

PSC NO: 10 – Electricity
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Superseding P.S.C. No. 9 – Electricity and
Superseding P.S.C. No. 2 - Retail Access

Consolidated Edison Company of New York, Inc.

Schedule For Electricity Service

Applicable in the Company's Entire Territory in the Boroughs of Manhattan, The Bronx, Brooklyn, Staten Island, and Queens, City of New York and in the County of Westchester.

(For detailed description, see General Rule 1)

Subsequent Changes Will Be Effective as Shown on Individual Leaves

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New York Practices and Procedures for the Provision of Electric Metering in a Competitive Environment as adopted by the New York State Public Service Commission

Addendum – NEG

Individually Negotiated Contracts

Addendum – SIR

New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators 5 MW or Less Connected in Parallel with Utility Distribution Systems, as adopted by the New York State Public Service Commission

Addendum - UBP

Uniform Business Practices, as adopted by the New York State Public Service Commission

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GENERAL RULES

1. Territory to Which the Rate Schedule Applies

That portion of the City of New York comprising the Boroughs of Manhattan, The Bronx, Brooklyn, and Richmond; the First, Second, Third, and Fourth Wards in the Borough of Queens; and the territory within the following municipalities in the County of Westchester:

City of Mount Vernon	Village of Briarcliff Manor
City of New Rochelle	Village of Bronxville
City of Peekskill	Village of Buchanan
City of Rye	Village of Croton
City of White Plains	Village of Dobbs Ferry
City of Yonkers	Village of Elmsford
Town of Bedford	Village of Hastings
Town of Cortlandt	Village of Irvington
Town of Eastchester	Village of Larchmont
Town of Greenburgh	Village of Mamaroneck
Town of Harrison	Village of Mount Kisco
Town of Mamaroneck	Village of Ossining
Town of Mount Pleasant	Village of Pelham
Town of New Castle	Village of Pelham Manor
Town of North Castle	Village of Pleasantville
Town of Ossining	Village of Port Chester
Town of Pelham	Village of Rye Brook
Town of Rye	Village of Scarsdale
Town of Scarsdale	Village of Sleepy Hollow
Town of Yorktown	Village of Tarrytown
Village of Ardsley	Village of Tuckahoe

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GENERAL RULES

2. Definitions and Abbreviations of Terms Used in this Rate Schedule

Abbreviations:

Btu	British thermal unit(s)
kV	kilovolt(s)
kVA	kilovolt-ampere(s)
kVAr	kilovolt-ampere(s) reactive
kW	kilowatt(s)
kWhr or kWh	kilowatt hour(s)
MW	megawatt(s)
NYCRR	New York Codes, Rules and Regulations
NYISO	New York Independent System Operator
NYPA or PASNY	New York Power Authority
SC	Service Classification or Service Classification No.
VAr	volt-ampere(s) reactive

Definitions:

- **"Access controller"** is 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 Company.
- **"Actual reading"** is one obtained by the Company or a Meter Data Service Provider from either the meter or a remote registration device attached thereto.
- **"Arrears"** is a charge for which payment has not been made more than 20 calendar days after payment was due.
- **"Authorities"** includes the Public Service Commission of the State of New York, the municipal authorities and any other agencies legally authorized to regulate or inspect the Customer's installation or equipment.

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2. Definitions and Abbreviations of Terms Used in this Rate Schedule - Continued

