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July 15, 2011

Honorable Jaclyn A. Brilling  
Secretary  
State of New York  
Public Service Commission  
Three Empire State Plaza  
Albany, New York 12223

RE: New Electricity Rate Schedule, P.S.C. No. 10 – Electricity  
Superseding P.S.C. No. 9 – Electricity and P.S.C. No. 2 – Retail Access

Dear Secretary Brilling:

Enclosed for filing with the Public Service Commission (the "Commission") is a new electricity rate schedule, Schedule for Electricity, P.S.C. No. 10 – Electricity, issued by Consolidated Edison Company of New York, Inc. ("Con Edison" or the "Company") applicable to its customers in the City of New York and the County of Westchester. This rate schedule is issued to supersede the Company's Schedule for Electricity Service, P.S.C. No. 9 - Electricity, and the Company's Schedule for Retail Access, P.S.C. No. 2 - Retail Access ("Retail Access Rate Schedule").

### **Reason for Filing**

The Company was required to convert its electric tariffs to an electronic format using the Department of Public Service Electronic Tariff System, pursuant to the Commission's Order Setting Electric Rates, issued April 24, 2009, in Case 08-E-0539 and the Joint Proposal (page 43) that was adopted by the Commission's Order Establishing Three-year Electric Rate Plan, issued March 26, 2010, in Case 09-E-0428. As specified in the Joint Proposal, the Company is required to complete the conversion prior to the end of Rate Year 2, which ends March 31, 2012.

P.S.C. No. 10 – Electricity combines and replaces P.S.C. No. 9 – Electricity and the Retail Access Rate Schedule. Consistent with the New York State Department of Public Service's "Electronic Tariff System: Utility Tariff Preparer's Guide," dated July 1, 2008, the tariff leaves are consistently numbered, including the title page, from "1" to "502," plus tariff Addenda. The Company has two additional electricity tariffs, PASNY No. 4 and EDDS No. 2, which the Company will convert to an electronic format before March 31, 2012.

## **New Electricity Rate Schedule, P.S.C. No. 10**

In creating the new rate schedule, the Company has made the following changes:

- The Company has incorporated the Retail Access Rate Schedule, including Service Classification (“SC”) 14-RA, SC 15-RA, and Addendum-UBP, into the new rate schedule. To do so, the Company has included the General Rules for the Retail Access Program (General Rule 19) and for Standby Service (General Rule 20). The Company has also transferred the SC 14-RA rates into SCs 5, 8, 9, 12, and 13. SC 14-RA standby service rates are now shown as Rate III and Rate IV of SC 5, Rate IV and Rate V of SC 8, 9, and 12, and Rate II of SC 13. SC 15-RA rates and terms are now shown in SC 15. (The rate classifications for each SC are summarized in Attachment A.)
- Each SC’s Rates section now contains only Delivery Charges applicable to that rate. Text regarding delivery charges common to all SCs (and applicable to all customers with some exceptions<sup>1</sup>) has been moved to a new General Rule, “Additional Delivery Charges and Adjustments” (General Rule 26). Currently, those charges are the Monthly Adjustment Clause (“MAC”) and Adjustment Factor - MAC, Revenue Decoupling Mechanism (“RDM”) Adjustment, Billing and Payment Processing (“BPP”) Charge, System Benefits Charge (“SBC”), Renewable Portfolio Standard (“RPS”) Charge, and the surcharge to collect assessments under Section 18-a of the Public Service Law (“PSL 18-a surcharge”).
- Information about supply charges has been moved from each SC’s Rates section to the Common Provisions of that SC. A new General Rule, “Supply and Supply-related Charges and Adjustments” (General Rule 25), contains text about the Market Supply Charge (“MSC”), Adjustment Factors – MSC, and the Merchant Function Charge (“MFC”).
- The Company’s supplementary application for service to customers with on-site generation, entitled “Application for Net Metering or Standby Service and/or Buy-Back Service,” has been added to the “Application Forms” in the General Rules of the new rate schedule.

Where appropriate for purposes of improved clarity and ease of use, the Company moved text from one section to another more appropriate section,<sup>2</sup> split one section into two or more sections,<sup>3</sup> combined related text from two or more sections into one section,<sup>4</sup> and revised section

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<sup>1</sup> For example, the Billing and Payment Processing Charge is not applicable to customers receiving a consolidated utility bill from Con Edison under the Retail Access Program.

<sup>2</sup> For example, reference to NYISO zones relates to supply and was thus moved from General Information Section I, “Territory to Which the Rate Schedule Applies” (Leaf No. 6 of P.S.C. No. 9) to new General Rule 25, “Supply and Supply-related Charges and Adjustments.”

<sup>3</sup> For example, General Rule 6, “Meters,” and General Rule 7, “Customer’s Installation and Equipment,” were in P.S.C. No. 9 under one section, General Information Section II-8, “Customer’s Installation.” Also, General Rule 10, “Meter Reading and Billing,” General Rule 11, “Billing Applicable to Service under Certain Economic Development Programs,” General Rule 12, “Payments,” and General Rule 13, “Access and Tampered Equipment,” were all in P.S.C. No. 9 under one section, General Information Section III-11, “Metering and Billing.”

<sup>4</sup> For example, because termination and reconnection of service are related topics, General Rule 14 combines General Information Sections III-15, “Termination of Service” and III-20, “Reconnection of Service” of P.S.C. No.

headings.<sup>5</sup> The Company also eliminated obsolete tariff provisions<sup>6</sup> and made housekeeping changes,<sup>7</sup> including minor, clarifying changes to tariff language.

The tariff changes, including various “minor” changes, are described below.

### **Incorporation of the Retail Access Rate Schedule**

The Retail Access Rate Schedule, P.S.C. No. 2 – Retail Access, is canceled, and incorporated into the new rate schedule, P.S.C. No. 10 – Electricity, by this filing. References to the Retail Access Rate Schedule were eliminated and replaced with references to Retail Access Service. Provisions governing Retail Access Service were incorporated into General Rule 19, “Retail Access Program.”

SC 14-RA – Standby Service, which had been included in the Retail Access Rate Schedule because it was essentially a delivery service, similar to retail access delivery service, is incorporated into the new rate schedule in two parts. As indicated above, SC 14-RA rates were moved into Standby Service Rates in SCs 5, 8, 9, 12, and 13. Specifically, Standby Service Rates are now shown as Rate III and Rate IV of SC 5, Rate IV and Rate V of SC 8, 9, and 12, and Rate II of SC 13. “Standby Service” provisions were moved to General Rule 20, “Standby Service.” SC 14-RA is cancelled.

SC 15-RA was converted to SC 15 of P.S.C. No. 10, with the same rates and terms.

Incorporation and applicable modifications of the provisions of the Retail Access Rate Schedule into the new rate schedule, including SC 14-RA, are described in detail in Attachment B.

### **General Rules**

Each General Rule of P.S.C. No. 10 is described below:

#### **General Rule 1: Territory to Which the Rate Schedule Applies**

This contains text from General Information Section I (Leaf 6) of P.S.C. No. 9. Text that was on the bottom of the leaf about the NYISO zones was moved to General Rule 25.1, which addresses supply charges.

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<sup>5</sup> For example, the heading of General Rule 8, “Customer Use of Generating Equipment,” is a new heading whose Rule incorporates three subsections that were contained in General Information Section III-13 of P.S.C. No. 9 under the heading, “Limitations as to Availability of Service Classification.”

<sup>6</sup> For example, the phase-in to time-of-day rates described under Rate II of SC 8, 9, 12 and under SC 13 was completed in 1989.

<sup>7</sup> One example is text in the “Determination of Demand” section of SC 12 (Leaf 316 of P.S.C. No. 9), which described estimating demand at no more than 10 kW that applied to an old rate structure in which there was no charge for the first 10 kW of maximum demand, because it was reflected in the energy charge. Another example is the reference in Rate II of SC 9 (Leaf 273 of P.S.C. No. 9) to expired Riders I and L (Area Development Rates and Industrial Employment Growth Rates, respectively).

## General Rule 2: Abbreviations and Definitions General Rule

This contains text from General Information Section II of P.S.C. No. 9.

Abbreviations were added for “kilovolt,” “megawatt,” “Service Classification,” “New York Independent System Operator,” “County of Westchester Public Utility Service Agency,” “New York City Public Utility Service,” “New York Power Authority,” and “New York Codes, Rules and Regulations.” Also, “kWh” was added to the abbreviation of “kilowatthour(s).”

Text was added to the definition of “Customer” to incorporate the definition that was in the Retail Access Rate Schedule. The Company defined “Delivery Service,” “Retail Access Customer,” and “Retail Access Service” to incorporate information from the Retail Access Rate Schedule. “Supply” was defined for clarity, and the definition “Full Service Customer” was modified for clarity.

A definition was added for “Public Service Commission” (“Commission” or “PSC”). The Company also defined “Standby Service,” referencing both General Rule 20 and Standby Service rates.

The definition of “business day” was modified to replace “Company’s business offices” with “main business office.” The definition of “delivery revenues” was modified to indicate that it excludes revenue attributable to charges under SC 15. (SC 15 revenues are included in “delivery revenues” under the EDDS Rate Schedule.)

The definition of “delinquent non-residential customer” was moved from the Definitions Section to General Rule 3.3.1 (the section on non-residential security deposits) because that is the sole tariff section to which the definition is applicable. Definitions of “deferred payment agreement” and “levelized payment plan” were moved to General Rule 12.4 and General Rule 12.3, respectively, for improved clarity.

The definition of “EDDS Rate Schedule” was expanded to indicate that it refers to delivery service to NYPA (PASNY), NYCPUS, and COWPUSA.

The definition of “late payment” was modified to also apply to bills that are issued electronically.

The definition of “power factor” was eliminated, because the term was not referenced elsewhere in the rate schedule.

The definitions “Residential Applicant” and “Residential Customer” were modified to incorporate text from 16 NYCRR §11.2(a)(2) that expressly excludes multiple dwellings from the definitions.

A definition was added for “Standardized Interconnection Requirements” or the abbreviation “SIR.” (The SIR refers to the “New York State Standardized Interconnection Requirements and

Application Process for New Distributed Generators 2 MW or Less Connected in Parallel with Utility Distribution Systems,” as adopted by the New York State Public Service Commission, which is an addendum to this tariff.) This was previously defined in multiple places in the tariff, i.e., in SC 14-RA (Leaf 177 of the Retail Access Rate Schedule) and in Rider R and SC 11 (Leaf 158-I-3 and Leaf 306-A, respectively, of P.S.C. No. 9).

### General Rule 3: How to Obtain Service

This section contains text from General Information Sections III-(A), “Applications,” III-(B), “Residential Security Deposits,” and III-(C), “Non-residential Security Deposits,” of P.S.C. No. 9.

The definition of “delinquent” related to residential security deposits (on Leaf 13 of P.S.C. No. 9), which previously referred to service “terminated,” was modified to refer to service “terminated or disconnected,” pursuant to HEFPA. (See General Rule 3.2.1.)

