



**POWER AUTHORITY OF THE STATE OF NEW YORK**

**30 SOUTH PEARL STREET, 10TH FLOOR  
ALBANY, NY 12207**

**Electric Service Tariff for Westchester County  
Governmental Customers**

Service Tariff No. 200

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## **Electric Service Tariff for Westchester County Governmental Customers**

### **I. Applicability**

To sale of firm power and energy by Authority to public Customers (and associated Accounts) located within Westchester County in accordance with the third unnumbered paragraph of Section 1005 of the Power Authority Act (Public Authorities Law § 1005) who receive Delivery Service through the Utility in whose franchise area such Customers' facilities are located.

### **II. Frequently used Abbreviations and Terms**

A. The following abbreviations are used:

kW	kilowatt(s)
kWh	kilowatt-hour(s)
kVa	kilovolt-amperes
NYPA	New York Power Authority
NYISO	New York Independent System Operator
mo.	Month
TOD	Time-of-Day
GRT	Gross Receipts Tax

B. The term "Account (s)" means a metered or billed location based on Customer billing characteristics.

C. The term "Authority" means New York Power Authority, an alternative name for the Power Authority of the State of New York.

D. The term "Customer" means a governmental customer in Westchester County served under this Service Tariff by the Authority in accordance with the third unnumbered paragraph of Section 1005 of the Power Authority Act. For the purposes of this Service Tariff, the term Customer does not include a governmental customer in the City of New York.

E. The term "Customer Supply Contract" means the agreement between Authority and Customer containing the terms and conditions under which Authority provides Customer with a supply of electricity. The term Customer Supply Contract includes the Application for Electric Service and the 2007 Supplemental Agreement.

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- F. The Term "Delivery Service" means the service that Authority procures from Utility on behalf of Authority's governmental customers.
- G. The term "High Tension" means High Tension Alternating Current – 60 cycles (Frequency and voltages shown are approximate):
- Three phase at 2,400/4,150 volts
  - Three phase at 3,000/7,800 volts
  - Three phase at 6,900 volts
  - Three phase at 13,200 volts
  - Three phase at 26,400 volts
  - Three phase at 33,000 volts
  - Single phase and three phase at 2,400 volts
  - Three phase at 69,000 volts
  - Three phase at 138,000 volts
- H. The term "Low Tension" means Low Tension Alternating Current – 60 cycles (Frequencies and voltages shown are approximate):
- Three phase at 120/208 volts
  - Single phase at 120/240 volts
  - Three phase at 265/460 volts
  - Three phase at 240 volts
  - Two phase at 120/240 or 230 or 240 volts
- I. The term "Production" means Authority supply of power and energy, excluding Delivery Service and Third-Party Supplier power and energy.
- J. The term "Rules" means Authority's Rules and Regulations for Power Service (Part 454 of Chapter X of Title 21 of the Official Compilation of Codes, Rules and Regulations of the State of New York, 21 NYCRR § 454) as now in effect and as may be later amended from time to time by Authority.
- K. The term "Service Tariff" means this Service Tariff No. 200
- L. The term "Third-Party Supplier" means a supplier of power and energy other than Authority.
- M. The term "Utility" means Consolidated Edison Company of New York, Inc. which provides Delivery Service to any Customer purchasing firm power and energy under this Service Tariff.

### **III. Calculation of the Bill**

#### **A. Components of the Bill**

The bill may be composed of the following components, as applicable:

<u>Types of Charges</u>	<u>Bill Components</u>	<u>Charge Units</u>	<u>Billing Determinants</u>
Production	Demand	\$/kW-month	kW
	Base Energy	¢/kWh	kWh
	Energy Charge Adjustment	¢/kWh	kWh
Delivery Service	Customer or Delivery point	\$ per month	# of Accounts
	Demand	\$/kW-month	kW
	Energy	¢/kWh	kWh
	Other	\$/kW-month	various
	Taxes	% or percent	on pre-tax bill
Other	Surcharges or credits	various	n/a
	Adjustments/Reconciliations	various	n/a

#### **B. Bill Computation**

For each Customer Account, the bill shall be equal to the sum of the product of the unit charge for each applicable Bill Component and its respective Billing Determinant. The total Customer bill shall be the aggregate of all Customer Accounts and shall have both Production and Delivery Service charges. If a Minimum Bill applies (see Section VI, General Provision B) the Customer bill shall be computed accordingly.

#### **C. Defined Billing Terms of Production and Delivery**

The following type of rates and conditions are applicable to Production and Delivery Service.

1. Conventional Monthly Rates shall apply to all Accounts except those billed under Time-of-Day ("TOD") Rates.
2. TOD Rates shall apply to:
  - Any Account whose maximum demand exceeds 1,500 kW in any annual period ending September 30;
  - Any new Account whose monthly maximum demand in the Authority's estimate will exceed 1,500 kW during the first year of service; and
  - Successors of Accounts referred to above if eligible for Authority service.

3. Any Account billed under TOD Rates shall be transferred to and billed under Conventional Rates when the Account's monthly maximum demand does not exceed 900 kW for 12 consecutive months, provided however, that TOD Rates shall apply to any Account with multiple meters whose demand meter registrations, when added together for billing purposes, would qualify for these TOD Rates under any of the criteria listed in this Section and at least one of the Customer's meters registers 500 kW or more in any month in any annual period ending September 30.
4. For Accounts transferring from Conventional Rates to TOD Rates, the first bill under TOD Rates shall be rendered when an Account's entire usage for the billing period is subsequent to December 31 of the annual period ending September 30 in which the Account becomes subject to TOD Rates.

