

PSC NO. 220 ELECTRICITY

LEAF: 263.9

NIAGARA MOHAWK POWER CORPORATION

REVISION: 10

INITIAL EFFECTIVE DATE: April ~~JULY~~ 1, 2016 [a1]5

SUPERSEDING REVISION: 0

STAMPS: Issued in Compliance with Order issued June 18, 2015 in Case 15-E-0189.

## GENERAL INFORMATION

### 61. DISTRIBUTION LOAD RELIEF PROGRAM

Purpose: The Distribution Load Relief Program is being offered by the Company in response to the Commission's order in Case 14-E-0423. This Program will enable participating eligible customers to be compensated for reducing their load under certain conditions when called upon by the Company to do so.

#### 61.1 Contracting for Distribution Load Relief Program Service

Eligible customers must be served under Service Classification Nos. 1, 1C, 2, 3, 3A, 4, 7 or 12, served at secondary and primary voltage levels only. Customers must be physically located in a Company Designated Area and be served from the Company-identified stressed electrical equipment to be eligible for participation in this Program. Company Designated Areas will be published on the Company's website. Customers must install interval metering in accordance with Rule 61.4 or have existing interval metering that conforms to Rule 61.4 to participate in this Program.

There are two options under this Program through which a Direct Participant or Aggregator may contract to provide Load Relief during Load Relief Periods designated by the Company: 1) the Reservation Payment Option, and 2) the Voluntary Participation Option. This Program is applicable to Direct Participants and Aggregators who apply and are accepted by the Company to provide Load Relief in a Company Designated Area, either on a Voluntary Participation or Reservation Payment Option, whenever the Company designates a Contingency Event or Immediate Event during a Capability Period. A Direct Participant must contract to provide at least 50 kW of Load Relief. An Aggregator must contract to provide at least ~~50+100~~ kW [a2][JE3] of Load Relief.

If other requirements for service under this Program are met, Electric Generating Equipment may be used to participate under this Program subject to the provisions set forth in section 61.5.4 below. The participating Direct Participant or Aggregator is responsible for determining that the operation of Electric Generating Equipment under this Program will be in conformance with any governmental limitations on such operation.

Customers who take service under Rule 36 and Rule 37 are not eligible to participate in this Program.

#### 61.2 Definitions - the following terms are defined for purposes of this Program only:

"Aggregator" refers to a party other than the Company that represents and aggregates the load of customers who collectively have a Load Relief potential of ~~50+100~~ kW or greater in a Company Designated Area and is responsible for the actions of the customers it represents, including performance and, as applicable, performance adjustments, penalties, and repayments to the Company.

~~"Bonus Hours" commence in the fifth hour of a Load Relief Period that lasts five or more hours in which the Direct Participant or Aggregator provides Load Relief.~~

"Capability Period" under this Program refers to the period during which the Company can request Load Relief. The Capability Period shall be from May 1 through September 30.

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## GENERAL INFORMATION

## 61. DISTRIBUTION LOAD RELIEF PROGRAM (Continued)

“CBL” means the customer baseline load as calculated under the Company’s Customer Baseline Load methodology, using either the weather-sensitive adjustment option (the “weather-adjusted CBL”) or the average-day CBL. The Customer Baseline Load methodology ~~will be [a4]~~ is described in the Company’s baseline operating procedure, which ~~will be [a5]~~ is published on the Company’s website.

“CBL Verification Methodology” means the methodology used by the Company to verify the actual Load Relief provided (kW and kWh) during each hour of each designated Load Relief Period and Test Event. Actual load levels are compared to the customer baseline loads to verify whether the Direct Participant or Aggregator provided the kW of contracted Load Relief; provided, however, that the Company may estimate the data pursuant to the Company’s operating procedure if data is not available for all intervals. When the weather-adjusted CBL methodology is used and the calculated weather adjustment falls outside of Company defined ranges (i.e., the Company deems the weather to be atypical on the day of a Load Relief Period or Test Event when compared to the baseline period), the Company may review and revise a participant’s baseline based on the customer’s historical load data. When the weather-adjusted CBL methodology is used, the Company, at its own discretion, may select alternate hours for the adjustment period to calculate the weather adjustment factor in order to accurately reflect the customer’s typical usage.

“Company Designated Area” is an area, designated by the Company, which is an electrically distressed part of the electric distribution system. Company Designated Areas ~~will be [a6]~~ is published on the Company’s website.

“Contingency Event” is a Load Relief Period lasting four or more hours for which the Company provides two or more hours’ advance notice.

“Direct Participant” refers to a customer who enrolls under this Program directly with the Company for a single account and agrees to provide at least 50 kW of Load Relief.

“Electric Generating Equipment” ” refers to: (a) electric generating equipment at the Premises of an eligible customer used to provide Load Relief under this Program; or (b) emergency electric generating equipment that is interconnected and operated in compliance with the Company’s Standard Interconnection Requirements and used to provide Load Relief under this Program.

“Immediate Event” is a Load Relief Period lasting six or more hours for which the Company provides less than two hours’ advance notice.

“Load Relief” refers to demand (kW) and energy (kWh): (a) ordinarily supplied by the Company that is displaced by use of Electric Generating Equipment and/or reduced by the Direct Participant or Aggregator at the customers’ premises; or (b) produced by use of Electric Generating Equipment at the premise of an eligible customer and delivered by that customer to the Company’s distribution system during a Load Relief Period.

“Load Relief Period” refers to the hours for which the Company requests Load Relief during a Contingency Event or an Immediate Event. Load Relief will not be required of a Direct Participant or Aggregator after 12:00 AM or before 6:00 AM.

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## GENERAL INFORMATION

### 61. DISTRIBUTION LOAD RELIEF PROGRAM (Continued)

“Lost Reservation Payment” is the payment the Company will make to the Direct Participant or Aggregator when the Company misses the installation timeframe for the Reservation Payment Option, unless the meter delay was caused by a reason outside the Company’s control.

“Reservation Payment Option” cCustomers who enroll under this option agree to provide a specified amount of load reduction during demand response events, and will receive a set dollar per kilowatt (kW) payment per month for the summer capability period, regardless of whether or not the Company~~utility~~ calls its demand response program.

“Test Event” refers to the Company’s request under the Reservation Payment Option, pursuant to Rule 61.8.6.6, that Direct Participants and Aggregators provide one hour of Load Relief on not less than two hours’ advance notice.

“Voluntary Participation Option” is the payment option the cCustomer will be enrolled in if they do not elect to participate under the “Reservation Payment Option.” —Customers will only receive payment for actual load reductions during demand response events under this option.