### General Rule 4: Characteristics of Service

This contains text from General Information Section III-2 of P.S.C. No. 9. It also contains text about “modified high tension service,” previously contained in General Information Section III-8(B), “Customer Installation” (Leaf 39 and Leaf 40 of P.S.C. No. 9). That text was changed to clarify that modified high tension service is no longer available to new applicants. (See General Rule 4.6.2.) Because the new rate schedule is essentially a delivery tariff, electric “supply” was changed to electric “service” throughout.

### General Rule 5: Installation and Maintenance of Overhead and Underground Facilities

This contains text from General Information Sections III-1(D), “Permits,” III-1(E), “Easements or Rights of Way When Required for Line Extensions,” and III-1(F), “Temporary Service” of P.S.C. No. 9. It also contains text from General Information Sections III-6, “Space for Transforming Apparatus,” and III-7, “Interior Distribution Facilities” (Leaf 36 of P.S.C. No. 9). (See new General Rule 5.6, “Transformers and Associated Equipment.”)

### General Rule 6: Meter Installation and Equipment

General Rule 6.1, “Meter Installation,” contains text that was in paragraph 1 of General Information Section III-8(A) on Leaf 36-A plus the last two sentences of Leaf 37, and paragraph 4 of General Information Section III-11(D) on Leaf 45, so that provisions related to meter installations are located in one place.

General Rule 6.2, “Installation of More than One Meter,” contains text that was in General Information Section III-8(A)(3) on Leaf 37. It also contains the first sentence of General Information Section III-11(L) that was on Leaf 51, regarding customers’ right to have multiple meters installed on separate accounts, and text from Special Provision E of SC 1, Provision D of SC 2, Provision G of SC 7, Provision F of SCs 8, 9, and 12, and Rate II of SC 5, about the option

of customers billed under time-of-day rates to have meters registered on a non-time-of-day basis separately billed from meters billed on a time-of-day basis. The information was combined under this General Rule for improved clarity, so that provisions related to the same topic are located in one place.

General Rule 6.2.1 clarifies that customers billed under Rider B or Rider C on a time-of-day basis, where the registration of some meters is not on a time-of-day basis, may elect to establish a separate account for each non-time-of-day meter unless the meters were installed for Company purposes pursuant to Rule 6.2.2. (Customers billed pursuant to Rule 6.2.2 can have the non-time-of-day meters combined on one account.)

General Rule 6.3, "Customer Owned Meters," contains text that was in General Information Section III-8(A) (1) (Leaf 36-A of P.S.C. No. 9). The Company added text to General Rule 6.3 to indicate that customers may own the meter if they are served under Standby Service rates – Large (i.e., Rate IV of SC 5, Rate V of SC 8, 9, and 12, and Rate II of SC 13).

General Rule 6.4, "Competitive Metering Services," contains text that was in General Information Section III-8(A)(2) (Leaf 36-A of P.S.C. No. 9) plus the last paragraph on Leaf 38 of P.S.C. No. 9 (General Information Section III-8(B)) on competitive metering, so that provisions related to the same topic are located in one place.

General Rule 6.5, "Meters with Communications Capabilities," contains text that was in General Information Section III-8(D) (Leaf 40-A of P.S.C. No. 9). General Rule 6.5 was modified to indicate that the Company is responsible for providing and maintaining communications service for customers subject to reactive power demand charges and for customers served under Standby Service rates – Large. The charges specified in General Information Section III-8(D), applicable when a customer-provided and maintained telephone line is not operational, were moved to General Rule 16, "Other Charges."

So that provisions related to the same topic are located in the same place, General Rule 6.6, "Requirements for Coincident Demand," combines text that was in paragraph 1 of Leaf 39, General Information Section II-8(B), text that was in paragraph 2 of Leaf 45, General Information Section III-11(D), regarding requirements for coincident maximum demand, and text that was on Leaf 42-A, General Information Section III-9(E), "Metering for Coincident Demand," of P.S.C. No. 9.

General Rule 6.7, "Seals on Meters and Other Equipment," contains text that was in General Information Section III-8(C), Leaf 40 of P.S.C. No. 9.

General Rule 6.8, "Testing of Meters," and General Rule 6.9, "Unmetered Service," contain text that was in General Information Sections III-11(B) and (G), Leaf 43 and Leaf 47, respectively, of P.S.C. No. 9.

### General Rule 7: Customer Installation and Equipment

This contains text that was in General Information Section III-8(B), “Customer’s Installation” except as noted below. It also contains text that was in General Information Section III-9, “Customer’s Wiring and Equipment” (with the exception of III-9(E), which is contained in General Rule 6.6) and Section III-18, “Minimum Insulation Standards,” of P.S.C. No. 9.

General Rule 7.1, “Customer Wiring and Equipment,” contains text that was in the section “Service Equipment” – “Customer’s Installation” (Leaf Nos. 38-40 of General Information Section, III-8(B) of P.S.C. No. 9), except for: (a) “modified high tension,” which was moved to General Rule 4.6, and (b) information about coincident maximum demand, which was moved to General Rule 6.6. General Rules 7.2, 7.3 and 7.4 contain text that was previously in General Rule III-9(A), III-9(B), and III-9(C), on Leaf 41 of P.S.C. No. 9, regarding adequacy and safety of installation, customer repairs, carrier equipment, motors and miscellaneous standards.

General Rule 7.6 “Minimum Insulation Standards” (General Information Section III-18, Leaf Nos. 70-78 of P.S.C. No. 9), applicable to new residential construction and existing dwellings converting to electric space heating, was revised. The requirements of the New York State Energy Conservation Construction Code (“ECCCNYS”) as they pertain to combination space/service water heating boilers was amended subsequent to implementation of the tariff provision. As a result, the application form “Certificate of Compliance” in this General Rule was modified to delete the designations of the old ECCCNYS and to instead require customers to certify that they are or will be, not later than 30 days after time of occupancy, in compliance with the current ECCCNYS.

### General Rule 8: Customer Use of Generating Equipment

This contains text that was in General Information Section III-13(D), “Segregated Service;” Section III-13(E), “Emergency Generating Facilities Used for Self-Supply;” and Section III-13(F), “Generating Facilities Used on an Emergency Basis for Export” (in the “Limitations as to Availability of Service Classifications” section on Leaf 62 and Leaf 62-A of P.S.C. No. 9).

Text in General Rule 8.1, “Segregated Service” (Leaf 62 of P.S.C. No. 9), was modified to refer to energy “delivered” and energy “delivery and/or energy delivery and supply” as opposed to energy “supplied” and “supply.”

### General Rule 9: Eligibility for and Use of Service

This contains text that was in General Information Section III-13(A), “Customer’s Eligibility for Service” and Section III-13(C), “Riders,” which appeared under the “Limitations as to Availability of Service Classifications” section on Leaf 60 and Leaf 61 of P.S.C. No. 9. This General Rule also contains text that was previously in General Rule III-10, “Changes in Customer’s Requirements” (Leaf 42-B of P.S.C. No. 9), so that provisions related to similar topics are located in one place.

Text in General Rule 9.1, “Customer’s Eligibility for Service” (Leaf 60 of P.S.C. No. 9) was modified to reflect the fact that customers use electric “service,” which is not limited to “energy.”

Text that was in General Information Section III-13(B), “Redistribution of Electric Service” (Leaf 61 of P.S.C. No. 9), was eliminated, because it repeats text contained in the Special Provisions section of the various SCs about if and when redistribution is permitted.

#### General Rule 10: Meters and Meter Reading

This contains text that was in General Information Sections III-11 (A), (D), (E), (F), (H), (I), (L), (M), (U), and (X), in the “Metering and Billing” section of P.S.C. No. 9, regarding measurement of service and shared meters, maximum demand, meter reading and billing periods, proration of monthly rates and charges, backbills, estimated bills, billing of charges for plural meters, billing changes in rates, the minimum monthly charge for demand-billed customers, and the reactive power demand charge. It also contains text that was in SCs 1, 2, 5, 7, 8, 9, 12 and 13, about how to handle an account billed on a time-of-day basis when the registration of some of the meters is not on a time-of-day basis and about how to bill an SC 8, 9, or 12 Rate I customer who has high tension and low tension service billed under a single agreement. (See General Rule 10.8.)

References in General Rule 10.2, “Shared Meter Conditions” (Leaf 43 of P.S.C. No. 9) were corrected regarding the regulations that pertain to shared meters (16 NYCRR Sections 11.30 through 11.32) and to billing of shared metered service (Section 52 of the Public Service Law).

General Rule 10.4, “Maximum Demand” (Leaf 44 and Leaf 45 of P.S.C. No. 9), was simplified. Text about billing demand on an account with more than one meter was moved to General Rule 10.8, “Plural Meters – Billing of Charges,” so that information related to the same topic is located in one place.

The Company clarified in General Rule 10.8 (Leaf 51 of P.S.C. No. 9) that additive demand is applicable to an account billed under Rider B or Rider C or to an account for which multiple meters were set pursuant to General Rule 6.2.2 unless the account is billed for coincident demand. Text that was in SC 14-RA of the Retail Access Rate Schedule about customers billed for high tension service below 138 kV and high tension service at 138 kV was moved to General Rule 10.8. The Company also clarified in General Rule 10.8 that a customer billed at Standby Service rates will pay only one Customer Charge on an account that combines low tension service, high tension service below 138 kV, and/or high tension service at 138 kV. The highest Customer Charge will apply to the combined account.

A change was made to General Rule 10.10, “Minimum Monthly Charge for Demand-billed Customers” (Leaf 98 of P.S.C. No. 9), to indicate that it is not applicable to customers served under Rider I. Rider I currently contains this exemption.



### General Rule 11: Billing Applicable to Service Under Certain Economic Development Programs

This contains text that was in General Information Section III-11 (W), in the “Metering and Billing” section of P.S.C. No. 9, regarding billing under certain economic development programs, and text that was in SC 14-RA of the Retail Access Rate Schedule (Leaf 141, par. (C)(3)) regarding the billing of standby service customers under these programs. Text was added to General Rule 11 to clarify that load served under the economic development programs is not subject to the BPP charge. (Customers pay the BPP charge only if they have load in excess of that served under the economic development programs.) Text was also added to clarify how demand will be allocated for a customer served under the “WTC” program under Standby Service rates (i.e., the As-used Daily Delivery Service Demand Charge for each time period will be equal to the Daily Peak Demand during the applicable time period multiplied by the Allocation Ratio). Text was also added to clarify how daily as-used demand is determined for a customer whose requirements in excess of that served under economic development programs are billed under Standby Service rates (i.e., the kW of Daily Peak Demand for each specified time period will be determined for each day in the billing period for which As-used Daily Demand Delivery Charges are to be determined by multiplying the Daily Peak Demand for the time period by one less the Allocation Ratio).

### General Rule 12: Payments

This contains text that was in General Information Sections III-11(N), (O), (S) and (T) in the “Metering and Billing” section of P.S.C. No. 9, regarding payment of bills, late payment charges and dishonored payments, interest on overpayments, levelized billing plans, and deferred payment agreements. (See P.S.C. No. 9, Leaf Nos. 52, 53, and 57-59.)

Text was added to General Rule 12.1, “Payment of Bills, Charge for Late Payment, and Charge for Dishonored Payment,” to indicate that bills may be issued and paid electronically and to clarify that dishonored payments may result in immediate termination under the rules. The term “business office of the Company” was changed to “customer service walk-in center of the Company” for clarity.