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#### **IV. Rates and Charges**

##### **Service Classification No. 62 General Small**

Applicability: To use of service for light, heat and power used for general uses where the Account's requirements do not exceed 10 kW.

<b>Production</b>		
<b><u>Conventional</u></b>		
Energy	cents/kWh	8.494

  

<b>Delivery Service</b>		
<u>Low Tension</u>		
<b><u>Conventional</u></b>		
First 10 kWh	cents/kWh	103.51
Next 890 kWh	cents/kWh	9.400
900 kWh and above	cents/kWh	7.930

  

**Surcharges for Direct-Current Service**

Applicable to any Account served by direct-current service. The following surcharges apply in addition to the rates and charges stated above:

>Customer Charge per month applicable to Accounts with demand-billed service for the period beginning April 1, 2006	\$7,599.00
>Customer Charge per month applicable to Accounts with non demand-billed service for the period beginning April 1, 2006	\$49.00
>Distribution Charge per kWh of direct-current service per month for the period beginning April 1, 2006	\$2.31

- Time Period Conventional: All hours, all days
- **Production:** The energy charges set forth above shall be subject to a monthly Energy Charge Adjustment (ECA) as described in Section VI, General Provision A. These ECA charges are reported in the "Statement of ECA Factor" which is attached to this Service Tariff.
- **Delivery Service:** Delivery Service charges set forth above shall be subject to a monthly Gross Receipts Tax (GRT) surcharge based on the applicable percentage rates included in the "GRT Statement" which is attached to this Service Tariff.

The current Special Provisions (2.A) included in the Delivery Service Rate Schedule of Consolidated Edison Company of New York, Inc. (PASNY No. 4) are incorporated by reference and apply to this service classification.

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**Service Classification No. 64  
 Commercial & Industrial Redistribution**

Applicability: To use of service for light, heat and power for multiple-tenanted commercial or industrial buildings where the Account's requirements are in excess of 10 kW.

<b>Production</b>				
		<u>Conventional</u>	<u>Time-of-Day</u>	
			On-Peak	Off-Peak
Demand	\$/kW-mo.	\$11.59	\$9.51	-
Energy	cents/kWh	4.373	6.304	3.486

<b>Delivery Service</b>				
		<u>Low Tension</u>	<u>High Tension</u>	
<b><u>Conventional</u></b>				
First 100 kW of maximum demand	\$/kW-mo.	\$18.29	\$16.46	
Next 200 kW of maximum demand	\$/kW-mo.	\$16.06	\$14.46	
Next 9,700 kW of maximum demand	\$/kW-mo.	\$14.40	\$12.94	
Next 15,000 kW of maximum demand	\$/kW-mo.	\$13.18	\$11.86	
Over 25,000 kW of maximum demand	\$/kW-mo.	\$10.48	\$9.44	
<b><u>Time-of-Day</u></b>				
Summer (June 1 through September 30)	\$/kW-mo.	\$32.68	\$22.89	
Winter (October 1 through May 31)	\$/kW-mo.	\$6.84	\$4.81	
<b><u>Electrotechnologies TOD (not available for new service)</u></b>	\$/kW-mo.	\$13.77	\$10.06	

➤ Time Period Conventional: All hours, all days

Time-of-Day

Demand Charge:

On-Peak: 8:00 a.m. to 6:00 p.m. weekdays (including holidays)

Off-Peak: All other times

Energy Charge:

On-Peak: 8:00 a.m. to 10 p.m. weekdays (including holidays)

Off-Peak: All other times

**Service Classification No. 64 - continued  
Commercial & Industrial Redistribution**

- **Production:** The energy charges set forth above shall be subject to a monthly Energy Charge Adjustment (ECA) as described in Section VI, General Provision A. These ECA charges are reported in the “Statement of ECA Factor” which is attached to this Service Tariff.
- **Delivery Service:** Delivery Service charges set forth above shall be subject to a monthly Gross Receipts Tax (GRT) surcharge based on the applicable percentage rates included in the “GRT Statement” which is attached to this Service Tariff.

The current Special Provisions (4.A and 4.B) included in the Delivery Service Rate Schedule of Consolidated Edison Company of New York, Inc. (PASNY No. 4) are incorporated by reference and apply to this service classification.

- Rates and charges under this Service Classification may be subject to Rider A.

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**Service Classification No. 66  
Westchester Public Street Lighting**

Applicability: To use of service for lighting of public streets, thoroughfares, parks and parkways;  
operation of traffic control signals, fire alarm signals, warning and directional signs in  
Westchester County.

Production			
<b><u>Conventional</u></b>			
Energy		cents/kWh	7.140

  

Delivery Service			
<b><u>Conventional</u></b>			
Energy Charge		cents/kWh	8.790
Furnishing and Maintaining Control Equipment			
For each point of service termination, where controlled			
period service is supplied from the circuits of the			
utility providing Delivery Service			per month \$2.42

- Time Period Conventional: All hours, all days
- **Production:** The energy charges set forth above shall be subject to a monthly Energy Charge Adjustment (ECA) as described in Section VI, General Provision A. These ECA charges are reported in the "Statement of ECA Factor" which is attached to this Service Tariff.
- **Delivery Service:** Delivery Service charges set forth above shall be subject to a monthly Gross Receipts Tax (GRT) surcharge based on the applicable percentage rates included in the "GRT Statement" which is attached to this Service Tariff.

