

PSC NO: 15 ELECTRICITY	LEAF: 163.5.30
COMPANY: CENTRAL HUDSON GAS & ELECTRIC CORPORATION	REVISION: 2
INITIAL EFFECTIVE DATE 10/01/12	SUPERSEDING REVISION: 1

#### **40. RECHARGE NEW YORK POWER PROGRAM**

Pursuant to the Recharge New York Power Program Act of 2011 (L. 2011, c. 60), the New York Power Authority (NYPA) will administer an economic development program known as the Recharge New York Power Program (RNY Power Program), commencing sales of RNY power on July 1, 2012.

##### **Eligibility**

Service under this Section will only be available to non-residential customers who receive an allocation of power from the NYPA under the RNY Power Program.

##### **Definitions**

“Awarded Allocation” shall be the total RNY Power allocation award, in kilowatts, made available by the NYPA to the customer.

“Accepted Allocation” shall be that portion, in kilowatts, of an Awarded Allocation that a customer has elected to accept and purchase from the NYPA and that the NYPA is contractually obligated to supply. In any billing period that the NYPA is unable to supply the customer’s entire Accepted Allocation or the customer voluntarily elects to accept an amount less than the Accepted Allocation, the amount actually supplied by the NYPA shall be the Accepted Allocation and the Awarded Allocation shall be adjusted on a prorata basis for the purpose of the determination of energy and demand as detailed below.

##### **Application for Service**

A customer who receives an allocation of RNY power must have an account established under this Rate Schedule.

NYPA shall provide to the Company at least 30 days prior written notice for initial delivery of an allocation to an individual customer, changes in the amount of such allocation and/or termination of any such allocation, unless otherwise agreed upon by NYPA and the Company. Service will be initiated, modified or terminated under this Section on or before the end of such notice period.

The notification by the NYPA to the Company that the customer has received an allocation of RNY power shall constitute the acceptance by the customer of the terms and conditions of this Section. Notification of the allocation of RNY power shall include, but not be limited to: (1) customer name, (2) customer account number, (3) customer service address where the RNY power will be utilized, (4) customer’s awarded allocation, (5) customer’s accepted allocation, and (6) the date on which the RNY power service is scheduled to begin.

All RNY power service provided under this Section must be transmitted and delivered into the Company’s system pursuant to the provisions of the New York Independent System Operator’s Open Access Transmission Tariff (OATT) filed with and accepted by the Federal Energy Regulatory Commission, as the same may be modified or superseded from time to time.

Customers receiving a portion of their electric power supply requirements through an allocation of RNY power shall be permitted to select a Retail Supplier pursuant to the Company’s Retail Access Program as described in General Information Section 35, or the Company to provide the remainder of their electric power supply requirement.