#### 61.3 Load Relief Period Criteria and Notice

61.3.1 Criteria for Designating a Load Relief Period includes, but may not be limited to, those times when the Company declares a need for emergency or non-emergency relief, as described by 40 CFR 63.6640 subparts 2 and 4, or when a voltage reduction of five percent or greater has been ordered, upon which the Company may designate such period as a Load Relief Period. The Company may designate specific circuits, feeders or geographical areas in which Load Relief will be requested.

61.3.2 Notice of a Load Relief Period or Test Event: The Company will notify Direct Participants and Aggregators by phone, email or machine-readable electronic signal, or a combination thereof, in advance of the commencement of a Load Relief Period or Test Event. The Direct Participant or Aggregator shall designate in writing an authorized representative and an alternate representative, and include an electronic address, if applicable, to receive the notice. If an Aggregator is served under this Program, only the Aggregator will be notified of the Load Relief Period or Test Event. The Aggregator is responsible for notifying all of the customers within its respective aggregation group.

#### 61.4 Metering

61.4.1 All electricity load measurement for this Program shall utilize the Company's interval based meter(s) at the customer’s premise. The customer is responsible for paying the interval metering and installation costs. The interval metering and installation costs are available from Company representatives.

61.4.2 Metering communications are necessary for program administration. Where meter reading communications must be installed, the Company shall provide the necessary communications equipment to the customer's meter which records the electric requirements delivered to the customer's premise. The customer agrees to pay the Company an Incremental Customer Charge in the amount of \$25.43 per month to cover the incremental cost of metering communications.

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## GENERAL INFORMATION

## 61. DISTRIBUTION LOAD RELIEF PROGRAM (Continued)

61.4.3 The Company will install interval metering within 21 business days of the later of the Company's receipt of an applicant's payment for an upgrade to interval metering and: (i) evidence that a request has been made to the telephone carrier (e.g., receipt of a job number) to secure a dedicated phone line for a meter with landline telecommunications capability or (ii) the active Internet Protocol ("IP") address that the wireless carrier has assigned to the modem's ESN for a meter with wireless capability. If the Company misses the installation timeframe for the Reservation Payment Option, it will make a "Lost Reservation Payment" to the Direct Participant or Aggregator, unless the meter delay was caused by a reason outside the Company's control, such as the telephone company's failure to install a landline or, if, at the Company's request, the Commission grants the Company an exception due to a condition such as a major outage or storm. A Lost Reservation Payment will be calculated by determining the number of months between the earliest month in which the customer could have begun participation had the meter been installed within the required timeframe (assuming the Company's acceptance of a completed application and receipt of payment for the meter upgrade) and the first month following the completed installation, and multiplying that number by the pledged kW and associated per-kW Reservation Payment Rate.

61.4.4 The customer shall be responsible for all metering and communication devices and associated costs as prescribed above and in accordance with Rule 25 of the Tariff.

**61.5 Applications and Terms of Service**

61.5.1 Customers must enroll by completing Form DLRP to participate in this Program. Direct Participants and Aggregators may participate after the Company's receipt of a completed application and written notification from the Company of application acceptance. The Company will accept applications by April 1 for a May 1 commencement date, and by May 1 for a June 1 commencement date. If the Company does not bill the participant monthly using interval metering at the time of application, participation in the Reservation Payment Option will not commence unless both interval metering and communications are operational. If the Company receives a completed application by April 1, service can commence on May 1 if the interval metering is installed by April 1 and meter communications are operational by April 30. If the Company receives a completed application by May 1, service can commence on June 1 if the interval metering is installed by May 1 and meter communications are operational by May 31. If the application is received by May 1, but the above deadlines for installation of interval metering and meter communications are not met, service will commence on July 1, provided the interval metering is installed by June 1 and meter communications are operational by June 30. ~~Customers must enroll by completing Form DLRP to participate in this Program. Direct Participants and Aggregators may participate after the Company's receipt of a completed application, subject to the installation of interval metering and telecommunications equipment as specified in Rule 61.4 and written notification from the Company of application acceptance. The Company will accept applications by April 1 for a May 1 commencement date, and by May 1 for a June 1 commencement date. However, if the application is received by April 1 and the Company does not bill the customer monthly using interval metering at the time of application, participation may commence on May 1 provided all conditions in Rule 61.4 are satisfied. For the summer 2015 Capability Period only, the Company will accept applications through June 24, 2015 for a July 1 commencement date, subject to the customer having the required interval metering currently installed. Additionally, for the summer 2015 Capability Period only, the Company will accept applications through July 1, 2015 for an August 1, 2015 start date, irrespective of whether interval metering is installed.~~

61.5.1.1 The desired commencement month must be specified in the application.

61.5.1.2 Applications will not be accepted after the specified date for participation during the current Capability Period. Where the first of the month falls on a weekend or holiday applications will be accepted until the first business day thereafter.

61.5.1.3 The Company will accept applications for participation in the Voluntary Participation Option at any time provided the metering and communications requirements specified in 61.4 are met.

61.5.2 A ~~Direct Participant or Aggregator~~ may ~~apply in writing to change the~~ CBL Verification Methodology, to change the kW of pledged Load Relief, or to terminate service under this Program for the upcoming Capability Period provided the request is received prior to commencing participation for that Capability Period. In order for a Direct Participant or Aggregator to increase its kW of contracted Load Relief, the Direct Participant's or Aggregator's most recent Performance Factor must be no less than 1.00.

61.5.2.1 An ~~Aggregator~~ may increase its kW of pledged Load Relief during a Capability ~~P~~eriod only if it enrolls ~~c~~Customers whose ~~Aggregator~~ either exits the ~~P~~rogram or is suspended from enrollment in the ~~P~~rogram for noncompliance with Aggregator eligibility requirements or the Company's operating procedures. In such case, the Aggregator may increase its pledged Load Relief up to the amount of the transferred ~~c~~Customers' existing kW of pledged Load Relief.

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## GENERAL INFORMATION

## 61. DISTRIBUTION LOAD RELIEF PROGRAM (Continued)

61.5.3 Each application must state the kW of Load Relief that the Direct Participant or Aggregator contracts to provide for the Load Relief Period. The weather-adjusted CBL will be used as the CBL Verification Methodology for each account number enrolled, unless the application specifies that the average-day CBL is to be used for verification of performance. A single CBL Verification Methodology will be used for each customer to assess both demand (kW) and energy (kWh) Load Relief.