The current Special Provisions (6.A) included in the Delivery Service Rate Schedule of Consolidated Edison Company of New York, Inc. (PASNY No. 4) are incorporated by reference and apply to this service classification.

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**Service Classification No. 68  
 Multiple Dwellings - Redistribution**

Applicability: To use of service for light, heat and power for multiple dwellings where the Account's requirements are in excess of 10 kW.

<b>Production</b>				
		<u>Conventional</u>	<u>Time-of-Day</u>	
			On-Peak	Off-Peak
Demand	\$/kW-mo.	\$10.24	\$9.18	-
Energy	cents/kWh	4.511	6.518	3.570

<b>Delivery Service</b>			
		<u>Low Tension</u>	<u>High Tension</u>
<b><u>Conventional</u></b>			
Demand	\$/kW-mo.	\$15.72	\$14.14
<b><u>Time-of-Day</u></b>			
Summer (June 1 through September 30)	\$/kW-mo.	\$34.43	-
Winter (October 1 through May 31)	\$/kW-mo.	\$7.23	-

➤ Time Period Conventional: All hours, all days

Time-of-Day

Demand Charge:

On-Peak: 8:00 a.m. to 6:00 p.m. weekdays (including holidays)

Off-Peak: All other times

Energy Charge:

On-Peak: 8:00 a.m. to 10 p.m. weekdays (including holidays)

Off-Peak: All other times

➤ **Production:** The energy charges set forth above shall be subject to a monthly Energy Charge Adjustment (ECA) as described in Section VI, General Provision A. These ECA charges are reported in the "Statement of ECA Factor" which is attached to this Service Tariff.

➤ **Delivery Service:** Delivery Service charges set forth above shall be subject to a monthly Gross Receipts Tax (GRT) surcharge based on the applicable percentage rates included in the "GRT Statement" which is attached to this Service Tariff.

The current Special Provisions (8.A) included in the Delivery Service Rate Schedule of Consolidated Edison Company of New York, Inc. (PASNY No. 4) are incorporated by reference and apply to this service classification.

➤ Rates and charges under this Service Classification may be subject to Rider A.

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**Service Classification No. 69  
 General Large**

Applicability: To use of service for light, heat and power for general uses where the Account's requirements are in excess of 10 kW.

<b>Production</b>				
		<u>Conventional</u>	<u>Time-of-Day</u>	
			On-Peak	Off-Peak
Demand	\$/kW-mo.	\$8.44	\$6.99	-
Energy	cents/kWh	4.724	6.742	3.511

<b>Delivery Service</b>				
		<u>Low Tension</u>	<u>High Tension</u>	
<b><u>Conventional</u></b>				
First 1,300 kW of maximum demand	\$/kW-mo.	\$16.22	\$14.61	
Over 1,300 kW of maximum demand	\$/kW-mo.	\$14.74	\$13.27	
<b><u>Time-of-Day</u></b>				
Summer (June 1 through September 30)	\$/kW-mo.	\$36.23	\$25.38	
Winter (October 1 through May 31)	\$/kW-mo.	\$7.50	\$5.24	
<b>Electrotechnologies TOD (not available for new service)</b>	\$/kW-mo.	\$13.77	\$10.06	

**Surcharges for Direct-Current Service**

Applicable to any Account served by direct-current service. The following surcharges apply in addition to the rates and charges stated above:

- >Customer Charge per month applicable to Accounts with demand-billed service for the period beginning April 1, 2006 \$7,599.00
- >Customer Charge per month applicable to Accounts with non demand-billed service for the period beginning April 1, 2006 \$49.00
- >Distribution Charge per kWh of direct-current service per month for the period beginning April 1, 2006 \$2.31

➤ Time Period Conventional: All hours, all days

Time-of-Day

Demand Charge:

On-Peak: 8:00 a.m. to 6:00 p.m. weekdays (including holidays)

Off-Peak: All other times

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SC 69 – Continued on Leaf No. XX

**Service Classification No. 69 - continued**  
**General Large**

Energy Charge:

On-Peak: 8:00 a.m. to 10 p.m. weekdays (including holidays)

Off-Peak: All other times

- **Production:** The energy charges set forth above shall be subject to a monthly Energy Charge Adjustment (ECA) as described in Section VI, General Provision A. These ECA charges are reported in the "Statement of ECA Factor" which is attached to this Service Tariff.
- **Delivery Service:** Delivery Service charges set forth above shall be subject to a monthly Gross Receipts Tax (GRT) surcharge based on the applicable percentage rates included in the "GRT Statement" which is attached to this Service Tariff.

The current Special Provisions (9.A and 9.B) included in the Delivery Service Rate Schedule of Consolidated Edison Company of New York, Inc. (PASNY No. 4) are incorporated by reference and apply to this service classification.

- Rates and charges under this Service Classification may be subject to Rider A.

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**Service Classification No. 82  
 Multiple Dwellings Space Heating**

Applicability: To use of service for light, heat and power used in a multiple dwelling in which the entire space heating requirements of the residential tenants are supplied by the use of electricity as determined by the Utility providing Delivery Service.

