



August 31, 2020

Honorable Michelle L. Phillips, Secretary
State of New York Public Service Commission
Three Empire State Plaza
Albany, NY 12223

**Re: Case 20-E-0376, In the Matter of the Amendment to the Public Authorities Law, Section, 1005 (C. 58, L. 2019),
Relating to Expanded Authority for the New York Power Authority to Contribute to Existing Economic
Development Customers and Serve New Governmental Entities**

Dear Secretary Phillips:

The amended tariff leaves set forth below are filed by Central Hudson Gas & Electric Corporation ("Central Hudson" or "the Company") on August 31, 2020 to become effective January 1, 2021.

P.S.C. No. 15 – Electricity

38th Revised Leaf No. 3
6th Revised Leaf No. 163.5.1
3rd Revised Leaf No. 163.5.30
4th Revised Leaf No. 163.5.31
4th Revised Leaf No. 163.5.38
4th Revised Leaf No. 163.5.39

Purpose of Filing

These amendments are made in compliance with the Commission's Notice of Tariff Filings due to Amendment of the Public Authorities Law in Case 20-E-0376 issued July 29, 2020 ("Notice"). The Notice directed each utility to file tariff modifications as necessary to effectuate amendments made to the Public Authorities Law ("PAL") §1005. Pursuant to the amended PAL §1005, subdivision 27(a), the New York Power Authority ("NYPA") is authorized to supply power and energy procured from competitive market sources or supply renewable power and energy procured from competitive market sources to any: (i) authority customer, (ii) public entity; or (iii) Community Choice Aggregation ("CCA") community through the supply of such products through an energy services company or other entity that is authorized by the Commission to procure and sell energy products to participants of a CCA program.

Specific Changes

To effectively implement the amendments to PAL §1005, the Company proposes the establishment of a new General Information Section ("GI"; 43 - Delivery of New York Power Authority Power) that will allow NYPA to supply power and energy to authority customers and public entities as defined in subdivisions 27.(g) and 17.(b), respectively.¹ A customer taking service under General Information Section 43:

- will have their full electric power supply provided by NYPA pursuant to a customer's contract with NYPA;

¹ The Company does not believe that any tariff revisions are required to implement the CCA-related changes to PAL §1005 since the amendments to PAL §1005 do not authorize NYPA to act as an energy supply company or administrator for CCA programs.

- will be subject to the rates, charges and terms of service contained in their applicable Service Classification excluding charges for electric power supply;
- will continue to be eligible to participate in energy efficiency programs offered by the Company and by the New York State Energy Research and Development Authority;
- will be permitted to select NYPA to provide the remainder of their electric power supply requirement if receiving an allocation of power under the Recharge New York Power Program described in General Information Section 40;
- will have their service initiated or terminated under GI 43 as of the customer's first scheduled meter reading date on or after the end of a 30 day notice period, which has been commenced by NYPA through written notice to the Company; and,
- will receive a separate bill from the Company for delivery service.

RNY Power Program and Reduced Delivery Service Rates

Customers receiving an allocation of power under the RNY Power Program and selecting NYPA to provide the remainder of their power supply requirement will continue to receive exemptions from certain delivery-related surcharges for their RNY Power Program allocations as described in GI 40. However, these delivery-related surcharge exemptions will not be extended beyond the provisions of GI 40.

Neither the amendments to PAL §1005, nor the Notice, mention any requirement for discounted rates for delivery service. In contrast, the legislation enabling the RNY Power Program included both specific criteria for RNY eligibility² and required NYPA to work cooperatively with the Department of Public Service Staff to recommend to the Commission discounted rates for the delivery of RNY power allocations.³

Authorizing delivery surcharge exemptions for NYPA customers and public entities receiving power under the extension of NYPA power supply service enabled by the amendments to PAL §1005 would provide NYPA with an unjustified competitive advantage over other energy services companies, and increase the rate burden on the Company's remaining NYPA-ineligible customers.

Implementation

Any modifications to the tariff provisions described herein will require further analysis to determine the effort, cost, and feasibility of required changes to the Company's billing systems. As a result, the Company requests that the Commission give consideration to the length of the time period between any Commission-directed modifications to the tariff leaves filed herein and the commencement of billing under such modified provisions. For example, while the tariff leaves could become effective on January 1, 2021 as required by the Notice, billing under the provisions of these leaves might necessarily commence at a later date due to the need for billing system modifications.

In addition, the Company plans to enter into an agreement with NYPA to govern the implementation of service under General Information Section 43.

Notice

Central Hudson requests that the requirements of § 66(12)(b) of the Public Service Law as to newspaper publication be waived as the NYPA supply service addressed herein is available for a limited population of the Company's customers subject to direct contact and agreement between the NYPA and such customers.

Questions related to this filing should be directed to Michael Bachan at (845) 790-4898 or mbachan@cenhud.com.

Yours very truly,

Christopher M. Capone
Executive Vice President

² Economic Development Law §188-a (c).

³ Economic Development Law §188-a (d).

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