant to General Information Section 25, Supply Service Options, of Schedule P.S.C. No. 120, customers served under this Service Classification shall choose from different electric rate choices offered by the Company as described below. NYSEG shall offer a Retail Access rate choice and a Non-Retail Access rate choice.

The Retail Access choice is the ESCO Supply Service (ESS). The Non-Retail Access choice is the NYSEG Supply Service (NSS).

*NYSEG shall provide Delivery Service regardless of the customer's Supply Service Option.*

**1. ESCO Supply Service (ESS)**

This Retail Access choice includes a monthly operation and maintenance charge for luminaires and other facilities, fixed charges for NYSEG delivery service, and a Transition Charge. Supply service shall be provided by an Energy Services Company (ESCO). Customers that elect ESS and receive a Consolidated Bill shall not be subject to the Bill Issuance Charge. Customers that elect ESS shall not be subject to the Merchant Function Charge (MFC).

**2. NYSEG Supply Service (NSS)**

This Non-Retail Access choice includes fixed charges for NYSEG delivery service, a Transition Charge, a fluctuating commodity charge for electricity supplied by NYSEG, and a Merchant Function Charge.

kWh use shall be determined in accordance with General Information Section 2, Determination of Demand and Energy Use.

**Commodity Service**

The charge for Electric Power Supply provided by the Company shall fluctuate each month as further described in P.S.C. No. 120 General Information Section 25.I.C., Calculation of the Commodity Charge.

DELIVERY RATE Applicable to Both ESS and NSS: (Per Month)

Delivery Service:

Energy Charges, Bill Issuance Charge and Luminaire Charges:

	<b>Effective Date</b>
Delivery Charges	<b>6/01/2026</b>
Energy Charge (All kWh, per kWh)	\$0.04007
Rate Adjustment Mechanism (All kWh, per kWh)	See RAM Statement
Non-Bypassable Charge (All kWh, per kWh)	See TCS Statement
Merchant Function Charge (All kWh, per kWh)	See Merchant Function Charge Statement

Bill Issuance Charge (per bill): \$0.89, as described in P.S.C. No. 120, General Information Section 16.J.

ISSUED BY: Lindsey N. Overton Orietas, Vice President, Regulatory, Binghamton, New York

PSC NO: 121 ELECTRICITY  
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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

**2. Delivery Rate Applicable to Both ESS and NSS: (Cont'd.)**

	<b>Monthly Luminaire Charge</b>
	<b>Effective Date</b>
	<b>6/1/2026</b>
<b>High Pressure Sodium Cobra</b>	
50 Watts+ - 3,300 Lumen	\$13.83
70 Watts+ - 5,200 Lumen	\$13.83
100 Watts+ - 8,500 Lumen	\$13.83
150 Watts+ - 14,400 Lumen	\$13.83
250 Watts+ - 24,700 Lumen	\$13.83
400 Watts+ - 45,000 Lumen	\$14.61
1000 Watts+ - 126,000 Lumen	\$19.43
<b>High Pressure Sodium Post Top</b>	
50 Watts+ - 3,300 Lumen	\$16.26
70 Watts+ - 5,200 Lumen	\$16.26
100 Watts+ - 8,500 Lumen	\$18.47
150 Watts+ - 14,400 Lumen	\$32.05
<b>High Pressure Sodium Cut Off ("Shoebox")</b>	
70 Watts+ - 5,200 Lumen	\$25.17
100 Watts+ - 8,500 Lumen	\$25.17
150 Watts+ - 14,400 Lumen	\$25.17
250 Watts+ - 24,700 Lumen	\$22.19
<b>Metal Halide Cobra</b>	
70 Watts+ - 4,000 Lumen	\$8.44
175 Watts+ - 12,000 Lumen	\$8.30
250 Watts+ - 16,000 Lumen	\$22.06
400 Watts+ - 28,000 Lumen	\$22.06
<b>Metal Halide Post Top</b>	
100 Watts- 5,800 Lumen	\$9.88

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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMERS: (CONT'D.)**

**2. Delivery Rate Applicable to Both ESS and NSS: (Cont'd.)**

	Monthly Luminaire Charge
	Effective Date
	6/01/2026
<b>Mercury Vapor Cobra</b>	
100 Watts+ - 3,200 Lumen	\$7.57
175 Watts+ - 7,000 Lumen	\$7.57
250 Watts+ - 9,400 Lumen	\$7.88
400 Watts+ - 17,200 Lumen	\$8.02
<b>Mercury Vapor Post Top</b>	
175 Watts+ - 7,000 Lumen	\$10.03
250 Watts+ - 9,400 Lumen	\$10.03