Text was added to General Rule 12.4., “Deferred Payment Agreements” to specify the downpayment permitted under HEFPA § 11.9 when residential service has been disconnected for nonpayment. Text was also added to specify what happens when a non-residential agreement is broken, as specified in the Commission’s nonresidential rules. Text about the requirement for a signed agreement to be returned to the Company was eliminated to prevent customer confusion, since it is the customer’s submittal of any required downpayment, not the signed agreement, that prevents a pending termination of service for nonpayment. Rule 12.4.2, about non-residential agreements, was also re-formatted to conform to the formatting of Rule 12.4.1, about residential agreements.

Obsolete dates (for example, waiver of late payment charges on bills issued between July 3 and August 20, 2000, and the 1992 threshold date for applicability of interest on customer overpayments) were eliminated.

#### General Rule 13: Access and Tampered Equipment

This contains text that was in the “Metering and Billing” section of P.S.C. No. 9, specifically, General Information Section III-11(C), “Access to Premises;” Section III-11(J), “No Access Procedure – Non-residential Accounts;” Section III-11(K), “No Access Procedure – Residential Accounts;” Section III-11(P), “Tampered Equipment;” Section III-11(Q), “Inability to Obtain Access to Terminate Service;” and Section III-11 (R), “Applicability of Charges and Terminology.” (See P.S.C. No. 9, Leaf Nos. 43, 49-51, 53, and 54.)

#### General Rule 14: Termination and Reconnection of Service

This combines text that was in General Information Section III-15, “Termination of Service,” and Section II-20, “Reconnection of Service,” so that related topics are located in one place. (See P.S.C. No. 9, Leaf Nos. 65-67, and 80.)

In General Rule 14.1.1, the Company added text to clarify that retail access customers may be subject to termination for nonpayment of consolidated bills issued under the purchase of receivables program<sup>8</sup>, and to clarify that nonpayment of a deposit and unsafe, inadequate or unsuitable installations are grounds for withholding, as well as terminating, service. In General Rule 14.1.2, which indicates that service may be terminated when the “Business Offices of the Company are closed for business,” “Business Offices” was changed to “main business office.”

#### General Rule 15: Collection, Reconnection, and Meter Recovery Charges

This contains text that was in General Information Section III-19, “Collection, Reconnection and Meter Recovery Charges” (Leaf Nos. 79 and 79-A of P.S.C. No. 9).

#### General Rule 16: Other Charges

This contains the charges that were in General Information Section III-21, “Other Charges” (Leaf 80-A of P.S.C. No. 9). This also contains the charges that were in General Information Section III-8(D) (Leaf 40-A of P.S.C. No. 9), so that miscellaneous charges are located in one place.

#### General Rule 17: Special Services Performed by the Company at a Charge

So that all special charges are located in one place, this contains General Information Section III-16 (Leaf 69 of P.S.C. No. 9), regarding charges to the Department of Transportation (“DOT”) for termination of service to outdoor signs deemed to be a public nuisance, plus General Information

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<sup>8</sup> This is provided in the Joint Proposal issued December 2, 2004, in Case 04-E-0572, and approved by the Commission in its Order of March 24, 2005 adopting the rate plan described in the Joint Proposal.

Sections IV and IV-A (Leaf 81-A to Leaf 84-A of P.S.C. No. 9), regarding charges for services performed at stipulated rates, services performed at cost, requests for individual company records, requests for aggregated records, and meter upgrades and purchases. (Because Section III-16 was incorporated into General Rule 17, text that was in Section IV.2(L) on Leaf 82 of P.S.C. No. 9 about DOT charges was eliminated.)

Text about charges for meter ownership in General Rule 17.6.2 (Leaf No. 84-A of P.S.C. No. 9) was updated to clarify that customers billed under Standby Service rates – Large may own their meter.

#### General Rule 18: Competitive Metering Service Providers

This contains text that was in General Information Section IV-B, “Competitive Metering Services.” The heading was changed, because this section refers to competitive metering service providers’ eligibility and the Company’s charges to competitive metering service providers. (Competitive metering services to customers are described in General Rule 6.4.)

#### General Rule 19: Retail Access Program

This incorporates the general rules for retail access service and ESCO participation that were contained in the Retail Access Rate Schedule. Details are described in Attachment B.

#### General Rule 20: Standby Service

This incorporates the rules of standby service, formerly contained in the Retail Access Rate Schedule, as described in Attachment B. General Rules 20.2.1(B)(7) and 20.4.3(A) also contain pending tariff changes filed by the Company in Case 02-E-0781 on June 2, 2011. If the Commission does not approve the changes as filed, the Company will file any conforming changes to these General Rules, as needed.

#### General Rule 21: Liability

This contains text that was in General Information Section III-14, “Liability” (Leaf Nos. 62A, 63, 63A and 64 of P.S.C. No. 9) plus General Information Section III-1(G), “Emergency Limitation Upon Service” (Leaf 18 of P.S.C. No. 9), so that information on similar topics are located in one place.

For improved clarity, the text in General Rule 21.1 (Section III-14(A) of P.S.C. No. 9) was revised to state up-front that the provision refers to losses of power attributable to malfunctions in the Company’s lines and cable of 33 kV or less and associated equipment. (In P.S.C. No. 9, this was not stated until the next-to-last paragraph, on Leaf 63-A.)

General Information Section III-17 of P.S.C. No. 9, “Load Adjustment by the Transmission Owners of the NYISO at Times of Major Emergency” is obsolete and was eliminated. Liability

is addressed under the NYISO tariff and agreements and the other liability provisions of General Rule 21.

#### General Rule 22: Notices

This contains text that was in General Information Section III-12 of P.S.C. No. 9. Text on “Notices to and from the Company” was updated to include bills and notices that are delivered electronically. Customers who receive electronic bills also receive notices electronically except for notices of termination or disconnection of service for non-payment of bills. The term “a notice of discontinuance of service” was replaced with “a notice of termination or discontinuance of service” to reflect HEFPA and the Commission’s nonresidential rules.

#### General Rule 23: Provisions Hereof Subject to Termination, Change or Modification

This contains text that was in General Information Section V of P.S.C. No. 9.

#### General Rule 24: Service Classification Riders

Text within each SC’s Special Provisions section regarding the Riders applicable to service under that SC was eliminated. This was replaced with text in the Common Provisions section of each SC, under General Rules, which states that Rider applicability is shown in General Rule 24. General Rule 24 contains a new table, which lists each Rider and their applicability to the SCs and includes comments about the Rider (e.g., no applications are accepted for Rider B after May 1, 1959). General Rule 24 also specifies which Riders may not be applied to customers taking Standby Service and which may not be applied to customers taking Retail Access Service, as was previously stated in the Retail Access Rate Schedule and/or the Riders themselves.

Rider B (Conjunctional Billing) and Rider C (Intercommunicating Buildings) – The restriction currently contained in the Retail Access Rate Schedule (Leaf 4) - that a customer taking service under Rider B or Rider C is eligible for Retail Access Service only if all buildings or parts of buildings that are included in the Customer’s Rider agreement take Retail Access Service and all energy supply is obtained from the same ESCO or Direct Customer – was moved into these Riders. The applications in Riders B and C were eliminated, since service under these Riders is available only to a Customer who was taking service on May 31, 1959.

Rider D (Operation of Fire Alarm or Signal System) and Riders E and F (Series Metering) - The restriction currently contained in the Retail Access Rate Schedule (Leaf 4) - that customers taking Standby Service are ineligible for service under Riders D, E, and F – was moved into these Riders.

In addition, text that was in Riders B, C, D, and F about “electric energy supplied” by the Company was changed to “electric service furnished” by the Company, to reflect the fact that some customers receive third-party energy supply.

Rider J (Business Incentive Rate) – Text about percentage reductions for bills with “from” dates before March 31, 2008, is obsolete and was eliminated. Text about the reductions applicable to customers taking Standby Service (Leaf 180 of the Retail Access Rate Schedule) was moved into this Rider. An incorrect reference to section (A)(2)(g) of the Rider (on Leaf 138-A of P.S.C. No. 9) was deleted, because that section does not exist. (Section (A)(2)(g) existed in draft text circulated to active parties in Case 09-E-0428 and, in response to comments, was combined into section (A)(2)(f).)

Rider M (Day-ahead Hourly Pricing) – The explanation of pricing periods and customer pricing information under Rider M (Leaf 146 of P.S.C. No. 9) was moved to General Rule 25.1(b), which describes the Market Supply Charge and how energy costs, capacity costs, and Ancillary Services Charges and NTAC are calculated. Section D of Rider M incorporates information that was previously in each demand-billed SC of P.S.C. No. 9 and in SC 14-RA (special provision C) of the Retail Access Rate Schedule about customers who are served under Rider M on a mandatory basis. Under Metering, where text referred to customers maintaining any associated pilot wiring, the Company clarified that remote communications may be provided instead of pilot wiring.

Rider O (Curtable Electric Service) – Text was added to state that information about contracts negotiated under Rider O (for load reductions of 5 MW or greater) will be shown in Addendum-NEG.

Rider Q (Power for Jobs Program) – Text was added about retail access customers served under Rider Q. (This was previously contained on Leaf 4-A of the Retail Access Rate Schedule.) Text was also added to clarify that charges are increased by the Increase in Rates and Charges.

Rider R (Net Metering for Customer-Generators) – Special Provisions E (definitions) and G (applications) of Rider R in P.S.C. No. 9 were moved up to the beginning of the Rider, to new Special Provisions B and C. The application form for Net Metering has been added to the tariff’s Application Forms section and is referenced in the “Applications” section, Section C, to the Rider.

Since Riders L (Direct Load Control Program), P (Purchases of Installed Capacity), U (Distribution Load Relief Program), and V (Emergency Demand Response Program) are available to customers of NYPA, NYCPUS and COWPUSA, the SC Applicability of those Riders was modified to include their applicability to SC 15. (The Company provides delivery service to COWPUSA under SC 15.)

#### General Rule 25: Supply and Supply-related Charges and Adjustments

This General Rule specifies, in one place, the charges applicable to customers who purchase power and energy from the Company, i.e., the MSC, Adjustment Factors – MSC, and MFC. This text was formerly in the SCs and in General Information Section VII.A and Section VIII(B)(6) of P.S.C. No. 9. It also contains NYISO load zone information that was in General Information Section I (Leaf 6 of P.S.C. No. 9).

The Company clarified in General Rule 25 that customers purchase supply from the Company unless they are served under the retail access program, SC 11, SC 15, or the PASNY or EDDS rate schedules. All customers that purchase supply from the Company are subject to the supply charges and adjustments specified under General Rule 25<sup>9</sup> except for customers served under Rider Q. (Charges applicable to Rider Q are specified under that Rider.)

The Company clarified that MSC capacity charges for customers billed under the SC 9 Rate I Maximum Rate are assessed on a kilowatthour, rather than a kilowatt, basis. The Company also clarified that a demand-billed customer subject to the Minimum Charge is assessed the MSC per-kilowatt rate based on the minimum kW billed, and an energy-only SC 12 customer subject to the Minimum Charge is assessed the MSC per-kilowatthour rate based on the minimum kWhr billed. (See General Rule 25.1(b).)

