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## GENERAL INFORMATION

### 2. How Service May Be Obtained: (Cont'd)

#### B. Extension of Facilities:

##### (1) Facilities within Highway or Private Right-of-Way

Subject to the provisions of 16NYCRR Parts 98, 99 and 100, the Company shall furnish, place, construct, operate, maintain and when necessary replace at its own cost and expense all electric distribution lines, service connections and other facilities within the territorial limits of any street, avenue, road or way that is for any highway purpose under the jurisdiction of the legislative body of any city, town, village, county or the State of New York, or on a private right-of-way when the Company elects to use such a route in lieu of construction within such limits, used by the Company for supplying electricity to its customers. In the case where facilities are damaged, destroyed, caused to be replaced or reconstructed by an act or omission of any customer, person, corporation or other entity, the Company may recover its costs and expenses for such replacement or reconstruction from the party responsible for such act or omission.

##### (2) Company Obligation:

When a written request for electric service is made to the Company by an applicant whose property abuts on or has access to, any public right-of-way (other than a controlled access highway) in which the governmental authority having jurisdiction shall permit the Company to install and maintain facilities, the Company shall:

- (a) render the service requested in accordance with the provisions of this tariff;
- (b) furnish, place, construct, operate, maintain, and (when determined to be necessary by the Company or the Commission) reconstruct, or replace all electric facilities within public right-of-way and other right-of-way when the Company elects to use such right-of-way in lieu of constructing facilities within public right-of-way, at its own cost and expense, subject to the provisions of this tariff which cost and expense shall include the amounts paid to governmental authorities for permits to do the work required and any additional amounts paid for the right(s) to make such elective use of other rights-of-ways;
- (c) maintain, repair, and if necessary replace a service line, at its own expense, if the Company installed it and if installed by the customer, only to the extent that the Company contributed toward the installation of the service line, provided that any necessary easements are provided by the applicant or customer. The Company shall maintain applicant installed distribution facilities beyond the public right-of-way to the extent required by 16 NYCRR Parts 98.4 and 98.5;
- (d) grant the appropriate footage allowance as required by Rules 2.B.(6) and 2.B.(7) of this tariff; and

## GENERAL INFORMATION

### 2. How Service May Be Obtained: (Cont'd.)

#### B. Extension of Facilities (Cont'd.)

##### (3) Obligations of all Applicants:

Whenever an applicant, owner or occupant whose property abuts on any street, avenue, road or way upon which there is no electric line appropriate to the service requested for said property, makes a written application to the Company for service, the Company shall furnish, place and construct such lines to serve said property (either by using Company employees or contractors or, at the customer's option in the case only of overhead line extensions and under the conditions stated in 2.B.(2)(c)(ii), by permitting customers to hire contractors to do the work) provided that the applicant:

- (a) has first provided reasonable assurance to the Company that the use for which the service is requested shall be permanent;
  - (b) (i) has paid, or agreed in writing to pay, all costs (including materials, installation costs and the associated overhead costs based on average historical costs) relating to any portion of the distribution line, service line and appurtenant facilities, (other than Account 368 "Transformers" or Account 370 "Meters"), that exceed the portion that the Company shall provide without a contribution from the applicant as stated in 2.B.(6) and 2.B.(7). The costs (to be paid the Company in a lump sum or as a 10-year surcharge payment as further described in this Tariff) shall be determined based on the Company's Engineering estimate for each individual case; OR,
  - (ii) has elected to arrange with a private contractor for the construction of any portion of the overhead distribution line or service line that exceeds the portion that the Company shall provide without a contribution from the applicant, as stated in Rules 2.(B).(7)(a) and (b). This option is only available to the extent consistent with any governmental prohibitions or limitations on work by private contractors within the public right of way. Where such arrangements are made:
    - applicants shall be required to pay the Company an Engineering Fee based on field engineering and inspection costs experienced by the Company, and must agree to ensure that the contractor's work meets all standards specified by the Company;

## GENERAL INFORMATION

### 2. How Service May Be Obtained: (Cont'd.)

#### B. Extension of Facilities (Cont'd.)

##### (3) Obligations of all Applicants: (Cont'd.)

- The Company shall assume ownership and responsibility for the Distribution Line and right of way upon verification that the completed line meets required standards and is placed in service, and the Company shall thereafter maintain the line as if it were constructed by the Company or its contractors. Placed in service is to mean connected to the Company's existing facilities by the Company;
  - if additional applicants request service off the distribution line within 10 years of its construction, excess line allowances shall be recalculated as described in Rules 2.B.(4)(c)(i) and 2.B.(3)(f). Any prorated refund shall be at the lesser of the customer's actual, invoiced construction cost or the Company's average experienced construction costs;
  - at the Company's discretion it shall construct the applicant's distribution line allowance (500' single phase or 300' three phase) or reimburse the applicant for the applicable allowance at the lower of the applicants' invoiced construction costs or the Company's actual experienced costs.
- (c) has either:
- (i) delivered to the Company, free from cost, any necessary easements or rights-of-way; or,
  - (ii) paid, or agreed in writing to pay, any charge relating to the Company's acquisition of the necessary easement or rights-of-way. The applicant must indicate to the Company, in writing, that they have been unable to obtain such easement or rights-of-way; and
- (d) has furnished reasonable security, based on the estimated construction costs of the portion of the line extension in excess of what the Company provides without charge, if so required by the Company.

**GENERAL INFORMATION**

2. How Service May Be Obtained: (Cont'd.)

B. Extension of Facilities (Cont'd.)

(4) Additional Obligations of Residing Applicants:

Before service is provided, a residing applicant shall comply with the "Obligation of all Applicants" and in addition shall comply with the following requirements:

- (a) Signed, or agreed to all the provisions on, the Application for Electric Service, a form of which is provided in Rule 2.I.; and
- (b) Agreed to pay the Company the rates charged like customers; and,
- (c) Paid, or agreed to pay the Company for the installation costs and expenses of any distribution lines, service lines, right-of-way and appurtenant facilities, in excess of any allowances under this Rule, prior to the commencement of construction. The costs and expenses for each applicant shall be determined as follows:
  - (i) Service Lines - the costs and expenses for all facilities in excess of any allowances provided under Rule 2.B.(6).
  - (ii) Distribution Lines - the costs and expenses for all facilities in excess of any allowances provided under Rule 2.B.(6) for any distribution line required exclusively to provide service to the applicant's property and a pro rata portion of the costs and expenses for all facilities in excess of any allowances provided under Rule 2.B.(6) for any portion of the distribution line that provides service to more than one applicant's or customer's property. The pro rata portion shall be calculated as follows: each applicant shall be provided a distribution footage allowance of up to the distribution footage allowance under Rule 2.B.(6) as required for each customer property to be served. Each individual applicant's distribution allowances shall then be totaled to determine the aggregate footage allowance for the distribution line. If an applicant is taking service within this aggregate footage allowance section of distribution provided without cost, then the applicant shall not be required to pay for distribution costs. For any sections of distribution beyond the aggregate distribution footage allowances, each applicant of the section beyond the aggregate footage allowances shall pay for that portion of the costs and expenses for that distribution section divided by the number of customers served by that distribution section. If, within 10 years from the date that the extension went into service, any new customer is added to the extension any allowances provided to such an applicant shall be first applied to the existing extension and, if the extension branches or diverges from the existing extension, then and thereafter to the new or additional distribution extension.
- (d) A residing applicant may elect to either:
  - (i) Pay a lump sum payment for the costs and expenses of such facilities. If, within ten years from the date that the extension went into service, either (1) any new customer is added to the extension the payment amounts shall be recalculated and the applicant that paid a lump sum payment shall receive a prorata refund, without interest, for the cost of that additional portion of distribution lines that the applicant would have received without contribution or (2) the total revenue from all customers served by the distribution extension exceeds 1.5 times the Company's costs and expenses in each of any two consecutive calendar years, the applicant shall receive a prorated refund, without interest, of the lump sum payment based upon the number of years which elapsed before the revenue test was met; or

## GENERAL INFORMATION

### 2. How Service May Be Obtained: (Cont'd.)

#### B. Extension of Facilities (Cont'd.)

##### (4) Additional Obligations of Residing Applicants: (Cont'd.)

(d) (ii) Pay a monthly payment for such facilities. The surcharge shall be applicable for 10 years, and billed in monthly installments by the Company as set forth below. When any new customer is added to the extension, the surcharge shall be recalculated and the payment amount adjusted for the remaining years. However, the interest factor shall remain constant for the life of the surcharge.

(iii) The monthly payment shall be calculated as follows:

Monthly payment =  $L \times R$   
where:

$L$  = Total cost of excess facilities, including appropriate Right-of-Way costs if requested by the customer, less down payment.

$R$  = Monthly capital recovery factor =  $I \div (1 - \{1 + I\}^{-120})$

$I$  =  $C \div 12$

$C$  = Company's weighted pre-tax cost of capital as established in its most recent rate proceeding.

Note: If the initial amount of excess construction charges is less than \$1,000, the applicant must make a lump sum payment as specified in Rule 2.B.(3)(c)(i).

(iv) At any time, the applicant may make a lump sum payment of the outstanding principal balance. Such lump sum payment shall be subject to refund for the remaining term of the original 10-year agreement as customers are added to the excess line extension.

(v) Any applicant who may be served within the distance of the aggregate free allowance shall incur no cost for the distribution line.

(vi) The remainder of any unpaid installment charges shall be collectible from any subsequent owner of the premises served provided the original surcharge agreement contains the bold face notice: **"THE APPLICANT IS REQUIRED TO INFORM A PROSPECTIVE OWNER OF SUCH OBLIGATION."**

(e) Within 10 years from the commencement of service any new applicants taking service from excess cost distribution lines are subject to either a lump sum payment or a monthly payment based on a 10-year plan. Such adjusted payment shall be recalculated in accordance with Rule 2.B.(4)(c) and (f).



## GENERAL INFORMATION

### 2. How Service May Be Obtained: (Cont'd.)

#### B. Extension of Facilities (Cont'd.)

##### (4) Additional Obligations of Residing Applicants: (Cont'd.)

##### (f) Line extension costs shall cease or be adjusted as follows:

- (i) If within 10 years of the commencement of service more than one applicant is served from such distribution line, each applicant shall bear a portion of the distribution line cost prorated based upon the applicant's distance along the extension. After 10 years from the commencement of service from such distribution line extension, applicants requesting service from that extension shall not be subject to excess line extension costs.
- (ii) Within 10 years of the commencement of service from such distribution line, whenever the aggregate entitlement (combined total of each individual's actual free allowance which shall be the applicant's actual required footage up to 500 feet) of the customers then served from the line equals or exceeds its length, the charge for excess distribution line extension shall terminate to all customers served from such distribution line.
- (iii) Each applicant's share of the costs for distribution line beyond the aggregate free allowances shall be the prorated share of the costs and expenses for the section of distribution line required to serve that customer. No applicant/customer shall be responsible for any of the cost of distribution line footage which extends beyond the point on the distribution line from which the applicant/customer receives service.
- (iv) Charges for the excess distribution line extension shall cease, whenever the total revenue from all customers served from the associated distribution line extension exceeds 1.5 times the actual capital cost of such extension for each of any two consecutive calendar years occurring within 10 years from the date the first customer took service. Where a customer has made a lump sum payment, an appropriate prorated refund shall be made based on the number of years the line has been available for service prior to the revenue test being satisfied.
- (v) No excess distribution line extension charges shall be imposed if the Company estimates that the total revenue to be received from all customers served from the associated distribution line extension shall exceed 1.5 times the actual capital cost of such extension for each of any two consecutive calendar years occurring within 10 years from the date the first customer takes service from that extension.