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMERS: (CONT'D.)**

**2. Delivery Rate Applicable to Both ESS and NSS: (Cont'd.)**

	Monthly Luminaire Charge
	Effective Date
	6/01/2026
<b>High Pressure Sodium Special Luminaires</b>	
250 Watts+ - 24,700 - Hiway Liter	\$74.43
150 Watts+ - 14,400 - Turnpike	\$28.41
250 Watts+ - 24,700 - Turnpike	\$35.38
400 Watts+ - 45,000 - Turnpike	\$33.86
150 Watts+ - 14,400 - Floodlight	\$23.86
250 Watts+ - 24,700 - Floodlight	\$23.86
400 Watts+ - 45,000 - Floodlight	\$23.86
<b>Metal Halide - Floodlights</b>	
250 Watts+ - 16,000 Lumen	\$22.50
400 Watts+ - 28,000 Lumen	\$25.17
<b>Light Emitting Diode (LED) – Cobra head (Initial Lumens)</b>	
2000 Lumen (12-19 Watt)	\$6.69
3000 Lumen (20-29 Watt)	\$6.69
4500 Lumen (30-49 Watt)	\$6.69
6700 Lumen (50-69 Watt)	\$7.18
10000 Lumen (70-90 Watt)	\$8.86
15000 Lumen (111-113 Watt)	\$9.47
<b>Light Emitting Diode (LED) Floodlights (Initial Lumens)</b>	
10000 Lumen (70-90 Watt)	\$10.56
15000 Lumen (111-113 Watt)	\$11.37
<b>Light Emitting Diode (LED) Shoe Box (Initial Lumens)</b>	
6700 Lumen (50-69 Watt)	\$12.67
10000 Lumen (70-90 Watt)	\$12.67
<b>Light Emitting Diode (LED) Post Top (Initial Lumens)</b>	
4500 Lumen (30-49 Watt)	\$12.21

+ Luminaires are no longer available for new installations. Upon failure, luminaires shall not be replaced in kind. Customer may select an alternative luminaire light source from the tariff.

- LED lights are available in 3,000 or 4,000 kelvin options

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Revision: 6  
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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMERS: (CONT'D.)**

Reserved for Future Use

Issued in compliance with order in Case No. 07-E-0479 dated 08/27/07.

Issued by: James A. Lahtinen, Vice President - Rates & Regulatory Economics, Binghamton, NY

PSC NO: 121 ELECTRICITY  
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Revision: 13  
Superseding Revision: 11

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

*NYSEG will provide Delivery and Commodity Service for the Non-Retail Access choice.*

**2. Reserved for Future Use**

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Leaf: 46  
Revision: 12  
Superseding Revision: 10

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

**2. Reserved for Future Use**

PSC NO: 121 ELECTRICITY  
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Leaf: 47  
Revision: 11  
Superseding Revision: 9

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

**2. Reserved for Future Use**

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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

**2. Reserved for Future Use**

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Leaf: 49  
Revision: 8  
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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

2. Reserved for Future Use

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Leaf: 50  
Revision: 8  
Superseding Revision: 7

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

|      **2.** Reserved for Future Use

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Leaf: 51  
Revision: 8  
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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

| 2. Reserved for Future Use

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Revision: 8  
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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

2. Reserved for Future Use

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Revision: 8  
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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

2. Reserved for Future Use

PSC NO: 121 ELECTRICITY  
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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

| 2. Reserved for Future Use

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Leaf: 54.1  
Revision: 6  
Superseding Revision: 5

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

2. Reserved For Future Use

**PSC NO: 121 ELECTRICITY**  
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Leaf: 54.2  
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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

2. Reserved For Future Use

**PSC NO: 121 ELECTRICITY**  
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Leaf: 54.3  
Revision: 6  
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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

2. Reserved For Future Use

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Revision: 6  
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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

**2.** Reserved For Future Use

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Leaf: 54.5  
Revision: 6  
Superseding Revision: 5

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

2. Reserved For Future Use

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Leaf: 54.6  
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Superseding Revision: 16

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

Reserved for Future Use

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Leaf: 55  
Revision: 23  
Superseding Revision: 21

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

**Reserved for Future Use**

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Revision: 22  
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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

**Reserved for Future Use**

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Leaf: 57  
Revision: 25  
Superseding Revision: 23

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**  
**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

Reserved for Future Use

PSC NO: 121 ELECTRICITY  
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Leaf: 57.1  
Revision: 3  
Superseding Revision: 1

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

**SUPPLY SERVICE OPTIONS AVAILABLE TO CUSTOMER: (CONT'D.)**

Reserved for Future Use

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Issued by: James A. Lahtinen, Vice President - Rates & Regulatory Economics, Binghamton, NY

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Leaf: 58  
 Revision: 16  
 Superseding Revision: 14

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

Other Facility Charges: (Monthly Rate)

Charges shall apply for all rate choices described in this Service Classification.