The Company eliminated obsolete text, such as how the MSC is calculated for bills issued before January 31, 2010.

Text about how the MSC is calculated for customers billed under Rider M was removed from Rider M and moved to General Rule 25.1.

Text about the calculation of the Adjustment Factor – MSC I in General Rule 25.2.1 was clarified to describe how the various components are calculated on a unit basis. Currently, Leaf 160 of P.S.C. No. 9 describes the calculation of the per-kilowatthour component of the Adjustment Factor – MSC I for MSC reconciliation amounts, but not the calculation of the per-kilowatthour components contained in the “Special Provisions” section of the Adjustment Factor – MSC I, i.e., the Tax Reimbursement Recovery Provision and the Demand Response Recovery Provision (Leaf 160-A of P.S.C. No. 9). The contents of the Special Provisions section in P.S.C. No. 9 were reformatted as Adjustment Factor – MSC I “components” in the new rate schedule for purposes of clarity. Text in the Tax Reimbursement Recovery Provision was corrected to omit SC 13 as a residential usage class, because customers in SCs other than SC 1, 7, 8, or 12 must submit a NYS Tax Form TP-385 to qualify their usage as “residential.” Clarifying text was added to indicate that customers who submit a TP-385 tax form are exempt from the surcharge for the percentage of residential usage contained on the form.

#### General Rule 26: Additional Delivery Charges and Adjustments

This contains text that was in General Information Section VII.B, MAC; Section VIII(B)(1), SBC; Section VIII(B)(2), RPS charge; Section VIII(B)(5), BPP charge; Section VIII(B)(8), RDM; and Section VIII(B)(10), PSL 18-a surcharge. The Company did not include Section VIII(B)(9), Delivery Revenue Surcharge (on Leaf 168-J of P.S.C. No. 9) in the new rate schedule, because the collection period ended.

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<sup>9</sup> As specified in General Rule 25, the Adjustment Factors – MSC are not applicable to customers served under Rider M.

In General Rule 26.1 (MAC), the Company clarified that the MAC does not apply to load served under Rider Q.

In General Rule 26.2 (RDM), the Company clarified that the RDM does not apply to SC 13. As determined in Case 08-E-0539, SC 13 revenue targets were applicable through April 2009 only, because SC 13 consisted of only one customer who commenced on-site generation. (RDM revenue targets shown on Leaf 168-H of P.S.C. No. 9 correctly show the SC 13 target as “N/A.”)

In General Rule 26.3 (BPP), the Company clarified that the BPP does not apply to SC 11, SC 15, and load served under Rider Q. In General Rule 26.4 (SBC) and Rule 26.5 (RPS charge), the Company clarified that these charges do not apply to load served under Rider Q.

General Information Section VIII(B)(3) of P.S.C. No. 9, about customers served under the PASNY rate schedule as of October 1, 1996, being eligible for a monthly credit for the above-market costs of non-divested generation assets recovered through the MAC if they transfer to the Company’s full service, was eliminated, because it is obsolete.

#### General Rule 27: Rate Adjustment Clause

This contains text that was in General Information Section VIII(B)(7) of P.S.C. No. 9.

The Company replaced the list of amounts credited to customers in each SC during the summer of 2010 with text indicating that full-service and retail access customers received their applicable share of the \$36.4 million refund (i.e., \$31.93 million) pursuant to the Commission’s March 26, 2010 Order in Cases 07-E-0523 and 08-E-0539. (See (7)(b) on Leaf 168-F of P.S.C. No. 9.) As specified in P.S.C. No. 9, any difference between amounts credited and required to be credited was deferred for future credit to or collection from customers.

#### General Rule 28: Transition Adjustment for Competitive Services

This contains text that was in General Information Section VIII(B)(4) of P.S.C. No. 9.

Text that indicated that the Transition Adjustment applies to customers served under Rider Q was clarified: the Transition Adjustment is applicable to Rider Q customers only for load in excess of that served under Rider Q.

#### General Rule 29

This General Rule was reserved for future use.

#### General Rule 30 – Increase in Rates and Charges

This contains text that was in General Information Section VIII(A) of P.S.C. No. 9.

The Company clarified that billings under SC 15 are subject to the Increase in Rates and Charges set forth in the EDDS Rate Schedule. (This was previously stated under SC 15-RA of the Retail Access Rate Schedule.)

The Company also specified in this section how “residential” and “non-residential” usage is defined for the purpose of applying the appropriate percentage increase in rates and charges and clarified the rates and charges that apply to “delivery” versus “commodity.”

#### General Rule: Application Forms

The “Application for Net Metering or Standby Service and/or Buy-Back Service,” which is available on the Company’s website, has been added to this General Rule as Application Form G. That application is an addendum to the application for service and is applicable to on-site generating facilities taking Standby Service, service under SC 11 – Buy-back Service, or service under Rider R – Net Metering. (References to SC 14-RA in the current application were amended to reflect the fact that SC 14-RA is being eliminated, Standby Service provisions are stated in General Rule 20, and Standby Service rates are incorporated into SCs 5, 8, 9, 12, and 13.)

The formatting of the residential and nonresidential customer payment agreements, Application Forms D and E, was modified to more closely resemble the actual forms.

### Service Classifications

#### Common Changes

##### 1. Applicability

Under “Applicable to Use of Service for” at the beginning of each SC, enumeration of the specific Rates subject to the Common Provisions of that SC was removed, because all service under the SC is subject to the SC’s Common Provisions. The Company made text consistent in each SC (except for SC 15<sup>10</sup>), indicating in each SC that service is “subject to the Common Provisions and Special Provisions of this Service Classification.”

##### 2. Delivery Charges

The Company eliminated text within each Rate section about the BPP Charge, MAC, SBC and RPS Charge, and Additional Delivery Charges (which was also specified in the Common Provisions section of each SC). The new text indicates that customers pay additional delivery charges as specified in General Rule 26. General Rule 26 describes the MAC and Adjustment Factor - MAC, RDM adjustment, BPP charge, SBC, RPS charge, and Public Service Law 18-a surcharge.

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<sup>10</sup> SC 15 is provided in accordance with a delivery service agreement between a governmental agency and the Company.



### 3. Supply Charges

The Company removed text about Supply Charges from each Rate section. In its place, the Company added text under the Common Provisions section of each SC that full-service customers are subject to the supply and supply-related charges and adjustments specified in General Rule 25. (Those charges are the MSC, Adjustment Factors – MSC, and MFC.) The new text further specifies, within demand-billed SCs (i.e., SCs 5, 8, 9, 12, and 13), that Rider M may apply, as specified under that Rider, and, in all SCs, that Retail Access Customers are not subject to General Rule 25.

### 4. Special Provisions/Common Provisions

Text common to all customers in an SC was moved from the Special Provisions section of each SC to the Common Provisions section of that SC as described below:

- a) Text that referenced the General Information Section of the tariff and text that specified the Riders applicable to service under the SC were eliminated. In their place, text was added to a new “General Rules” section of the Common Provisions section of each SC indicating that the general rules, terms and conditions under which service will be supplied are found in the “General Rules” section of the Rate Schedule and that Riders that may be applied to the SC are specified in General Rule 24. (The actual Riders were previously specified under the Special Provisions of each SC. They are now summarized in the front of General Rule 24 for ease of use.)
- b) Text about the form of application was moved to a new “Applications for Service” section of the Common Provisions. “Form” was changed to “forms,” because customers may be required to complete more than one application (e.g., an application for service plus the addendum to the application for net metering, standby service, or buy-back service).

Text common to all SCs was moved from the Special Provisions section of each SC to the General Rules section of P.S.C. No. 10 as described below:

- a) Text about rates and charges without reference to a specific month and about rates and charges referable to a specific month was moved to General Rule 10.5, “Proration of Monthly Rates and Charges.”
- b) Text that was in SCs 1, 2, 5, 7, 8, 9, 12 and 13, about accounts billed on a time-of-day basis when the registration of some of the meters is not on a time-of-day basis (SC 1, Special Provision E; SC 2, Special Provision D; SC 5, Rate II applicability; SC 7, Special Provision G; Special Provision F of SCs 8, 9, and 12; and SC 13, Special Provision D of

P.S.C. No. 9 – Leaf 210, 215, 240-A, 259, 269, 280, 319, and 325) was moved to General Rule 10.8, “Plural Meters – Billing of Charges.”<sup>11</sup>

Where text in the Special Provisions sections of SCs 1, 2, 5, 7, 8, 9, 12 and 13 was intended to be applicable to both full-service and retail access customers, text that referred to electric “supply” or “energy” was changed to electric “service,” and text that referred to “electricity supplied” was changed to “electric service furnished.”

Text in SCs 1, 2, 5, 7, 8, 9, 12, and 13 that referred to service measured through the Company’s meter or meters (Special Provision A of SCs 2, 8, 9, 12, and 13, Special Provision D of SCs 1 and 7, and Special Provision B of SC 5 of P.S.C. No. 9), was changed to indicate that service must be metered (with the exception of unmetered service, as permitted under General Rule 6.9). Although this change was required only in demand-billed SCs, where customers over 50 kW can take competitive metering, text was changed in each SC for uniformity. Text in SCs 1, 2, 5, 7, 8, 12, and 13 about when redistribution is permitted, and when a customer may charge tenants or occupants for redistributed service, was simplified to improve clarity. The original and revised text is shown in Attachment C.

### Demand-billed SCs

#### 1. Rates

##### a) Standby Service Rates

SC 14-RA Standby Service rates were added to SC 5 (Rate III and Rate IV); SC 8 (Rate IV and Rate V); SC 9 (Rate IV and Rate V); SC 12 (Rate IV and Rate V); and SC 13 (Rate II). Standby Service customers are billed under Standby Service rates except as provided under General Rule 20.3.

Standby-Service rates – Large under SCs 5, 8, and 12 (i.e., Rate IV of SC 5 and Rate V of SCs 8 and 12) are applicable to customers billed under Standby Service rates where: (a) the Contract Demand is greater than 1500 kW; (b) high-tension service is supplied at 138,000 volts; or (c) the Customer would otherwise take service under Rate II of that SC on an optional basis. Rate V of SC 9 is applicable to customers billed under Standby Service rates pursuant to General Rule 20 where: (a) the Contract Demand is greater than 1500 kW and the Customer does not take service under Rider J; (b) the Contract Demand is greater than 900 kW and the Customer takes service under Rider J; (c) high-tension service is supplied at 138,000 volts; or (d) the Customer would otherwise take service under Rate II of that SC on an optional basis. Rate II – Standby Service of SC 13 is applicable to customers billed under Standby Service rates where the contract demand is greater than 1500 kW.

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<sup>11</sup> Obsolete text that was in SC 9, Special Provision F, regarding a Special Provision J prohibition, was eliminated. It referred to a restriction that existed when direct-current service was available. Direct-current service was discontinued several years ago.