<b>Production</b>					
			<u>Conventional</u>	<u>Time-of-Day</u>	
				On-Peak	Off-Peak
Demand	\$/kW-mo.	\$10.24	\$9.18	-	
Energy	cents/kWh	4.511	6.518	3.570	

<b>Delivery Service</b>				
			<u>Low Tension</u>	<u>High Tension</u>
			<b><u>Seasonal Delivery Charges</u></b>	
Summer (June 1 through September 30)				
First 50 kW of maximum demand	\$/kW-mo.	\$18.45	\$16.60	
Next 250 kW of maximum demand	\$/kW-mo.	\$15.14	\$13.63	
Over 300 kW of maximum demand	\$/kW-mo.	\$14.02	\$12.63	
Winter (October 1 through May 31)				
First 50 kW of maximum demand	\$/kW-mo.	\$14.77	\$13.28	
Next 250 kW of maximum demand	\$/kW-mo.	\$11.18	\$10.07	
Over 300 kW of maximum demand	\$/kW-mo.	\$8.81	\$7.90	

➤ Time Period Conventional: All hours, all days

Time-of-Day

Demand Charge:

On-Peak: 8:00 a.m. to 6:00 p.m. weekdays (including holidays)

Off-Peak: All other times

Energy Charge:

On-Peak: 8:00 a.m. to 10 p.m. weekdays (including holidays)

Off-Peak: All other times

➤ **Production:** The energy charges set forth above shall be subject to a monthly Energy Charge Adjustment (ECA) as described in Section VI, General Provision A. These ECA charges are reported in the "Statement of ECA Factor" which is attached to this Service Tariff.

Date of Issue: XXXXX

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SC 82 – Continued on Leaf No. XX

**Service Classification No. 82 - continued**  
**Multiple Dwellings Space Heating**

- **Delivery Service:** Delivery Service charges set forth above shall be subject to a monthly Gross Receipts Tax (GRT) surcharge based on the applicable percentage rates included in the “GRT Statement” which is attached to this Service Tariff.

The current Special Provisions (12.A) included in the Delivery Service Rate Schedule of Consolidated Edison Company of New York, Inc. (PASNY No. 4) are incorporated by reference and apply to this service classification.

- Rates and charges under this Service Classification may be subject to Rider A.

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## **V. Common Provisions**

### **A. Rules and Regulations**

1. The Rules are hereby incorporated into this Service Tariff with the same force and effect as if herein set forth at length, except as may be noted herein. In the event of any inconsistencies, conflicts or differences between the provisions of this Service Tariff and the Rules, the provisions of this Service Tariff shall govern. Section 454.6 (d) of the Rules shall not be applicable to service hereunder.

2. The supply of service hereunder to Customer is subject to the provisions of the Service Agreement for the Delivery of Power and Energy ("Service Agreement") and the Planning and Supply Agreement ("Planning and Supply Agreement") both dated March 10, 1989, and both between Authority and Consolidated Edison Company of New York, Inc.; and the Consolidated Edison Company of New York, Inc. Delivery Service Rate Schedule Implementing and Part of the Service Agreement as filed with the Public Service Commission and the Federal Energy Regulatory Commission ("PASNY No. 4"), respectively, and as each may be amended and supplemented from time to time. In the event of any inconsistency, conflict or difference between the provisions of this Service Tariff and/or Authority's Rules on the one hand and those contained in PASNY No. 4, the Service Agreement, and/or the Planning and Supply Agreement on the other hand, the provisions of this Service Tariff and Authority's Rules shall govern.

### **B. Character of Service**

Alternating current; 60 hertz; 3 phase

### **C. Power Factor**

Power factor is the ratio of real power (kW) to apparent power (kVA) for any given load and time. Authority may require Customer to maintain a power factor of not less than 90%, lagging or leading, at the meter, or as may otherwise be imposed upon Authority by Utility and/or NYISO.

### **D. Notice of Adjustments in Charges**

Power and Energy: Whenever Authority has determined that the rates for power and energy sold hereunder, exclusive of Delivery Service charges and Energy Charge Adjustment, should be revised pursuant to the Rules, it will notify Customer in writing of the revised rates not less than thirty (30) days in advance of the effective date thereof.

Delivery Service: Authority shall notify Customer in writing within thirty (30) days following the date it receives written notice of adjustments in rates, terms and conditions related to Delivery Service and shall amend this Service Tariff to incorporate such changes accordingly.

ECA: Changes in the Energy Charge Adjustment (if applicable) will be indicated on the monthly bill without prior notice.

E. Customer Requirements for Production and Delivery Service

1. Provision of Production Service

From time to time, Authority will accept requests for Production service from existing or prospective Authority Customers. Authority will notify Utility when Authority has accepted any new Customer and its associated Accounts and when Authority accepts a new Account(s) of an existing Customer. Authority will notify Utility of the time in which it will initiate Production service to such Accounts.

(a) With respect to Accounts transferred from Utility: Utility has agreed (in the Service Agreement) to transfer service of the Accounts which are the customers of Utility to Authority, free of any limitations on termination of contract which would otherwise apply in the absence of such Agreement, except that Utility shall not be required to transfer service of any Account if such customer is not current on its payment for service from Utility, does not pay promptly its final bill for service, and has not paid its outstanding financial obligations to Utility.

(b) With respect to Accounts to be transferred from Third-Party Supplier: the prospective customer shall be responsible for arranging to terminate its service with its Third-Party Supplier and for the transfer of service to Authority, which termination shall, in the ordinary case, be in accordance with the terms of the prospective customer's service agreement with its Third-Party Supplier, and which transfer should be in accordance with the Service Agreement.

(c) Prospective customers must, to the extent practicable notify Authority in advance of any transfer of service from Utility or a Third-Party Supplier to Authority or initiation of service that it desires to be made, but in no event will such notice be less than 30 days.

