

PSC NO: 220 ELECTRICITY

NIAGARA MOHAWK POWER CORPORATION

INITIAL EFFECTIVE DATE: ~~APRIL 1, 2018~~ FEBRUARY 1, 2020

STAMPS: Issued in Compliance with Order in Case 19-E-0559, dated January 17, 2020 ~~17-E-0238 Issued March 15, 2018.~~

LEAF: 194.2

REVISION: 45

SUPERSEDING REVISION: 24

GENERAL INFORMATION

34. ECONOMIC DEVELOPMENT PROGRAMS (Continued)

34.6 Program 5 - Recharge New York ("RNY") Power Program

34.6.2 Subscription Procedure (Continued)

34.6.2.5 The Company will commence RNY service effective the first day of the calendar month at least thirty (30) days after receiving notice from NYPA. NYPA shall also provide 30 days' notice to the Company for changes in the kW allocation and termination on any kW allocation for customers receiving an RNY allocation.

34.6.3 Billing Methodology:

34.6.3.1 The billing period for customers served under Program 5 shall be the calendar month.

34.6.3.2 Reserved for Future Use

34.6.3.3 Customers served under Program 5-RNY, are subject to the following Rules:

34.6.3.3.1 Customers served under Program 5 RNY Power will be subject to the rates, charges, and adjustments specified in their applicable parent service classification. All reactive demand is billed at the parent service classification's reactive demand rate.

34.6.3.3.2 RNY allocations under this program shall be exempt from Rule 41 – System Benefit Charge and Rule 57 – RDM.

34.6.3.3.2.1 Customers served under Program 5-RNY and that receive credits through participation in Rule Nos. 29, 36, 37, and 40 will be subject to the Rule 57 – RDM surcharge.

34.6.3.3.2 Rule 32, Increase in Rates Applicable in Municipality Where Service is Supplied, shall be applied to the total billing amount.

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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.

57.1.1.1 For the Street Lighting Reconciliation Group, delivery service revenues will also include facility charges. In the event that the Company transfers street lighting assets to one or more municipalities, the targets will be reduced to reflect changes in facilities charge revenues resulting from such sales.

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
6. Street Lighting (PSC 214)

* 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 NYPA customers, including Recharge New York ("RNY") customers, will not be subject to the RDM on the NYPA/RNY portion of their load, however, ATR and billed delivery service revenue associated with the NYPA load of customers who receive NYPA/RNY power will be included in the RDM. RNY customers that receive credits under the provisions of Rule Nos. 29, 36, 37 and 40 are excluded from this exemption and will be subject to the RDM surcharge; and

57.1.2.3 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.

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SERVICE CLASSIFICATION NO. 4 (Continued)

- P. The following rules apply to a customer combining SC4 Supplemental Service with the Empire Zone Rider (EZR) or the Excelsior Jobs Program (EJP) and whose total loss-adjusted NYPA demand allocations are greater than its lowest monthly EZR/EJP base period billing demand.
- (1) When the customer accepts its NYPA allocation or whenever the Company receives notification from NYPA that the customer's NYPA allocation is changing or whenever the customer qualifies for EZR or EJP, the customer must make an election to choose either:
 - (a) billing NYPA delivery demand pursuant to the billing methodology in this SC-4; or
 - (b) limiting the billed NYPA delivery demand to the lesser of the EZR or EJP base period billing demand or the billed NYPA delivery demand pursuant to the billing methodology in this SC-4.
 - (2) Regardless of the election made in Section 1 above, the customer will receive its NYPA commodity service pursuant to the billing methodology described in this SC-4.
 - (3) A customer who meets the initial requirements of this Special Provision P may receive additional discounts described in Section 3(a) below, provided the customer demonstrates a financial need as prescribed in Service Classification No.12, Special Contract Rates, in either Sections 4.3.2 and 4.3.3 (Revitalization) or Sections 4.4.2 and 4.4.3 (Relocation).
 - (a) Eligible customers who have a NYPA allocation and an EJP or EZR will be exempt from SBC established in Rule 41 on both their NYPA allocation and qualifying EJP or EZR load.
 - (b) To the extent that the financial need demonstrated by the customer is greater than the benefit derived from Section 3 (a), the customer may apply for a Special Contract pursuant to all terms and conditions of Service Classification No. 12.

Q. Customers that would otherwise be eligible to receive credits under the provisions of Rule Nos. 29, 36, 37, and 40, may also have these credits apply to the customers' charges for the Company's deliveries of NYPA power under this S.C. No. 4 and deliveries of RNY power under Rule 34.6.

If the credits are volumetric, the credits will be calculated separately with the associated kWh being allocated in the following order:

- i. S.C. No. 4 Supplemental Service deliveries;
- ii. The NYPA contract deliveries, with the kWh allocated in the order of the largest NYPA contract kWh deliveries first and the remainder credited to the next largest contract kWh deliveries, and so forth, for each of Niagara Power Delivery Service, HLF Delivery Service, or Preservation Power Delivery Service; and
- iii. RNY kWh deliveries.

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SERVICE CLASSIFICATION NO. 12 (Continued)

6. INDIVIDUALLY NEGOTIATED RATES (Continued)

6.2.5 Payment of Undisputed Bills: Customer shall be current in its payment of all undisputed bills; and may be required to furnish a security deposit in the amount that the Company would otherwise be authorized to require under Commission rules as a precondition to receiving any discounted service by the Company. Customers who have executed a deferred payment agreement with the Company consistent with Rule 26.9 - DPA for Non-Residential Customers of this Tariff; and are in full compliance with the requirements of this DPA shall be eligible to receive service under this Section 6 of S.C. No. 12.

6.2.6 Resales Prohibited: Customer is prohibited from reselling or otherwise furnishing any of the electricity provided pursuant to a Customer Service Agreement authorized by this Service Classification No. 12 to any third party, regardless of whether such sale or furnishing would otherwise be authorized by Rule 8 of this Tariff.

6.2.7 NYPA Allocations: The Company may, at its option, agree to permit Qualifying Customers receiving a portion of their requirements from NYPA to receive any electricity supplied to it by NYPA on a "first through the meter" basis, provided that the Company shall consider the benefit conferred on the customer by such an option in determining the rates it is willing to offer to the customer.

6.2.8 Net Metering Credits on NYPA Load: Customers that would otherwise be eligible to receive credits under the provisions of Rule Nos. 29, 36, 37 and 40, and that receive a portion of their requirements from NYPA delivered by the Company on a "first through the meter" basis under this S.C. No. 12, without any accompanying discount to any of the otherwise applicable service class charges billed under the S.C. No. 12 contract ("S.C. No. 12 Supplemental Charges"), may have these credits apply to the S.C. No. 12 Supplemental Charges and the customers' NYPA deliveries, including RNY.

If the credits are volumetric, the credits will be calculated separately with the associated kWh being allocated in the following order:

- i. S.C. No. 12 Supplemental Service deliveries;
- ii. The NYPA contract deliveries, with the kWh allocated in the order of the largest NYPA contract kWh deliveries first and the remainder credited to the next largest contract kWh deliveries, and so forth, for each of Niagara Power Delivery Service, HLF Delivery Service, or Preservation Power Delivery Service; and
- iii. RNY kWh deliveries.

6.2.89 Increase in Rates and Charges: The rates and charges under Section 6 of this Service Classification No. 12 will be increased by a tax factor pursuant to Rule 32.