- **“Backbill”** is that portion of any bill, other than a levelized 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 percent or more the bill that would have been rendered under the Company's standard estimation program, is presumed to be a backbill.
- **“Business Day”** is any Monday through Friday when the Company's main business office is open.
- **“Company”** means Consolidated Edison Company of New York, Inc.
- **“Company deficiency”** means any action or inaction by the Company or one of its authorized agents that does not substantially conform to the rules and regulations of the Public Service Commission, the Company's tariff, or the Company's written business procedures.
- **“Competitive Metering Services”** means services provided by a Meter Service Provider or a Meter Data Service Provider either directly or indirectly (through an ESCO) to a Customer.
- **“Consolidated Bill”** refers to a bill issued to a Retail Access Customer that combines the Company's charges and an ESCO's commodity charges. If the Company and an ESCO agree to the arrangement, consolidated bills may be issued by either the Company or the ESCO.
- **“Customer”** includes both a present consumer of and an applicant for the Company's service. The term “Customer” does not include an ESCO. As provided in 16 NYCRR Parts 11 and 13, “Customer” refers to a single account. Unless otherwise specified, the term “Customer” refers to both Full Service Customers and Retail Access Customers.
- **“Customer-owned Meter”** means a meter owned by the Customer but installed, read, maintained, tested, and removed by the Company.

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2. Definitions and Abbreviations of Terms Used in this Rate Schedule - Continued

- **“Delivery Revenues”** under this Rate Schedule means Pure Base Revenue received under this Rate Schedule plus revenues received under this Rate Schedule from the Billing and Payment Processing Charge, Charges for Metering Services, and the supply-related and credit and collection related components of the Merchant Function Charge before application of the Increase in Rates and Charges.
- **“Delivery Service”** means the transmission and distribution of electricity Supply to a Full Service Customer or Retail Access Customer. For Customers served under SC 11, “Delivery Service” means the transmission and distribution of Supply or electric energy from a Customer under this Rate Schedule.

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GENERAL RULES

2. Definitions and Abbreviations of Terms Used in this Rate Schedule - Continued

- **“Demand Customer”** is a Customer who is billed for demand charges.
- **“Energy Service Company”** or **“ESCO”** means a non-utility entity determined to be eligible by the Department of Public Service to provide energy supply and associated customer service functions for retail access.
- **“EDDS Rate Schedule”** refers to the Company’s Economic Development Delivery Service Rate Schedule under which the Company provided delivery service to NYPA, New York City Public Utility Service, and County of Westchester Public Utility Service Agency. The EDDS Rate Schedule was canceled as of March 1, 2014.
- **“Full Service Customer”** means a Customer who receives both Supply and Delivery Service (“Full Service”) from the Company under this Rate Schedule.
- **“Late Payment”** means any payment made more than 20 calendar days after the date payment was due. Payment is due whenever specified by the Company on its bill, provided such date does not occur before personal service of the bill or posting of the bill electronically or 3 calendar days after the mailing of the bill.
- **“Meter Data Service Provider”** or **“MDSP”** means an entity, other than the Company, that provides meter data services for all meters for the account of a Customer electing Competitive Metering Services for meter data services. Meter data services consist of all of the following services: meter reading, meter data translation, and customer association, validation, editing and estimation (CAVEE). No Customer may act as its own MDSP.
- **“Meter Service Provider”** or **“MSP”** means an entity, other than the Company, that provides the meters and/or metering services for all meters for the account of a Customer electing Competitive Metering Services for meters and/or metering services. Meters and metering services consist of the furnishing, installation, maintenance, testing and removal of meters and related equipment. No Customer may act as its own MSP.
- **“New Customer”** is 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.

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GENERAL RULES

2. Definitions and Abbreviations of Terms Used in this Rate Schedule - Continued

- **"Non-residential Applicant"** is any person, corporation or other entity who has requested service under this Rate Schedule who is not a residential applicant.
- **"Non-residential Customer"** is any person, corporation or other entity supplied with service under this Rate Schedule and pursuant to an accepted application for service who is not a residential Customer.
- **"PASNY Customer"** is an Authority Public Customer served under the PASNY Rate Schedule.
- **"PASNY Rate Schedule"** refers to the Company's PASNY No. 12 Rate Schedule on file with the Public Service Commission and its leaves, terms and conditions and Rates, as the same may be modified or superseded from time to time.
- **"Payment"** is considered to be made on the date when it is received by the Company or one of its authorized agents.
- **"Point of Service Termination"** means the point at which the Company terminates its service lateral and the Customer's wiring begins.