(d) All Customers shall be subject to compliance with all applicable service connection and other requirements of Utility concerning initiation or modification of service as would apply to a similarly situated customer under Utility's applicable tariffs.

## 2. Provision of Delivery Service

Utility has agreed (in the Service Agreement) to accept power and energy from Authority, and to deliver such power and energy to Authority Customers designated by Authority at such delivery points as the Utility will specify within its franchise area, utilizing Utility's transmission and distribution facilities as available for that purpose. Under such Agreement: (a) Utility and/or Customer may, from time to time, be required to install new or enlarged facilities within the franchise area to serve Customer; (b) Customer is required to coordinate directly with Utility for each requirement for a new delivery point or for enlarged or altered service at any existing delivery point including reinforcement, maintenance or removal applicable thereto; (c) any new, enlarged or altered service or facilities that Utility supplies to its own customers under its effective service schedule or schedules without compensation additional to the standard rate for service shall be similarly available to Authority Customers without payment of compensation beyond the standard rate for Delivery Service provided for that class of Authority Customers; and (d) when the Delivery Service requires facilities for which Utility normally would make a special charge to its own customers or would require the customer to make the installation, Utility shall specify, after discussion with Authority, the additional compensation Customer shall pay to Utility which shall not exceed the compensation which would be payable by a customer of Utility in comparable circumstances; or Customer shall install the needed facilities which shall conform to Utility's specifications and Utility shall permit their connection to its system in accordance with Utility's specifications.

## 3. Temporary Service

Temporary service, if provided to prospective customers that may become Authority Customers, will not be the responsibility of Authority. Upon installation of the permanent service connection, service to the Account(s) shall be transferred to Authority in accordance with subsections 1 and 2 above and only then shall such Account(s) be the responsibility of Authority.

## 4. Initiation, Continuance and Termination of Service

a. Unless otherwise provided in the Customer Supply Contract, the following provisions concerning continuance and termination of Service shall apply:

- (1) Initiation of service will be upon approved application of Customer, under the procedures specified in the Rules.
- (2) Once initiated, service will continue until cancelled or terminated by Authority pursuant to required notice as provided in the Rules.

(3) Customer may terminate service at any time after one year's service on written notice to Authority at least thirty-six months in advance.

b. Unless otherwise provided in the Customer Supply Contract, the Minimum Bill provision of this Service Tariff, as defined in Section VI, Provision B, shall apply.

c. Unless otherwise provided in the Customer Supply Contract, Customer may effect a partial termination or reduction of service if such partial termination or reduction results from (a) Account turn-offs; load management; energy conservation; or Customer-supplied generation, or (b) partial transfer of service by Account to a third party, provided that any such transfer in any given calendar year does not exceed 3 percent of the total annual sales to Customer in that calendar year. Such transfer may occur at any time after one year's service on written notice to Authority not less than 120 days in advance, or sooner, if mutually agreeable.

d. Customer shall notify Authority and Utility in writing in advance when service is to be discontinued at an existing Account. Customer shall provide the name and address, if known, of the succeeding owner or occupant of the Account location being discontinued. If Customer desires service from Authority at another location, Customer shall file a request for such service pursuant to Authority's requirements.

#### 5. Transfer of Service

In the event that Customer discontinues Authority electric service in accordance with the provision of this Service Tariff entitled "Initiation, Continuance and Termination of Service", or Authority discontinues electric service to Customer, transfer of such service from Authority to a Third-Party Supplier or Utility shall be effected provided such Customer meets the Third-Party Supplier's or Utility's prerequisites for electric service as set forth in such supplier's filed schedule for electricity service.

#### 6. Redistribution of Electric Service

Customer may not resell, remeter (or submeter), or redistribute electric service to its tenants or occupants in the premises supplied by Authority, unless such is expressly authorized by the Authority and not violative of any statutes, laws, rules or regulations of any body having jurisdiction in the premises.

F. Billing Demand

Except as otherwise agreed upon, for metered service the billing demand shall be the maximum 30-minute integrated demand established during the billing period and for unmetered service the billing demand shall be determined by Authority.

G. Billing Period

Customer meters are generally scheduled to be read by Utility and bills rendered by Authority on a monthly basis, approximately thirty (30) days.

H. Proration of Monthly Rates and Charges

The foregoing rates and charges shall apply to service rendered hereunder on and after the effective date hereof. Where a bill includes periods before the effective date and after the effective date, the rates and charges applicable will be prorated based on the number of days of service rendered before the effective date and on and after the effective date related to the total number of days in the billing period.

I. Payment

1. Bills computed under this Service Tariff are due and payable at the office of Authority within ten (10) days of the date of bill, subject to late payment in accordance with provision 454.6 (b) of the Rules. In the event that there is a dispute on any item of a bill rendered by Authority, Customer shall pay such bill in its entirety within the prescribed period and any necessary adjustments will be made thereafter.

2. Payment of Estimated Bill: Whenever Utility is unable, for whatever reason, to record Customer's meter information for any monthly billing period, Authority will render to Customer an estimated bill for service for such billing period. This bill will be due and payable in accordance with subsection (a) of this Provision I. of this Service Tariff.

Once Customer's meter is read then Authority will render to Customer an actual, final bill approximately twenty (20) days after the conclusion of the billing period in question. Any overpayment or underpayment by Customer for the previous estimated bill, as determined by the actual, final bill for such billing period, will be treated as a credit or charge towards the bill calculated for the succeeding billing period.