Rate III of SC 5 and Rate IV of SCs 8, 9, and 12 are applicable to customers billed under Standby Service rates who are not subject to billing under Standby Service rates – Large.

b) Standard Rates (Rate I of SCs 5, 8, 9, and 12)

Because the Standard Rate is the default rate under each SC, Applicability of Rate I was changed to refer to all customers other than those billed under voluntary time-of-day rates (in all SCs except SC 5, which does not have a voluntary rate), mandatory time-of-day rates, or Standby Service rates.

c) Voluntary Time-of-Day Rates (Rate III of SCs 8, 9 and 12)

This rate continues to be applicable to all customers not subject to Standby Service rates or mandatory time-of-day rates who elect to be billed under a time-of-day rate.

d) Mandatory Time-of-Day Rates (Rate II of SC 5, 8, 9 and 12, and Rate I of SC 13)

The Company indicated that mandatory time-of-day rates are applicable under the conditions described, provided the customer is not subject to billing under Standby Service rates.

The Applicability section under Rate II of SC 5, 8, 9, and 12, and Rate I of SC 13 was shortened to eliminate obsolete phase-in dates (i.e., January 1, 1975, September 30, 1988, and October 6, 1989) in SC 8, 9, 12 and 13, and to eliminate reference to September 1995 in SC 5. The Company replaced the obsolete text with text indicating that the rate is mandatory for customers who were billed under that rate as of November 1, 2011 (the proposed effective date of P.S.C. No. 10).

The requirements for optional service under Rate II of SC 8, 9, and 12 (Special Provision H of SC 8, 9, and 12 in P.S.C. No. 9) was moved to the Rate II Applicability section of those SCs for purposes of clarity.

## 2. Common Provisions

- a) To improve clarity, text that was formerly in “Commencement of Service,” under the Common Provisions section of those SCs, was moved to Rate II applicability in SCs 5, 8, 9, and 12. The text states when a Rate I customer will be transferred to Rate II (i.e., based on annual kW usage). The text also states when a Rate II customer will be transferred to Rate I (i.e., when the maximum demand does not exceed 900 kW for 12 consecutive months).
- b) To improve clarity, text that was formerly in “Term” under the Common Provisions section of SCs 8, 9, and 12 was moved to Rate III (voluntary time-of-day rates). The

text states that customers who discontinue service under voluntary time-of-day rates are ineligible to return to those rates for one-and-one-half years.

- c) Text was added to “Minimum Monthly Charge” in the Common Provisions section to indicate that this charge is not applicable to customers billed under Standby Service rates. (That text was formerly on Leaf 141 of the Retail Access Rate Schedule.)

### 3. Special Provisions

SCs 8, 9, 12 and 13 contained a Special Provision stating that information about negotiated contracts is contained in Appendix A of the rate schedule. Since the Company’s tariff permits negotiated contracts under those SCs only for Standby Service and under Rider O, text was removed from the SCs. Text was added to General Rule 20.7 and to Rider O to indicate that information about negotiated contracts appears in Addendum – NEG. Since contracts may be negotiated under SC 5 pursuant to Special Provision A of that SC, text was also added to SC 5 to indicate that information about negotiated contracts appears in Addendum-NEG.

Special Provision E of SCs 5, 8, 9 and 12 of P.S.C. No. 9 (Leaf Nos. 243, 269, 279, and 319) about high tension and low tension service billed under the same agreement was moved to General Rule 10.8. Obsolete text that was in Special Provision E regarding the billing of energy under Rates II and III when low tension and high tension service are billed under a single agreement was omitted because high tension and low tension energy rates are now identical.

Special Provision H of SCs 8, 9, and 12 of P.S.C. No. 9 (Leaf Nos. 269-270, 280-281, and 319-320), about the availability of service under Rate II on an optional basis to customers who have the major portion of their heating or cooling requirements supplied by thermal storage, was moved to Rate II Applicability, “Optional,” for purposes of clarity.

Special Provision I of SCs 5, 8, 9, and 12 of P.S.C. No. 9 (Leaf Nos. 243, 270, 281, and 320) about mandatory Rider M applicability was eliminated. Text specifying the applicability of Rider M on a mandatory basis has been moved to Rider M.

#### Energy-only SCs

To improve clarity, text that was formerly under “Term” in the Common Provisions section of SCs 1, 2 and 7 was moved to Rate II (voluntary time-of-day rates) “Applicability” under those SCs. The text states that customers who discontinue service under voluntary time-of-day rates are ineligible to return to those rates for one-and-one-half years. (Since this restriction is the same in SCs 1, 2, 7, 8, 9, and 12, the text was made identical in each SC.<sup>12</sup>)

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<sup>12</sup> The text in demand-billed SCs, which indicates that a customer who transfers from standard rates to voluntary time-of-day rates cannot return to standard rates for one year, is not applicable to energy-only SCs and was not

### Specific Changes to SCs

- SC 1 and SC 7

Old effective dates were removed from Special Provision A, paragraph (3), of SC 1 and SC 7 (i.e., August 1, 1985, July 6, 1993, and June 2, 1998, when community supportive living facilities, community supervised living facilities, and veterans' organizations, respectively, became eligible for SC 1 and SC 7) and from Special Provision B (i.e., July 1, 1992, when specified incidental nonresidential activities became permissible uses under SC 1 and SC 7).

Under "Terms of Payment," text was added to reference the applicability of late payment charges pursuant to General Rule 12.1.

- SC 2

Text in the Rate II "Applicability" section (Leaf 212-A of P.S.C. No. 9) indicated that it was available to all customers other than customers with unmetered service or direct-current service. The prohibition against unmetered service was revised to indicate that service must be metered. The text about direct-current service was eliminated, since the Company terminated availability of direct-current service as of December 31, 2007.

Text in the "Determination of Demand" section referenced demand meters for customers billed under Rate II prior to April 1, 1991. That was eliminated, since it is obsolete.<sup>13</sup>

Obsolete text about customers who take service under SC 2 on July 1, 1992 and apply for SC 1 or SC 7 service before January 1, 1993 (SC 2, Special Provision E, Leaf 215 of P.S.C. No. 9) was eliminated.

- SC 5

Special Provision A (Leaf 241 and Leaf 242 of P.S.C. No. 9) indicated that service redistributed contrary to Special Provision B would be supplied under SC 4. This was corrected to SC 9, because SC 4 was merged into SC 9 as of April 1, 2010.

- SC 9

The Rate II Applicability section was modified to: (a) eliminate reference to Rider I (Area Development Rates) and Rider L (Industrial Employment Growth Rates) because those

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added to those SCs.

<sup>13</sup> In the filing letter dated March 27, 1990, in which the Company filed to implement voluntary TOD rates for nonresidential SCs as of April 1, 1991, the Company stated, "Since a TOD demand meter will not be available until April 1, 1991, the tariff has been amended to state that a demand meter will not be installed prior to that date for any SC 2 customer who elects the TOD rate and whose demand or consumption exceeds the threshold of a demand meter."

Riders are no longer in effect; and (b) indicate that existing customers served under Rider J commence Rate II service using the same time frame as other existing customers, i.e., based on the customer's maximum monthly demand during the 12 months in any annual period ending September 30.

Text that was in the Retail Access Rate Schedule about Special Provision D not being applicable to Standby Service was moved into Special Provision D of SC 9. Obsolete text in Special Provision D (Leaf 279 of P.S.C. No. 9), about applying for the space heating rate reduction between June 30, 2006 and April 1, 2008, was eliminated.

Special Provision G of P.S.C. No. 9 (Leaf 280) indicated that SC 9 is applicable to electrically-heated nursing homes. That text was moved to Special Provision (A)(4) of the new rate schedule. Obsolete text that appeared in Special Provision G about the phase-in to SC 9 for electrically-heated nursing homes served under SC 12 as of April 17, 1992, was eliminated.

- SC 11

For improved clarity, Common Provisions and Special Provisions related to interconnection and operation of private generating facilities were combined under "Interconnection and Operation" in the Common Provisions section of SC 11. (This layout is similar to the layout of "Interconnection and Operation" under new General Rule 20, Standby Service.)

Obsolete text in P.S.C. No. 9 was eliminated, specifically, about payments for capacity during April 2000 (on Leaf 296), payments for energy during April 2000 (Special Provision P on Leaf 309-A), reference to Special Provision P (under "Term of Payment," on Leaf 304) and a May 2010 expected start-up date for the NYISO capacity market (in Special Provision (O)(1) on Leaf 309-A).

Under "Determination of Demand," "primary and secondary distribution" (on Leaf 303 of P.S.C. No. 9) was changed to "high-tension service and low-tension service" to conform to the manner in which delivery charges are displayed in the tariff. Also in that section, obsolete text about the determination of demand under SC 11 Rate II (on Leaf 304 of P.S.C. No. 9) was eliminated because Rates I and II were replaced by another rate form as of April 2000.

- SC 12

Text in the Rate III energy-only Applicability section (on Leaf 315 of P.S.C. No. 9), about the ineligibility of customers with unmetered service, was unnecessary and was, thus, eliminated. A service under SC 12 must be metered.

Special Provision D of SC 12 (on Leaf 318 of P.S.C. No. 9) was eliminated, because it was applicable to an obsolete rate structure in which the charge for 10 kW of maximum demand was included in the energy charge. Reference to estimating the maximum demand for billing

purposes at no more than 10 kW, in the “Determination of Demand” section (on Leaf 316 of P.S.C. No. 9), was eliminated for the same reason.

Obsolete text in the “Determination of Demand” section, which referenced demand meters for customers billed under Rate III energy-only prior to April 1, 1991, was eliminated. (This is similar to the change made to SC 2.)

- SC 13

SC 13 is labeled “Bulk Power – High Tension - Housing Developments” in P.S.C. No. 9, with applicability as follows: “Light, heat, and power used in an apartment house development in which the entire electrical requirements of the development are supplied by the use of electricity purchased from the Company, subject to the Special Provisions hereof.” For improved clarity, SC 13 was relabeled, “SC 13: Bulk Power – Housing Developments” with applicability as follows: “Light, heat, and power used in an apartment house development to which the Company provides service for the entire electrical requirements of the development, subject to the Common Provisions and Special Provisions of this Service Classification.” This change recognizes that an SC 13 customer is not required to purchase the Company’s supply service.

The Rate in SC 13, “Rate - Bulk Power - High Tension - Housing Developments - Time-of-Day” was relabeled, “Rate I – Bulk Power – Housing Developments.” Rate I is applicable to customers who meet the requirements for billing under mandatory time-of-day rates provided they are not subject to billing under Rate II, the Standby Service rate of SC 13. The references to “high tension” and “time-of-day” were eliminated from the heading, because they were unnecessary. (High tension service is the only character of service permitted under SC 13. SC 13 is only available if the customer meets the requirements for mandatory time-of-day rates.) Rate II (Standby Service) was made applicable where the Contract Demand exceeds 1500 kW for consistency with the requirements for billing under the rate for Standby Service – Large under other demand-billed SCs.

- SC 14

This SC was reserved for future use.

- SC 15

This SC, Delivery Service to Governmental Agencies, was SC 15-RA of the Retail Access Rate Schedule. The applicability and rates of SC 15-RA (Leaf 181 and Leaf 182 of the Retail Access Rate Schedule) and the provisions applicable to delivery service under SC 15-RA (Leaf 17-B of the Retail Access Rate Schedule) were moved to this SC. Text was added to indicate that Riders may be applied to this SC as specified under General Rule 24 (Riders).