61.5.4 If a Direct Participant or Aggregator requests to operate Electric Generating Equipment for Load Relief purposes under this Program, the application must state generator information, including the unit serial number(s), nameplate rating(s), manufacturer(s), and date(s) of manufacture, and meet the Company's requirements for interconnection of such equipment. Furthermore, participants enrolled in a NYISO market-based program, such as the Day-ahead Demand Response Program or the Demand-Side Ancillary Service Program, must provide the Company with their NYISO generator identification number(s), under a confidentiality agreement, and give the Company the ability to view their market participation activity. This information will be used to verify the times of participation in these other programs to prevent double-payment during concurrent events.

61.5.5 Direct Participants and Aggregators must meet the metering requirements specified in section 61.4.

#### 61.6 Administrative Review ~~Data Review~~

61.6.1 The Company reserves the right to review records and/or operations of any Direct Participant, Aggregator, or customer of an Aggregator, ~~or Meter Data Service Provider (MDSP)~~ to verify enrollment information and performance associated with any designated Load Relief Period or event called by the Company. Once the Company initiates a data review, all payments will be suspended pending the outcome of the review. The Company will complete its review within 30 days of receipt of all requested data, but no later than December 31 of the calendar year of the Capability Period under review. Any suspended payments will be reinstated if the Company's review of the data results in a finding that the enrollment and performance information are correct.

61.6.2 If the Company determines that a Direct Participant, Aggregator, customer of an Aggregator, or MDSP failed to cooperate fully and promptly with the review and/or did not fully comply with the provisions of this Program and/or provided inaccurate data, the Direct Participant, Aggregator or the customer of the Aggregator will be deemed ineligible to participate in the Program until the issue is rectified. In addition, the Direct Participant or Aggregator will be required to make prompt repayment to the Company of any payments that were made to such Direct Participant or Aggregator, on behalf of its customers, for the Capability Period that was reviewed as well as the current Capability Period, if different.

#### 61.7 Aggregation

61.7.1 All customers of an Aggregator must meet the metering and telecommunications requirements of this Program and the requirements of Rule 25 and Rule 61.4.

61.7.2 An Aggregator is responsible for the compliance of all customers it enrolls and will be liable for performance, including, as applicable, repayments to the Company.



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## GENERAL INFORMATION

### 61. DISTRIBUTION LOAD RELIEF PROGRAM (Continued)

#### 61.8 Reservation Payment Option

61.8.1 Applicability: A Direct Participant or Aggregator will receive Reservation Payments if such Direct Participant or Aggregator agrees in writing to provide Load Relief for no less than four consecutive hours during each designated Load Relief Period ~~up to six designated Load Relief Periods~~, during the effective Capability Period.

61.8.2 Reservation Payments: Reservation Payments per month are equal to the applicable Reservation Payment rate per kW per month multiplied by the kW of contracted Load Relief multiplied by the Performance Factor for the month. Reservation Payments will be made under this Program independent of whether payments are made for capacity under any other program.

~~61.8.3 Bonus Payments: A Bonus Payment per kWh will be made if the Direct Participant or Aggregator provides Load Relief for five or more consecutive hours during the Load Relief Period. The Bonus Payment will be equal to the Bonus Hour Rate in dollars per kWh multiplied by the sum of the Bonus Hours of Load Relief provided.~~

61.8.4 Performance Payments: A Direct Participant or Aggregator will receive a Performance Payment for each hour of Load Relief provided during the Load Relief Period, ~~excluding Bonus Hours~~. The Performance Payment amount paid per event is equal to the Performance Payment rate in dollars per kWh multiplied by the average hourly kWh of Load Relief provided during the event multiplied by the number of event hours. ~~, excluding Bonus Hours.~~

#### 61.8.5 Performance Factor

61.8.5.1 The Performance Factor, when a Contingency Event is called, is the ratio of the average hourly kW of Load Relief provided by the Direct Participant or Aggregator during the first four hours of the Load Relief Period up to the kW of contracted Load Relief. to the kW of contracted Load Relief.

61.8.5.2 The Performance Factor, when an Immediate Event is called, is the ratio of the average hourly kW of Load Relief provided by the Direct Participant or Aggregator during the highest consecutive four hours during the first six hours of the Load Relief Period up to the kW of contracted Load Relief. to the kW of contracted Load Relief.

61.8.5.3 The Performance Factor, when a Test Event is called, is the ratio of the kW of Load Relief provided during the Test Hour by the Direct Participant or Aggregator up to the kW of contracted Load Relief to the kW of contracted Load Relief.

61.8.5.4 When more than one Contingency Event, Immediate Event and/or Test Event is called in a Company Designated Area during the month, the Performance Factor is the average of the Performance Factors for the Direct Participant or the average of the Performance Factors for the Aggregator in the Company Designated Area during that month. When an Aggregator participates in this Program "the kW of contracted Load Relief" is measured on a portfolio basis by Company Designated Area by CBL Verification Methodology. The Performance Factor is

rounded to two decimal places and has an upper limit of 1.00 and a lower limit of 0.00.



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## GENERAL INFORMATION

### 61. DISTRIBUTION LOAD RELIEF PROGRAM (Continued)

~~61.8.5.5 If the Direct Participant or Aggregator is asked to respond to more than six Contingency Events and/or Immediate Events in a Company Designated Area during the Capability Period, performance during each event after the sixth event will only be included in the Performance Factor calculation if this would result in a higher Performance Factor.~~

61.8.6 Application of Payments - Reservation Payments, Performance Payments and Penalties under this Rule 61.8 will be calculated on a monthly basis. Payments will be made by bill credit, check, or wire transfer. Payments will be made within sixty (60) days following the end of the applicable Load Relief month.

#### 61.8.7 Testing:

61.8.8.7.1 Once during each Capability Period, the Company may require a Direct Participant or Aggregator to participate in a Test Event, for a period not to exceed one hour, commencing at a time determined solely at the Company's discretion. The Company will give at least two hours advance notice of the Test Event.

61.8.8.7.2 The Company will make a payment for one hour of energy for the Load Relief achieved up to the contracted amount, as specified in section 61.8.4.

### 61.9 Voluntary Participation Option

#### 61.9.1 Payments

61.9.1.1 Except as specified in Rule 61.9.2, the Company will make Performance Payments to a Direct Participant or Aggregator participating in the Voluntary Participation Option for Load Relief provided during a designated Load Relief Period.

61.9.1.2 The Performance Payment amount paid per event is equal to the applicable Payment Rate for the Voluntary Participation Option multiplied by the average hourly kWh of Load Relief provided during the event multiplied by the number of event hours.