## GENERAL INFORMATION

### 2. How Service May Be Obtained: (Cont'd.)

#### B. Extension of Facilities (Cont'd.)

##### (5) Additional Obligations of Non-Residing Applicants:

Before service is provided a non-residing applicant shall comply with the requirements required of the applicants (Rule 2.B.(3)) and in addition shall have:

- (a) cleared any right-of-way conveyed to the utility of tree stumps, brush and other obstructions and graded such right-of-way to within six inches of final grade at no charge to the Company where electric distribution lines, service lines, or appurtenant facilities are required to be installed underground or shall be placed underground at the request of the applicant,
- (b) provided a survey map certified by a licensed professional engineer or land surveyor and certified to as final by the applicant, showing the location of each dwelling (if known), lot, sidewalk and roadway.
- (c) placed and agreed to continue to maintain survey stakes indicating grade and property lines,
- (d) furnished to the Company or agreed to furnish a map showing the location of all existing and proposed underground facilities, as soon as the location of such facilities is known, and prior to commencement of construction by the Company,
- (e) agreed to maintain the required clearance and grading during construction by the Company,
- (f) if required by the Company, paid contributions and deposits in accordance with Rule 2.C.(4) and 2.C.(10).

**GENERAL INFORMATION**

2. How Service May Be Obtained: (Cont'd.)

B. Extension of Facilities (Cont'd.)

(6) Underground Allowances for Provision of Service:

(a) Allowance for Required Residential Underground Service:

Where the Company is required, by the Commission or a governmental authority having jurisdiction to do so, to provide residential underground service, the cost and expense which the Company must bear, except as otherwise provided in this tariff, shall include all costs for up to a total equivalent of 100 feet of underground electric facilities (including supply line, distribution line, and service line) per dwelling unit served, measured from the Company's existing overhead electric system (from the connection point on the bottom of the riser pole for overhead to underground connections) to each applicant's meter or point of attachment with respect to each residential building. Where the application is for service to a multiple occupancy building, the Company shall bear the material and installation cost for up to 100 feet of underground line times the average number of residential dwelling units per floor.

(i) Agreed to maintain the required clearance and grading during construction by the Company.

## GENERAL INFORMATION

### 2. How Service May Be Obtained: (Cont'd.)

#### B. Extension of Facilities (Cont'd.)

##### (6) Underground Allowances for Provision of Service: (Cont'd.)

###### (b) Allowance for Non-Mandatory Residential Underground Service:

Where an applicant requests a residential underground service line in situations other than those described in (a), the cost and expense which the Company must bear shall include the material and installation costs equivalent to those relating to the length of overhead service line which the applicant would otherwise be entitled under Rule 2.B.(7)(a) measured from the Company's existing electric system (from the connection point on the bottom of the riser pole for overhead to underground connections) to each applicant's meter or point of attachment with respect to each residential building.

###### (c) Allowance for Residential and Nonresidential Underground Service elected by the Company:

Where the Company chooses to provide residential or nonresidential underground service, the cost and expense which the Company must bear shall include the material and installation costs relating to the necessary Company facilities that exceed the amount which the applicant would be required to pay if such facilities were installed overhead.

###### (d) Provision of Mandatory or Non-Mandatory Nonresidential Underground Service:

Where requested to provide a nonresidential underground service to an applicant, or where a governmental authority having jurisdiction to do so requires undergrounding, the cost and expense which the Company must bear shall include the material and installation costs equivalent to those relating to the provision of nonresidential overhead service to which the applicant would otherwise be entitled under Rule 2.B.(7)(b).

##### (7) Overhead Allowances for Provision of Service:

###### (a) Allowance for Residential Overhead Service.

Where the Company is permitted to provide residential overhead service, the cost and expense which the Company must bear shall be equal to the material and installation costs for up to 500 feet of single phase overhead distribution line and up to 100 feet of service line.

###### (b) Allowance for Nonresidential Overhead Service.

Where permitted to provide nonresidential overhead service, the cost and expense which the Company must bear shall be equal to the material and installation costs for up to 500 or 300 feet of overhead distribution line, for single-phase and three-phase service, respectively.

###### (c) Allowance for a Combination of Overhead and Underground Service.

The costs and expenses the Company must bear shall be equal to the material and installation costs equivalent to those allowances contained in Rule 2.B.(7)(a) or Rule 2.B.(7)(b), respectively.

**GENERAL INFORMATION**

2. How Service May Be Obtained: (Cont'd.)

C. New Construction of Underground Facilities in Residential Subdivisions:

(1) Right-of-Way:

An applicant for service requiring the extension of underground lines shall execute and deliver to the Company free from cost, and in reasonable time to meet service requirements, permanent easements or rights-of-way in accordance with the policies stated in Sections 2. B.(2) and 2. B.(4) of this tariff.

(2) Application and Installation:

For purposes of this Rule 2.C., a subdivision is a tract of land divided into five or more lots for the construction of new buildings, or the land on which new multiple-occupancy buildings are to be constructed, the development of either of which has been approved or was required to have been approved by the governmental authorities having jurisdiction over land use.

Any distribution line, service line and appurtenant facilities necessary to furnish permanent electric service to one or more new multiple-occupancy buildings containing four or more individual dwelling units, and any such facilities necessary to furnish permanent electric service within a residential subdivision in which it is planned to build five or more new residential buildings, and upon compliance by the applicant with the requirements of this Rule, shall be installed underground in accordance with the provisions contained herein:

- (a) if the residential subdivision shall require no more than 200 trench feet of facilities per dwelling unit planned within the subdivision; or,
- (b) if the developer of the residential subdivision applies for underground service; or,
- (c) if underground service is required by a municipal ordinance, or other governmental authority having control of the land use.

Upon receipt of written application, the Company shall inform the telephone and CATV companies that service the area in which the residential subdivision is located, of the receipt of such application. Upon compliance by the applicant with the requirements of these rules, the Company shall install underground electric distribution lines with sufficient capacity and of suitable material which, in its judgment, shall assure that the applicant shall receive safe and adequate electric service. The applicant shall provide the Company sufficient building design and electric load information to facilitate the Company's electrical design and adequate space for facility installation. Such installation shall be made at a time appropriate to render service as determined by the Company, but the Company shall not delay construction after a timely application is received so that the applicant shall be delayed in the sale or other disposal of the buildings or lots, except where such delay is caused by strikes, fire, flood, inclement weather, unavailability of materials, civil disorders, or other conditions beyond the control of the Company. No overhead circuits, including street lighting circuits shall thereafter be installed by the Company within a residential subdivision having underground distribution lines.

Under certain conditions as set forth in Rule 2.C.(9), the Company may install overhead distribution lines in new subdivisions.

(1) Pre-conditions

Prior to construction, the applicant shall:

- (a) Execute the Application for Underground Residential Distribution System and Comply with any applicable provisions of Rule 2.

**GENERAL INFORMATION**

2. How Service May Be Obtained: (Cont'd.)

C. Underground Extensions for New Residential Subdivisions: (Cont'd.)

(3) Service Connection:

The Company shall designate the service connection point to a building or to a multiple occupancy building and the point at which the service lateral shall connect to the Company's electric distribution lines or equipment. Each service lateral within the lot line and running to each building shall be installed by the applicant in accordance with the Company's specifications.

(4) Excessive Costs:

If the Company receives an application for underground service and the estimated per foot cost of installation for the subdivision is greater than two times the charge per foot filed with the Public Service Commission, the Company or applicant may petition the Public Service Commission to allow overhead service. The petition shall set forth the relevant economic, engineering, or environmental factors. If the necessary facilities are proposed to be in a VSR, the procedures set forth in 16 NYCRR Part 99.2 shall apply. If the residential subdivision is located within the Adirondack Park, the utility shall send a copy of the petition to the Adirondack Park Agency.

(5) Connection to Supply System

The connection from the existing electric distribution system to the underground distribution lines installed within the applicant's subdivision shall be made by the Company.

Allowances, as stated in 2.B.(6)(a), shall be applied to the distribution line within the subdivision and service lines in the subdivision, in that order, unless a governmental requirement mandates the supply line to be placed underground, in which case such allowances shall be applied to the supply line first. Any underground line extension requirements to provide service to the applicant, that exceed the designated allowances, shall be constructed by the Company, but shall require a contribution by the applicant.

Where any part of the supply line, in excess of that portion included in the Company's allowance, is to be placed overhead, an applicant must submit a written application to the Company at least 75 days prior to the projected commencement of the construction of the supply line. The Company must report such projected construction to the Commission no later than 45 days before such construction is commenced. The Commission reserves the right to require the underground installation of particular lines, on the basis of the relevant economic, engineering, or environmental factors.

In the event the Company either intends, at its own discretion, or is required pursuant to this tariff to place underground connecting supply lines between an existing electric system and the underground distribution lines installed within an applicant's residential subdivision, the Company shall inform the telephone company and cable television company serving the area in which the residential subdivision is located. If a new common access route from the existing electric system to the residential subdivision shall be used, the connecting supply lines of the utility and the telephone company and cable television company shall be placed underground.

If a governmental authority having jurisdiction to require undergrounding, has required that underground facilities be installed, the Company shall furnish and construct, when necessary, an amount of underground supply circuit from the boundary line of the subdivision to the Company's existing distribution system. The "supply line" shall be charged by actual costs as specified in the URD Statement at the end of this Schedule (P.S.C. No. 119 – Electricity).

## GENERAL INFORMATION

### 2. How Service May Be Obtained: (Cont'd.)

#### C. Underground Extensions for New Residential Subdivisions: (Cont'd.)

##### (6) Contributions (Deposit info)

Where the installation of electric facilities is required to serve a residential subdivision or approved section thereof or to serve a multiple occupancy building, a deposit subject to complete or partial refund shall be required.

The Company shall accept from a non-residing applicant, before construction is begun, a deposit equal to the Company's portion of the total estimated cost of construction. This deposit is in addition to the applicant's payment of its share of costs for installation. The deposit shall be refunded to the applicant, with interest (at the consumer deposit rate), at the rate of up to 100 feet per dwelling unit or the actual footage required per dwelling unit based upon the original subdivision plan, whichever is lower, as meters are set for each dwelling unit. The total amount refunded shall not exceed the total original deposit. However, any portion of the deposit remaining unrefunded five years from the date the Company is first ready to render service from the underground electric distribution lines, shall be retained by the Company. Upon mutual agreement of both the Company and applicant, a bond may be posted in lieu of any deposit.