### **Tariff Addenda**

Addendum – MET and Addendum SIR are the same as the addenda that were appended to P.S.C. No. 9, except for the last page of Addendum MET, which was modified to reflect the new rate schedule.

Addendum – UBP is the same as the addendum that was appended to the Retail Access Rate Schedule.

Addendum – NEG contains addenda for individually negotiated agreements. Addendum 1 and Addendum 2 to P.S.C. No. 10 were originally appended to Appendix A of the Retail Access Rate Schedule as Addendum 1 and Addendum 3. The dates they were originally filed with the Commission have been added to the Addenda. Because Addendum 1 referenced SC 4, which was incorporated into SC 9 as of April 1, 2010, Addendum 1 was revised to indicate that, as of that date, all references to “SC 4” refer to “SC 9” instead. The negotiated agreement described in Addendum 2 of P.S.C. No. 2 - Retail Access expired and, therefore, is not being carried over into P.S.C. No. 10.

### **Conclusion and Notice**

The Company has filed the new tariff to become effective as of November 1, 2011.

Assuming the Commission approves P.S.C. No. 10 to become effective on November 1, 2011, the Company plans to file Statements applicable to P.S.C. No. 10 no less than three days prior to November 1.<sup>14</sup>

If the Company files tariff changes with the Commission subsequent to this filing under either P.S.C. No. 9 or the Retail Access Rate Schedule, the Company will file conforming changes to P.S.C. No. 10 as appropriate.

Copies of this filing (except for the tariff itself) are being mailed electronically to all parties to Case 09-E-0428. The tariff can be viewed on the Commission’s website or on the Company’s website, at [www.coned.com/rates](http://www.coned.com/rates), under “Schedule for Electricity Service, P.S.C. No. 10 – Electricity – PENDING.”

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<sup>14</sup> These Statements are currently applicable to P.S.C. No. 9 and will be filed for P.S.C. No. 10: Statement of MAC; Statement of MSC – Capacity (MSC – CAP); Statement of Adjustment Factors – MSC; Statement of Adjustment Factor – MAC; Statement of MFC; Statement of Increase in Rates and Charges (GRT); Statement of SBC; Statement of Charge for RPS Program (RPS); Statement of RDM Adjustment (RDM); Statement of Surcharge to Collect PSL 18-a Assessments (PSL); Statement of Average Cost per Trench Foot of Installed Underground Facilities (ACUF); Statement of Installed Capacity Payment Rates (ICAP); Statement of Rental Rates Applicable to Telecommunications Companies (TEL); Statement of Transition Adjustment for Competitive Services (TRANS ADJ); and Statement of Rate Adjustment Clause (RAC). These Statements are currently applicable to P.S.C. No. 2 – Retail Access and will be filed for P.S.C. No. 10, combined with the P.S.C. No. 9 amounts: Statement of Rate Adjustment Clause (RA-RAC) and the Statement of Surcharge to Collect PSL 18-a Assessments (RA-PSL).



Newspaper publication of this filing will be published on July 25 and August 1, 8, and 15, 2011.

Sincerely,

/s/ Christine Colletti

Christine Colletti

Director

Rate Engineering Department

**Service Classifications incorporating Standby Service Rates**

Service Classification	Conventional (non-time-of-day)	Voluntary time-of-day	Standby Service rates (for customers not billed under Standby Service rates – Large)	Mandatory Time-of-day	Standby Service rates – Large
5	Rate I	N/A	Rate III	Rate II	Rate IV
8	Rate I	Rate III	Rate IV	Rate II	Rate V
9	Rate I	Rate III	Rate IV	Rate II	Rate V
12 (demand)	Rate I	Rate III	Rate IV	Rate II	Rate V
13	N/A	N/A	N/A	Rate I	Rate II

**Incorporation of Retail Access Rate Schedule, P.S.C. No. 2 – Retail Access,  
into Section 19 - Retail Access Program of P.S.C. No. 10 – Electricity**

**General Information Section**

The Company replaced references to the “Full Service Schedule” with references to “Full Service Customers” and replaced references to “bundled service” with “Full Service.” Except for those changes, minor textual changes made for clarity, and the changes specified below, the text of P.S.C. No. 2 – Retail Access was incorporated into new Section 19, Retail Access Program, of P.S.C. No. 10 - Electricity.

References to tariff leaves below refer to the leaves of P.S.C. No. 2 – Retail Access:

Leaf 1 – Par. 1 was incorporated into General Rule 2, “Definitions and Abbreviations,” with the addition of definitions of “Retail Access Customer” and “Retail Access Service.” A reference to SC 15 as a delivery service was incorporated into the definition of “Delivery Service” and into the Applicability section of SC 15 (former SC 15-RA of the Retail Access Rate Schedule).

Leaf 1 – Par. 1, about service to governmental agencies, was moved to SC 15. Par. 2, about rates filed with the FERC, is irrelevant to this rate schedule and was eliminated.

Leaf 2 – All text was eliminated. The Retail Access Rate Schedule is now incorporated into P.S.C. No. 10 – Electricity. P.S.C. No. 10 – Electricity contains terms and conditions of retail access service and delivery rates that are applicable to full service and retail access customers.

Leaf 2-A – Par. 1 and par. 2 were eliminated, since all rates and adjustments applicable to full service and retail access customers are contained in P.S.C. No. 10 – Electricity. New General Rule 19.2.2 indicates that Retail Access Service will be provided not only in accordance with the Operating Procedure, but also with the UBP and orders of the Commission regarding Retail Access Service. As to where the operating procedure may be viewed, “Customer service centers” was changed to “customer service walk-in centers.”

Leaf 3 and 3A – Definitions were moved to the new General Rule 19.1, except as follows:

- (a) The definition of “Customer” was incorporated into the definition of “Customer” in General Rule 2.
- (b) The definition of “delivery service” was incorporated into the definition of “Delivery Service” in General Rule 2.
- (c) The definitions “Electric energy supplied by the Company” and “Supply or furnish” were eliminated. P.S.C. No. 10 refers to service provided by the Company, which applies both to its delivery service and its full service, depending on the context. Text about “Segregated Service” was eliminated because the rules on segregated service

apply equally to full service and retail access customers. (See Section III-13 of P.S.C. No. 9/General Rule 8.1 of P.S.C. No. 10.)

- (d) The definition of “Retail Access Program” was eliminated. The definition of “Retail Access Service” was added to General Rule 2.

Leaf 4 – Text that Direct Customers taking Rider B or Rider C service must schedule energy on an aggregated basis was moved to those Riders. Text about Rider H was eliminated, because Rider H was eliminated and its provisions were moved into the Special Provisions section of SC 1 and SC 7 effective April 1, 2010. Text about Rider V not being available to Retail Access Customers (i.e., it was available only to SC 14-RA customers who received supply from the Company under Special Provision C) was eliminated to reflect the change to Rider V applicability effective January 27, 2003 (Sixth Revised Leaf No. 158-S of P.S.C. No. 9). Other Rider applicability provisions of Leaf 4 (regarding Riders B, C, E, F, M, and W) were moved to new General Rule 24, either to the first Leaf of that General Rule or the individual Riders, as appropriate.

Leaf 4A – Text about Rider Q (Power for Jobs) applicability and rates for retail access customers was moved to Rider Q. (See General Rule 24.)

Leaf 4B – The text about MSC and MFC exceptions was eliminated. MSC and MFC charges are described in General Rule 25 as being applicable only to customers taking Company supply.

Leaf 5B – Text about shared meters was moved to General Rule 10.2. Text about reconnection following an ESCO-requested suspension of service was moved to General Rule 19.2.14. Text about PowerMove was modified to indicate that the program was implemented in accordance with PSC orders and moved to General Rule 19.2.6. Text was added to specify that ESCOs participating in the Company’s Consolidated Billing program must enter into a “Consolidated Utility Billing Service and Assignment Agreement” and “Supplement for Retail Marketing (ESCO Referral) Program Participant” with the Company. Text about when a confirmation letter will be sent under PowerMove was clarified to indicate that the letter will be sent in accordance with the UBP and orders of the PSC regarding retail access service.

Leaf 6 – Text about ESCOs having to comply with the Company’s Operating Procedure was clarified to indicate that ESCOs must also comply with the UBP and orders of the PSC regarding retail access service. The Company also clarified that an ESCO is not required to provide enrollment information to the Company or retain evidence of customers’ authorization for customers who enroll through PowerMove. (See General Rule 19.3.1.) Text about ESCOs “planning to and meeting the full electric capacity and energy requirements” of their customers was amended to clarify that ESCOs must fulfill the obligations of a Load-serving Entity as set forth in NYISO tariffs. (See General Rule 19.3.1(c).)

Leaf 6A – Text about ESCOs that serve residential customers having to comply with PSC Orders issued in Cases 99-M-0631 and 03-M-0117 implementing Chapter 686 of the Laws of 2002 was

expanded to clarify that ESCOs must also comply with General Business Law §349-d. (That law, established by Chapter 416 of the 2010 Laws of New York, enacted certain protections for residential customers.) (See General Rule 19.3.1.) Text about ESCOs providing evidence of creditworthiness before requiring deposits or prepayments from small non-residential customers was expanded to address prepayments from residential customers. (See General Rule 19.3.1(f).)

Leaf 7 – The Company removed the specific charges applicable when ESCOs request usage and billing information and/or credit information beyond that provided at no charge or when they request historic interval data for the prior 24 months. The new tariff instead indicates that the Company will charge the amount specified in General Rule 17.4 per account per year of information when usage and billing information and/or credit information is requested beyond that provided at no charge, and that the Company will provide interval data, if requested by an ESCO, at the amount specified in General Rule 17.1. (See General Rule 19.3.2.)

Leaf 8 –The Company removed the specific charge applicable for an ESCO-requested meter reading. The new tariff indicates that the charge applicable for an ESCO-requested meter reading per account per visit will be the lower of the meter reading charge specified in General Rule 17.1 (i.e., the charge applicable to customers, which is currently set at \$19) or the maximum amount permitted under the UBP (which is currently \$20). (See General Rule 19.3.7.)

Leaf 8A – Par. 1, which refers to calculation of bundled and retail access bills at an ESCO's request, was modified to reflect defined terms (i.e., Full Service Customer and Retail Access Service). (See General Rule 19.3.4.)

Leaf 8B – Par. 1 was eliminated because the term “Consolidated Bills” is defined in General Rule 2. In par. 3 and par. 4, where text referred to billing service agreements entered into by the Company and ESCOs for Company-issued consolidated bills, the Company specified the name of the agreement. (See General Rule 19.3.6.)

Leaf 9 –Text about SC 14-RA, Special Provision C (Standby Service customers purchasing supply from the Company) was eliminated because all delivery service customers have the option to purchase supply from the Company.

Leaf 9A – Text was added to par. 2 to clarify that ESCOs must meet the requirements of the UBP. (See General Rule 19.2.1.)

Leaf 10 - Under par. 1, “Applications for Service,” text about SC 14-RA was eliminated because provisions regarding Standby Service are contained in General Rule 20 of P.S.C. No. 10. Information was added to indicate that customers can participate in the retail access program by enrolling in PowerMove. (See General Rule 19.2.5.) In par. 2, “Meter Readings and Estimated Bills,” text about the Company attempting actual readings for all meters except for those served by MDSPs was eliminated because that information is specified in the Billing section of P.S.C. No. 10. (See General Rule 19.2.7.)

