

PSC NO: 12 GAS
COMPANY: CENTRAL HUDSON GAS & ELECTRIC CORPORATION
INITIAL EFFECTIVE DATE: 02/01/09

LEAF: 177
REVISION: 2
SUPERSEDING REVISION: 1

SERVICE CLASSIFICATION NO. 10 (Cont'd)

CAPACITY BROKERING (Cont'd)

DEFINITIONS (Cont'd)

“Recallable Capacity” means released capacity that can be recalled by the Company on two (2) hours notice.

“Capacity Release Agreement” means the agreement entered into between the Company and the Assignee. The Agreement will contain the term of the release, the name of the applicable upstream pipeline, the rate for the release, the volume to be released, and the delivery point.

CAPACITY RELEASE

The pipeline capacity releasable, pursuant to this Service Classification, is capacity on interstate pipeline(s) which is contractually committed to the Company that the Company, in its sole discretion, makes available for release. The Company shall determine, periodically and in response to requests, whether capacity is available for release. The Company’s determinations shall be consistent with the Company’s service obligations and the economic interests of its customers as a whole.

The Capacity may be released on a firm or recallable basis. The Company reserves the right to recall any and all capacity in response to a force majeure event that threatens to impair the Company’s ability to fulfill its service obligations.

The Capacity Release shall be subject to the terms and conditions of the Company’s transportation service agreements with the upstream pipeline(s).

The term of release shall be determined by the Company and stated in the Capacity Release Agreement.

The upstream pipeline will bill the Assignee at the agreed upon rate times the maximum daily quantity plus any additional costs or charges associated with the assigned capacity. The Company will receive a credit on its invoice from the upstream pipeline in an amount equal to the agreed upon rate times the maximum daily quantity.

Issued by: Michael L. Mosher, Vice President, Poughkeepsie, New York