

PSC No: 120 – Electricity  
New York State Electric & Gas Corporation  
Initial Effective Date: July 1, 2023

Leaf No. 117.56  
Revision: 2  
Superseding Revision: 1

## GENERAL INFORMATION

### 48. Term and Auto- Dynamic Load Management Programs

#### C. Application and Terms of Service (Cont'd)

8. A customer that participates in Net Energy Metering, as identified in in PSL Section 66-j or PSL Section 66-l, or Phase One NEM (as defined in Rule 40.A) is not eligible to participate in these Programs. However, a customer that is participating in Rule 40.B., Value Stack and qualifies for DRV and/or LSRV of the Value Stack compensation is permitted to participate in these Programs in lieu of receiving the DRV and/or LSRV compensation
9. A Direct Participant/Aggregator that qualifies to participate in the Term DLM Program may be eligible to simultaneously participate in the Dynamic Load Relief Program, however, the Direct Participant/Aggregator shall not participate in the Commercial System Relief Program or the Auto-Dynamic Load Management Program at the same time.
10. A Direct Participant/Aggregator that qualifies to participate in the Auto DLM Program shall not be eligible to participate in the Dynamic Load Relief Program, or the Commercial System Relief Program or the Term DLM Program.
11. A Direct Participant/Aggregator exporting to the NYISO through one of its wholesale DER participation model programs may also participate in the Term and Auto- Dynamic Load Management Programs.

#### D. Event Notification by the Company

1. Under Term-DLM:
  - a. The Company shall call a Term-DLM Event or Test Event on not less than two hours' advanced notice.
  - b. A Term-DLM Event or Test Event shall not be called unless an Advisory was issued at least at least 21 hours in advance.
2. Under Auto-DLM:  
The Company shall call an Auto-DLM Event or Test Event on not less than ten minutes' advanced notice.

#### E. Payment

1. The Company shall make Reservation Payments to a Direct Participant or Aggregator at the conclusion of each Capability Period in which the Direct Participant or Aggregator is enrolled under Term- or Auto-DLM. The Reservation Payment is equal to the applicable Reservation Payment Rate per kW multiplied by the Direct Participant or Aggregator's kW of Portfolio Quantity multiplied by the Performance Factor (as described in the Program Agreement). Reservation Payments to Aggregators or Direct Participants are determined per Aggregation based on the Aggregator's kW of Portfolio Quantity in that Aggregation. Details regarding the calculation of Reservation Payments are specified in the Program Agreement.
2. The Company shall make Performance Payments, as applicable, to a Direct Participant or Aggregator. The payment calculation method is described in the Program Agreement.

#### F. Early Exit Fee

Aggregators and Direct Participants shall have the right to terminate their obligations under their Program Agreement prior to the first Capability Period, before a Company specified deadline, by paying a fee equal to ten percent of the product of the remaining length of the contractual obligation in years, the Aggregator or Direct Participant's applicable reservation rate and the kW of Portfolio Quantity. At its discretion, the Company can offer additional opportunities to exercise such early exit rights or require payment of the Early Exit Fee based on a failure to meet minimum performance standards. These will be specified in Program Agreements.