In cases where the applicant has purchased a lot within a subdivision and the developer of the subdivision is not primarily engaged in the construction of dwelling units within the subdivision and has not applied for the extension of electric distribution lines in a subdivision which is required to have underground service, the Company shall install underground distribution lines to serve an applicant who is the purchaser of a lot within the subdivision and to other areas of the subdivision as may be dictated by considerations of efficiency and economy and shall charge the applicant for his pro rata share of applicable charges. As additional applicants apply for service and utilize the distribution lines installed to serve a prior applicant the Company shall charge the additional applicant for his pro rata share of the distribution lines as allowed in 2.B.(3).

##### (7) Cooperation:

Each applicant shall cooperate with the Company in an effort to keep the costs of construction and installation of the underground electric distribution lines, service lines, and appurtenant facilities, as low as possible, consistent with the requirements for safe and adequate service, including reasonable provision for load growth and requirements of 16 NYCRR Part 101.

All sewers, water facilities and drainage facilities shall be installed before the Company commences construction.

##### (8) Applicant Trenching in Subdivision

A non-residing applicant for underground service to a residential subdivision has the option to do his own trenching, or have it done, and receive payment from the Company for the amount per foot specified in the URD Statement found at the end of this Schedule (P.S.C. No. 119). For any excavation work done by the applicant, the Company may charge a fee to inspect the applicant's work and insure compliance with Company specifications.

## GENERAL INFORMATION

### 2. How Service May Be Obtained: (Cont'd.)

#### C. Underground Extensions for New Residential Subdivisions: (Cont'd.)

(9) Exceptions to the General Rule:

The installation of overhead distribution facilities may be allowed under the following circumstances:

(a) Large Lots

When the average trench footage per dwelling unit planned within a subdivision exceeds 200 feet, and the developer does not request nor has a governmental authority with jurisdiction to do so required that underground facilities be installed, overhead lines may be installed.

(b) Excessive Cost

Where the trench cost per foot would be greater than twice the filed cost per foot shown in the Statement of Underground Residential Distribution Contribution (URD Statement), the Company or applicant may petition the Public Service Commission to allow overhead lines or grant other appropriate relief, if a governmental authority having jurisdiction to do so has not required that underground facilities be installed.



## GENERAL INFORMATION

### 2. How Service May Be Obtained: (Cont'd.)

#### C. Underground Extensions for New Residential Subdivisions: (Cont'd.)

##### (9) Exceptions to the General Rule: (Cont'd.)

##### (c) Slow Development of a Subdivision

The Company may install overhead distribution lines in a residential subdivision or section thereof otherwise required to have underground distribution lines when;

- (i) the developer of the residential subdivision is not primarily engaged in the construction of dwelling units within the residential subdivision;
- (ii) no governmental authority having jurisdiction to do so has required underground service; and
- (iii) either:
  - 1) five years have elapsed from the sale of the first lot within the residential subdivision to the first application for installation and the Company has no indication that there shall be other new applicants in the residential subdivision within six months, or
  - 2) five years have elapsed from the time of final approval of the residential subdivision or section thereof and less than 25% of the lots have been sold in the residential subdivision or any section thereof except where 10% or more of the lots in the residential subdivision or any section thereof have been sold within the last two years.
- (iv) In cases where overhead installation would be permissible in accordance with conditions (iii), except that less than five years have elapsed and the Company has reason to believe that the residential subdivision shall not be developed sufficiently soon to permit the orderly utilization of underground lines installed to serve the initial applicant(s), the Company may petition the Commission to allow overhead installation. Such petition shall set forth the relevant economic, engineering, or environmental factors. The petition shall be granted or denied based on those factors.

The petition shall be granted or denied based on those factors.

**GENERAL INFORMATION**

2. How Service May Be Obtained: (Cont'd.)

C. Underground Extensions for New Residential Subdivisions: (Cont'd)

(9) Exceptions to the General Rule (Cont'd):

(d) Environmental Effects

When the Company or applicant believes the installation of overhead lines would be more environmentally desirable than underground facilities, the Company or applicant may petition the Public Service Commission to allow overhead lines, if a governmental authority having jurisdiction to do so has not required that underground facilities be installed.

- (i) Service to a residential subdivision may be supplied overhead if no governmental authority having jurisdiction to do so has required undergrounding and the Company can provide service to the entire residential subdivision under the following circumstances:
- By extending its facilities no more than 600 feet in a cul-de-sac where a portion of the street within the residential subdivision is served by overhead facilities within or at the entrance of the cul-de-sac; or
  - By connecting an area between existing overhead facilities for a distance of 1,200 feet, or less.
- (ii) If no governmental authority having jurisdiction to do so has required undergrounding, service to a residential subdivision may be supplied overhead by installing service laterals to new applicants from existing overhead lines.

Where the Company constructs overhead lines because of reasons in paragraph (i) it shall report such overhead construction to the Commission quarterly along with a description of the project. Notwithstanding the foregoing provisions, if the necessary facilities are proposed to be in a VSR, the procedures set forth in 16 NYCRR Part 99.2 shall apply.

(e) Cul-de-sac

Overhead facilities may be installed when no more than 600 feet of overhead extension is required to serve a cul-de-sac where a portion of the street within the subdivision is served by overhead facilities within or at the entrance to the cul-de-sac, if a governmental authority having jurisdiction to do so has not required that underground facilities be installed.

## GENERAL INFORMATION

### 2. How Service May Be Obtained: (Cont'd.)

#### C. Underground Extensions for New Residential Subdivisions: (Cont'd)

##### (9) Exceptions to the General Rule (Cont'd):

- (f) **Connection of Existing Overhead Lines**  
Overhead facilities may be installed when existing overhead distribution lines can be connected by no more than 1,200 feet of extension, if a governmental authority having jurisdiction to do so has not required that underground facilities be installed.
- (g) **One-pole Extension**  
Where a one-pole extension, including but not limited to road crossing pole extensions, would enable an existing overhead distribution line to be connected to a proposed distribution line in a residential subdivision, such extension may be installed overhead, rather than underground; provided, however, that the necessary facilities are proposed to be in a VSR, the procedures set forth in 16 NYCRR Part 99.2 shall apply.
- (h) **Service Laterals**  
Overhead service laterals may be installed in new subdivisions from existing overhead distribution lines, if a governmental authority having jurisdiction to do so has not required that underground facilities be installed. In unusual circumstances when the application of these rules appears impracticable or unjust to either party or discriminatory to other customers, the applicant or the Company may refer the matter to the Public Service Commission for a special ruling or for approval of special conditions mutually agreed upon prior to commencing construction.

### GENERAL INFORMATION

2. How Service May Be Obtained: (Cont'd.)

D. Application of Other Extension Plans:

Where the Company acquires facilities from another utility and the customers are served from a line extension constructed under a surcharge plan, the Company shall continue to bill such customers the same surcharges as previously paid, or surcharges computed in accordance with the provision of the plan outlined in this Schedule, whichever may be lower.

E. Seasonal Service:

Each customer taking seasonal service shall guarantee a minimum seasonal charge of 12 times the per month Customer Charge as provided by S.C. No. 1 of P.S.C. No. 120 - Electricity or superseding issues thereof.

F. Unusual Conditions and Increased Loads:

1. Where the Company cannot be assured that the business to be served shall be permanent or where unusual expenditures are necessary to supply service because of the location, size, or character of the applicant's or customer's installation, facilities shall be constructed only when applicant or customer makes an adequate contribution toward the cost of such facilities, or guarantees continued payment of bills for electric service, or makes other satisfactory arrangements which would be sufficient to warrant the Company to undertake the investment and expense involved.
2. The customer should give the Company any reasonable advanced written notice, of any proposed new or increased service required, setting forth in such notice the amount, character, and the expected duration of time the new or increased service shall be required. If such new or increased load exceeds 150 kilovolt-amperes, and if it necessitates new or added or enlarged facilities (other than metering equipment) for the sole use of customer, the Company may require the customer to make a reasonable contribution to the cost of the new or added or enlarged facilities whenever customer fails to give assurance, satisfactory to the Company, that the taking of the new increased service shall be of sufficient duration to render the supply thereof reasonably compensatory to the Company. The customer or the Company may apply to the Public Service Commission for a ruling as to the necessity for and reasonableness of the contribution required.
3. If a customer is found to be the source of any disturbances, variations, or harmonics that affect the service of another customer or area, the customer causing such disturbances, variation or harmonics shall install the necessary equipment or change operating practices to alleviate such disturbances, variations, or harmonics. If such customer refuses or fails to install such equipment or change operating practices, then the Company shall install the necessary equipment to alleviate the problem. The customer causing such disturbances, variations, or harmonics shall bear the Company's full costs and expenses incurred in remedying the situation.

G. Temporary Service:

Temporary service is nonrecurring service intended to be used for a short time only, seasonal, or service to a building, structure or personal property which is nonpermanent in that it may be readily removed or relocated.

An applicant or customer requiring temporary service for other than a permanent residential dwelling unit shall, upon signing for such service, pay to the Company a nonrefundable amount equal to the estimated cost to the Company for labor, material, and all other costs occasioned by the installation and removal of the service.

Where the installation presents unusual difficulties as to metering the energy supplied, the Company may estimate the amount of energy consumed and may bill the customer in accordance with such estimated amount applied to applicable rate classification.

### GENERAL INFORMATION

2. How Service May Be Obtained: (Cont'd.)

G. Temporary Service (Cont'd):

If a distribution line is required to be extended in order to provide the temporary service, the applicant shall pay the Company's full costs and expenses for the installation and removal of the distribution line.

As a general rule a trailer is considered to be a non-permanent installation. A trailer, building or structure shall be considered permanent when it is not movable and set on and permanently attached to a masonry foundation and connected to a permanent water supply and septic/sewer system. The permanent water supply and the septic/sewer system must be approved by the appropriate municipality or agency having jurisdiction in the area. A foundation under this Rule does not include a concrete or cement pad.

Temporary service shall be furnished under the applicable Service Classification without term limitation.

H. Standby: Auxiliary or Breakdown Service

Customers operating power generating equipment and having equipment that may be operated by privately generated power or by purchase power, may contract for service under an applicable Service Classification. The customer shall not operate their own power generating equipment in parallel with the Company's service except under control by, and with the Company's consent.

### GENERAL INFORMATION

3. Service Connections/Meters:  
A. General:

The Company shall furnish and install the meter or meters to measure the electricity used by the Customer in accordance with the provisions of the Service Classification applicable to the service. Such meter or meters shall be installed on the Customer's side of the point of supply.

Meters installed by the Company shall remain the property of the Company except as provided for in Rule 3.A(2). The Customer shall protect the meter and furnish sufficient and proper space for its installation.