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GENERAL RULES

2. Definitions and Abbreviations of Terms Used in this Rate Schedule - Continued

- **"Public right-of-way"** means the territorial limits of any street, avenue, road or way (other than a limited access thoroughfare) that is for any highway purpose under the jurisdiction of the State of New York or the legislative body of any county, city, town or village and is open to public use.
- **"Public Service Commission"** or the **"Commission"** or the abbreviation **"PSC"** refers to the Public Service Commission of the State of New York.
- **"Pure Base Revenue"** means revenue attributable to Demand Delivery Charges, Energy Delivery Charges, the Reactive Power Demand Charge, and the Customer Charge, if applicable under the Customer's Service Classification, after application of any applicable rate reductions under Rider J or SC 9 Special Provision H and before application of the Increase in Rates and Charges; provided, however, that if the Minimum Monthly Charge (as described in General Rule 10.10) would apply, then "Pure Base Revenue," as stated in General Rule 5.3 and 5.4 and under the Rider J and Rider Y facilities' cost tests, means revenue attributable to the Minimum Monthly Charge after application of any applicable rate reductions under Rider J or SC 9 Special Provision H, plus the Reactive Power Demand Charge, and before application of the Increase in Rates and Charges.

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2. Definitions and Abbreviations of Terms Used in this Rate Schedule - Continued

- **"This Rate Schedule"** or "this Tariff," means the Company's Schedule for Electricity Service as filed with the New York State Public Service Commission.
- **"Residential Applicant"** is any person who requests electric service at a premises to be used as their residence or the residence of a third party on whose behalf that person is requesting service where:
 - a. the Company's effective tariff specifies a residential rate for such service;
 - b. such service will primarily be used for the user's residential purposes, the applicant has so notified the Company, and the applicant will be receiving service under a rate not normally used for residential service; or
 - c. the Company knows or reasonably should have known that any such service will be provided through a single meter to both units of a two-family dwelling;

provided, however, that no person who requests service to an entire multiple dwelling or for the common areas of a multiple dwelling as defined in the Multiple Dwelling Law or the Multiple Residence Law shall be considered to be a Residential Customer or a Current Residential Customer.

- **"Residential Customer"** or **"Current Residential Customer"** refer to any person who, pursuant to an application for service made by such person or a third party on their behalf, is supplied directly by the Company with electric service at a premises used in whole or in part as their residence where:
 - a. the Company's effective tariff specifies a residential rate;
 - b. service is primarily used for the Customer's residential purposes, the Customer has so notified the Company, and the Customer is receiving service under a rate not normally used for residential service; or
 - c. the Company knows or reasonably should have known that any such service is provided through a single meter to both units of a two-family dwelling;

provided, however, that no person who is supplied service to an entire multiple dwelling or for the common areas of a multiple dwelling as defined in the Multiple Dwelling Law or the Multiple Residence Law shall be considered to be a Residential Customer or a Current Residential Customer.

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2. Definitions and Abbreviations of Terms Used in this Rate Schedule - Continued

- **“Retail Access Customer”** means: (a) a Customer who purchases electricity Supply from an ESCO or (b) a Direct Customer as defined in General Rule 19. Retail Access Customers purchase Delivery Service from the Company.
- **“Retail Access Service”** refers to Delivery Service to Retail Access Customers.
- **“Rules,” “Regulations,” “Rules and Regulations of the Public Service Commission,”** or any combination thereof, refer to the rules and regulations duly adopted by the Public Service Commission for publication in Title 16 of the NYCRR and to any lawful orders of the Public Service Commission.
- **“Seasonal Customer”** is a Customer who applies for and receives service periodically each year, intermittently during the year, or at other irregular intervals.
- **“Service Lateral”** means the conductors and equipment for delivering electric energy from the Company's distribution system to the wiring system of a building or premises.