61.9.1.3 Payment for Direct Participants and Aggregators Participating in Other Programs – Performance Payments will not be made under this Program if the Direct Participant or Aggregator (on behalf of its customers) receives payment for energy under Rule 54, 55, or 62, or from any other Company, third party, or NYISO demand response program (e.g., NYISO Special Case Resource ("SCR") Program, or any successor Company program to the NYISO's SCR Program).

#### 61.9.2 Application of Payments

61.9.2.1 The Company will make payment to a Direct Participant or Aggregator, after the end of the Program year, for the sum of the payments due for all Load Relief Periods in the Capability Period. Payments will be made by bill credit, check, or wire transfer.

### 61.10 Rate Statements

61.10.1 The Distribution Load Relief Program rates shall be shown on the Demand Response Incentive Statement filed with the Public Service Commission not less than 60 days before their effective date.

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## GENERAL INFORMATION

## 62. COMMERCIAL SYSTEM RELIEF PROGRAM

Purpose: The Commercial System Relief Program is being offered by the Company in response to the Commission's order in Case 14-E-0423. This Program will enable participating eligible customers to be compensated for reducing their load under certain conditions when called upon by the Company to do so.

**62.1 Contracting for Commercial System Relief Program Service**

Eligible customers must be served under Service Classification Nos. 1, 1C, 2, 3, 3A, 4, 7, and 12, served at secondary and primary voltage levels only. ~~Customers must be physically located in a Company Designated Area and be served from the Company-identified stressed electrical equipment to be eligible for participation in this Program. Company Designated Areas will be published on the Company's website.~~ Customers must install interval metering in accordance with Rule 62.5 or have existing interval metering that conforms to the requirements of Rule 62.5 to participate in this Program.

There are two options under this Program through which a Direct Participant or Aggregator may participate to provide Load Relief during Load Relief Periods designated by the Company: 1) the Voluntary Participation Option and, 2) the Reservation Payment Option. This Program is applicable to Direct Participants and Aggregators who apply and are accepted by the Company ~~to provide Load Relief in a Company Designated Area,~~ under either the Voluntary Participation or Reservation Payment Option, during all Contracted Hours required ~~for such Company Designated Areas~~ whenever the Company designates Planned Events during the Capability Period. Direct Participants and Aggregators may also agree to voluntarily provide Load Relief if an Unplanned Event is called.

A Direct Participant must contract to provide at least 50 kW of Load Relief. An Aggregator must contract to provide at least ~~50~~100 kW [a1][NG2][JE3] of Load Relief.

If other requirements for service under this Program are met, Electric Generating Equipment may be used to participate under this Program ~~and are~~ subject to the provisions set forth in Rule 62.3 below. The participating Direct Participant or Aggregator is responsible for determining that the operation of the Electric Generating Equipment under this Program will be in conformance with any governmental limitations on such operation.

Customers who take service under Rule 36 and Rule 37 are not eligible to participate in this Program.

**62.2 Definitions** - the following terms are defined for purposes of this Program only:

"Aggregator" refers to a party other than the Company that represents and aggregates the load of eligible customers who collectively have a Load Relief potential of ~~400~~50 kW or greater ~~in a Company Designated Area~~ and is responsible for the actions of the customers it represents, including performance and, as applicable, performance adjustments, penalties, and repayments to the Company.

"Capability Period" under this Program refers to the period during which the Company can request Load Relief. The Capability Period shall be from May ~~May~~ 1 through September 30.

"CBL" means the customer baseline load as calculated under the Company's Customer Baseline Load methodology, using either the weather-sensitive adjustment option (the "weather-adjusted CBL[NG4]") or the average-day CBL. The Customer Baseline Load methodology ~~will be~~ [a5]described in the Company's baseline operating procedure, which ~~will be~~ [a6]published on the Company's website.



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## GENERAL INFORMATION

### 62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

“CBL Verification Methodology” means the methodology used by the Company to verify the actual Load Relief provided (kW and kWh) during each hour of each designated Load Relief Period and Test Event. Actual load levels are compared to the customer baseline loads to verify whether the Direct Participant or Aggregator provided the kW of contracted Load Relief; provided, however, that the Company may estimate the data pursuant to the Company's operating procedure if data is not available for all intervals. When the weather-adjusted CBL methodology is used and the calculated weather adjustment falls outside of Company defined ranges (i.e., the Company deems the weather to be atypical on the day of a Load Relief Period or Test Event when compared to the baseline period), the Company may review and revise a participant's baseline based on the customer's historical load data. When the weather-adjusted CBL methodology is used, the Company, at its own discretion, may select alternate hours for the adjustment period to calculate the weather adjustment factor in order to accurately reflect the customer's typical usage.

~~“Company Designated Area” is an area, designated by the Company, which is an electrically distressed part of the electric distribution system. Company Designated Areas will be published on the Company's website.~~ [NG7]

“Contracted Hours” refers to the four-hour period within a weekday, Monday through Friday, during the Capability Period, excluding Holidays, during which the Direct Participant or Aggregator contracts to provide Load Relief ~~in a Company Designated Area~~ whenever the Company designates a Planned Event.

~~The Load Relief period will be identified for each Company Designated Area on the Company's website.~~

“Direct Participant” is a customer who enrolls under this Program directly with the Company for a single account and agrees to provide at least 50 kW of Load Relief.

“Electric Generating Equipment” is the: (a) electric generating equipment at the premises of an eligible customer used to provide Load Relief under this Program; or (b) emergency electric generating equipment that is interconnected and operated in compliance with the Company's Standard Interconnection Requirements and used to provide Load Relief under this Program.

“Load Relief” is the demand (kW) and energy (kWh): (a) ordinarily supplied by the Company that is displaced by use of Electric Generating Equipment and/or reduced by the Direct Participant or Aggregator at the customers' premises; or (b) produced by use of Electric Generating Equipment at the premise of an eligible customer and delivered by that customer to the Company's distribution system during a Load Relief Period.

“Load Relief Period” refers to the hours for which the Company requests Load Relief when it designates a Planned Event or an Unplanned Event. ~~in a Company Designated Area.~~

“Lost Reservation Payment” is the payment the Company will make to the Direct Participant or Aggregator when the Company misses the installation timeframe for the Reservation Payment Option, unless the meter delay was caused by a reason outside the Company's control.

~~“Performance Adjusted kW” is the kW level that a Direct Participant or Aggregator requests to provide subsequent to the imposition of a penalty.~~

“Performance Factor” is the ratio of: (i) the average hourly kW of Load Relief provided by the Direct Participant or Aggregator during the requested hours, up to the kW of contracted Load Relief to (ii) the kW of contracted Load Relief when a Planned Event or Test Event is called.