1. The Company shall furnish a meter necessary to provide the Company's basic billing determinants consistent with the customer's Service Classification and connect its distribution lines with the customer's service entrance. The wiring equipment, meter board, self-contained meter enclosure, fuse box, service switch, stand-pipe, and appurtenances shall be furnished by the customer and shall be installed and maintained in an approved location, readily accessible at all reasonable times to employees of the Company. The Company shall furnish commercial (single and polyphase) meter enclosures, residential polyphase meter enclosures, and residential single-phase, transformer-rated meter enclosures, when deemed necessary by the Company, at its own expense. The costs and expenses of the meter enclosure and socket shall be borne by the Customer and/or applicant. All meter enclosures and sockets must be approved by the Company. For metering installations which require instrument transformers be included as part of the meter enclosure, the meter enclosure must be approved by and purchased from the Company. Customers are required to buy the ct enclosure. Where high tension/primary voltage service is supplied, the customer at their expense and in a manner satisfactory to the Company shall furnish, install, and maintain on his premises, such switches, transformers, regulators and other equipment as the Company may deem necessary. A customer may obtain an underground service connection with the Company's overhead distribution system by installing, maintaining, and relocating, as required, the underground service connection at their own expense.
2. Existing meters installed at customer sites shall be used to derive basic billing determinants for the Company. The Company may elect to replace an existing Company-owned meter or install additional metering equipment at the customer site to obtain load profile data. The Company shall purchase, install and operate all meters and metering equipment that is necessary to provide the basic billing determinants and load profile data consistent with the customer's Service Classification as required for Company purposes. If a meter or service entrance equipment has been found to be tampered with, or a theft of service has occurred the Company may charge the Customer its costs and expenses for investigating, repairing and replacing the meters and associated service equipment and the Company's costs and expenses for removing the meter and installing it in a secure location.

B. Meter Owned by Customer, Installed and Maintained by the Company:

1. Large Commercial and Industrial Time-of-use customers (not third parties) with greater than or equal to 500 kW single point (non-aggregated) average monthly billing demand have the option of owning a Commission-approved meter compatible with the Company's metering infrastructure with the Company retaining sole control of that meter. Such metering shall be installed, operated and maintained by the Company at the customer's expense. The customer shall be responsible for all costs or expenses incurred by the Company and associated with the request to own a meter. Customers must contact the Company to obtain an application for meter ownership. A written meter application, completed by the customer, shall serve to notify the Company of the customer's election to own their meter.

### GENERAL INFORMATION

#### 3. Service Connections/Meters: (Cont'd.)

##### A. General: (Cont'd.)

##### B. Meter Owned by Customer, Installed and Maintained by the Company: (Cont'd.)

1. Customers, as specified in paragraph 2.a above, will not be charged the monthly Meter Ownership Charge applicable to the customer's Service Classification and voltage level.
2. Any customer may request the installation of a Commission-approved meter compatible with the Company's metering infrastructure which provides other than the basic billing determinants consistent with the customer's service classification. Such metering, subject to the availability of equipment, shall be installed, operated and maintained by the Company at the customer's expense.
3. Only Commission-approved meters compatible with the Company's metering infrastructure shall be installed. The infrastructure requirements include compatibility with the Company's meter reading systems, meter communication systems, billing, testing procedures, maintenance requirements, installation specifications and procedures, and security and safety requirements.
4. The Company shall perform any operations, including, but not limited, to programming, installing, reading, disconnecting, reconnecting, sealing, testing, maintenance and removing meters and metering equipment in connection with providing service to the customer.
5. The customers shall provide, at their own expense, any communication service and equipment necessary to remotely communicate with a customer-owned or requested meter or if the Company requires remote communications to access the unique meter requirements.

##### C. Meter Owned, Installed and Maintained by Third Party:

1. Consistent with the Commission's New York Practices and Procedures for The Provision of Electric Metering In A Competitive Environment, set forth within Addendum-MET of P.S.C. No. 119 ("Manual") and adopted by the Commission in its Order issued and effective January 31, 2001 in Case 94-E-0952 and Case 00-E-0165 or superseding issues thereof, Qualified Customers who have a metered demand of at least 50 kW at each meter in any two consecutive months during the most recent 12-month period may select the Competitive Metering Option as set forth in P.S.C. No. 120 - Electricity, at Section 14 Competitive Metering Option.

### GENERAL INFORMATION

#### 3. Service Connections/Meters: (Cont'd.)

##### A. General: (Cont'd.)

##### C. Meter Owned, Installed and Maintained by Third Party: (Cont'd.)

2. The Company is not responsible for the adequacy or safety of customer's metering equipment or wiring. The Company reserves the right to discontinue service whenever the customer or other third party fails to maintain such metering equipment and wiring in a safe and adequate condition or fails to utilize electricity in such a manner as to avoid interference with the service provided by the Company to other customers, or with the use of service by customer or others.
3. New or re-built meter installations shall, at a minimum, conform to National Electric Code requirements and shall be subject to inspection from an independent, competent inspection body.
4. Consistent with the Manual, customers must provide the utility and MSP/MDSP with clear access to the metering site for the purpose of meter installation, reading, inspecting or auditing the metering installation, recovery of metering equipment, or maintaining metering equipment.
5. For the Competitive Metering Option, all new metering installations shall conform to standards specified in the Manual. Meter equipment sealing and locking shall also be provided in accordance with the standards specified in the Manual and further clarified in the Competitive Metering Operating Agreement. Meter inspections and testing shall be done in accordance with the Manual.

##### B. Outdoor Meters:

The Company requires an applicant for service to install its service wiring so that the meter is accessible to the Company employees from the outside of the applicant's building. The cost of the installation of facilities to accept an outdoor meter, or to relocate an existing non-accessible meter, shall be borne by the customer. The Company's authorized employees shall have the ability to access and seal the metering equipment. Meters shall be installed outside, unless approved by the Company.



### GENERAL INFORMATION

#### 3. Service Connections/Meters: (Cont'd.)

##### C. Company Property/Meters:

The rules below do not apply to meters owned and/or controlled by third parties as part of the Competitive Metering Option, as further defined in P.S.C. No. 120 - Electricity, General Information Section 14. The rules below apply in the case of Company-provided or Company-controlled meters.

1. Any appliances or devices furnished, excluding meter enclosures, which by tariff, are customer owned, at the expense of the Company shall remain its property and may be removed by it at any time on the termination or the discontinuance of service.
2. The Company retains sole control of customer- owned meters which may be removed by the Company at any time on the termination or the discontinuance of service, or for defects or conditions which interfere with normal Company operations.
3. The customer shall be responsible for the safekeeping of the property of the Company on its premises and shall take all reasonable precaution against unlawful interference with such property.
4. Customers who own their meter may relinquish ownership to the Company if the Company agrees. They shall be responsible for all expenses incurred by the Company as a result of this request.
5. A meter removal charge of \$150 shall be assessed to any customer who requires the Company to relocate a customer-owned meter.
6. In order to protect its equipment and service, the Company may furnish and install main fuses, wherever applicable, and is authorized to and shall seal the service switch and/or other devices on the customer's premises to prevent access by unauthorized persons. The customer shall not interfere with or alter the Company- or customer-owned meters, seals, or other property used in connection with rendering electric service, or permit same to be done by other than the authorized agents or employees of the Company. Damage caused directly or indirectly by the customer to the Company's property shall be paid for by the customer. Damage to or removal of the Company's seals may be considered as sufficient reason for discontinuance of service to a customer until the Company has received satisfactory assurance that its equipment shall be free from future interference. Discontinuance of residential service shall be delayed, pending review, provided service can be rendered safely, if it is determined that a resident is likely to suffer a serious impairment to health or safety as a result of discontinuance.

##### D. Changes in Customer's Equipment:

The Company shall be notified by the customer in writing before any change is made in the load characteristics of the customer's equipment. The Company may refuse its service to, or remove its service from, any installation which in the judgment of the Company shall injuriously affect the operation of the Company's system or its service to others.

### GENERAL INFORMATION

#### 3. Service Connections/Meters: (Cont'd.)

##### E. Inspection and Examination of Company- and Customer-Owned Apparatus:

###### 1. Access to Premises:

Any employee or agent of the Company who exhibits a photo-identification badge and written authority as provided in Section 65(9) of the Public Service Law has the authority, to enter at all reasonable times, the customer's premises supplied with electricity for the purpose of:

- (a) reading a meter to ascertain the quantity of electricity supplied; and
- (b) inspecting and examining the meters, wires and works for supplying electricity. Inspecting and examining the meters, wires and works for supplying electricity to residential customers is limited to a non-holiday workday between 8 a.m. and 6 p.m., or at such other reasonable times as requested by a customer except for:
  - (1) inspection and examination of any such equipment where an emergency may threaten the health and safety of a person, the surrounding area, or the Company's distribution system; or
  - (2) inspection and examination of any such equipment may be conducted between the hours of 8 a.m. and 9 p.m. on any day when there is evidence of meter tampering or theft of services.

A properly identified employee authorized to inspect and examine apparatus, may not enter a locked premises without the permission of the person lawfully in control on the premises, nor use any manner of force to carry out inspection and examination, except when an emergency may threaten the health or safety of a person, the surrounding area, or the utility's distribution system, or where authorized by a court order.

###### 2. Duty to Inspect:

The Company shall conduct a field inspection of non-residential apparatus as soon as reasonably possible and within 60-calendar days, except where prevented by circumstances beyond the Company's control when there is:

- (a) a request contained in a service application; or
- (b) a reasonable customer request; or
- (c) the issuance of a field inspection order in accordance with a Company bill review program; or
- (d) notification from any reasonable source that service may not be correctly metered; or
- (e) a directive by the Commission or its authorized designee.

### GENERAL INFORMATION

#### 3. Service Connections/Meters: (Cont'd.)

##### E. Inspection and Examination of Company- and Customer-Owned Apparatus: (Cont'd.)

###### 3. Meter Testing:

The Company shall maintain and test Company- or customer-owned meters according to the Company's internal operating practices and the PSC's rules and regulations. Customers may request the Company to make special, unscheduled tests of the accuracy of an installed meter at the customer's expense. The Company may elect to test the meter in place at the customer's site or at the Company's central test facility.

###### 4. Penalty:

A non-residential customer who, at any time, directly or indirectly prevents or hinders a duly authorized officer or agent of the Company from entering the premises, or from making an inspection or examination, at any reasonable time, may be billed a \$100 penalty charge for each such offense as provided in Section 65(9)(b) of the Public Service Law.

###### 5. Other Rights:

Nothing contained in this section shall be construed to impair the Company's rights as to any other person who prevents access to utility Company- or customer-owned meters and/or equipment.

##### F. Right of Way:

If required by the Company, the customer shall provide, without charge, a suitable right of way from the Company's distribution lines to the customer's service entrance.

##### G. Historic Meter Read and Billed History Data:

Data shall be provided to Customers and their designees as described below:

Meter read and billed history data shall be provided only at the written or verbal request of the customer offering reasonable proof that the requesting party is the customer of record or premise owner. Premise owners providing reasonable proof of identification, who are not the current customers of record, may obtain history only of premises that they own. Supplied historical meter read or billed history shall be limited by the extent the historical data is available.

The Company shall disclose a customer's meter read or billed history data to a Customer's designee only upon receipt of a signed document from the designee and with the written consent of the customer. All historical customer information obtained by the designee from the Company must be kept confidential and cannot be disclosed to others unless otherwise authorized by the customer. This information shall include account numbers and service addresses.