J. Apportionment of Charges When Customer Receives Production Service from the Authority and a Third-Party Supplier

If the total firm power and energy delivered to the Customer is provided partly by Authority and partly by a Third-Party Supplier, then the total charges to the Customer will be pro-rated accordingly (i.e., partly at Authority's rates and partly at Third-Party Supplier's rates).

K. Customer Information for Supply Planning

To assist in Authority's supply planning, Customer agrees to cooperate with Authority in providing information on future power and energy requirements as the Authority may request from time to time.

## **VI. General Provisions Applicable to Production**

### **A. Energy Charge Adjustment**

Unless alternative provisions are set forth in its Customer Supply Contract with Authority, Customer shall be subject to the following Energy Charge Adjustment ("ECA") provision: The charges for electric service hereunder will be subject each month to an addition or a deduction when the "average cost of energy" (defined below) for the previous month increases or decreases from the "base cost of energy" (defined below).

1. The "base cost of energy" shall be equal to (a) the sum of the projected cost of fuel, purchased power, ancillary services and other NYISO-related charges and hedging costs to be incurred to serve Customer for the calendar year in question, less (b) any projected NYISO capacity, energy, or ancillary service revenues or credits to be received by Authority associated with providing service to Customer, as well as any other projected NYISO credits or revenues associated with providing service to Customer (e.g., as a generator or a load serving entity), including Transmission Congestion Credits and rents associated with transmission paths determined by Authority to be used in serving Customer for the calendar year; all divided by the projected kilowatt hour sales to such Customer for the calendar year.

The "base cost of energy" expressed in dollars per kilowatt hour is \$0.07021. Such base cost may be amended from time to time.

2. The "average cost of energy" shall be equal to (a) the sum of the costs of fuel, purchased power, ancillary services and other NYISO-related charges and hedging costs actually incurred in the previous month to serve Customer, less (b) any NYISO capacity, energy, and ancillary service revenues or credits actually received in the previous month by Authority and associated with the service provided by Authority to Customer as well as any other NYISO credits or revenues actually received by Authority and associated with providing service to Customer (e.g., as a generator or a load serving entity), including Transmission Congestion Credits and rents associated with transmission paths determined by Authority to be used in serving Customer; all divided by the total kilowatt hours sold to such Customer for such previous month.

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The "average cost of energy" as determined hereinabove will be adjusted from time to time as determined by Authority to permit reconciliation of revenues derived from Energy Charge Adjustments billed to Customer in prior billing periods with energy-related costs applicable to such billing periods.

3. The "ECA Factor" is the difference between the average cost of energy including adjustments, and the base cost of energy. The ECA Factor shall be added to or subtracted monthly from the charges for electric service to Customer. It will be shown monthly in the Statement of ECA Factor. A copy of the current Statement of ECA Factor will be available upon request.

**B. NYISO-Related Charges**

It is intended that the mechanisms to determine the demand charge, energy charge and Energy Charge Adjustment will account for all charges imposed upon Authority by the NYISO (or its successor) to serve the Customers including charges for capacity, transmission, ancillary services, marginal losses, congestion, reliability-related charges, demand curve charges or any other charge or assessment associated with Authority's responsibility as load serving entity to Customer. Such charges shall be net of any NYISO credits or revenues, including congestion rents, received by Authority and associated with service to Customer.

**C. Distribution Losses**

The determination of the demand charge, energy charge and Energy Charge Adjustment shall account for distribution losses, which losses represent the difference between the power and energy supplied by Authority to the load bus and the power and energy received by Customers.

## **VII. General Provisions Applicable to Delivery Service**

### **A. Rates and Charges**

Delivery Service rates set forth in Section IV, Rates and Charges, of this Service Tariff are payable to Authority by Customer as reimbursement to Utility for the use of its facilities and for services rendered in conjunction with the delivery of power and energy.

The charges for Delivery Service shall be increased by the applicable percentage rates set forth in the GRT Statement of this Service Tariff and by the applicable percentage rate of the taxes imposed by the State and/or the municipality where service is supplied on the revenues of the Utility providing Delivery Service.

The charges for Delivery Service shall be subject to a charge representing Authority's share of the cost of the savings passed on to Madison Square Garden in accordance with Section 3, Chapter 459, 1982 N.Y. Laws.

### **B. Delivery Service Rate Schedule**

1. Delivery Service under this Service Tariff is subject to the rules, regulations, terms, Common, General and Special Provisions of the Delivery Service Rate Schedule (PASNY No. 4) of the Consolidated Edison Company of New York, Inc., on file with the New York State Public Service Commission and the Federal Energy Regulatory Commission, all as may be amended from time to time; provided, however, that service hereunder shall not be subject to either the rate provisions of said Delivery Service Rate Schedule entitled "Delivery Service Rate I" and "Delivery Service Rate II – Time-of-Day" or such other provisions thereof as shall be deemed not to apply to the service hereunder in accordance with Section V, Common Provision A.2.

2. The applicable Special Provisions included in the Delivery Service Rate Schedule (PASNY No. 4) of Utility are incorporated by reference based on the service classifications in Section IV, Rates and Charges.

### **C. Adjustment of Charges**

The charges for Delivery Service hereunder shall be subject periodically to an addition or deduction to reconcile the difference between the charges rendered to Authority by Utility for Delivery Service for Authority customers utilizing such Delivery Service and the charges billed by Authority to such customers. The amounts of any such additions or deductions will be determined and reflected in the Customer's bills for Delivery Service in a manner specified by Authority.