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## GENERAL INFORMATION

### 62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

“Planned Event” is the Company’s request, on not less than 21 hours’ advance notice, for Load Relief during the Contracted Hours. Planned Events may be called when the Company’s day-ahead forecasted load level is at least 97 percent of the Company’s forecasted summer system-wide peak. “Test Event” refers to the Company’s request under the Reservation Payment Option specified in Rule 62.9 for Direct Participants and Aggregators to provide one hour of Load Relief, within the four-hour span of Contracted Hours, on not less than 21 hours’ advance notice.

“Reservation Payment Option” cCustomers who enroll under this option agree to provide a specified amount of load reduction during demand response events, and will receive a set dollar per kilowatt (kW) payment per month for the summer capability period, regardless of whether or not the utility calls its demand response program.

“Unplanned Event” is the Company’s request for Load Relief: (a) on less than 21 hours’ advance notice; or (b) for hours outside of the Contracted Hours.

“Voluntary Participation Option” is the payment option the cCustomer will be enrolled in if they do not elect to participate under the “Reservation Payment Option.” —Customers will only receive payment for actual load reductions during demand response events under this option.

### 62.3 Applications and Term of Service

62.3.1 Customers must enroll by completing Form CSRP to participate in this Program. Direct Participants and Aggregators may participate after the Company’s receipt of a completed application and written notification from the Company of application acceptance. The Company will accept applications by April 1 [a8] for a May 1 commencement date, and by May 1 for a June 1 commencement date. If the Ccompany does not bill the participant monthly using interval metering at the time of application, participation in the Reservation Payment Option will not commence unless both interval metering and communications are operational. If the Company receives a completed application by April 1, service can commence on May 1 if the interval metering is installed by April 1 and meter communications are operational by April 30. If the Company receives a completed application by May 1, service can commence on June 1 if the interval metering is installed by May 12 and meter communications are operational by May 31. If the application is received by May 1, but the above deadlines for installation of interval metering and meter communications are not met, service will commence on July 1 ; provided the interval metering is installed by June 1 and meter communications are operational by June 30.

~~Customers must enroll by completing Form PSLR to participate in this Program. Direct Participants and Aggregators may participate in this Program after the Company’s receipt of a completed application, and subject to the installation of interval metering and telecommunications equipment as specified in Rule 62.5, and written notification from the Company of application acceptance. The Company will accept applications by April 1 for a May 1 commencement date, and by May 1 for a June 1 commencement date. If the application is received by April 1 and the Company does not bill the customer monthly using interval~~

~~metering at the time of application, participation may commence on May 1 provided all conditions in Rule 62.5 are satisfied. For the summer 2015 Capability Period only, the Company will accept applications through June 24, 2015 for a July 1 commencement date, subject to the customer having the required interval metering currently installed. Additionally, for the summer 2015 Capability Period only, the Company will accept applications through July 1, 2015 for an August 1, 2015 start date, irrespective of whether interval metering is installed.~~

62.3.1.1 The desired commencement month must be specified in the application.

62.3.1.2 Applications will not be accepted after the specified date for participation during the current Capability Period. Where the first of the month falls on a weekend or holiday applications will be accepted until the first business day thereafter.

62.3.1.3 The Company will accept applications for participation in the Voluntary Participation Option at any time provided the metering and communications requirements specified in 62.5 are met.

62.3.2 A Direct Participant or Aggregator may apply in writing to change the CBL Verification Methodology, to change the kW of pledged Load Relief, or to terminate service under this Program for the upcoming Capability Period provided the request is received prior to commencing participation for that Capability Period. In order for a Direct Participant or Aggregator to increase its kW of contracted Load Relief, the Direct Participant's or Aggregator's most recent Performance Factor must be no less than 1.00.

62.3.2.1 An Aggregator may increase its kW of pledged Load Relief during a Capability Period only if it enrolls customers whose Aggregator either exists the program or is suspended from enrollment in the program for noncompliance with Aggregator eligibility requirement or the Company's operating procedures. In such case, the Aggregator may increase its pledged Load Relief up to the amount of the transferred Customers' existing kW of pledged Load Relief.

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SUPERSEDING

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### 62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

62.3.3 Each application must state the kW of Load Relief that the Direct Participant or Aggregator contracts to provide for the Contracted Hours ~~required for the Company Designated Area~~. The weather-adjusted CBL will be used as the CBL Verification Methodology for each account enrolled, unless the application specifies that the average-day CBL is to be used for verification of performance. A single CBL Verification Methodology will be used for each customer to assess both energy (kWh) and demand (kW) Load Relief.

62.3.4 Participation by diesel-fired Electric Generating Equipment will be permitted only if the engine for the equipment is model year 2000 or newer. Participation by diesel-fired Electric Generating Equipment will be limited to 20 percent of the total enrolled under this Program for the Capability Period. Enrollment by such generators will be accepted on a first-come, first-served basis. No limit or cap will be placed on the following: natural gas-fired rich burn Electric Generating Equipment that incorporates three-way catalyst emission controls; natural gas lean-burn Electric Generating Equipment with an engine of model year vintage 2000 or newer; or Electric Generating Equipment that has a NOx emissions level of no more than 2.96 lb/MWh.

62.3.5 If a Direct Participant or Aggregator requests to operate Electric Generating Equipment for Load Relief purposes under this Program, the application must state generator information, including the unit(s) serial number, nameplate rating(s), manufacturer(s), date(s) of manufacture, fuel type or energy source, the kW enrolled using this equipment, and identification as to whether the unit(s) incorporate three-way catalyst emission controls (natural gas-fired rich burn), a natural gas lean-burn engine of model year vintage 2000 or newer, or a diesel-fired engine of model year vintage 2000 or newer, or whether the unit(s) have a NOx emission level of no more than 2.96 lb/MWh. If the generating equipment has NOx emission levels of no more than 2.96 lb/MWh, but is not natural gas-fired rich burn generating equipment that incorporates three-way catalyst emission controls, a natural gas lean-burn engine of model year vintage 2000 or newer, or a diesel-fired engine of model year vintage 2000 or newer, written certification by a professional engineer must be attached to the application for this Program attesting to the accuracy of all generation-related information contained in the application, including the NOx emission levels.