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GENERAL RULES

2. Definitions and Abbreviations of Terms Used in this Rate Schedule - Continued

- **“Short-term or Temporary Customer”** is:
 - a. a non-residential Customer who requests or receives service for a period of up to two years; or
 - b. a residential Customer who requests or receives service for a period of up to one year.
- **“Standardized Interconnection Requirements”** or the abbreviation **“SIR”** means the “New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators 5 MW or Less Connected in Parallel with Utility Distribution Systems,” as adopted by the New York State Public Service Commission and as may be amended from time to time by the Commission. The SIR is set forth in Addendum - SIR to this Rate Schedule.
- **“Standby Service”** means Delivery Service pursuant to General Rule 20. Standby Service rates (Rate III or Rate IV of SC 5, Rate IV or Rate V of SC 8, 9, or 12, or Rate II of SC 13) are applicable to Customers who take Standby Service except as provided under General Rule 20.3.
- **“Summer Billing Period”** is the four-month period from June 1 to September 30.
- **“Supply”** refers to electric energy and capacity.
- **“Tampered Equipment”** means any service related equipment that has been subjected either to unauthorized interference so as to reduce the accuracy or eliminate the measurement of the Company's service, or to unauthorized connection occurring after the Company has physically disconnected service.
- **“Winter Billing Period”** is the eight-month period from October 1 through May 31.

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3. How to Obtain Service

3.1 Application

3.1.1 An application for electric service by the owner or occupant of a building or premises may be made at any business office of the Company or to a duly authorized representative of the Company. An application for electric service may be made by telephone, by mail, or by calling in person at any business office of the Company, except that a written application from a non-residential applicant may be required at any time at the request of the Company. The Company may require an applicant to provide reasonable proof of the applicant's identity as a condition of service. The Company may require an applicant for residential service to complete a written application and provide documentation in accordance with Public Service Commission regulations under the following conditions:

- a. there are arrears at the premises to be served and service was terminated for non-payment or is subject to a final notice of termination; or
- b. there is evidence of meter tampering or theft of service; or
- c. the meter has advanced and there is no Customer of record; or
- d. the application is made by a third party on behalf of the person(s) who would receive service.

Written applications shall be made upon the appropriate form set forth in this Rate Schedule. All applications, including oral applications for service, and the furnishing of service thereunder, and applications for extensions of overhead electric lines or connections thereto, are subject in all respects to the lawful orders of the Public Service Commission, and to the provisions of the Rate Schedule of the Company on file with the Public Service Commission and any subsequently effective revisions thereof.

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3. How to Obtain Service – Continued

3.1 Application - Continued

3.1.1 – Continued

Upon the acceptance by the Company of a Customer's application for service and in each case upon the Customer's compliance with all applicable rules, regulations, terms, and conditions as required for the availability and beginning of service under the Service Classification applied for, the Company will duly supply service as may be required for the building or premises for which service is requested. Unless the applicant specifies a later time, the Company shall provide service within five business days of receipt of a completed application from a residential applicant or within ten calendar days after receipt of a completed application from a non-residential applicant, except as provided in the Public Service Commission's rules. An application or agreement for service or for extension of electric lines or connection thereto shall not be modified or affected by any promise, agreement or representation, orally or in writing, by any agent or employee of the Company, except as expressly provided in this Rate Schedule.

3.1.2 Denial of Application

- a. The Company shall not deny an application for service except in a written notice either delivered personally to the applicant or sent to the applicant's current address or any alternative mailing address provided in the application.
- b. The written notice of denial shall:
 - i. state the reason(s) for the denial;
 - ii. specify what the applicant must do to qualify for service; and
 - iii. advise the applicant of the right to an investigation and review of the denial by the Public Service Commission or its authorized designee if the applicant considers the denial to be without justification, and identify the appropriate address and telephone number of the Public Service Commission.
- c. The Company shall advise any applicant who submits an incomplete application, in writing within three business days after receipt of the application, of the information and/or documents that must be submitted in order for the application to be considered complete. Such notice shall not itself be considered a denial of the application.

