



April 25, 2013

**VIA ELECTRONIC SERVICE**

Honorable Jeffrey C. Cohen  
Acting Secretary to the Commission  
New York State Public Service Commission  
Three Empire State Plaza  
Albany, NY 12223-1350

RE: Case 11-E-0176 – In the Matter of the Commission’s Implementation of  
Certain Provisions of the Recharge New York Power Program Act  
New York State Electric & Gas Corporation and Rochester Gas and  
Electric Corporation - Tariff Filing

Case 13-E- 0109 - Proceeding on Motion of the Commission to Examine  
Combining Certain Low-Cost Power Supply Allocations with an Empire  
Zone or Excelsior Jobs Delivery Discount.

Dear Acting Secretary Cohen:

The enclosed tariff leaves, issued by New York State Electric & Gas Corporation (“NYSEG”) and Rochester Gas and Electric Corporation (“RG&E”) (together “the Companies”) are transmitted for filing in compliance with the New York State Public Service Commission’s (“NYPSC” or “Commission”) Order Modifying Tariff Requirements Related to the Recharge New York Power Program Act and Initiating Proceeding, issued and effective March 18, 2013<sup>1</sup>, and in accordance with Appendix 7-H (electronic tariff filing system) of the New York State Public Service Commission’s (“PSC” or “Commission”) Codes, Rules and Regulations (16 NYCRR Appendix 7-H).

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<sup>1</sup> On March 25, 2013, a 30-day extension to file proposed tariff amendments was granted to Consolidated Edison Company of New York, Inc., Orange & Rockland Utilities, Inc., New York State Electric & Gas Corporation, Rochester Electric and Gas Corporation, and Central Hudson Gas & Electric Corporation.

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PSC No. 120 – Electricity, Schedule for Electric Service  
Leaf No. 27, Revision 7

PSC No. 19 – Electricity, Schedule for Electric Service  
Leaf No. 85.1, Revision 1

Effective May 1, 2013.

### **Overview**

In accordance with the Order, the Companies are filing revisions to its tariffs to clarify that a customer that receives a Recharge New York allocation may not also receive an economic rate discount on the same load.

The Commission required the Companies to file tariff changes to allow customers to participate in RNY for their supply while receiving their choice of delivery discount on such load that is eligible either through RNY or EZ/EJ economic development programs provided the customers meet the eligibility requirements for both programs. The customers must make an election of the delivery discount and may not combine delivery discounts on the same supplied load unless they have demonstrated a financial need.

In the Order, the Commission specifically mentions that a NYSEG customer is currently receiving both RNY and EZR delivery discounts on the same load without having adequately demonstrated a financial need and has grandfathered their receipt of the combined delivery discounts. The customer currently receiving both delivery discounts on the same load is actually a RG&E customer. There are two NYSEG customers that are eligible for both the RNY and the EZR programs but the EZR delivery rates are currently the same as the standard rates so the customers are not currently receiving delivery discounts on the same load.

With this tariff filing, the Companies are asking to grandfather all customers who, prior to March 18, 2013, in accordance with its tariff were eligible to receive both delivery discounts. This change will grandfather the one RG&E customer currently receiving the benefits and the two customers at NYSEG that will be eligible if EZR delivery discounts are available in the future for their specific NYSEG service class.

### **Conclusion and Publication**

In accordance with Ordering Clause No. 5, the requirements of 66(12)(b) of the Public Service Law requiring newspaper publication has been waived.

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If there are any questions concerning this filing, please call Sue Morien at (585) 771-4741 or me at (607) 762-8710.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lori A Cole".

Lori A Cole  
Manager – Regulatory & Tariffs  
Rates and Regulatory Economics Department

Enclosures