62.3.6 Copies of all New York State Department of Environmental Conservation ("DEC") permits must be included with the application for this Program. By applying for service under this Program, Direct Participants and Aggregators (on behalf of their customers) agree to permit the Company to provide information regarding the Electric Generating Equipment to the DEC for its review, subject to the DEC's agreement to keep this information confidential. Furthermore, participants enrolled in a NYISO market-based program offered by the Company, NYPA, or other entity, such as the Day-ahead Demand Response Program or the Demand-Side Ancillary Service Program, must provide the Company with their NYISO generator identification number(s), under a confidentiality agreement, and give the Company the ability to view their market participation activity. This information will be used to verify the times of participation in these other programs to prevent double-payment during concurrent events.



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### 62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

62.3.7 Participation under this Program is permitted to participants in other programs that provide payment for capacity, such as the NYISO's Special Case Resources ("SCR") Program, (or any -successor -Company program to the NYISO's SCR Program), NYPA's Peak Load Management Program, or the Company's demand response program offerings in Rule 55 and 56 of this Tariff.

62.3.8 Direct Participants and Aggregators must meet the metering requirements specified in Rule 62.5 of this Program.

#### 62.4 Notification by the Company and Required Response

62.4.1 The Company will notify Direct Participants and Aggregators by phone, e-mail, or machine-readable electronic signal, or a combination thereof, in advance of the commencement of a Load Relief Period or Test Event. The Direct Participant or Aggregator shall designate in writing an authorized representative and an alternate representative, and include an electronic address, if applicable, to receive the notice. If an Aggregator is served under this Program, only the Aggregator will be notified of the Load Relief Period or Test Event. The Aggregator is responsible for notifying all of the customers within its respective aggregation group.

62.4.2 If the Company designates a Planned Event or a Test Event, the Company will provide advance notice at least 21 hours in advance of the event. The Company will again provide advance notice on the day of the event, usually two or more hours in advance.

62.4.3 If the Company designates an Unplanned Event, notice will be given as soon as practicable. Participants are requested to provide Load Relief as soon as they are able.

62.4.4 Participants in the Reservation Payment Option are required to participate during:

62.4.4.1 All Contracted Hours for all Planned Events called by the Company during the Capability Period, and

62.4.4.2 Test Events called by the Company. The Test Event period will not exceed one hour. Participants in the Voluntary Participation Option will not be tested.

#### 62.5 Metering

62.5.1 All electricity load measurement for this program shall utilize the Company's interval based meter at the customers' premises. The customer is responsible for paying the metering and installation costs. The metering and installation costs are available from Company representatives.

62.5.2 Metering communications are necessary for program administration. Where meter reading communications must be installed, the Company shall provide the necessary communications equipment to the customer's meter which records the electric requirements delivered to the customer's premise. The customer agrees to pay the Company an Incremental Customer Charge in the amount of \$25.43 per month to cover the incremental cost of metering communications.

62.5.3 The customer shall be responsible for all metering and communication devices and associated costs as prescribed above and in accordance with Rule 25 of the Tariff.

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### 62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

62.5.4 The Company will install interval metering within 21 business days of the later of the Company's receipt of an applicant's payment for an upgrade to interval metering and: (i) evidence that a request has been made to the telephone carrier (e.g., receipt of a job number) to secure a dedicated phone line for a meter with landline telecommunications capability or (ii) the active Internet Protocol ("IP") address that the wireless carrier has assigned to the modem's ESN for a meter with wireless capability. If the Company misses the installation time frame for the Reservation Payment Option, it will make a "Lost Reservation Payment" to the Direct Participant or Aggregator, unless the meter delay was caused by a reason outside the Company's control, such as the telephone company's failure to install a landline or, if, at the Company's request, the Commission grants the Company an exception due to a condition such as a major outage or storm. A Lost Reservation Payment will be calculated by determining the number of months between the earliest month in which the customer could have begun participation had the meter been installed within the required timeframe (assuming the Company's acceptance of a completed application and receipt of payment for the meter upgrade) and the first month following the completed installation, and multiplying that number by the pledged kW and associated per-kW Reservation Payment Rate.

### 62.6 ~~Data~~ Administrative Review

62.6.1 The Company reserves the right to review records and/or operations of any Direct Participant, Aggregator, or customer of an Aggregator to verify enrollment information and performance associated with any designated Load Relief Period or Test Event called by the Company. Once the Company initiates a data review, all payments will be suspended pending the outcome of the review. The Company will complete its review within 30 days of receipt of all requested data, but no later than December 31 of the calendar year of the Capability Period under review. Any suspended payments will be reinstated if the Company's review of the data results in a finding that the enrollment and performance information are correct.

62.6.2 If the Company determines that a Direct Participant, Aggregator, or customer of an Aggregator failed to cooperate fully and promptly with the review and/or did not fully comply with the provisions of this Program and/or provided inaccurate data, the Direct Participant or the customer of the Aggregator will be deemed ineligible to participate in the Program until the issue is rectified. In addition, the Direct Participant or Aggregator will be required to make prompt repayment to the Company of any overpayments that were made to such Direct Participant or Aggregator, on behalf of its customer, for the Capability Period that was reviewed as well as the current Capability Period, if different.

### 62.7 Aggregation

62.7.1 All customers of an Aggregator must meet the metering and telecommunications requirements of this Program and the requirements of Rule 25 and Rule 62.5.

62.7.2 An Aggregator is responsible for the compliance of all customers it enrolls and will be liable for performance, including, if applicable, repayments to the Company.

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## GENERAL INFORMATION

### 62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

#### 62.8 Payments Made Under Both Options

62.8.1 Payments will be made pursuant to Rules 62.9 and 62.10 of this Program, except as specified below:

62.8.1.1 Performance Payments will not be made under this Program if the Direct Participant or Aggregator (on behalf of its customers) receives payment for energy during concurrent Load Relief hours under Rule 61, Distribution Load Relief Program, or any other Company, third party, or NYISO demand response program (e.g., NYISO's Emergency Demand Response Program, NYISO's Day-ahead Demand Reduction Program or NYISO's SCR Program, or any -successor Company program to the NYISO's SCR Program).

#### 62.9 Reservation Payment Option

##### 62.9.1 Reservation Payments

62.9.1.1 Direct Participants and Aggregators will receive a Reservation Payment for each Capability Period month in which they are enrolled. The Reservation Payment rate per kW is based on the number of cumulative Planned Events for which the Direct Participant or Aggregator was asked to provide Load Relief during the Capability Period, as follows:

62.9.1.1.1 The payment rate is calculated in dollars per kW per month in months in which, as of the last day of such month, the Company asked the Direct Participant or Aggregator to provide Load Relief for four or fewer cumulative Planned Events since the current Capability Period commenced.

62.9.1.1.2 The payment rate is calculated in dollars per kW per month commencing in the month in which, as of the last day of such month, the Company asked the Direct Participant or Aggregator to provide Load Relief for five or more cumulative Planned Events since the Capability Period commenced.