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GENERAL RULES

3. How to Obtain Service - Continued

3.2 Residential Security Deposits

3.2.1 Definition:

The term "delinquent" for purposes of assessment of a deposit from a residential Customer shall mean a Customer who:

- a. accumulates two consecutive months of arrears and fails to pay one-half of the total arrears within at least 20 days of the date payment is due, or fails to pay one-half of the arrears due on a bi-monthly bill within 50 days after the date payment is due; provided that the Company requests such deposit within two months of such failure to pay; or
- b. had service terminated or disconnected for non-payment during the preceding six months.

3.2.2 The Company may require a security deposit from seasonal, short-term and delinquent Customers and applicants and from new residential Customers and applicants who do not provide proof of their identity upon application for service. The Company may withhold or discontinue service for failure to pay a required deposit.

3.2.3 The deposit required from electric space heating applicants or Customers may be two times the estimated average monthly bill for the heating season. The deposits required from others may be two times the estimated average monthly bill for a calendar year.

3.2.4 If the Company intends to require a deposit from a delinquent Customer with two consecutive months of arrears, it shall provide the Customer written notice, at least 20 days before it may assess a deposit, that the failure to make timely payment will permit the Company to require a deposit from the Customer. The Company shall permit a delinquent Customer to pay the deposit in installments over a period not to exceed twelve months.

3.2.5 The Company shall not demand or hold a deposit from:

- a. any residential Customer who is 62 years of age or older unless the Customer has had service terminated by the Company for non-payment of bills within the preceding six months; or
- b. any Customer who is known by the Company to be a recipient of public assistance, supplemental security income, or additional state payments.

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3. How to Obtain Service – Continued

3.2 Residential Security Deposits – Continued

3.2.6 The Company will annually review residential accounts which are secured by deposits and refund or credit the deposit to the account of a residential Customer who has not been delinquent in the payment of bills during the past year. Deposits will be credited with simple interest at a rate prescribed from time to time by the Public Service Commission. A deposit plus accrued interest may be credited to the Customer's account only to the extent of current charges and the charges of the next succeeding monthly bill, and any balance will then be paid to the depositor. Simple interest shall be paid to the Customer upon the return of the deposit, or where the deposit has been held for a period of one year, simple interest shall be credited to the Customer on the first bill rendered for service after one year. Deposits that are not refunded after one year will be reviewed for refund annually thereafter in accordance with the foregoing criteria.

3.3 Non-Residential Security Deposits

- 3.3.1 Customers Subject to Deposit Requests: The Company may require the payment of a security deposit from an applicant or a New Customer. The Company may require the payment of a security deposit from an existing Customer:
- a. who is delinquent (that is, a Customer who has made a late payment on two or more occasions within the previous 12-month period);
 - b. as to whom the Company has reliable evidence that the Customer's financial condition is such that it is likely that the Customer may default in the future;
 - c. who has filed for reorganization or bankruptcy; or
 - d. who has been rendered a backbill within the last twelve months for previously unbilled charges for service through tampered equipment.

Customers required to pay deposits under “a” or “b” of this paragraph shall have the opportunity to pay in three installments, 50 percent down and two equal monthly payments of the balance.

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3. How to Obtain Service – Continued

3.3 Non-Residential Security Deposits - Continued

- 3.3.2 Deposit Calculation: The amount of a deposit shall not exceed twice the Customer's average monthly usage, except in case of a Customer whose usage varies widely, where the deposit shall not exceed the cost of twice the average monthly usage for the peak season.
- 3.3.3 Deposit Review: The Company shall, not later than the first anniversary of the receipt of the deposit and at least biennially thereafter, review the billing history of every Customer from whom it holds a deposit to assure that the deposit conforms to the limitations contained in General Rule 3.3.2. If a deposit review shows that the deposit held is at least 25 percent more or less than the amount that may be required, the Company may, if the deposit is less, require the payment of a corresponding additional deposit from the Customer, and shall, if the deposit is more, refund the excess deposit to the Customer. Upon a Customer's request for a downward revision of the deposit, substantiated by the Customer's billing history and a permanent documented change in load and consumption, the Company shall refund any portion of the deposit found to be excessive.
- 3.3.4 Deposit Alternatives: The Company shall accept deposit alternatives which provide a level of security equivalent to cash.
- 3.3.5 Interest: Cash deposits shall accrue interest at a rate prescribed by the Public Service Commission. Interest shall be paid upon the return of the deposit or, where the deposit has been held for a year or more, credited to the Customer no later than the first bill after the next first day of October and annually thereafter. Interest shall be applied until the day a deposit is applied as a credit or refunded.