Leaf 13 – Par. 1, which defined “Dual Billing” and “Consolidated Billing,” was eliminated because Consolidated Bills is defined in General Rule 2 of P.S.C. No. 10 and dual billing is described in General Rule 19.2.7. Par. 2, which contained obsolete text about the Billing and Payment Charge commencing April 2008, was eliminated. Regarding how Consolidated Bill payments will be allocated, text was added to provide the citation for the HEFPA regulations (16 NYCRR Part 11). (See General Rule 19.2.7.)

Leaf 13A – In text about disconnection of service, the Company clarified that it follows not only the provisions of the rate schedule and HEFPA but also the PSC’s rules for service to nonresidential customers, as applicable. (See General Rule 19.2.13.)

Leaf 14 – Par. 2 of “Term” was eliminated since each SC contains the “term” for delivery service. Text under the “Commencement of Service” section on Leaf 14 and Leaf 15 was modified as follows: (i) par. 1, which indicated that Retail Access Service will commence in accordance with the Operating Procedure, and par. 3, which indicated when a confirmation letter will be sent, were combined and modified to indicate that a confirmation letter is sent in accordance with the UBP and orders of the Commission. (See General Rule 19.2.10.); (ii) text in par. 2, about customers being billed for full-service for periods of time when they are not served by an ESCO, was clarified to indicate that full-service applies when they are not served either by an ESCO or as a Direct Customer. (See General Rule 19.2.10.); and (iii) text in par. 4, about payments under levelized payment plans, was moved to General Rule 19.2.7.

Leaf 15 - Text in the “Change of Location” section was modified as follows: (i) text that indicated that successor property owners could enroll if the load was lower or equal to that of the prior customer and the prior customer did not re-enroll at a new location was eliminated because it was applicable only during the early stages of the Retail Access program, when there was a phase-in period. (See General Rule 19.2.11.); and (ii) text was added to clarify that the customer or the ESCO, as the customer’s agent, must notify the Company when the customer moves, and that a customer may continue ESCO service by authorizing the customer’s existing ESCO or a new ESCO to enroll the customer or by enrolling in PowerMove. (See General Rule 19.2.11.) Text in the section “ESCOs No Longer Serving Retail Access Customers” was clarified to indicate that customers will be notified pursuant to the UBP. (See General Rule 19.2.4.)

Leaf 16 – Obsolete text about competitive supply-related credits and competitive supply collection-related credits through March 31, 2008, was eliminated.

## **Rates**

As in P.S.C. No. 9 - Electricity, SCs 1, 2, 5, 6, 7, 8, 9, 12, and 13 retail access rates are the delivery rates contained under each SC of P.S.C. No. 10. The incorporation of SC 14-RA into the new rate schedule is separately described below. SC 15-RA, Delivery Service to Governmental Agencies (par. 1 of Leaf 1 and Leaf Nos. 17-B, 181 and 182 of the Retail Access Rate Schedule), became SC 15 of the new rate schedule.

### **SC 14-RA - Standby Service**

Standby service rates and rules were contained on Leaf 135 through Leaf 180-C (SC 14-RA – Standby Service) of the Retail Access Rate Schedule. Provisions applicable to Standby Service were moved to new General Rule 20, “Standby Service,” of P.S.C. No. 10. Standby Service Rates (formerly on Leaf 148 through Leaf 156) are now shown as Rate III and Rate IV of SC 5, Rate IV and Rate V of SC 8, 9, and 12, and Rate II of SC 13.

The Company replaced references to “SC 14-RA” with references to “Standby Service” or “Standby Service rates,” as applicable.

The following compares new General Rule 20 of P.S.C. No. 10 to the text that appeared in SC 14-RA of the Retail Access Rate Schedule:

Under General Rule 20.1, “Definitions,” the Company has clarified that “Standby Service” excludes use of generation for the following purposes: export under SC 11, net metering under Rider R, emergency self-supply, and export on an emergency basis when directed by the NYISO or the Company. In addition, the Company has defined “Standby Service rates” and “Standard rates.” The latter is what the SC 14-RA tariff referred to as the “Otherwise Applicable Rate.”

General Rule 20.2, “Interconnection and Operation,” combines text that was previously contained in multiple sections of SC 14-RA (i.e., Applicability of generator connection on Leaf 135; Common Provisions – Interconnection Charge on Leaf 136-137; Common Provisions – Metering and Determination of Demand, provision (B) on Leaf 138; Special Provision B on Leaf 173; and Special Provisions E, F and G on Leaf 175-177).

General Rule 20.3, “Customers Exempt from Standby Service Rates,” combines text from Common Provisions – Definitions (definition of “Customer With Designated Technologies”) on Leaf 142; Standby Service exemptions from Special Provision D on Leaf 174; and Special Provision P on Leaf 180.

General Rule 20.4, “Billing under Standby Service Rates,” combines text that was previously contained in multiple sections of SC 14-RA (i.e., Common Provisions – Metering and Determination of Demand, provisions (A), (C), and (E) on Leaf 138-Leaf 141), except as follows: (i) Text on Leaf 139 about the one-time contract demand waiver was eliminated, because that provision expired on January 31, 2007; (ii) Sentence 1 of provision (C)(3) on Leaf 141, regarding customers participating in economic development programs, was moved to General Rule 20.4.4; sentence 2 of provision (C)(3) was moved to General Rule 11, paragraph c; and sentence 3 of provision (C)(3) (about high-tension service billed at and below 138 kV) was moved to General Rule 10.8; and (iii) Provision (D) on Leaf 141, regarding the Minimum Monthly Charge, was moved to Common Provisions – Minimum Monthly Charge in SCs 5, 8, 9, 12 and 13 and to General Rule 10.10.

General Rule 20.5, “Delivery Charges under Standby Service Rates,” contains text about calculating Standby Service rates that appeared on Leaf 141, Common Provision (F), and Leaf 144 as it applies to the components of Standby Service delivery rates. Text from Leaf 144 was moved to other tariff sections, as follows: text about standby service MAC components was moved to General Rule 26.1; text about how as-used daily demand charges are calculated was moved to the tariff leaves containing Standby Service rates; and text about which standby rate is applicable (e.g., when the contract demand is greater than 1500 kW) was moved to the SCs, under the applicable rates.

General Rule 20.6, “Supply,” contains text about supply that replaces Special Provision C on Leaf 173 and Leaf 174 and Special Provision K on Leaf 179. Although no substantive changes were made to the provisions, the text was significantly modified to reflect the merger of the Retail Access Rate Schedule, including SC 14-RA, into P.S.C. No. 10 and to improve clarity.

General Rule 20.7, regarding individually negotiated contracts, contains text that was formerly in Special Provision R on Leaf 180-C, with the following modification: the word “and” was changed to “or” to clarify that a customer needs to meet one, not all, of the conditions described in order to be eligible to negotiate a contract.

General Rule 20.8 contains text that was in Special Provision K on Leaf 179 regarding the transfer from SC 3 or SC 10 of P.S.C. No. 9 to the Retail Access Rate Schedule as of February 1, 2004. The Company added text that customers who were served under SC 14-RA as of November 1, 2011 (the proposed effective date of the tariff) are automatically transferred to service under P.S.C. No. 10 as of that date.

General Rule 20.9 contains text that was in Special Provision T on Leaf 180-C regarding requests for Standby Service. Text was also added to this General Rule to clarify that the applicants for Standby Service must submit a completed “Application for Net Metering or Standby Service and/or Buy-Back Service” set forth in Application Form G in the General Rules. That application was previously available on the Company’s website, but was not contained in the tariff.

Special Provision I on Leaf 178 (regarding customers who took service under SC 3, Special Provision E on September 9, 2002) was eliminated because no customers are billed under that Special Provision. Text contained on Leaf 143 (i.e., additional delivery charges, increase in rates and charges, terms of payment, and term) was eliminated because this information is contained within the SCs for which Standby Service rates are applicable.

Text about the phase-in to Standby Service rates for existing customers (i.e., the definition of Existing Customer on Leaf 142 and Special Provisions P and Q on Leaf 180-A) was eliminated because the phase-in period ended.



Text about Special Provision D of SC 9 not being applicable to Standby Service (Special Provision N on Leaf 180) was moved to Special Provision D of SC 9. Text about Rider J rate reductions in Special Provision O on Leaf 180 (Rider applicability and exceptions) was moved to Rider J. The balance of Special Provision O was added to Rider exceptions in General Rule 24 (“Riders”), except for obsolete text that indicated that Standby Service customers could take service under Rider V only if they purchased supply from the Company. (Rider V has been available to Retail Access customers since January 27, 2003.)

#### **Appendix A – Individually Negotiated Contracts**

The Company moved two of the three addenda to Addendum-NEG of PSC No. 10. One addendum, for a contract that expired, was eliminated.

The following Tables outline the incorporation of P.S.C. No. 2 into P.S.C. No. 10, except as described above.

**Retail Access Text in the New Tariff vs. in P.S.C. No. 2 – Retail Access**

<b>General Rule of P.S.C. No. 10 – Electricity</b>	<b>P.S.C. No. 2 – Retail Access Leaf #</b>
<b>19.1 Definitions</b>	3 and 3A
<b>19.2 General Rules for retail access</b>	
19.2.1	9A, par. 2
19.2.2	2A
19.2.3	9
19.2.4	15, par. 4
19.2.5 Applications for service	10, par. 1
19.2.6 PowerMove Program	5B, par. 3 and 4
19.2.7 Billing and payments	13 15, par. 2 10, par. 3
19.2.8 Billing agency	8B, par. 1 9A, par. 1
19.2.9 Term	14, par. 1
19.2.10 Commencement of service	14, par. 3 and 4 15, par. 1
19.2.11 Change of location	15, par. 3
19.2.12 Shared meters	5B, par. 1
19.2.13 Service termination & suspension	13A, par. 1
19.2.14 ESCO-requested suspensions	13A, par. 2 and 3 5B, par. 2
<b>19.3 ESCO participation</b>	
19.3.1 Requirements for participation	6 and 6A
19.3.2 Historical information	7, par. 1 through 5
19.3.3 Interval information	7, par. 6
19.3.4 Information about Company charges	8A, par. 1
19.3.5 ESCO customers' information	8A, par. 2
19.3.6 Consolidated billing and payment processing	8B, par. 2, 3 and 4 8C
19.3.7 Special meter reading	8, par. 1
19.3.8 Account separation	8, par. 2
19.3.9 Suspension of service	8, par. 3
<b>19.4 Liability limitations</b>	17 and 17A
20 [Standby service]	SC 14-RA terms and special provisions (See detailed chart below.)
24 [Riders]	4 and 4A (Rider exceptions)
29 [Delivery Rates]	1, par 2
SC 1, 2, 5, 6, 7, 8, 9, 12 and 13 delivery rates	21, 22, 24 through 30 (SC 1-RA, 2-RA, 5-RA, 6-RA, 7-RA, 8-RA, 9-RA, 12-RA, 13-RA)
SC 5, 8, 9, 12, and 13 Standby Service Rates	148-156 (SC 14-RA rates)
See text and chart regarding Standby Service	135-147, and 157-180C
SC 15	17B and 181 and 182 (SC 15-RA)
N/A	5, 5A , 11, 12, 18, 19, 20, 23, 31 through 134, 180-B – Blank: Reserved for future use.
Addendum - NEG to P.S.C. No. 10	Appendix A – Individually Negotiated Contracts
Addendum - UBP to P.S.C. No. 10	Addendum - UBP to PSC No. 2 - Retail Access

