

PSC NO: 10 – Electricity  
Consolidated Edison Company of New York, Inc.  
Initial Effective Date: 12/22/2014

Leaf: 265  
Revision: 4  
Superseding Revision: 3

## GENERAL RULES

### 24. Service Classification Riders (Available on Request) - Continued

#### RIDER S – COMMERCIAL SYSTEM RELIEF PROGRAM - Continued

##### J. Reservation Payment Option - Continued

###### 2. Penalties and Adjustment for Non-performance - Continued

###### b. Performance Factor

When more than one Planned Event and/or Test Event is called in a network during the month, the average of the Performance Factors of all events for a Direct Participant or Aggregator in the network is the Performance Factor for that month.

Except for participants in the Three-Year Incentive Period, Direct Participants and Aggregators may increase the kW of contracted Load Relief in subsequent Capability Periods above their previously contracted kW of Load Relief, provided their most recent Performance Factor was 1.00. The Performance Factor is rounded to two decimal places. If the Direct Participant or Aggregator does not have a historical Performance Factor in the network, the Performance Factor is 1.00.

###### c. Penalties

Participants may be subject to one or both of the following penalties:

- i. If the average kW of Load Relief provided for Planned Events in the current month is lower than the prior month's average kW of Load Relief for Planned Events or the contracted kW, whichever is lower, the Direct Participant or Aggregator will be subject to a penalty. The penalty is equal to the Reservation Payment rate times the difference between the prior month's average kW or the contracted kW, whichever is lower, and the current (lower) average kW performed. If the current average kW performed is negative, 0 kW will be set as the current month's average kW performance.
- ii. If a Direct Participant or Aggregator, for its ANR, requested a pledge reduction due to a completed energy efficiency project, but does not provide an M&V report by November 15 following the end of the Capability Period for which the load reduction was requested, or by any subsequent deadline as described in requirements and instructions posted to the Company's website regarding requesting a pledge reduction, that demonstrates kW savings during the Contracted Hours greater than or equal to the kW pledge reduction, the Direct Participant or Aggregator will be subject to a penalty. If the M&V report shows savings that are less than the kW pledge reduction, the penalty will be equal to the Reservation Payment rate times the kW difference between the requested pledge reduction and the amount of achieved savings identified on the M&V report. If an M&V report is not submitted by the deadline, the penalty will be equal to the Reservation Payment rate times the kW difference between the original pledged amount and the requested reduced pledge.

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