### GENERAL INFORMATION

#### 3. Service Connections/Meters: (Cont'd.)

##### G. Historic Meter Read and Billed History Data:

The following fees shall be charged to fulfill any individual request for meter read data, billed history, or both simultaneously, for a single Customer service point:

- (1) No fee for the first two requests within a 12-month period for the most recent 24 months of data, or for the life of the account if less than 24 months
- (2) \$15.00 in total for each additional request in a 12-month period for the most recent 24 months of data beyond two requests.
- (3) \$15.00 in total for each request beyond the most recent 24 months of data, up to and including six years of available data

The fees detailed in this paragraph shall be payable by the requestor.

Historic meter read data shall include: account number, premise address, tax district, meter multiplier, service point identifier, meter number, read date, meter reading, consumption and demand, as applicable, for each billed period, and type of meter read (company, customer, or estimated). Historical meter read data for time-of-use meters shall indicate consumption for peak and off peak hours; demand meters indicate consumption and demand; and time-of-use demand meters indicate consumption and demand for peak and off-peak hours. Usage requests which exceed the Company's basic billing determinants, consistent with the customer's Service Classification, dynamic profile information, or static profile information, the Company shall cooperate with the customer to provide the specific data, if available, for a fee. The Company shall calculate and provide the fees involved with this special request.

Additional information not listed above, may be requested by the customer. The Company shall provide such information, if available, to the customer. The Company shall, within five calendar days:

- (i) furnish to the requesting party the additional information; or
- (ii) specify when the data shall be available and the cost associated with the request; or
- (iii) notify the requesting party that the data is not available.

### GENERAL INFORMATION

#### 3. Service Connections/Meters: (Cont'd.)

##### H. Meter Reading:

1. The Company shall perform meter readings in accordance with established reading cycles and current practices. If the Company is unable to obtain an actual reading, a customer supplied reading shall be accepted or an estimated read may be established by the Company. Requests for special meter readings must be made in advance of the requested read date, and in accordance with the current business practices.
2. If a customer requests the Company to provide a meter reading on a day other than the scheduled meter read date ("Special Meter Read") and the Company can accommodate the request, the customer shall be charged a \$20 fee per location, per trip, each time the customer requests a meter reading on other than the scheduled reading date. Requests for a Special Meter Read must be made in advance of the requested read date in accordance with current business practices.

##### I. Change of Service Connection Location:

Any change in the location of a service connection, provided such change is approved by the Company, shall be made in accordance with Paragraph 6. If required, the owner or occupant of the premises must deposit in advance with the Company a sum sufficient to pay the estimated cost of such change.

##### J. Metering of Multiple Dwelling Units:

- (1) General  
Except as provided for in P.S.C. No. 120, Rule 2, electric service shall not be supplied for resale, remetering (or submetering) or other redistribution.

On and after January 1, 1977, residential dwelling units shall be separately metered. Electric service shall not be provided to rent-inclusive residential buildings where the internal wiring has not been installed prior to January 1, 1977.

##### a. Master Metering Option for Senior Living Facilities

Senior Living Facility, Defined: A Senior Living Facility ("SLF") is defined as a housing facility for senior citizens where the configuration resembles traditional apartment units. An SLF, by itself, serves the particular needs of senior citizens, with most or all services provided for a monthly fee.

Master Metering Option: A SLF being newly constructed may choose master metering of the entire facility instead of having each dwelling unit separately metered.

Conversion: A SLF that was constructed with each dwelling unit separately metered may convert the facility's metering configuration to master metering. All costs associated with a conversion shall be borne by the SLF. Any costs incurred by the Company to accommodate the conversion shall be charged to the SLF in accordance with the provisions of Rule 6 of this Schedule, Charges for Special Services.

### GENERAL INFORMATION

#### 3. Service Connections/Meters: (Cont'd.)

##### K. Motor Starting Currents:

Unless specifically approved by the Company because of available capacity, no motor shall be operated with motor starting currents in excess of the following:

#### SINGLE PHASE MOTORS

<b>Service Voltage</b>	<b>Max. Starting Current per Step Max. Four Starts per Hour</b>	<b>Max. Equiv. Rating of Air Conditioner or Heat Pump BTUH</b>
120 Volts	50 Amperes	10,000
208 or 240 Volts	60 Amperes for 2 HP Motor	20,000
208 or 240 Volts	80 Amperes for 3 HP Motor	25,000
208 or 240 Volts	120 Amperes for 5 HP Motor	40,000

#### THREE PHASE MOTORS

<b>Service Voltage</b>	<b>Max. Starting Current per Step Max. Four Starts per Hour</b>	<b>Max. Equiv. Rating of Air Conditioner or Heat Pump BTUH</b>
208 or 240 Volts	100 Amperes for 2 HP Motor	40,000
208 or 240 Volts	130 Amperes for 7 1/2 HP Motor	50,000
208 or 240 Volts	160 Amperes for 10 HP Motor	75,000
208 or 240 Volts	230 Amperes for 15 HP Motor	150,000
480 Volts	50 Amperes up to 5 HP Motor	40,000
480 Volts	65 Amperes for 7 1/2 HP Motor	50,000
480 Volts	80 Amperes for 10 HP Motor	75,000
480 Volts	115 Amperes for 15 HP Motor	150,000

All motors of five horsepower or less connected to the Company's lines shall normally be single phase, and motors over five horsepower shall normally be three phase, but the customer should contact the Company in advance to ascertain the applicable conditions.

#### 4. Billing and Collections:

##### A. When Bills Are Due:

Bills of the Company, are due: 1) upon receipt; or 2) if mailed, three days after mailing; 3) if electronically provided, the date posted. Bills are payable at any office of the Company, to any authorized collector, via U.S. mail, electronic funds transfer, or the Internet.

##### B. Late Payment Charge:

1. A monthly late payment charge shall be assessed at the rate of 1½% per month on a customer's unpaid balance, including service billing arrears and unpaid late payment charges pursuant to 16 NYCRR Sections 11.15(a) and 13.10(a) which provide that utilities may impose late payment charges. Remittance mailed on the "last day to pay" date shall be accepted without the late payment charge, the postmark to be conclusive evidence of the date of mailing. The failure on the part of the customer to receive the bill shall not entitle him to pay without the late payment charge after the "last day to pay" date. The "last day to pay" date shall be 23 days after the date on which the bill is rendered.

#### GENERAL INFORMATION

4. Billing and Collections: (Cont'd.)

B. Late Payment Charge: (Cont'd.)

2. Service to State Agencies shall be rendered in accordance with the provisions of Article XI-A of the State Finance Law (Chapter 153 of the Laws of 1984, effective July 1, 1984.)
3. Application of late payment charges may be waived by the Company.

C. Rendition and Payment:

Bills shall be deemed rendered, and other notices duly given, when delivered to the Customer personally or when mailed to the Customer at the premises supplied, or at the last known address of the Customer, or when left at either of such places, or when posted electronically. Failure to receive such bill, either by mail, personally, or electronically, shall not entitle the Customer to any delay in the settlement of each month's account nor to any extension of the date after which a late payment charge becomes applicable.

Payment by mail properly stamped, addressed, and mailed on or before the past due date indicated on the bill as evidenced by the United States postmark, shall be deemed to be payment prior to the application of late payment charges. Payment made via electronic funds transfer (EFT) shall be deemed paid on the date that funds are transferred from the Customer's bank account. A request by the Customer for adjustment of bills or any other complaint does not extend the date of the undisputed portion of bills which have been duly rendered.

Customers receiving standard bills produced and issued by the Company's automated billing system, excluding specialized bills, may elect to receive and pay their bill through a participating bank or vendor under the Company's Online Billing (OLB) option. Under OLB, a bill shall be deemed rendered when posted electronically. Payment under OLB shall be considered made prior to the past due date if the Customer's bank, vendor, or authorized collector indicates that such a Customer's payment was made by the past due date as indicated on the bill.

1. Dishonored Payment

Should the Company receive a negotiable instrument from an applicant or customer in payment of any bill, charge or deposit due, and such instrument be subsequently dishonored or be uncollectible for any reason, the Company shall charge a fee of \$20.00 to the applicant or customer, as permitted by General Obligations Law Section 5-328.

### GENERAL INFORMATION

#### 4. Billing and Collections: (Cont'd.)

##### E. Termination of Service: (Cont'd)

3. **Verification of Delinquent Account Prior to Termination:**  
The Company shall not terminate service for non-payment of bills rendered or for failure to post a required deposit unless:
  - (a) it has verified that payment has not been received at any office of the Company or at any office of an authorized collection agent through the end of the notice period required by Section 4.E.1.; and
  - (b) it has verified on the day termination occurs that payment has not been posted to the customer's account as of the opening of business on that day, or has complied with procedures established pursuant to Section 4.E.4.(b).
  
4. **Rapid Posting of Payments in Response to Notices of Termination:**  
The Company shall take reasonable steps to establish procedures to insure that any payments made in response to notices of termination, when the customer brings the fact that such a notice has been issued to the attention of the Company or its authorized collection agents, are either:
  - (a) posted to the customer's account on the day payment is received; or
  - (b) processed in some manner so that termination shall not occur.
  
5. **Days and Time When Termination of Service is Not Permitted:**
  - (a) **Residential -** The Company shall not terminate service, except as provided by Rule 4.E.11, for non-payment of bills or failure to post a required deposit on:
    - (i) A Friday, Saturday, Sunday or public holiday; or
    - (ii) A day on which the business offices of the Company or the Commission are closed; or
    - (iii) A day immediately preceding either a public holiday or day on which the Company's business offices are closed; or
    - (iv) During a two-week period encompassing Christmas and New Year's Day.  
  
Disconnections should only be made between the hours of 8:00 a.m. and 4:00 p.m.
  - (b) **Non-residential -** The Company shall not terminate service, except as provided by Rule 4.E.11, for non-payment of bills or failure to post a required deposit or failure to provide access on:
    - (i) A Saturday, Sunday or public holiday; or
    - (ii) A day on which the business offices of the Company or the Commission are closed.
  - (c) Disconnections shall only be made between the hours of 8:00 a.m. and 6:00 p.m., except that on days preceding the days listed in (b)(i) and (ii) above, termination may only occur after 3:00 p.m. if the customer is informed by personal contact prior to termination that termination is about to occur and the Company is prepared to accept a check for payment required to avoid termination. The term public holiday as used in (a) and (b) refers to those holidays defined in the General Construction Law.



