

PSC No: 120 - Electricity  
New York State Electric & Gas Corporation  
Initial Effective Date: January 1, 2021

Leaf No. 28  
Revision: 13  
Superseding Revision: 11

#### GENERAL INFORMATION

12. Western New York NYPA Power (formerly known as New Allocations of NYPA Power)  
Pursuant to the Commission's Order Adopting Joint Proposal on New York Power Authority Issues, issued and effective July 20, 2007 and Order Approving Request and Directing the Filing of Tariff Amendments, issued and effective November 15, 2013, Case 13-E-0109:

Western New York ("WNY") NYPA allocations are defined as allocations of NYPA Power that are part of the Expansion Power, Replacement Power, High Load Factor Manufacturer Power, or Preservation Power programs made to customers within the Company's service territory.

#### Delivery:

For customers receiving WNY Allocations of NYPA Power, such NYPA load will be served under the applicable Service Classification Nos. 2, 3, or 7 at the Company's standard ESCO Supply Service (ESS) tariff rates or if applicable Empire Zone Rate or Economic Development Zone Incentive (EDZI), the Excelsior Jobs Program (EJ), or the Incremental Load Rate (ILR).

- a. New allocations of NYPA power for customers served under Service Classification Nos. 2, 3, or 7, as applicable, up to a total of 100 MW, will be exempt from the Transition Charge (Non-Bypassable Charge). For certain adjustments approved by the Commission, a separate credit will be calculated and placed on the customer's bill, and
- b. WNY Allocations of power for customers served under Service Classification Nos. 2, 3, or 7, will be exempt from the Revenue Decoupling Mechanism Adjustment.
- c. A customer receiving a WNY allocation that has received or receives an economic delivery rate pursuant to the EDZI, the EJ, the ILI incentive shall choose between the economic development incentive and WNY delivery discount for which they qualify. Only one delivery discount will be applied to a specific portion of the customer's load. The customer will make a one-time election and provide its election to the Company in writing. If the customer fails to provide the Company with its written one-time election, the customer will default to the EDZI, EJ, or ILI delivery rates.
  1. If a customer that is participating in the EDZI, EJ, or ILI and has a baseload elects to receive the EDZI, EJ, or ILI delivery rate, the customer will receive the WNY delivery discount on the baseload up to their designated WNY allocation.
  2. If a customer that is participating in the EDZI, EJ, or ILI and does not have a baseload elects to receive the EDZI, EJ, or ILI delivery rate, the customer will receive the EDZI, EJ, or ILI delivery rate on their entire load and will not receive the WNY delivery discount.
  3. A customer that is participating in the EDZI, EJ, or ILI and elects to receive the WNY Program delivery discounts will receive the WNY Program delivery discounts on their entire WNY allocation and will receive the EDZI, EJ, or ILI delivery rate on any qualified load above the WNY allocation.

A customer that elects to receive the EDZI, EJ, or ILI delivery rate shall automatically revert to receiving the WNY Program delivery discount if the EDZI, EJ, or ILI delivery rate is, or becomes, the same as standard service classification rates. If the EDZI, EJ or ILI delivery rate becomes lower than the standard service classification rates, the customer's election of the EDZI, EJ or ILI delivery rate shall be reinstated.

If a customer participating in the EJ Program does not receive its annual certification from ESD in any year they are participating in the EJ Program, the customer will automatically revert to receiving the WNY Program delivery discount until such customer receives its certification from ESD for the EJ Program.

If a customer receiving service under this Special Provision has a demonstrated financial need, such customer shall be eligible to combine the WNY delivery discount with any other economic development incentive or flexible tariff rate, term or condition under Service Classification Nos. 13 and 14 for the same portion of the customer's load. Simply qualifying for a WNY Program allocation and another economic development program is not sufficient showing of financial need for the purpose of combining delivery rate discounts on the same portion of a customer's load.

#### Supply:

For any load that is not supplied by NYPA, a customer may be eligible to take supply service from NYPA pursuant to Rule 45 of this schedule. If a customer elects such service, the supply shall be in lieu of supply from an ESCO or the Company.

Effective date postponed to 02/01/2021. See Supplement No. 60.

ISSUED BY: Joseph J. Sica, Vice President, Treasurer and Controller, Binghamton, New York