The charges for Delivery Service rendered under this Service Tariff shall be subject to adjustment as Authority deems necessary to recover from the Customer any rates, charges, taxes or assessments charged to Authority by Utility (including any such rates, charges, taxes or assessments lawfully charged for any period from commencement of service to Customer by Authority) if and to the extent such rates, charges, taxes or assessments are not recovered by Authority pursuant to another provision of this Service Tariff.

D. Seasonal Proration

When a bill includes periods during both the summer billing period and the winter billing period, the rates and charges applicable will be prorated based on the number of days in the summer billing period and the number of days in the winter billing period related to the total number of days in the billing period.

E. Billing Period Proration

Where Authority renders a bill for other than a 30 day period, the rates and charges will be prorated on the basis of the number of elapsed days divided by 30; except that a Customer, who terminates service less than 30 days after the commencement of service, will be billed for a month.

F. Rights

Nothing in this Service Tariff is intended to change, alter or diminish any of the rights, privileges or benefits inuring to the Customer by virtue of any heretofore or presently existing independent agreements or arrangements which may have given rise to a course of conduct or relationship as between Customer and Consolidated Edison Company of New York, Inc. and/or any other power supplier (other than Authority) which has heretofore supplied the power requirements of Customer in whole or in part; and nothing herein shall be occasion for the enlargement of wheeling charges for Delivery Service provided by Consolidated Edison Company of New York, Inc. or any other public utility by virtue of any impairment or curtailment or attempted impairment or curtailment of any privilege or service heretofore enjoyed by Customer.

**VIII. Service Classification Riders**

**Rider A**

**Schedule of Rates for Back-up and Maintenance Power**

Applicability: To Service Classification Nos. 64, 68, 69, and 82 for sale of back-up and maintenance power as defined in §292.101 (b) (9) and (11), respectively of Title 18 of the Code of Federal Regulation (C.F.R.) to Authority Public Customers who qualify as a “Small Power Production Facility” or “Cogeneration Facility” as defined in 18 C.F.R. §292.203 (a) and (b), respectively.

<b>Production</b>			
		On-Peak	Off-Peak
Energy	cents/kWh	10.180	1.850
Base ECA	cents/kWh	5.490	1.000
<b>Delivery Service</b>			
<b>On experimental basis only and subject to provision I</b>			
<u>Demand Charge</u>	<u>\$/kW-mo.</u>	<u>\$11.15</u>	

➤ Time Period: Demand Charge - All hours, all days

Energy Charge

On-Peak: 7:00 a.m. to 7:00 p.m. weekdays (excluding holidays)

Off Peak: All other times

Excluding holidays are defined as New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

**Production:** The energy charges set forth above shall be subject to a monthly Energy Charge Adjustment (ECA) as described in provision C of this Rider.

**Delivery Service:** Delivery Service charges set forth above shall be subject to a monthly Gross Receipts Tax (GRT) surcharge based on the applicable percentage rates included in the “GRT Statement” which is attached to this Service Tariff.

The current Special Provisions (3.A – 3.G) included in the Delivery Service Rate Schedule of Consolidated Edison Company of New York, Inc. (PASNY No. 4) are incorporated by reference and apply to this rider A.

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## **Provisions Applicable to Rider A**

### A. Requirements

Service hereunder shall be contingent upon receipt by Authority from Customer of an Application for Qualifying Cogeneration and Small Power Production Facilities under Section 201 and 210 of the Public Utility Regulatory Policies Act of 1978, on a form prescribed by Authority, and acceptance thereof by Authority.

Service hereunder shall also be contingent upon and subject to the securing of appropriate transmission and distribution services (Delivery Service) as required from the Utility providing Delivery Service.

### B. Customer Option

Customer may elect, no more frequently than once in any 12-month period, to have its purchases of energy and demand billed at the rates applicable under either this Rider A or an appropriate Service Classification under this Service Tariff. If Customer elects to have its purchases billed at the rates applicable under an appropriate Service Classification under this Service Tariff, it will be treated, for billing purposes only, as if it were taking service under such Service Classification, except that the delivery service charge under this Rider A, shown above, shall continue to apply; for all other purposes, such Customers shall be treated as taking service under this Rider A.

### C. Energy Charge Adjustment

#### 1. Factor of Adjustment

The monthly energy charge hereunder shall be subject to an adjustment each month. Such adjustment will be determined by dividing the monthly average cost of energy by the base average energy cost. The resultant factor of adjustment will be multiplied by the on-peak and off-peak base incremental energy cost specified herein below to determine the adjusted on-peak and off-peak incremental energy costs. The difference between the on-peak base incremental energy cost and the adjusted on-peak incremental energy cost and the difference between the off-peak base incremental energy cost and the adjusted off-peak incremental energy cost shall be added to or subtracted from the on-peak and off-peak energy charges, respectively, for electric service provided hereunder as specified pursuant to production rates stated hereinabove.

## 2. Average Cost of Energy

The charge for electric service hereunder will be subject each month to an addition or a deduction when the "average cost of energy" for the previous two months as stated herein increases or decreases from the specified base cost.

The "average cost of energy" shall be equal to the sum of (i) the fuel and fuel related charges associated with the operation of the Power Authority's thermal generating units normally furnishing energy under this tariff and the value of energy as determined by Authority from other Authority Projects in generation of energy for its Customers supplied under this tariff and (ii) the amount paid by the Authority for power and energy purchased from other suppliers, including transmission charges and additional capacity charges, if any, associated with such deliveries, less credits from sales of non-firm energy; all divided by the total 60 cycle scheduled firm sales to such Customers for such previous two months.