#### GENERAL INFORMATION

4. Billing and Collections: (Cont'd.)

E. Termination of Service: (Cont'd)

6. Payment at the Time of Termination - **Non-Residential Only**

- (a) If a non-residential customer claims, at the time that termination for non-payment is to take place, that payment has already been made and produces a written business record of payment, or claims that there is a complaint pending before the Company or the Public Service Commission with regard to the charges demanded, the Company's field representative shall make a reasonable effort to verify this information with a Company's office representative and shall not terminate service for non-payment of any verified disputed amount.
- (b) If a customer offers payment of the full amount that forms the basis for a scheduled termination at the time of termination, the Company's representative shall accept such payment and not terminate service.
- (c) If an eligible customer signs a deferred payment agreement pursuant to Section 4.G of this tariff, for the full amount that forms the basis for a scheduled termination and offers payment of the required downpayment at the time of termination, the Company representative shall accept such down payment and not terminate service. If the Company allows the customer an extension of time to go to a business office to sign the deferred payment agreement, and the customer agrees to do so and offers payment of the required downpayment, the Company representative shall accept such down payment and not terminate service; provided, however, that the Company may terminate service without further notice if the customer fails to sign the agreement within the specified time.
- (d) If a customer has, within the last 24 months, paid for service with a check that was dishonored, the Company has the right to accept only cash, certified check, or money order as payment under paragraphs (b) or (c) of this subdivision.
- (e) Whenever payment is made at the time of termination, the Company's field representative shall provide a customer with a receipt showing the date, the account number, the amount received, the form of the payment and either the name or identification number of the Company representative.

7. Voluntary Third Party Notice Prior to Termination of Service:

The Company shall permit a residential customer to designate a third party to receive a copy of every notice of termination of service sent to such residential customer, provided that such third party indicates in writing his or her willingness to receive such notices. Residential customers shall be notified annually of the availability of the third party notice procedure.

PSC NO: 119 ELECTRICITY  
NEW YORK STATE ELECTRIC & GAS CORPORATION  
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Superseding Revision: 5

#### **GENERAL INFORMATION**

- 4. Billing and Collections: (Cont'd)
- E. Termination of Service: (Cont'd)

- 13. Termination of Residential Service Special Procedures

Special emergency procedures, required by 16 NYCRR Part 11.5 provide special protections for specified residential customers regarding the termination and restoration of service in cases involving medical emergencies, the elderly, blind or disabled, and terminations during cold weather. Copies of the Company's special procedures are on file with the Commission and are available to the public upon request at Company offices where applications for service may be made.

## GENERAL INFORMATION

### 4. Billing and Collections: (Cont'd.)

#### K. Plurality of Services: (Cont'd.)

##### 3. Separate Meters – Separate Billing

At the Company's option, the Company shall install as many meters as a customer shall reasonable require because of unique physical or load conditions, provided that the circuit or circuits connected to each meter are kept separate from all other circuits. The service rendered through each of such meters shall be computed separately and billed on the applicable filed Rate Schedule. The installation of an additional meter at a building under his provision shall not entitle an applicant or customer to an additional allowance under Rule 2.B.(5) and 2.B.(6) of P.S.C. No. 119 – Electric.

Additional meters shall not be installed for the purpose of qualifying the customer's load for service under a different service classification than that otherwise applicable under Rule 4.K of P.S.C. No. 119 – Electric.

#### L. Customer Deposit:

##### 1. Deposit Requirements

###### **Residential**

(a) The Company may require a customer deposit from:

- (i) Seasonal or short-term residential customers taking service for a term that does not exceed one year; or
- (ii) Applicants who do not provide proof of their identity upon application for service; or
- (iii) A customer as a condition of receiving utility service if such customer is delinquent in payment of his or her utility bills. A customer is delinquent for the purpose of a deposit assessment if such customer:
  - (aa) accumulates two consecutive months of arrears without making reasonable payment, defined as ½ of the total arrears, of such charges before the time that a late payment charge would become applicable, or fails to make a reasonable payment on a bi-monthly bill within 50 days after the bill is due; provided that the Company requests such deposit within two months of such failure to pay; or
  - (bb) had utility service terminated for non-payment during the preceding six months.

Customers included in Rule 4.L.1 shall be provided a written notice, at least 20 days before the deposit is assessed, that the failure to make timely payment shall permit the Company to require a deposit from such customer. If a deposit from a customer who is delinquent by virtue of his or her failure to make a reasonable payment of arrears, is required, the Company shall permit such customer to pay the deposit in installments over a period not to exceed 12 months.

## GENERAL INFORMATION

### 4. Billing and Collections: (Cont'd.)

#### **Q. Service Guarantee**

The Company guarantees to keep service appointments made at the customer's request. If the Company does not keep an appointment within the timeframe agreed upon, a credit shall be applied to the customer's next bill. The credit shall be \$20.00.

Service guarantees do not apply to appointments made for the same day the customer requests service or if events beyond the Company's control, such as severe weather, prevent the Company from performing as planned.

#### **R. Metered**

The extent of the customer's use of the Company service shall be determined by the readings of the meters installed by the Company.

#### **S. Consumer Policies Related to Prolonged Outages**

The following sets out policies that were established by the Commission's Order issued November 18, 2013, in Case 13-M-0061 regarding Prolonged Outages. A "Prolonged Outage" is defined hereunder as an outage resulting from an emergency in which electricity Customers are out of service for a continuous period exceeding three days and in which the 16 NYCRR Part 105 regulations governing utility outage preparation and system restoration performance reviews apply.

1. Credits to be applied to Customer Accounts under this Schedule in Service Classification Nos. 1, 2, 3, 6, 7, 8, 9, 11, 12, 13 and 14.
  - a. When there is a Prolonged Outage, the Company shall automatically apply a credit to the account of any Customer that the Company knows or reasonably believes was out of service for a period exceeding three days, and upon request, to the account of any Customer that contacts the Company and credibly claims to have experienced an outage of such duration.
  - b. The credit shall be equal to the Customer Charge for the Customer's Service Classification multiplied by the ratio of the number of days of the service outage (based on the average duration of the service outage, rounded up to the next whole number of days, in the geographic area(s), as appropriate) to 30 days. For Service Classification Nos. 13 and 14, the credit shall be based on the customers otherwise applicable service classification.
  - c. The above credit shall be applied to the Customer's account no later than 75 days after service is restored.
  - d. Any such credits shall be excluded from the Company's Delivery Service Revenue Target as provided for in P.S.C. No. 120 - Electricity, Rule 7.
2. Collection-related Activities
  - a. All collection-related activities including terminations of service for non-payment and assessment of late payment charges, with the exception of issuance of service termination notices and assessment of security deposits, shall be suspended for Customers whom the Company knows or reasonably believes experienced a Prolonged Outage. The suspension shall last for a minimum of seven calendar days from the beginning of a Prolonged Outage.
  - b. If there is a Prolonged Outage in which additional protections are required, as determined by an Order Commission, the suspension shall apply for a minimum of 14 days, for residential Customers located in the designated area. The 14-day suspension shall also apply to any residential or non-residential Customer who notifies the Company and provides evidence that their financial circumstances have changed as a result of the outage.

#### **T. Length of Term**

The term shall begin on the date service is made available, and shall continue until service is discontinued as provided in applicable Service Classifications or the Line Extension Surcharge Agreement.

## GENERAL INFORMATION

### 5. Liability:

#### A. Continuity of Supply

The Company shall endeavor at all times to provide a regular and uninterrupted supply of service (except where the terms and conditions of a particular Service Classification provide otherwise), but in case the supply of service shall be interrupted or irregular or defective or fail from causes beyond the Company's control (including without limiting the generality of the foregoing, executive or administrative rules or orders issued from time to time by State or Federal officers, commissions, boards, or bodies having jurisdiction), or because of the ordinary negligence of the Company, its employees, contractors, subcontractors, servants, or agents, the Company shall not be liable therefore.

Customers requiring service which is uninterrupted, unreduced or unimpaired on a continuous basis should provide their own emergency or back-up capability.

#### B. Customer's Equipment

Neither by inspection nor non-rejection, nor in any other way, does the Company give any warranty, expressed or implied, as to the adequacy, safety, or other characteristics of any structures, equipment, wires, conduit, appliances, or devices owned, installed, or maintained by the customer, or leased by the customer from third parties.

#### C. Company Equipment

The Company shall not be liable for any injury, casualty, or damage resulting in any way from the supply or use of electricity or from the presence or operation of the Company's structures, equipment, wires, conduit, appliances, or devices on the customer's premises, except injuries or damages resulting from the negligence of the Company.

#### D. Improper Turn Off

In cases where intentional disconnections of individual customers are made in error, the Company shall:

- (a) reimburse residential customers served either directly or indirectly for their losses actually sustained, not to exceed \$100 for any one customer for any one incident, as the result of improper turn offs of service lasting more than 12 hours, when such losses consist of the spoilage of food or medicine for the lack of refrigeration.
- (b) reimburse non-residential customers served either directly or indirectly for their losses actually sustained, not to exceed \$2000 for any one customer for any one incident, as the result of improper turn offs of service lasting more than 12 hours when such losses consist of the spoilage of perishable merchandise for lack of refrigeration.

Customer claims in the above cases must be made within a 90-day period following the improper turn off incident.

## GENERAL INFORMATION

### 12. New York State Energy Research and Development Authority (“NYSERDA”) Loan Installment Program

Pursuant to the Power New York Act of 2011 (L. 2011, c.388), the New York State Energy Research and Development Authority or its designated agent (“NYSERDA”) shall administer a loan program for qualifying residential and non-residential customers for the installation of energy efficiency services (as that term is defined in subsection 189(12) of the Public Authorities Law) on a customer’s property. As set forth in this law, the Company shall bill and collect NYSEDA Loan Installment amounts primarily through the customer’s utility bill when notified by NYSEDA that these NYSEDA Loan Installments apply to the customer’s utility account. Unless otherwise precluded by law, participation in the NYSEDA Loan Installment program shall not affect a customer’s eligibility for any rebate or incentive offered by the Company. In order to comply with the requirements set forth in the Power NY Act of 2011, the Company shall provide NYSEDA, or its agents, certain customer information and take other actions for purposes of the NYSEDA Loan Installment Program. The Company shall implement the NYSEDA Loan Installment Program no later than May 30, 2012.

#### 1. Eligibility

Pursuant to PSL Section 66-m 1.(b), each electric and gas corporation shall initially limit the number of customers participating in the NYSEDA Loan Installment Program at any given time to no more than 0.5% of its total unique customers taking service as of December 31, 2011, on a first come, first served basis.

A customer who receives a NYSEDA loan, or a subsequent customer that becomes responsible for the electric and/or natural gas bill at that location except as provided below, shall repay the loan installments on their utility bills. Under the NYSEDA Loan Installment Program, NYSEDA shall notify the Company of the monthly loan installment amounts and the number of months of the NYSEDA loan term that are to be charged on the customer’s bills.

#### 2. Billing and Collections

The responsibility of the Company is limited to providing billing and collection services for NYSEDA. Such billing and collection services shall be available regardless of whether the electricity or natural gas delivered by the Company is the customer’s primary energy source.

Only one NYSEDA Loan Installment obligation can exist on a customer’s utility account. Should the customer enter into an additional NYSEDA Loan Installment agreement, NYSEDA shall replace the current NYSEDA Loan Installment on the account with a new consolidated NYSEDA Loan Installment and notify the Company of the new NYSEDA Loan Installment amount and corresponding NYSEDA Loan term in months.

Beginning no later than the second bill after the Company receives a valid customer account number from NYSEDA, each bill issued to the customer shall include the monthly loan installment amount until the loan is satisfied or the account is closed. A customer receiving bills on a bi-monthly basis shall be billed for two loan installments on each bill.

