

PSC NO: 220 ELECTRICITY
NIAGARA MOHAWK POWER CORPORATION
INITIAL EFFECTIVE DATE: APRIL 1, 2014

Attachment 1
LEAF: 194.6
REVISION: 4
SUPERSEDING REVISION: 3

GENERAL INFORMATION

34. ECONOMIC DEVELOPMENT PROGRAMS: (Continued)

34.7 Program 6 –Excelsior Jobs Program (“EJP”)

34.7.1 Eligibility Criteria:

34.7.1.1 Any applicant or customer:

34.7.1.1.1 who qualifies for service under and in accordance with the provisions of Service Classification Nos. 2, 3, 3-A, or 4, or who qualifies for service under and in accordance with the provisions of Service Classification No. 7, except an applicant or customer who is a Wholesale Generator as defined in Rule 1.76; and

34.7.1.1.2 who has been certified by NYS Department of Economic Development as being eligible to receive the benefits pursuant to Article 17 of the Economic Development Law (Excelsior Jobs Program Act) and the Company receives a certificate of tax credit for that applicant/customer from the NYS Department of Economic Development; and

34.7.1.1.3 who in the case of an existing demand metered customer permanently increases demand by the lesser of twenty-five (25) percent or 100 kW, or more, or;

34.7.1.1.4 who in the case of an existing non-demand metered customer permanently increases their annual energy usage by twenty-five (25) percent or more.

~~34.7.1.1.5 SC No. 4 customers may not combine discounts on the same load.~~

34.7.1.3 Qualifying Excelsior Jobs Program Load: The load (expressed in kW and kWh) qualified to receive Excelsior Jobs Program benefits shall be identified according to the billing methodologies specified in Rule 34.7.2 and 34.7.3.

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GENERAL INFORMATION

57. REVENUE DECOUPLING MECHANISM ("RDM")

57.1 The Revenue Decoupling Mechanism reconciles actual billed delivery service revenues for the RDM reconciliation period to annual target revenues ("ATR") for delivery service as approved in the Company's most recent rate case for each Reconciliation Group subject to the RDM defined in Rule 57.1.1 and as adjusted by the delivery service revenue associated with exempt customers identified in Rule 57.1.2. RDM targets will be adjusted, as applicable, to exclude credits applied to customer accounts pursuant to Rule 26.14. The RDM reconciliation shall determine the difference between actual billed delivery service revenues and the ATR for any Reconciliation Group listed in Rule 57.1.1 in each annual RDM reconciliation period and forms the basis of the RDM adjustment for that Reconciliation Group.

57.1.1 Delivery service revenue shall be defined as charges associated with distribution and transmission rates (customer, demand, reactive, and energy charges) applicable to retail delivery service customers subject to this RDM. For the first month after a delivery service rate change, the "billed delivery service revenues" will be defined as the product of actual sales and rate year rates. The RDM reconciliation shall be performed for the following Reconciliation Groups:

1. SC-1, SC1-C
2. SC-2 Non Demand
3. SC-2 Demand
4. SC-3
5. SC-3A

* Customers served under SC4, SC7, and SC12 customers whose contracts provide exclusively for an alternative billing methodology, will be included in the RDM of their parent service classification.

57.1.2 Exempt/excluded from the RDM are the following:

57.1.2.1 SC-12 customers whose contracts do not provide exclusively for an alternative billing methodology for a NYPA allocation; therefore the ATR and billed delivery service revenue shall be excluded from the RDM, subject to the provisions of this rule below;

57.1.2.2 ATR and billed delivery service revenue associated with the NYPA load of customers who receive NYPA power (~~Replacement, Expansion, High Load Factor, Economic Development, Power for Jobs, RNY Power, and Preservation Power~~), subject to the provisions of this rule below; and

57.1.2.3 Street Lighting (All Service Classifications); therefore this class's ATR and billed revenue shall be excluded from the RDM, subject to the provisions of this rule below.

57.1.2.4 Empire Zone Rider ("EZR") and Excelsior Jobs Program ("EJP") customers shall not be subject to an RDM charge or credit on the EZR/EJP portion of their loads.

Customers identified in Rule 57.1.2.1 who also receive NYPA Expansion and Replacement power under Rule 57.1.2.2 have the option to participate in the RDM for delivery service revenue associated with their non-NYPA load to the extent they are also subject to the System Benefits Charge ("SBC") under Rule 41 or opt to become subject to the SBC.

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**SERVICE CLASSIFICATION NO. 4
UNTRANSFORMED SERVICE TO CERTAIN CUSTOMERS TAKING POWER FROM
PROJECTS OF THE NEW YORK POWER AUTHORITY**

APPLICABLE TO USE OF SERVICE FOR:

The supply by the Company of:

- (1) transmission, distribution and delivery by the Company of Replacement Power and Expansion Power (collectively referred to herein as "Niagara Power") produced by the New York Power Authority's ("NYPA") Niagara Project under the provisions of the Settlement Agreement dated April 21, 2004 and approved by the Federal Energy Regulatory Commission by order dated July 9, 2004 in Docket No. ER03-989-000 ("Niagara Power Delivery Service"); and
- (2) transmission, distribution and delivery by the Company of High Load Factor ("HLF") Power provided by NYPA from Authority Sources (as defined in section 1005 of the Public Authorities Law under the provisions of the Settlement Agreement between the Company, NYPA and the New York State Department of Public Service dated May 27, 1997 and approved by the Commission in Orders dated May 23, 1997, June 10, 1997 and August 20, 1997 in Cases 97-E-0528 and 97-E-0569 ("the May 22, 1997 Settlement"))(hereinafter referred to as "HLF Delivery Service")); and
- (3) transmission, distribution and delivery by the Company of that portion of the customer's contract demand for Preservation Power produced by NYPA's St. Lawrence Project that is sold to such customer pursuant to the provisions of section 1005(13) of the Public Authorities Law ("Preservation Power Delivery Service"); and
- (4) the supplemental electric service requirements of an individual customer who has contracted to receive (A) Niagara Power Delivery Service; and/or (B) Preservation Power Delivery Service; and/or (C) HLF Delivery Service under this rate schedule SC-4 (hereinafter referred to as "SC-4 Supplemental Service").

Customers receiving any form of ESS from NYPA other than:

- (i) Niagara Power,
- (ii) HLF Power,
- ~~(iii) Economic Development Power under Rule 34.4,~~
- ~~(iv) Power for Jobs Power under Rule 34.5, and/or~~
- ~~(viii)~~ Preservation Power eligible for delivery under subpart (3) above, and
- ~~(iv) ReCharge New York ("RNY") Power under Rule 34.6.~~

shall receive all of their commodity requirements under the retail access program rules set out in Rule 39 of this Tariff at the delivery rates established therein.

Service hereunder is available throughout the Company's service area from existing circuits of adequate capacity and appropriate character.