The "average cost of energy" as determined hereinabove will be adjusted from time to time as determined by the Authority to permit reconciliation of revenues derived from Energy Charge Adjustments billed to Customer in prior billing periods with energy-related costs applicable to such billing periods. Effective January 1, 1994, such energy-related costs shall include revenue requirements as determined by the Authority associated with expenses incurred in connection with energy conservation programs which benefit Customers supplied under this tariff, where such expenses are not recovered directly from Customers participating in such programs.

The difference between the "average cost of energy", including adjustments, and the base cost of energy shall be added to or subtracted from the charges per kilowatthour for energy specified in this Service Tariff, provided, however, that effective with the September 1993 billing period amounts normally charged or credited each month to Customers on account of such difference will be deferred and any resulting net accumulated deferred charges will be offset against Customer's estimated bill payments as provided in Common Provision I of this Service Tariff.

3. Base Average Energy Cost

The base average energy cost hereunder shall be 3.0412 cents per kilowatt hour. Such base average energy cost may be amended from time to time.

4. Base Incremental Energy Cost

Base incremental energy costs expressed in cents per kilowatt hour are 5.49 cents during the on-peak period and 1.00 cents during the off-peak period. Such base incremental energy costs may be amended from time to time.

D. Minimum Charge

There shall be no production minimum charge to Customers under Ride A.

E. Load Factor – Back-up Power

A Customer whose accumulated energy consumption associated with back-up service in any calendar year exceeds the energy associated with its dependable generating capacity, as indicated in its application for service hereunder, taken at ten (10) percent annual load factor will be subject to applicable production rates, in accordance with Section IV, Rates and Charges of this Service Tariff, for any additional back-up service in such calendar year.

F. Coordination of Maintenance Outage

Unless expressly stated otherwise by Authority, maintenance service will not be provided hereunder during Authority's seasonal peak calendar months, to be determined by Authority, or during scheduled outages of Authority's generating facilities. Customer will apply in writing at least sixty (60) days in advance of its maintenance outage for maintenance power and secure written approval from Authority. Authority reserves the right to request Customer to limit such maintenance outage to a period not to exceed thirty (30) days, in which case if said duration is exceeded, Customer will be subject to applicable production rates, in accordance with Section IV, Rates and Charges of this Service Tariff, for any additional maintenance service.

G. Metering

At a minimum, the metering device(s) required to be installed shall be capable of providing kWh readings differentiated by the on-peak and off-peak time periods specified hereinabove, and the maximum thirty (30) minute integrated demand occurring during the billing period.

H. Terms and Conditions

All terms and conditions of this Service Tariff shall apply to service under this Rider A except as specifically modified hereinabove.

I. Delivery Service Limitation

Due to the experimental designation of the Delivery Service portion of this Rider, the maximum amount of contract demand engaged on behalf of all eligible customers will be limited to 5 megawatts. Authority shall exercise sole discretion as to whether an eligible Customer will be served hereunder based on the respective merits of the Application for Qualifying Cogeneration and Small Power Production (where competing applications are received), in circumstances where acceptance by Authority of multiple applications would exceed the aforementioned limit.

**NUMERIC MATRIX**

<u>Service Classification</u>	<b>NEW</b> Rate Category <u>Shown on Bill</u>	<b>NEW</b> Production&Delivery <u>Tariff / Rates</u>	Old Service Class <u>Code</u>	Old Production <u>Tariff</u>	Old Delivery <u>Appendix</u>
<b><u>CONVENTIONAL</u></b>					
General Small	GOV_WES_62	ST 200 / Section IV	62	11-1, 12-1, 13-1, 77-1	C
Commercial & Industrial Redistribution	GOV_WES_64	↓	64	11-4, 77-4	D
Westchester Public Street Lighting	GOV_WES_66		66	11-3, 13-3, 18-4, 55-3, 71-3	F
Multiple Dwellings - Redistribution	GOV_WES_68		68	13-4, 77-3	G
General Large	GOV_WES_69		69	11-2, 12-2, 13-2, 77-2	H
Multiple Dwellings Space Heating	GOV_WES_82	↓	82	13-4, 77-3	I
<b><u>TIME-OF-DAY</u></b>					
Commercial & Industrial Redistribution	GOV_WES_64	ST 200 / Section IV	64	77-4	D
Multiple Dwellings - Redistribution	GOV_WES_68	↓	68	13-4, 77-3	G
General Large	GOV_WES_69		69	11-2, 12-2, 13-2, 77-2	H
Multiple Dwellings Space Heating	GOV_WES_82	↓	82	13-4, 77-3	I

**NOTE:** Old Production Tariffs and Delivery Service Appendices have been replaced by Service Tariff No. 200

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**Gross Receipts Tax (GRT)  
Statement No. 1**

Delivery service charges under this Service Tariff will be subject to the following Gross Receipts Tax surcharge based on where the Account is located.

City of New York	2.4066 %
City of Yonkers	0.3142 %
All Towns and the Village of Buchanan	0.0000 %
All other Customers	0.1045 %

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**Statement of Energy Charge Adjustment (ECA) Factor  
Applicable to Westchester Customers**

Applicable to all Service  
Classifications and Riders  
In cents/kWh

**Effective Billing Period**

March 2007	(0.750)
April 2007	(0.482)
May 2007	0.999

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