The customer shall be required to pay NYSEDA loan installment amounts when bills are due. Unpaid loan installment amounts shall be subject to the provisions of this Rate Schedule regarding:

- (a) deferred payment agreements (pursuant to General Information Rule 4.G); and
- (b) termination/disconnection and reconnection of service (pursuant to General Information Rule 4.E and General Information Rule 4.H).

If in order to avoid termination of service or to restore service that was terminated to an entire multiple dwelling, pursuant to 16 NYCRR 11.7, or to a two-family dwelling, pursuant to 16 NYCRR 11.8, such occupants shall not be billed for any arrears of on-bill recovery charges or any prospective on-bill recovery charges, which shall remain the responsibility of the incurring customer.

NYSEDA Loan installment amounts shall not be subject to the Increase in Rates and Charges Applicable Where Service is Supplied pursuant to General Information Rule 4.J.

A customer remitting less than the total amount due on a utility bill that includes a loan installment amount shall have such partial payment first applied as payment for billed electric and/or natural gas charges. If there are monies remaining after application to the Company’s electric and/or natural gas charges, any remaining amount shall be applied to outstanding NYSEDA loan installment amounts.

A customer remitting more than the total amount due on a utility bill that includes a NYSEDA loan installment amount shall have the overpayment applied first to subsequently billed electric and/or natural gas charges and then to NYSEDA Loan Installment amounts as they are billed. The utility shall not apply customer overpayments as a prepayment of NYSEDA loan installment amounts or as full repayment of the NYSEDA loan. Customers wishing to make loan prepayments or satisfy the balance of the loan amount outstanding must arrange directly with NYSEDA for such payments. The Company shall not provide interest on overpayments of NYSEDA loan installment amounts.

## GENERAL INFORMATION

### 12. New York State Energy Research and Development Authority (“NYSERDA”) Loan Installment Program (Cont’d)

#### 3. Term

NYSERDA shall advise the Company of the number of the NYSERDA loan installment amounts to be paid. The NYSERDA loan obligation shall survive changes in ownership, tenancy and meter account responsibility at the premises where the energy efficiency measures were installed unless fully satisfied. In the event the NYSERDA Loan Installment obligation is not satisfied when a customer’s account is closed and NYSERDA notifies the Company to bill loan installment amounts to a subsequent customer, such subsequent customer shall be subject to all terms and conditions of this Section.

When an account with a NYSERDA loan is closed, loan installment amounts that were billed but unpaid shall be transferred to the Customer’s new account established with the Company, or another existing account, provided, however, that if the customer does not establish a new account with the Company 45 days after the account is closed, the Company shall cease its collection activity for the NYSERDA loan installment arrears and advise NYSERDA so it can pursue collection of the outstanding balance.

#### 4. Account Information

As authorized by the Power New York Act of 2011, the Company shall provide NYSERDA or its agents with certain customer information (*i.e.*, account closure information and subsequent customer information, including customer name, old and new account number(s), loan number, mailing address and service address.) All customer information released to NYSERDA by the Company shall be considered confidential. Customers making application to NYSERDA under the NYSERDA Loan Installment Program shall be required to provide consent for NYSERDA’s use of the customer’s utility account information.

For a premise with an outstanding NYSERDA loan obligation, each subsequent customer is deemed to have consented to the Company’s disclosure to NYSERDA of such customer’s information.

#### 5. Customer Questions and Billing Disputes

Questions related to the NYSERDA Program and complaints relating to the Company’s billing of NYSERDA loan installment amounts shall be directed to NYSERDA. At least annually, the Company shall provide customers participating in the NYSERDA Loan Installment Program the following information:

- a. The amount and duration of remaining monthly payments under the NYSERDA Loan Installment Program.
- b. NYSERDA’s contact information and dispute resolution procedures for resolving customer complaints regarding the NYSERDA Loan Installment Program.

## GENERAL INFORMATION

14. Glossary:

The following words and terms when used in this tariff have the following meanings:

**Access Controller:** A party known to the Company to be in control of access to the metering equipment of a customer, and to have an active account of its own with the utility.

**Actual Reading:** A meter reading obtained by a Company employee from either the meter or a remote registration device attached thereto.

**Aggregation:** Receiving, validating and summing day-ahead forecasts for ESCOs.

**Annual Period:** The 12 Months beginning with the Month in which the Customer first receives service under the applicable service classification. Each succeeding 12-Month period shall constitute another Annual Period.

**Applicant:**

Residential Applicant: A residential applicant is a person who requests service at a dwelling for their own residential use or the residential use by another person. For purposes of the Home Energy Fair Practices Act (HEFPA), a residential applicant is any person who requests service at a premises to be used as their residence or the residence of another person on whose behalf the person is requesting service, as defined in 16 NYCRR 11.2(a)(3).

Non-residential Applicant: A non-residential applicant is a person, corporation or other entity requesting service from the Company who is not a residential applicant as defined in 16 NYCRR 11.

Residing Applicant: A residing applicant is a person or governmental agency requesting electric service be provided where there is no service currently available, where that service shall be used at a premises that shall be occupied as the applicant's residence, or in the case of a governmental agency occupied as a residence by an individual client.

Non-residing Applicant: A non-residing applicant is developer, builder, person, partnership, association, corporation or governmental agency requesting electric service be provided where there is no service currently available, where that service shall be used in a residence occupied by others.

**Appurtenant Facilities:** The necessary and ancillary accessories to an electric line that enables the transportation and distribution of electric energy.

**Arrears:** Charges for Service for which payment has not been made more than 20 calendar days after payment was due.



**GENERAL INFORMATION**<sup>14</sup>. Glossary: (Cont'd)

**Backbill**–: That portion of any bill, other than a budget bill, which represents charges not previously billed for service that was actually delivered to the customer during a period before the current billing cycle. A bill based on an actual reading rendered after one or more bills based on estimated or customer readings (commonly called a catch-up bill) which exceeds by 50% or more the bill that would have been rendered under the Company's standard estimation program is presumed to be a backbill.

**Budget Payment Plan:** A billing plan designed to reduce fluctuations in a customer's bill payments due to varying, but predictable, patterns of consumption.

**Business Day:** Any Monday through Friday when the Company's business offices are open; excluding holidays recognized by the Company.

**Capability Period:** The periods defined by the NYISO for the purposes of determining Installed Capacity requirements. The summer Capability Period includes the months of May through October. The winter Capability period includes all other months.

**Capacity:** Space on a pipeline allowing the Company or shippers to move gas from a receipt point to citygate for distribution on the Company's system.

**Combination Account:** A common account for both gas and electric service for the purpose of combined gas and electric billing by the Company. A combination Account is served under P.S.C. No. 87 or P.S.C. No. 88 – Gas, and under this schedule.

**Commission or PSC:** Public Service Commission of New York State, or any successor agency thereto.

**Company:** New York State Electric & Gas Corporation, or any successor organization thereto

**Compatible Meter:** A meter suitable for the Company's metering, meter reading, and electrical infrastructure, as determined by the Company.

**Control Area:** In this Tariff, the Control Area is the Company's electric franchise area, as shown in Part I. More generally, a Control Area is an electric power system or combination of electric power systems to which a common automatic generation control scheme is applied in order to: 1) match, at all times, the power output of the generators within the electric power system(s) and capacity and energy purchased from entities outside the electric power system(s), with the load within the electric power system(s), and capacity and energy purchased from entities outside the electric power system(s); 2) maintain scheduled interchange with other Control Areas, within the limits of Good Utility Practice; 3) maintain the frequency of the electric power system(s) within reasonable limits in accordance with Good Utility Practice; and 4) provide sufficient generating capacity to maintain operating reserves in accordance with Good Utility Practice.

**Corporation:** See Company.

**Costs and Expenses:** An estimate based on (a) the average hourly labor rates including a percentage for employee welfare costs, supervision, engineering and administrative and general expenses, plus (b) the hourly rates for transportation and special equipment, plus (c) the Company's material costs including stores expense.

## GENERAL INFORMATION

### 14. Glossary: (Cont'd)

#### **Customer:**

**Residential Customer:** A person who is receiving service at a dwelling for their own residential use or the residential use by another person. For purposes of the Home Energy Fair Practices Act (HEFPA), a residential customer includes any person who is supplied service at a premises used in whole or in part as their residence, as defined in 16 NYCRR 11.2(a)(2).

**Non-residential Customer:** A person, corporation or other entity receiving service who is not a residential customer as defined in 16 NYCRR 11.

**Customer's Premises:** Discreet contiguous real property under the Customer's control through ownership or lease.

**Customer Account Number:** The Company specific unique identifier associated with a Customer of the Company.

**Dedicated Facilities:** The equipment and facilities on the Company's transmission and/or distribution system necessary to permit operation of a distributed generation Unit in parallel with the Company's system.

**Deferred Payment Agreement ("DPA"):** A written agreement for the payment of outstanding charges over a specified period of time. It must be signed in duplicate by the company representative and the customer, and each must receive a copy, before it becomes enforceable by either party.

**Deliveries:** Energy delivered to the Company's Interconnection Point.

**Department of Public Service ("DPS"):** New York State Department of Public Service.

**Distribution Facilities:** A system of poles, conduits, wires or cables, transformers, fixtures and accessory equipment for the distribution of electricity to the customers of the Company.

**Distributed Generation:** Electric power production equipment, generally producing between one kW and 10 , located at a Customer's site or near a load center, and connected at the distribution or utilization voltage.

**Distribution Point(s) of Delivery:** Point(s) on the Distribution System where the Company delivers electric Energy.

**Distribution Point(s) of Receipt/Receipt Point(s):** Point(s) at which the Company receives electric energy on the Transmission and/or Distribution System from other sources.

**Distribution Service:** The act of distribution electric energy from a point(s) or receipt to a point(s) of delivery on the Distribution System.

**Distribution System:** The facilities owned, controlled or operated by the Company that are used to provide electric Distribution Service under this tariff.

## GENERAL INFORMATION

### 14. Glossary: (Cont'd)

**Electric Power Supply:** The electricity required to meet the Customer's needs, including energy, Energy Losses, Unaccounted for Energy ("UFE"), Capacity, Capacity Reserves, Capacity Losses, Ancillary Services, NYPA Transmission Access Charges ("NTAC"), and a Supply Adjustment Charge, ESCOs/DCs are responsible for providing the full Electric Power Supply requirements of their customers.

**Elementary Diagram:** A one Line Diagram that also shows the connections of protection and control components. The devices in switching equipment are referred to by numbers based on a system adopted in IEEE C37.2.

**Energy:** A quantity of electricity bid, purchased, sold, or transmitted over a period of time, and measured in Megawatthours (MWH) or kilowatthours (kWh). One MWH = 1,000 kWh

**Energy Losses:** The unusable energy that results from the generation, transformation, transmission and distribution of Electric Power Supply to a Customer's meter. Unaccounted for Energy ("UFE") is also included.

**Farm Operation:** The land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in Subdivision 11 of Section 301 of New York State Agriculture and Markets Law.

**FERC:** Federal Energy Regulatory Commission, or any successor agency thereto.

**Force Majeure:** A superior force, "act of God" or unexpected and disruptive event, which may serve to relieve a party from a contract or obligation.