**Standby Service**

<b>P.S.C. No. 10 – Electricity</b>	<b>SC 14-RA of P.S.C. No. 2 – Retail Access</b>
20.1 [Definitions]	
20.1.1	135 (Standby service applicability)
20.1.2	n/a
20.1.3	142 (Otherwise Applicable Rate) and 180(M)
20.1.4	137 (SIR definition)
20.2 [Interconnection and Operation]	135 (interconnection)
20.2.1	136(A), 175 (except for the first sentence), 175A, 176
20.2.2	137(B) and 177
20.2.3	137(C)
20.2.4	137(D)
20.2.5	137(E) except for competitive metering
20.2.6	138(B)
20.2.7	175(E) first sentence
20.2.8	173(B)
20.3 [Customers Exempt from Standby Svc Rates]	
20.3.1	174(D)
20.3.2	142 (designated technologies), 180(P)
20.4 [Billing under Standby Service Rates]	
20.4.1	144 first par.
20.4.2	138(A) and 141(E)
20.4.3	138(C), 139(C), 140(C)
(Moved to 11.7 and SC common provisions)	141(D)
20.4.4 and 11 (economic develop. programs)	141(C) in part
20.5 [Delivery Charges under Standby Svc Rates]	141(F) and 144 part,
20.6 [Supply]	
20.6.1	173(C) as modified
20.6.2	174(C) and 179(K) part
20.7 [Negotiated Contracts]	180-C(R)
20.8 [Transfer to SC 14RA and to PSC No 10]	179(K) part [Also added text about transfer to new rate schedule, PSC No. 10]
20.9 [Applications]	180C(T) [Also added text about DG application set forth in General Rule 33]
N/A – contained in SC provisions	143, 173(A) and 180(S)
N/A	145-147, 157-172, 180B – Blank: Reserved for future use.
Moved to SC 5, 8, 9, 12, and 13	148-156 (rates) and 144 par. 2 re. 138 kV
N/A – No customers are billed under this rate.	178 (Special Provision I)
Moved to General Rule 10.5 (proration of charges)	179(J)
Moved to General Rule 10.8 (plural meters)	180(M)
N/A – does not apply to SC 9 standby rates	180(N)
24 [Riders]	180(O)
N/A - Standby-rate phase-in ended February 2011.	142 (existing customer), 180A(P), and 180A (Q)

**Service Classifications –Simplified Text Regarding the Availability of Redistribution****SC 1 and SC 7 Current**

- (D) Electricity will not be supplied under this Service Classification, and it is not available for either residential premises and uses, religious purposes and uses, veterans organizations' premises and uses, or community residences and uses:

Where the Company's service and supply of electric energy, under this Service Classification, in or to any buildings or premises or to the owner, or to any tenant or occupant thereof, is or will be furnished otherwise than directly to such owner, tenant or occupant as a Customer of the Company, through the Company's individual meters, upon the individual application of such owner, tenant or occupant to the Company; and the Company's service will be supplied under this Service Classification only on condition that electric service furnished to such buildings or premises or to the owner, or to any tenant or occupant thereof, is for his, her or its own use and will not be remetered (or submetered), resold, assigned or, except as provided under Special Provision (A) above, otherwise disposed of to another or others.

**SC 1 and SC 7 Proposed**

Special Provision D was eliminated, and text was moved to existing Special Provision A as follows:

- (A) The Company's electric service under this Service Classification will be metered and furnished directly to a Customer of the Company for the Customer's own use upon the individual application of such Customer. The Customer may not remeter (or submeter), resell, assign or dispose of the electric service to any tenant or occupant of the premises except as provided herein.

[Text then continues with "Service under this Service Classification is available..."]

**SC 2 Current**

- (A) The Company's service and supply of electric energy under this Service Classification will not be furnished otherwise than directly to a Customer of the Company, solely through the Company's meter or meters, upon the individual application of such Customer upon the form of application prescribed in this Rate Schedule, and will be supplied only on condition that such electric service is for the Customer's own use and, except as provided for in Rider G, will not be remetered (or submetered) or resold, assigned or otherwise disposed of to another or others, provided that the Customer may, except as otherwise prohibited in Special Provision B of this Service Classification, redistribute or furnish electric energy for the use of the tenants or occupants in the building or premises at which the Customer is supplied with electric service under this Service Classification, and provided that the Customer shall not resell, make a specific charge for, or remeter (or submeter) or measure any of the electric energy so redistributed or furnished.
- (B) The Company will not furnish electric energy to any Customer, for the purpose of redistributing such electric energy in residential buildings in which the internal wiring has not been installed prior to January 1, 1977, except upon a waiver of this provision by the Public Service Commission or if the service is to be measured by a "shared meter" as that term is defined in Public Service Law Section 52 and regulations adopted by the Public Service Commission.

**SC 2 Proposed**

- (A) The Company's electric service under this Service Classification will be metered (except as permitted under General Rule 6.9) and furnished to a Customer of the Company upon the individual application of such Customer. The Company will not furnish electric service to any Customer for the purpose of redistributing such electric service to any tenants or occupants of the premises unless: (1) in residential buildings, the internal wiring was installed prior to January 1, 1977; (2) the service is submetered pursuant to Rider G; or (3) the service is measured by a "shared meter" as that term is defined in Public Service Law Section 52 and regulations adopted by the Public Service Commission.

- (B) The Customer may not make a specific charge for the electric service furnished under this Service Classification unless the service is submetered pursuant to Rider G.

**SC 5 Current**

- (B) The Company's service and supply of electric energy under this Service Classification will not be furnished otherwise than directly to a Customer of the Company, solely through the Company's meter or meters, upon the individual application of such Customer upon the form of application prescribed in this Rate Schedule, and will be supplied only on condition that such electric service is for the Customer's own use and will not be remetered (or submetered) or resold, assigned or otherwise disposed of to another or others, except that the Customer may redistribute or furnish electric energy for the use of tenants or occupants in the building or premises at which the Customer is supplied with electric service under this Service Classification, provided that the Customer shall not resell, make a specific charge for, or remeter (or submeter) or measure any of the electric energy so redistributed or furnished.

**SC 5 Proposed**

- (B) The Company's electric service under this Service Classification will be metered and furnished directly to a Customer of the Company for the Customer's own use upon the individual application of such Customer. The Customer may not remeter (or submeter), resell, assign or dispose of the electric service to any tenants or occupants of the premises unless the Customer makes no specific charge for the electric service so redistributed or furnished.

**SC 8 and SC 12 Current**

- (A) The Company's service and supply of electric energy under this Service Classification will not be furnished otherwise than directly to a Customer of the Company, solely through the Company's meter or meters, upon the individual application of such Customer upon the form of application prescribed in this Rate Schedule, and will be supplied only on condition that such electric service is for the Customer's own use and, except as provided for in Rider G, will not be remetered (or submetered) or resold, assigned or otherwise disposed of to another or others, provided that the Customer may, except as otherwise prohibited in Special Provision B of this Service Classification, redistribute or furnish electric energy for the use of the Customer's tenants or occupants in the building or premises at which the Customer is supplied with electric service under this Service Classification, and provided that the Customer shall not resell, make a specific charge for, or remeter (or submeter) or measure any of the electric energy so redistributed or furnished.
- (B) The Company will not furnish electric energy to any Customer, for the purpose of redistributing such electric energy in residential buildings in which the internal wiring has not been installed prior to January 1, 1977, except if this provision is waived by the Public Service Commission or, beginning April 27, 2000, if the residential building is a qualified senior living facility. For the purposes of this provision, a "qualified senior living facility" is a facility for seniors that predominantly consists of individual living units, each with a separate kitchen and bathroom, but that provides central services to residents.

**SC 8 and SC 12 Proposed****SC 8**

- (A) The Company's electric service under this Service Classification will be metered and furnished directly to a Customer of the Company upon the individual application of such Customer. The Company will not furnish electric service to any Customer for the purpose of redistributing such electric service to any tenants or occupants of the premises unless: (1) in residential buildings, the internal wiring was installed prior to January 1, 1977; (2) the service is submetered pursuant to Rider G; or (3) the service is furnished to a residential building that is a qualified senior living facility, which is defined as a facility for seniors that predominantly consists of individual living units, each with a separate kitchen and bathroom, but that provides central services to residents.

**SC 12**

- (A) The Company's electric service under this Service Classification will be metered and furnished directly to a Customer of the Company upon the individual application of such Customer. The Company will not furnish electric service to any Customer for the purpose of redistributing such electric service to the tenants or occupants of the premises unless: (1) in residential buildings, the internal wiring was installed prior to January 1, 1977; (2) the service is submetered pursuant to Rider G; or (3) the service is furnished to a residential building that is a qualified senior living facility, which is defined as a facility for seniors that predominantly consists of individual living units, each with a separate kitchen and bathroom, but that provides central services to residents.

**SC 8 and SC 12**

- (B) The Customer may not make a specific charge for the electric service furnished under this Service Classification unless the service is submetered pursuant to Rider G.

**SC 9 Current**

- (A) The Company's service and supply of electric energy under this Service Classification will be furnished solely through the Company's meter or meters....

**SC 9 Proposed**

- (A) The Company's electric service under this Service Classification will be metered and furnished directly to the Customer..."

**SC 13 Current**

- (A) The Company's service and supply of electric energy under this Service Classification will not be furnished otherwise than directly to a Customer of the Company, solely through the Company's meter or meters, upon the individual application of such Customer upon the form of application prescribed in this Rate Schedule, and will be supplied only on condition that such electric service is for the Customer's own use and, except as provided for in Rider G, will not be remetered (or submetered) or resold, assigned or otherwise disposed of to another or others, provided that the Customer may, except as otherwise prohibited in Special Provision B of this Service Classification, redistribute or furnish electric energy for the use of the Customer's tenants or occupants in the building or premises at which the Customer is supplied with electric service under this Service Classification, and provided that the Customer shall not resell, make a specific charge for, or remeter (or submeter) or measure any of the electric energy so redistributed or furnished.

- (B) The Company will not furnish electric energy to any Customer, for the purpose of redistributing such electric energy in residential buildings in which the internal wiring has not been installed prior to January 1, 1977, except upon a waiver of this provision by the Public Service Commission.

**SC 13 Proposed**

- (A) The Company's electric service under this Service Classification will be metered and furnished directly to a Customer of the Company upon the individual application of such Customer. The Company will not furnish electric service to any Customer for the purpose of redistributing such electric service to the tenants or occupants of the premises unless: (1) in residential buildings, the internal wiring was installed prior to January 1, 1997, or (2) the service is submetered pursuant to Rider G.
- (B) The Customer may not make a specific charge for the electric service furnished under this Service Classification unless the service is submetered pursuant to Rider G.