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3. How to Obtain Service - Continued

3.3 Non-Residential Security Deposits – Continued

3.3.6 Deposit Return: The Company shall return a deposit or portion thereof, plus applicable interest, within 30 calendar days after: the account is closed; the issuance date of the first cycle bill after a three-year period during which all bills were timely paid, if there is no other basis for requesting a deposit under General Rule 3.3.1; or a deposit review shows that a deposit reduction is warranted.

A deposit or portion thereof plus the applicable interest that is subject to return pursuant to the preceding paragraph:

- a. shall be credited to the account it secured in the amount of any outstanding charges;
- b. may be credited to the account it secured in the amount of the next projected cycle bill, if applicable; and
- c. may be credited to any other account of the Customer not secured by a deposit, in the amount of the arrears on the account.

A refund check shall be issued to the Customer for any remaining balance.

3.3.7 Further Information Relating to Non-Residential Customer Deposits: A request for a deposit or a deposit increase shall be in writing. The Company shall issue a receipt to every Customer from whom a deposit is obtained. The rights and responsibilities of the Company and its Customers regarding deposits are subject to the rules of the Public Service Commission.

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4. Characteristics of Service

4.1 General

All of the characteristics of service which may be designated in any part of the territory served by the Company are listed and described below, together with statements of the conditions under which they will be designated. Frequencies and voltages shown are approximate. In addition to the limitations given below, service of particular characteristics is available only when such service is specified under "Character of Service" in the Service Classifications under which service is requested, and is subject also to any additional limitations set forth in those Service Classifications.

The Company has adopted as its standard (hereinafter referred to as the "standard system") the three phase, four wire, alternating current system of distribution, at approximately 60 cycles and 120 and 208 volts, in the interest of a standardized, unified and economical system for its Customers as a whole. As a consequence, the Company is extending the standard system and is gradually converting its non-standard distribution systems to the standard system.

In every case, the Customer should consult the Company as to the characteristics of service to be supplied to the Customer, before purchasing electrical equipment for any new installation or for additions to or replacements of existing installations or before moving electrical equipment to a new address. A written statement regarding the characteristics of the service to be supplied will be given by the Company to the Customer upon request.

The Company reserves the right to change its system and its method of operation from time to time, pursuant to law and the provisions of its Rate Schedule as, in its judgment, is necessary or advisable for economical and proper service to the public. Except as otherwise specifically stated herein, changes in or additions to the wiring or equipment within the building shall be made by the Customer at the Customer's expense. In all respects, the general rules, regulations, terms, and conditions shall apply to such changes or additions.

4.2 Standard Service

Standard service is a service derived directly from the standard system of distribution and comprises:

Three phase, four wire, 120/208 volt service; or
Single phase, two wire, 120 volt service; or
Three wire, 120/208 volt service, comprising two conductors and the neutral of the three phase, four wire system.

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4. Characteristics of Service – Continued

4.2 Standard Service - Continued

Standard service will be designated for additional service to, or for Customers moving into a building which is supplied exclusively with standard service except as otherwise provided under General Rule 4.3 below.

Standard service will be designated for service to new buildings located in an area in which the standard system has been established except as otherwise provided under General Rule 4.3 below.

Either standard service, or a non-standard single or three phase alternating current service as set forth hereinafter, may be designated for service to new buildings located in an area in which the standard system has not been established.