Effective Date: 6/01/2026	Facility Charge
<b>Pole Installed by the Corporation Solely for Street Lighting Service***</b>	
Standard Wood Pole	\$16.10
Wood Pole - high mount use (45' or greater)	\$56.92
Steel Pole*	\$9.19
Aluminum Pole 16' and under*	\$10.35
Alum. Pole over 16' installed prior to August 1, 1987*	\$33.29
Alum. Pole over 16' direct embedded installed after July 31, 1987*	\$33.29
Alum. Pole over 16' pedestal mounted*	\$49.68
Concrete Pole*	\$10.47
Laminated Wood Pole*	\$8.34
Fiberglass Pole 18' and under*	\$7.87
Fiberglass Pole 18' to 22'*	\$15.89
Center Bored Wood Pole* - (no longer available)	\$18.82
Screw-in steel base for pedestal mounted poles:*	
Light Duty	\$27.34
Heavy Duty	\$34.81
<b>Special Brackets</b>	
Standard Bracket - 16' and over	\$4.90
Bracket Allowance*	(\$1.30)
Bracket for post-top use on wood poles*	\$0.84
<b>Circuit Control</b>	
Group Controllers*	\$6.26
3000 Watt Photo Cell*	\$4.16
<b>Circuits (Per Trench Foot**)</b>	
Cable and Conduit*	\$0.16300
Direct Burial Cable*	\$0.13947
Cable Only (Conduit Supplied by Customer)*	\$0.07421
Underground Circuits*	\$0.09912

\* The following rates and charges, indicated with an asterisk (\*), are applicable only to non-standard equipment installed or contracted for prior to the date of the tariff. Such facilities are no longer available for new installations.

\*\*Trench foot is defined as the distance from one standard to another standard, handhole, or transformer.

\*\*\*Except for a limited number of grandfathered poles with bases, charges for poles are based on gross pole length prior to installation, not the visible mounting height of the luminaire above the finished grade.

ISSUED BY: Lindsey N. Overton Orietas, Vice President, Regulatory, Binghamton, New York

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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

Other Facility Charges: (Monthly Rate)

Reserved for Future Use

PSC NO: 121 ELECTRICITY  
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**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

Reserved for Future Use

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Leaf: 59  
Revision: 32  
Superseding Revision: 31

### **SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

#### **MINIMUM CHARGE:**

The monthly minimum charge for service is the Monthly Luminaire Charge and applicable Other Facility Charges, plus the Bill Issuance Charge, if applicable.

#### **SYSTEM BENEFITS CHARGE:**

A surcharge shall be added to each customer bill for service under this Service Classification to collect the System Benefits Charge (as explained in this Schedule, General Information Section 16). See SBC Statement.

#### **RATE ADJUSTMENT MECHANISM ("RAM"):**

The RAM shall be applied per kWh to all kWhs delivered under this Service Classification (as explained in this schedule, General Information Rule 21). See RAM Statement.

#### **REVENUE DECOUPLING MECHANISM ("RDM"):**

A customer taking service under this Service Classification shall be subject to a Revenue Decoupling Adjustment (as explained in this Schedule, General Information Section 17). See RDM Statement.

#### **EARNINGS ADJUSTMENT MECHANISM (EAM):**

The EAM shall be applied per kWh delivered under this Service Classification, (as explained in this Schedule General Information Rule 24). The rate shall be set forth on the EAM Statement.

#### **NON-WIRES ALTERNATIVE (NWA) SURCHARGE:**

The NWA Surcharge shall be applied per kWh delivered under this Service Classification, (as explained in this Schedule General Information Rule 25). The rate shall be set forth on the NWA Statement.

#### **ELECTRIC VEHICLE ("EV") MAKE-READY SURCHARGE ("EV SURCHARGE"):**

The EV Surcharge shall be applied per kWh delivered under this Service Classification, (as explained in this Schedule General Information Rule 27). The rate shall be set forth on the EVS Statement.

