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49. INCREMENTAL STATE ASSESSMENT SURCHARGE

The rates and charges under Service Classification Nos. 1A, 1AR, 1B, 1BR, 1BI, 1B-DG, 2-1, 2-2, 3, 4A, 4A-CNG, 4B, 7, 14, 17-CTS-1A, 17-CTS-1AR, 17-CTS-1B, 17-CTS-1BR, 17-CTS-1BI, 17-CTS-1B-DG, 17-CTS-2-1, 17-CTS-2-2, 17-CTS-3, 17-CTS-4A, 17-CTS-4A-CNG, 17-CTS-4B, 17-CTS-7, 17-CTS-17, and 17-CTS-21. shall be increased by a surcharge to recover the Temporary State Energy and Utility Service Conservation Assessment plus the amount of the State's General Assessment not recovered in base rates imposed pursuant to Chapter 59 of the Laws of 2009, Public Service Law §18-a(2) and §18-a(6), plus other related costs as authorized by the Commission in Case 09-M-0311, "Implementation of Chapter 59 of the Laws of 2009 Establishing a Temporary Annual Assessment Pursuant to PSL §18-a(6)" ("Incremental State Assessment Surcharge"). Ceiling rates under Service Classifications Nos. 5A, 6C, 6G, 6M, 18-NCTS-5A, 18-NCTS-6C, 18-NCTS-6G and 18-NCTS-6M shall be increased by the Incremental State Assessment Surcharge applicable to their respective Service Classification. Power generators are exempt from the Incremental State Assessment Surcharge.

The Incremental State Assessment Surcharge shall be effective over a 12-month period beginning July 1, 2009 and each July 1st thereafter and shall be set forth on the Statement of Incremental State Assessment Surcharge.

Recoveries resulting from the Incremental State Assessment Surcharge shall be reconciled as determined in Case 09-M-0311, "Implementation of Chapter 59 of the Laws of 2009 Establishing a Temporary Annual Assessment Pursuant to PSL §18-a(6)".

Each statement shall be filed not less than fifteen (15) business days before the date on which the statement is proposed to be effective.

50. DELIVERY RATE ADJUSTMENT

The Delivery Rate Adjustment (DRA) will apply to all customers being served under Service Classification Nos. 1A, 1AR, 1B, 1BI, 1BR, 1B-DG, 2-1, 2-2, 3, 4A, 4A-CNG, 4B, 7, 14, 17 and 21. The DRA will appear as a separate line item on the customer's bill.

The DRA will consist of a weather normalization adjustment applicable to certain heating customers (as explained on Leaf Nos. 80 through 83), a delivery rate surcharge (as explained on Leaf No. 139.50) and the Incremental State Assessment Surcharge (as explained above).

Issued by: Kenneth D. Daly, Chief Financial Officer, Brooklyn, NY