

**PSC NO: 9 GAS****COMPANY: CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.**

INITIAL EFFECTIVE DATE: 07/06/05

Issued in compliance with Order in Case 02-M-0515 dated 8/04/04

LEAF: 154.22

REVISION: 1

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**GENERAL INFORMATION - Continued****VI. Service Classification Riders (Available on Request) - Continued****RIDER J**Applicable to Service Classification Nos. 1, 3, and 9  
(Subject to the provisions thereof)**Residential Distributed Generation Rate****(B) Eligibility:**

A Customer's continued eligibility for service hereunder shall be contingent upon the Customer maintaining a minimum Annual Load Factor for its gas usage.

The minimum Annual Load Factor required shall be as follows:

- (1) 35 percent, applicable to SC 1 Customers
- (2) 40 percent, applicable to SC 3 Customers in buildings with four or less dwelling units
- (3) 50 percent, applicable to SC 3 Customers in buildings with five or more dwelling units

For purposes of determining a Customer's initial eligibility for service under this Rider, the Customer shall provide the Company with a reasonable estimate of the Customer's Annual Gas Usage and Winter Peak Day Gas Usage during the first year of operation of the Customer's Distributed Generation Facility, with the first year commencing after a three-month start-up phase. In the event the Customer does not submit the required information, the Company will estimate the Customer's Annual Load Factor using the best available information. A Customer may be denied service under this Rider if the Customer fails to supply the information requested hereunder or if it appears from the information supplied by the Customer or from the best information available to the Company that it is most likely that the Customer will not maintain at least the minimum Annual Load Factor during the first year.

The Customer's Annual Load Factor shall be computed after the first fifteen monthly billing periods hereunder (based on the most recent twelve-month billing period) and annually thereafter for the purpose of determining continued eligibility. A Customer whose Annual Load Factor falls below the minimum requirement will become ineligible for service under this Rider for one year and will be notified in writing to this effect. Such notification will also stipulate that the Customer must elect to be transferred to and billed for all gas usage recorded thereafter at the rates and charges of the Customer's otherwise applicable firm, interruptible or off-peak firm Service Classification and that such election must be made within 15 days of receipt of such notification. A Customer who fails to make an election will be deemed to have elected firm service. In instances where the Customer can demonstrate to the Company's satisfaction that the Customer experienced conditions at its facility that prevented the Customer from maintaining the minimum Annual Load Factor and that such conditions were beyond the Customer's control, the Company may, at its sole discretion, continue to allow the Customer to take service under Rider J or to return to service under Rider J in less than one year. Such allowance will be contingent on the Customer reasonably demonstrating to the Company's satisfaction that the condition(s) that prevented the Customer from maintaining the minimum Annual Load Factor has been corrected and/or is not likely to recur in the next applicable annual determination period.

At the Company's discretion, SC 1 Customers and SC3 Customers in buildings with four or less dwelling units may be denied service under this Rider if the Customer's Distributed Generation unit(s) is determined to be either an emergency electric generator or a standby generation unit, designed to be used primarily during periods when electricity is interrupted.

(General Information - Continued on Leaf No. 154.23)

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(Name of Officer, Title, Address)