#### **RECOVERY CHARGE**

The Recovery Charge shall be applied per kWh delivered under this Service Classification, (as explained in this Schedule General Information Rule 30). The rate shall be set forth on the Recovery Charge Statement.

#### **INCREASE IN RATES AND CHARGES:**

The rates and charges under this Service Classification, including minimum charges, shall be increased by a surcharge pursuant to Section 3 of P.S.C. No. 121 - Electricity to reflect the tax rates applicable within the municipality where the customer takes service.

#### **ALLOWANCE FOR LAMP OUTAGES:**

The Company shall use reasonable diligence to provide a continuous, regular and uninterrupted supply of service and the customer shall use reasonable diligence to protect the lighting system. If for any reason the lamp becomes inoperable, the Company shall make every effort to complete the necessary repair within three business days after notice of such outage has been given to the Company by a customer. In lieu of determination of the actual lamp-hour outages resulting from a failure of any light to burn for any reason, a monthly credit is automatically included in the energy charges of the monthly bill, in that the charge per kWh quoted in the tariff has been reduced by 0.15%.

ISSUED BY: Jeremy Euto, Vice President – Regulatory, Binghamton, New York

### **SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

#### **MERCHANT FUNCTION CHARGE:**

The Merchant Function Charge reflects the administrative costs of obtaining electricity supply. Customers whose electricity is supplied by an ESCO are not charged for this service.

#### **TERMS OF PAYMENT:**

All bills are rendered at the above "unit prices" and that amount is due on bills paid on or before the past due date indicated on the bill. A late payment charge at the rate of 1½% per month shall be billed on all amounts not paid by that date. (Further details in Section 14 of the General Information section of this Schedule.)

#### **TERM:**

Five years from the initial rendering of service, including service previously rendered under contract, and thereafter until terminated on 120 day's written notice by either the Company or customer.

If the customer requests removal of a facility, the Monthly Charge the customer pays the Company shall be reduced in accordance with the rates specified for each such facility removed, as of the removal date. However, the customer shall reimburse the Company the original cost, less accrued depreciation and net salvage (cost of removal less salvage) of such facility, as determined by the Company. The Company shall not require customers to pay system removal costs for Company-owned non-LED luminaires that are replaced with Company-owned LED street lights.

#### **SPECIAL PROVISIONS:**

- A. The customer shall determine and specify the number, size, type and location of luminaires and other facilities required to provide street lighting service initially to be served hereunder, and may at any time thereafter, upon reasonable written notice to the Company, request changes to such luminaires and/or facilities. Upon acceptance of the application, the Company shall, within a reasonable time after receipt of written authorization from the customer, (a) furnish and install additional luminaires and other facilities provided, however, that the Company shall not be obligated hereunder to install additional luminaires and other facilities 1) in locations where electric service may not be readily available, or 2) in a contiguous manner when additional luminaires or other facilities are not stocked by the Company, or (b) remove such luminaires or facilities designated by the customer. In the first situation, provision for the desired service may be made available under provisions of Section 13 of this Schedule.
- B. If, in the sole opinion of the Company, Company owned facilities become subject to vandalism, the customer shall be required to reimburse the Company for all maintenance costs incurred as a result of vandalism.

### **SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

#### **SPECIAL PROVISIONS: (Cont'd.)**

Special Provisions C. and D. are no longer available for new installations under this service classification.

- C. A customer whose system utilizes existing or new standard wood poles installed by the Company and used exclusively for street lighting purposes and/or brackets 16 ft. or longer in length, may opt to bear the appropriate capital costs of said wood poles and/or brackets in lieu of paying the facilities charge. Ownership and the responsibility for operation and maintenance rests with the Company.

Under this provision, the cost of replacement of wood poles and/or brackets 16 ft. or longer in length, due to expiration of the service life of such facilities, is the responsibility of the customer.

- D. **Determination of Capital Cost:**  
For those customers making capital contributions under Special Provision C, cost shall be determined as follows:

In the case of newly constructed facilities, capital cost shall include all labor, transportation, material and applicable overheads as defined in the charges for Special Services contained in Schedule P.S.C. No. 119 - Electricity, or superseding issues thereof, and utilized in recording the cost of such facilities on the books and records of the Company. In the case of existing systems, capital contributions shall be determined taking into consideration depreciated original cost, replacement value depreciated and physical condition of the facilities. In no case shall the contribution be less than the average depreciated original cost of such facilities dedicated by the Company to provision of street lighting service.