62.9.1.1.3 The Reservation Payment per month is equal to the applicable Reservation Payment rate per kW per month multiplied by the kW of contracted Load Relief multiplied by the Performance Factor.

62.9.1.2 Performance Payments for Participation during Planned Events and Test Events

62.9.1.2.1 Except as specified in Rule 62.8, the Company will make a payment to a Direct Participant or Aggregator who provides Load Relief during the Contracted Hours of a Planned Event or Test Event.

62.9.1.2.2 The Performance Payment amount paid per event is equal to the Performance Payment rate in dollars per kWh multiplied by the average hourly kWh of Load Relief provided during the event multiplied by the number of event hours in the Planned or Test Event.

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### 62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

#### 62.9.1.3 Performance Payment for Participation during Unplanned Events

62.9.1.3.1 Except as provided in Rule 62.8, a Direct Participant or Aggregator will receive payment for performance during each Unplanned Event, provided the Company can verify that the Direct Participant or Aggregator provided Load Relief.

62.9.1.3.2. The performance payment amount paid is equal to the performance payment rate in dollars per kWh multiplied by the sum of the actual load relief provided for the hours of the Unplanned Event.

#### ~~62.9.1.4 Penalties and Adjustment for Non-performance~~

##### ~~62.9.1.4.1 The Performance Adjusted kW is:~~

~~62.9.1.4.1.1 Equal to or less than the average hourly kW of Load Relief that was provided during the most recent event (i.e., Test Event, Planned Event, or Unplanned Event).~~

~~62.9.1.4.1.2 Greater than the kW of Load Relief on which the last payment was based.~~

~~62.9.1.4.1.3 Cannot exceed the kW of contracted Load Relief.~~

~~62.9.1.4.2 The Performance Adjusted kW will become effective on the first of the month following the date the request is received. The new kW level will remain in effect until the earlier of:~~

~~62.9.1.4.2.1 A month in which a new Performance Adjusted kW is requested and approved; or~~

~~62.9.1.4.2.2 The average kW for all events in a month represents kW of Load Relief that is lower than the Performance Adjusted kW. In this case, the new lower kW is used to calculate payment and a penalty, as specified in 60.9.4.4.1.~~

#### 62.9.1.4.3 Performance Factor

62.9.1.4.3.1 When more than one Planned Event and/or Test Event is called during the month, the average of the Performance Factors of all events for a Direct Participant or Aggregator is the Performance Factor for that month.

62.9.1.4.3.2 Direct Participants and Aggregators may increase the kW of contracted Load Relief in subsequent Capability Periods above their previously contracted kW of Load Relief, provided their most recent Performance Factor was 1.00. The Performance Factor is rounded to two decimal places. If the

Direct Participant or Aggregator does not have a historical Performance Factor, the Performance Factor is 1.00.

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## GENERAL INFORMATION

### 62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

#### ~~62.9.1.4.4 Penalties~~

~~62.9.1.4.4.1 If the average kW of Load Relief provided for Planned Events in the current month is lower than the prior month's average kW of Load Relief for Planned Events or the contracted kW, whichever is lower, the Direct Participant or Aggregator will be subject to a Penalty. The Penalty is equal to the Reservation Payment rate times the difference between the prior months' average kW or the contracted kW, whichever is lower, and the current (lower) average kW performed. If the current average kW performed is negative, 0 kW will be set as the current month's average kW performance.~~

#### ~~62.9.1.4.5 Performance Adjustment~~

~~62.9.1.4.5.1 A Performance Adjustment will be applied in calculating the Performance Factor if the Direct Participant or Aggregator requests in writing to provide a Performance Adjusted kW.~~

~~62.9.1.4.5.2 Once a Performance Adjustment is in effect, a Direct Participant or Aggregator may request subsequent increases to the Performance Adjusted kW if the updated kW level meets the requirements for Performance Adjusted kW. No more than one request will be accepted per month to change to the Performance Adjusted kW. The Performance Adjustment will become effective commencing the first day of the first calendar month that follows the Company's receipt of the request to initiate or update the Performance Adjusted kW.~~

~~62.9.1.4.5.3 If the current Performance Factor is lower than the previous month's Performance Factor, the lower Performance Factor becomes the new Performance Factor for the current month and each month thereafter the month in which a Performance Adjusted kW request is received or a lower Performance Factor is achieved.~~

~~[NG9]~~

#### 62.9.1.4.6 Application of Payments

62.9.1.4.6.1 Reservation Payments, Performance Payments, and Penalties under this Rule 62.9 will be calculated on a monthly basis. Payments will be made by bill credit, check, or wire transfer. Payments will be made within sixty (60) days following the end of the applicable Load Relief month.

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## GENERAL INFORMATION

### 62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

#### 62.9.1.4.7 Testing

62.9.1.4.7.1 The Company may require a Direct Participant or Aggregator to participate in one or more Test Events, each for a period not to exceed one hour, commencing at a time determined solely at the Company's discretion, but within the Contracted Hours.

62.9.1.4.7.2 The Company will make a payment for one hour of energy for the Load Relief achieved up to the contracted amount, as specified above in Rule 62.9.1.2. A Direct Participant or Aggregator who fails the Test will be subject to the Penalties described above in Rule 62.9.1.4.4.1.

### 62.10 Voluntary Participation Option

#### 62.10.1 Performance Payments

62.10.1.1 Except as specified in Rule 62.8, the Company will make Performance Payments to a Direct Participant or Aggregator participating in the Voluntary Participation Option for Load Relief provided during a Load Relief Period.

62.10.1.2 The payment rate for Load Relief is as follows:

62.10.1.2.1 Dollars per kWh for Load Relief provided during a Planned Event; or

62.10.1.2.2 Dollars per kWh for Load Relief provided during an Unplanned Event.

62.10.1.2.3 The Performance Payment amount paid per event is equal to the applicable Payment Rate multiplied by the average hourly kWh of Load Relief provided during the event multiplied by the number of event hours.

#### 62.10.2 Application of Payments

62.10.2.1 The Company will make payment to a Direct Participant or Aggregator, for payments under this Rule 62.10, after the end of the Program year, for the sum of the payments due for all Load Relief Periods in the Capability Period. Payments will be made by bill credit, check, or wire transfer.

### 62.11 Rate Statements

62.11.1 -The Commercial System Relief Program rates shall be shown on the Demand Response Incentive Statement filed with the Public Service Commission not less than 60 days before their effective date.