**Good Utility Practice:** Any of the practices, methods and acts engaged in or approved by a significant portion of the electric utility industry during the relevant time period, or any of them practices, methods and acts which, in the exercise of reasonable judgment in light of the facts known at the time the decision was made, could have been expected to accomplish the desired result at a reasonable cost consistent with good business practices, reliability, safety and expedition. Good Utility Practice is not intended to be limited to the optimum practice, method, or act to the exclusion of all others, but rather to be acceptable practices, methods, or acts generally accepted in the region.

**Kilowatt (kW):** The electrical unit of power or rate of doing work. It is 1,000 watts, where a watt is the rate of energy transfer equivalent to one ampere flowing under a pressure of one volt at unity power factor. A Kilowatt is the common unit of electrical power consumption.

**Kilowatthour (kWh):** The basic unit of electric energy equal to one Kilowatt of power supplied to or taken from an electric circuit steadily for one hour. A Kilowatthour is the standard unit of measure for electricity.

**Late Payment:** Any payment made more than 20 calendar days after the date payment was due. Payment is due as specified by the Company on its bill, provided such date does not occur before personal service of the bill or three calendar days after the mailing of the bill.

**Line:** See "Distribution Line."

Issued by: James A. Lahtinen, Vice President – Rates & Regulatory Economics, Binghamton, NY

## GENERAL INFORMATION

### 14. Glossary: (Cont'd)

**Load:** A consumer of electric Energy and/or Capacity.

**Load Factor:** The ratio of the average consumption to maximum consumption for a given time period.

**Load Shedding:** The systematic reduction of system demand by temporarily decreasing load consumption in response to Distribution System or area Capacity shortages, system inability, or voltage control considerations.

**Marketer:** An Energy Services Company (“ESCO”)

**Megawatt (“MW”):** 1,000 kilowatts.

**Meagwatthour (“MWH”):** 1,000 kilowatthours.

**Month:** A period beginning at 9:00 AM Central Clock Time on the first Day of the calendar Month and ending at 9:00 AM Central Clock Time on the first Day of the following calendar month.

**Multiple Occupancy Building:**– A structure (including row houses) enclosed within exterior walls or fire walls, which is built, erected and framed of component structural parts and is designed to contain four or more individual dwelling units for permanent residential occupancy.

**New Construction:** The installation of new electric distribution lines, service lines and appurtenant facilities on any right-of-Way where no such electric distribution line exists, and may also include (in connection with such installation) the addition of appurtenant facilities (other than replacement facilities) to existing distribution lines.

**Comment:** The installation of a new facility parallel to and on the same right-of-way as an existing underground facility also constitutes the new construction of such facility.

**New Customer:** A customer who was not the last previous customer at the premises to be served, regardless of whether such customer previously was or is still a customer of the Company at a different location.

**New York Independent System Operator (“NYISO”):** An organization formed under FERC approval to provide equal access to the transmission system of New York State and to maintain system reliability, and any successor organization thereto.

**New York State Reliability Council (“NYSRC”):** An organization established by agreement among the transmission owners of New York State to promote and maintain the reliability of the New York State power system.

**New York State Transmission System:** The entire New York State electric transmission system as defined in the NYISO Transmission Tariffs.

**Non-Emergency Services:** Services provided by the Company that are not in response to emergency events.

Issued by: James A. Lahtinen, Vice President – Rates & Regulatory Economics, Binghamton, NY

## GENERAL INFORMATION

14. Glossary:

**Non-Spinning Reserves:** Generation not connected to the system but capable of being brought on-line to serve additional demand within a specified period of time.

**North American Electric Reliability Council (“NERC”):** A council formed in 1968 to promote the reliability and adequacy of the bulk power supply by the electric systems of North America.

**Northeast Power Coordinating Council (“NPCC”):** One of nine NERC regions. Its purpose is to promote maximum reliability and efficiency of electric service in the interconnected systems of the signatory parties by extending the coordination of their system planning and operating procedures.

**NYISO Open Access Transmission Tariff (“NYISO OATT”):** The tariff filed with and approved by FERC as the same may be revised, modified, amended, clarified, supplemented or superseded, that sets forth the rates, terms and conditions under which the NYISO provides open access transmission service.

**NYISO Tariffs:** The NYISO OATT (defined above) and the NYISO Market Services Tariff, as well as NYISO technical bulletins, procedures and any other guidelines issued by the NYISO that set forth the rates, terms and conditions under which the NYISO provides open access transmission services.

**One Line Diagram:** A diagram which shows by means of single lines and graphic symbols, the connections between major three phase components of a generation station or substation.

**Parallel Generation Facilities:** Power producing equipment connected to the electric system and operated in conjunction with the Company’s electric transmission and distribution system.

**Parties:** The Company and the ESCO receiving service under this Tariff.

**Payment:** Is considered to be made on the date when it is received by the Company or one of its authorized collection agents.

**Point of Supply:** The point (or connection) where the Company’s Distribution Lines and/or Company-owned Service Lines end and the Customer-owned facilities begin.

**Power Exchange (“PE”):** A corporation to provide a vehicle through which buyers and sellers may participate in the markets for Energy, Capacity and Ancillary Services. PE’s may be formed after establishment of the NYISO.

**Power Quality:** Concerns of voltage deviations, harmonic distortions and power interruptions experienced by the Customer or Company that can damage, or adversely affect operation of Customer or Company equipment.

**Public Right-of-Way:** The area within the territorial limits of any street, avenue, road or way that is for any highway purpose under the jurisdiction of the State of New York or of the legislative body of any county, city, town or village that is open to public use and that may be used for the placement of utility facilities.

## GENERAL INFORMATION

### 14. Glossary:

**Public Service Commission (“PSC”):** New York State Public Service Commission, or any successor organization thereto. A state regulatory body with authority over electric, gas, communications, water, and cable utilities in New York State. It is changed by law with ensuring that safe and reliable service is made available at reasonable rates while, at the same time, allowing the utility the opportunity to earn a return on its investment that is sufficient to maintain its credit and enable it to continue raising the capital necessary to provide satisfactory service in the future.

**Qualification:** The process by which an ESCO or a DC receives approval to serve Customers under the terms of this tariff.

**Radial Distribution Feeder:** A Distribution line that branches out from a substation and is normally not connected to another substation or another circuit sharing the common supply.

**Radial Transmission Line:** A subtransmission line that is used to supply power from a source station to one or more distribution stations for the purpose of delivering energy to customers.

**Reactive Demand:** Demand on an installation or system is the load at the receiving terminals averaged over a specified period of time. Reactive demand is the magnetizing component of power required by the circuit. The reactive unit of measure of electric power is referred to as voltamperes or VARS.

**Right-of-Way:** A right to pass over, occupy or use another's land for placing and maintaining utility facilities.

**Reconciliation:** Reconciling the total of all retail Loads in the Control Area with metered total Control Area Loads on an hourly basis.

**Residential Subdivision:** A tract of land divided into five or more lots for the construction of five or more new residential buildings, or the land on which new multiple occupancy buildings are to be constructed, the development of either of which, if required, has been approved (or was required to be approved) by governmental authorities having jurisdiction over land use.

**Seasons:**

Summer: June 1 – September 30, inclusive  
Winter: December 1 – February 28/29, inclusive  
Base: All other days

**Seasonal Customer:** A customer who applies for and receives electric service periodically each year, intermittently during the year, or at other irregular intervals.

**Service Class Load Profiles:** The electric power consumption (kWh) as measured in one-hour intervals, statistically valid for a specified service classification of Customers.

**Service Entrance:** Customer's wiring from the point of attachment or termination of the service lateral to and including the main service switch on the customer's premises.

**Service Lateral:** A system of conductors and equipment for delivering electricity from the Company's distribution system to the customer's wiring system of a single building or customer premises.

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## GENERAL INFORMATION

14. Glossary:

**Service Line:** See Service Lateral.

**Supply Line:** A part of a distribution line that is installed between an existing electric distribution system and an underground distribution line within a residential subdivision.

**Surcharge:** A charge payable by the customer to the Company in addition to the charge for electricity under applicable service classification.

**System Impact Study:** An engineering study performed for the purpose of evaluating a proposed distributed generation design for conformance with the interconnection requirements and the standards for transmission and distribution planning. This study also assesses the impact of the proposed design on the safety and reliability of the distribution and transmission system. It also shall identify necessary system modifications to accommodate the proposed design, or limitations on the operation of the generation facility.

**Tampered Equipment:** Any service related equipment that has been subjected either to unauthorized interference so as to reduce the accuracy or eliminate the measurement of electric service, or to unauthorized connection occurring after the Company has physically disconnected service.

**Trading Partner Agreement:** The agreement that governs and applies only to data communications transmitted between RG&E and the ESCO/DC in connection with EDI and Rule 11, General Retail Access – Multi-Retailer Model.

**Transmission Line:** A set of overhead and/or underground conductors and associated equipment (poles, switches, breakers, etc.) that are used for the purpose of transporting bulk quantities of power between stations. Power flow can be in either direction.

**Transmission Provider:** the entity which operates the New York State Transmission System for the delivery of capacity and energy. Under this Tariff, the Transmission Provider is the New York State Independent Operator (NYISO).

**Transmission Service:** Point-To-Point, Network Integration, or Retail Access Transmission Service as provided for under the NYISO's OATT.

**Transmission System:** The facilities operated by the NYISO that are used to provide Transmission Service.

**Utility:** New York State Electric & Gas Corporation (the Corporation) (the Company) (NYSEG).

**VSR:** A visually significant resource which is:

- (1) designated primarily or exclusively because of its exceptional, outstanding, significant, special or unique scenic quality pursuant to State or Federal enabling legislation, and
- (2) listed in 16 NYCRR 99.2 (h).

## GENERAL INFORMATION

14. Glossary:

**16 NYCRR:** Title 16 of the Codes, Rules and Regulations of the State of New York. The regulations contained in this Title, issued by the Department of Public Service, govern the practices and operations of public utilities in New York. Numerical suffix denotes section or part of a rule.

Abbreviations:

kW	- Kilowatt(s) (1,000 watts of power)
kWh	- Kilowatt-hour(s) (one kilowatt for one hour)
kV	- Kilo-volt (1,000 volts)
kVA	- Kilo-volt-ampere (volts times amperes in thousands)
RkVa	- Reactive kilovolt-ampere
MW	- Megawatt
MWH	- Megawatthours
DPS	- Department of Public Service
FERC	- Federal Energy Regulatory Commission
GAAP/FASB	-Generally Accepted Accounting Principles/Financial Accounting Standards Board
NERC	- North American Electric Reliability Council
NPCC	- Northeast Power Coordinating Council
NRC	- Nuclear Regulatory Commission
NYISO	- New York Independent System Operator
NYPA	- New York Power Authority, or the Power Authority of the State of New York
NYSRC	- New York State Reliability Council
PSC	- Public Service Commission
PE	- Power Exchange
16 NYCRR	- Title 16 of the Codes, Rules and Regulations of the State of New York. Numerical suffix denotes section or part.