- E. **Budget Billing:**  
Customers may, by signing an application, be billed monthly in accordance with the plan set forth in Section 4-P of P.S.C. No. 119 - Electricity or superseding issues thereof.

- F. **Glare Shield:**  
Customers that request the installation of glare shields shall be responsible for the costs associated with such installations, consistent with General Information Section 6 of P.S.C. No. 119, Charges for Special Services.

- G. **Purchase Option:**  
The Customer may, at its option, elect to purchase the portion of the Company's street lighting system being used to serve the customer. The following guidelines shall apply to any sale of the Company's street lighting facilities:

- i. A customer desiring to purchase the street lighting system being used to serve it shall inform the Company in writing of such desire, and indicate which portion of that system it desires to purchase. The lights to be purchased must be contained in single contiguous geographic area, defined as being an area bounded on all sides by a public right of way and containing all area within those bounds. If the geographic area contains series lighting circuits, all the lights on those circuits must be purchased, even if such circuits extend outside the contiguous area.

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

SPECIAL PROVISIONS: (Cont'd.)

G. Purchase Option: (Cont'd):

The Customer may, at its option, elect to purchase the portion of the Company's street lighting system being used to serve the customer. The following guidelines shall apply to any sale of the Company's street lighting facilities: (Cont'd):

- ii) The customer must purchase a minimum of 10% of the lights that were owned by the Company within the municipality prior to any purchase(s) made under this rule, and the facilities associated with those lights, or 100 lights and their associated facilities, whichever is greater. If the customer requests purchase of a geographic area which contains slightly less than the 10% minimum, the Company shall consider such an offer, provided that there is some logical rationale for the area chosen. Notwithstanding the above, if a customer owns 70% or more of the lights originally owned by the Company prior to any purchase(s) made by the customer under this rule, any further purchase must encompass all remaining lights. If a proposed purchase of lights would reduce the amount of lights owned by the Company within the municipality to less than 15% of the lights originally owned by the Company prior to any purchase(s) made by the customer under this rule, or to less than 100 lights, completion of the proposed purchase shall be contingent upon written agreement by the customer to purchase all remaining lights within two years of the currently proposed purchase. Such written agreement shall include all terms and conditions of the sale of the remaining lights, including but not limited to the sale price and time frame of the sale. The Company may contract to sell the system in increments over an agreed upon time frame or to accept payments in installments, upon payment and other terms acceptable to the Company.
- iii) The Company shall develop an estimate of the costs that it shall incur to physically separate the system being sold from the rest of its distribution system in order for the Company to meet all applicable codes and regulations. This estimate shall not include costs that the customer may incur in order for the Customer to meet any codes and regulations that may apply to it.
- iv) Within 90 business days of a customer providing written notice to the Company of its desire to purchase its street lighting system, the Company shall respond, in writing, with the proposed purchase price. The Company shall not be required to provide a purchase price for the same street lighting facilities more than once in any 12-month period.
  - (a) Purchase Price for the Street Lighting equipment:
    - (1) The Company shall determine the purchase price for the equipment. The purchase price shall be determined based on the Net Book Value ("NBV"); plus an Administrative and General ("A&G") loader of 4.5% of NBV; and a Customer Protection Overhead ("CPO") of 15% of NBV.

PSC NO: 121 ELECTRICITY  
NEW YORK STATE ELECTRIC & GAS CORPORATION  
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Leaf: 61.1.1  
Revision: 0  
Superseding Revision:

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

SPECIAL PROVISIONS: (Cont'd.)

G. Purchase Option: (Cont'd):

- (2) The Company shall revise the purchase price prior to closing the transaction with the customer if the NBV of the equipment increases from the NBV that was used to determine the purchase price and that difference exceeds the CPO calculated on the originally quoted NBV ("Variance") as described below:
  - i. If the Variance exceeds the calculated CPO, the Company shall calculate the difference between the CPO and the Variance, and shall calculate additional CPO and A&G on that difference.
  - ii. The final closing purchase price shall be re-calculated to include the purchase price described in (a); plus the Variance; plus additional CPO and A&G applied to the Variance.
  - iii. No fewer than 30 days before date of closing, the Company shall provide a detailed asset report to the customer that supports an NBV change requiring an adjustment to the overall purchase price.
- v) The customer shall have 180 days from the issuance of the initial proposed purchase price to commit to move forward in good faith with the purchase process.