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## GENERAL INFORMATION

## 63. DIRECT LOAD CONTROL PROGRAM

Purpose: The Direct Load Control Program is being offered by the Company in response to the Commission's order in Case 14-E-0423. This Program will allow the Company to remotely control the customer's Control Device to reduce the customer's load during an Event. Customers participating in this Program must ~~install a Company-controlled device~~ have load controllable equipment and install a Control Device ~~and will receive a one time sign up payment once the device is installed, and may receive an annual incentive as specified in Rule 63.6. The Control Device must be provided and installed by the Customer or a Service Provider, or if the Customer is located in a Designated Area, the Customer will may also have the option to have the Company provide and install the Control Device.~~ [NGH].

63.1 Eligible Customers must be served under Service Classification Nos. 1, 1C, 2, , 3, 3A, 4, 7, or 12, served at secondary and primary voltage level only. ~~Customers must be physically located in a Company Designated Area to be eligible for participation in this Program.~~

63.2 **Definitions** - the following terms are defined for purposes of this Program only:

"Capability Period" is the period from May 1 through September 30 of any Program year, during which the Company can remotely control the participating customer's equipment.

"Company Designated Area" is an area, designated by the Company, which is an electrically distressed part of the electric distribution system. Company Designated Areas will be published on the Company's website.

"Control Device" is a device installed on the customer's load controllable equipment via a smart plug or embedded control that allows the Company to remotely control the equipment when an Event is called. For purposes of this Program, Control Device means one or more devices as may be required to control the equipment. Each Control Device contains a feature that allows the customer to override the Company's control of the customer's equipment. If the Customer is located in a Designated Area, the Customer may ~~will~~ at the company's discretion, have the option to have ~~the~~ Control Device ~~must be~~ provided, installed, and connected to the Internet by the Company or its designated contractor. Otherwise, the Control Device, ~~or it~~ must be provided, installed and connected to the Internet by the eCustomer or its ~~who enrolled in the Program through a Service Provider~~ [TC2] [NG3] and the Control Device must be able to communicate with National Grid's control system. A list of Company approved devices will be published on the Company's website.

An "Event" may be declared by the Company when:

- 1) The NYISO declares an emergency in conjunction with an in-day peak hour forecast response to an operating reserve peak forecast shortage or in response to a major state of emergency as defined in Rule 3.2 of the NYISO Emergency Operations Manual, or at the NYISO's discretion to relieve system or zonal emergencies;
2. The NYISO activates its Special Case Resources Program in response to a forecast peak operating reserve shortfall; or
- 3) The Company determines that a ~~Company Designated Area~~ peak may occur and/or Company identified stressed equipment will exceed its limits.

"Service Provider" means a provider registered with, and approved by, the Company to

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develop, maintain, and operate a communications portal that enables Internet-connected Control Devices to participate under this Program. A list of current Service Providers is available on the Company's website.

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## GENERAL INFORMATION

### 63. DIRECT LOAD CONTROL PROGRAM

63.3 **Applications** - Customers must enroll under this Program by completing the National Grid Direct Load Control Application Form available from the Company's designated contractor or from the Company's website.

63.4 **Customers Receiving a Control Device from the Company** - Customers located in a Company Designated Area may, at the company's discretion, be ~~are~~ eligible to receive and have installed a control device from the Company or its designated contractor. Customers who receive a Control Device from the Company or its designated contractor ~~will will may~~ receive a one-time sign up payment [NG4] after the Control Device is installed and connected. The Control Device will become the customer's property upon installation. [NG5] Incentive Language ~~Designated area incentives can be found in Appendix — or on the Company's website. [NG6]~~

63.5 **Customers Enrolling a Control Device through a Service Provider** - Customers who enroll in the Program through a Service Provider, with their own Control Device or a Control Device provided by the Service Provider, will receive a one-time sign up payment after the Control Device is installed and after the Company and/or Service Provider has confirmed the Company's ability to communicate with the Control Device. Incentive language

63.6 ~~Starting with the second Capability Period [NG7]~~ in which the customer participates, the customer will be eligible for an annual incentive payment, payable by check, bill credit or ~~gift [TC8] [NG9]~~ card at the Company's discretion, after each Capability Period in which the Company can verify that the customer allowed the Company to control the Control Device for no less than 80 percent of the aggregate number of Event hours declared by the Company during the Capability Period.

63.7 **Restrictions** - This Program is not available to customers who participate, either directly or indirectly, through a Company, third party or NYISO, demand response program. This includes but is not limited to, the NYISO Special Case Resources ("SCR") Program (or any applicable Company program that is intended to take the place of the NYISO SCR Program), in the Company's Distribution Load Relief Program, Commercial System Relief Program, or Emergency Demand Response Program.

63.8 **Rate Statements** - The Direct Load Control Program rates shall be shown on the Demand Response Incentive Statement filed with the Public Service Commission not less than 60 days before their effective date. [NG10]

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### 64. Dynamic Load Management (DLM) Surcharge

The Dynamic Load Management Surcharge provides for recovery from customers of costs incurred by the Company, and approved by the Commission, for demand response programs to ensure reliability needs are met. This surcharge applies to costs incurred in accordance with Rule No. 61- Distribution Load Relief Program, Rule No. 62-Commercial System Relief Program, and Rule No. 63-Direct Load Control Program.

64.1 The DLM surcharge is applicable to all customers taking service under P.S.C 220 and 214 Electricity, regardless of ~~commodity rate~~ [NG2]supplier.

64.2 The Recovery of the DLM program costs will be allocated to Service Classifications 1, 1C, 2, 3, 3A, 4, 7 and 12, in accordance with the terms of their individual contracts, served at secondary and primary voltage levels only, and all PSC 214 service classifications, based on the most recent transmission plant allocator from the Company's most current embedded cost of service study (ECOS).

64.3 The DLM surcharge will be applied to customers on an ~~actual~~ forecasted sales volume basis.

64.3.1 The DLM will be collected from customers on a volumetric basis, per kWh for non-demand service classifications and per kW for demand service classifications.

64.3.2 The DLM surcharge shall be determined by dividing the amount of costs incurred by the Company under these demand response programs by the ~~actual~~ forecasted sales or demand for each service classification. ~~as determined in Rule 61.10.2.~~

64.3.3 The DLM surcharge collected from customers will be subject to annual reconciliation for any over or under collection from the previous year. The DLM surcharge reconciliation over or under collections will be credited or surcharged to customers, which will include interest at the applicable customer deposit rate.

64.4 The DLM surcharge will be shown on statements filed with the Public Service Commission apart from this rate schedule not less than 3 days before its effective date.