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GENERAL INFORMATION
4. METERING AND BILLING (Cont'd)

L.5 Recharge New York ("RNY") Power Program (Cont'd)

B. A customer receiving an RNY allocation that has received or receives an economic delivery rate pursuant to the Empire Zone Rate or Economic Development Zone Incentive (EZR), the Excelsior Jobs Program (EJ), or the Incremental Load Rate (ILR) Incentive shall choose between the economic development incentive and RNY delivery discount for which they qualify. Only one delivery discount shall be applied to a specific portion of the customer's load. The customer shall 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 shall default to the EZR, EJ, or ILR delivery rates. Choosing the EZR, EJ, or ILR delivery rate shall not alter the supply load factor sharing described below.

1. If a customer that is participating in the EZR, EJ, or ILR and has a baseload elects to receive the EZR, EJ, or ILR delivery rate, the customer shall receive the RNY delivery discount on the baseload up to their designated RNY allocation.
2. If a customer that is participating in the EZR, EJ, or ILR and does not have a baseload elects to receive the EZR, EJ, or ILR delivery rate, the customer shall receive the EZR, EJ, or ILR delivery rate on their entire load and shall not receive the RNY delivery discount.
3. A customer that is participating in the EZR, EJ, or ILR and elects to receive the RNY Program delivery discounts shall receive the RNY Program delivery discounts on their entire RNY allocation and shall receive the EZR, EJ, or ILR delivery rate on any qualified load above the RNY allocation.

A customer that elects to receive the EZR, EJ, or ILR delivery rate shall automatically revert to receiving the RNY Program delivery discount if the EZR, EJ, or ILR delivery rate is, or becomes, the same as standard service classification rates. If the EZR, EJ or ILR delivery rate becomes lower than the standard service classification rates, the customer's election of the EZR, EJ or ILR 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 shall automatically revert to receiving the RNY Program delivery discount until such customer receives its certification from ESD for the EJ Program.

C. If a customer receiving service under this Special Provision has a demonstrated financial need, such customer shall be eligible to combine the RNY delivery discount with any other economic development incentive or flexible tariff rate, term or condition under Service Classification Nos. 10 and 11 for the same portion of the customer's load. Simply qualifying for a RNY 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. A customer that qualified for a RNY Program allocation and received another economic development incentive prior to March 18, 2013, shall be grandfathered under this Rule.

NYPA shall give the Company not less than 30 days written notice prior to the requested effective date of any of the following events: (a) initial communication of a RNY allocation; (b) a change in the amount of a RNY allocation previously reported to the Company; and (c) a termination of a RNY allocation. The change to the RNY Power Allocation billing shall become effective with the next full billing period that is practicable after the notification of the change. A change to a delivery point shall be handled as a termination of a RNY allocation to the current delivery point and an enrollment of a RNY Allocation to the new delivery point.

Service under this provision is available to customers approved by EDPAB, subject to the partial or complete withdrawal of such allocation by NYPA or the EDPAB, in the event the customer fails to maintain mutually agreed upon terms of their contracts. Service under this provision shall be available to qualified customers for the duration that such an allocation, specifically designated for the purpose of the RNY Power Program, is made available through NYPA.

Billing:
The customer's "RNY Contract Demand" shall be the level of demand specified in the customer's RNY allocation approved by NYPA. The RNY allocation is comprised of 50% firm hydroelectric power (i.e. capacity and energy) from the Niagara and Saint Lawrence hydroelectric projects, and 50% market power (i.e. capacity and energy). The market power can be supplied by NYPA or the customer's supplier for electricity in accordance with the Supply Service Options set forth in General Information Section 12.

The customer's RNY allocation shall be subject to the Delivery Charges listed within the customer's Service Classification, the Transition Charge (Non-Bypassable Charge ["NBC"]) and the Temporary State Assessment Surcharge ("TSAS").

The customer's RNY allocation shall be exempt from paying the System Benefit Charge. The customer's RNY allocation shall be exempt from the Revenue Decoupling Mechanism ("RDM") Adjustment (as described in General Information Section 4.K.).

The non-NYPA supplied load shall be billed at the ESCO Supply Service rate or the RG&E Supply Service rate of the customer's Service Classification.

Demand Exceeding the RNY Contract Demand:
To the extent that a customer's maximum billing demand (maximum metered demand for S.C. No. 14), for the current month exceeds its RNY Contract Demand, the customer's billing determinants shall be allocated between NYPA and the Company or the ESCO as described below in the section denominated "Load Factor Sharing."

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