Issued by: Joseph J. Syta, Vice President, Controller and Treasurer, Binghamton, NY

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

SPECIAL PROVISIONS: (Cont'd.)

G. Purchase Option: (Cont'd):

- vi) The Company shall file a petition in conformance with the requirements of §70 of the Public Service Law within 60 days of an executed purchase agreement.
- vii) A customer that purchases any portion of the Company's street lighting system shall be required to install a Company-approved disconnect device on all purchased street lights. The installation of the disconnect devices must be completed by the time specified in the written agreement; however, the maximum time that shall be allowed in any written agreement for the customer to provide to the Company proof of the installation of the disconnect devices shall be within 24-months of the transfer of the street lighting system by the Company to the customer. On the date of such transfer, the customer shall provide the Company with an irrevocable letter of credit or other form of security acceptable to the Company in an amount adequate to cover the costs, as determined by the Company, of installing the disconnect devices. Should the customer not provide proof of the installation of the disconnect devices on all purchased street lights within the time specified in the written agreement, the Company shall notify the customer of its intention to perform such work on the customer's behalf. Upon completion of such work, the Company shall determine its actual costs of performing such work, inclusive of all applicable overheads and shall invoice the customer for such amount. If that invoice is not paid within 15 days, the Company may draw on the letter of credit or other form of security provided by the customer. Once the installation of the disconnect devices is completed, the Company shall either release any security amounts in excess of such costs or include any remaining costs of such work in its bill to the customer for street lighting service. Such letter of credit or security shall be required for all agreements entered into after April 1, 2016.
- viii) The owner(s) of street lighting systems must provide that any personnel that work on such street lighting systems will be qualified by complying with established regulations and standards associated with the work to be conducted. To identify requirements related to safety or the construction, repair, or maintenance of the street lighting system, the owner(s) should consult among other documentation, the Occupational Health and Safety Administration ("OSHA") requirements, including but not limited to OSHA 1910.269, "The Electric Power Generation, Transmission, and Distribution" standard, the National Electrical Code (NEC), the National Electric Safety Code (NESC), the New York State Labor Law governing how close workers (qualified) and non-workers (unqualified) can get to energized equipment at primary and/or secondary voltages, and requirements by the New York State Department of Transportation.
- ix) The customer may file a petition with the Commission at any time to facilitate an ownership transfer agreement. Such petition must comply with the requirements of § 70-a of the Public Service Law, the requirements of the Commission's Rules of Procedure, 16 NYCRR Part 3, and any other applicable requirements.

**SERVICE CLASSIFICATION NO. 3 (Cont'd.)**

SPECIAL PROVISIONS: (Cont'd.)

- H. Conversion to Light Emitting Diode (LED) Street Lights:  
The Customer may request the conversion of existing non-LED street lights to LED street lights. The Company shall perform such conversion in compliance with the provisions below.
- i) Upon request, the Company shall install/replace its in-service non-LED street light luminaires with LED street light luminaires, dependent upon the Customer's compliance with the terms and conditions of this tariff, on a first come, first served basis at the Companies' discretion, such as consideration of geographical location. The Company's obligation to install/replace in-service non-LED street light luminaires in any annual period shall be limited to no more than 20% of the Company's currently installed street light luminaires. The Customer must commit to a conversion of no less than 20% of their currently installed non-LED Company-owned street light luminaires, or a minimum of 100 of their currently installed non-LED Company-owned street light luminaires, whichever is greater, per municipality in an annual period.
  - ii) The lights to be converted must be contained in a single contiguous geographic area, defined as being an area bounded on all sides by a public right-of-way, and containing all area within those bounds. If the geographic area contains series lighting circuits, all the lights on those circuits must be converted, even if such circuits extend outside the contiguous area.
  - iii) The Customer must agree in writing to compensate the Company for the remaining book value of the lights being replaced. The customer shall have the option to:
    - (a) make a one-time payment to the Company, or
    - (b) make monthly levelized payments with the interest rate set at the Company's authorized pretax weighted average cost of capital in effect at the time of execution of the agreement over a term not to exceed five years.
- I. New York Power Authority ("NYPA") Program to Contribute to Existing Economic Development Customers and Serve New Governmental Entities

Participants in the NYPA Program shall be subject to the otherwise applicable standard service classification rates, including the Transition Charge (Non-Bypassable Charge), Bill Issuance Charges, if applicable, in accordance with the standard ESS rates for this Service Classification. All customers are also required to pay the System Benefits Charges, and Rate Adjustment Mechanism in accordance with the standard ESS rates for this Service Classification.