Standard service will be designated for service in all cases for which no specific provision for the designation of non-standard service is hereinafter set forth.

4.3 Three Phase 265/460 Volts

Three phase, four wire, 265/460 volt service may be designated by the Company for service when warranted by the magnitude or location of the load, or other physical conditions, or when it would result in the least cost to the Company.

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4. Characteristics of Service – Continued

4.4 Two Phase, 230 or 240 Volt Service

In a building already being supplied with two phase service, supply for additional equipment will be designated as:

- a. Standard service, if the Customer so requests; or
- b. Two phase service, but only to the extent of the capacity of the Company's existing two phase service facilities (service conductors, secondary mains or distribution transformers), except that, if the existing two phase service has been designated solely for existing elevators or other existing equipment, no additional equipment shall be connected thereto, regardless of the capacity of the Company's existing two phase service facilities. All requirements for service for additional equipment in excess of the capacity of the Company's existing two phase service facilities will be supplied with standard service.

Where the Company, in order to insure safe service to existing equipment installed and connected to existing services with the Company's authorization, would otherwise reinforce the Company's two phase service facilities, the Company may elect to alter, at the Company's expense, for operation on its standard system, part or all of the Customer's equipment so installed and connected at that location if, in the Company's judgment, such alteration is economically justified.

In lieu of maintaining two phase service for the present requirements at any location and establishing standard service for the additional requirements, the Company may elect to convert its system and to alter, at the Company's expense, the Customer's existing equipment installed and connected at that location for operation on its standard system if, in the Company's judgment, such conversion and alteration are economically justified.

In lieu of the Company's standard three phase, four wire, 120 and 208 volt, 60 cycle service specified above, the Company may elect to supply three phase, three wire, 240 volt service if the standard system has not been established in a location.

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4. Characteristics of Service – Continued

4.5 Three Phase, 240 Volt Service and Single Phase, 120/240 Volt Service

In a building already being supplied with three phase, 240 volt service or with single phase, 120/240 volt service, or both, these services may be designated for additional load or standard service may be designated for the additional load or for the entire load. If standard service is designated for the entire load, the Company will alter, at the Company's expense, the Customer's existing equipment installed and connected at that location for operation on its standard system.

These services may be designated for new installations located in areas in which the standard system has not been established.

In lieu of reinforcing or maintaining these non-standard alternating current systems at any location, the Company may elect to convert its system and to alter, at the Company's expense, the Customer's existing equipment installed and connected at that location for operation on its standard system if, in the Company's judgment, such conversion and alteration are economically justified.

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4. Characteristics of Service – Continued

4.6 High Tension Service

4.6.1 Service of the following characteristics will be supplied only when warranted by the magnitude or location of the load or other physical conditions:

- Three phase, 60 cycle service at 2,400/4,150 volts
- Three phase, 60 cycle service at 13,200 volts
- Three phase, 60 cycle service at 26,400 volts
- Three phase, 60 cycle service at 33,000 volts
- Three phase, 60 cycle service at 69,000 volts
- Three phase, 60 cycle service at 138,000 volts

Service of the following characteristics is available only at premises now being supplied with such service and only to the extent of the capacity of the Company's existing service facilities (service conductors, feeders, and substation equipment):

- Three phase, 60 cycle service at 3,000 or 7,800 volts
- Three phase, 60 cycle service at 6,900 volts
- Two phase, 60 cycle service at 1,950 volts
- Single phase or three phase, 60 cycle service at 2,400 volts

High tension service may be designated by the Company for service when warranted by the magnitude or location of the load, or other physical conditions, or when it would result in the least cost to the Company.

High tension service will not be supplied to Customers for whom the Company designates secondary service from the Company's secondary mains.

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4. Characteristics of Service – Continued

4.6 High Tension Service - Continued

4.6.2 High tension service is being supplied to certain buildings without a requirement for high tension protective switch equipment meeting Company specifications between the Company's incoming high tension feeders and the Customer's transformer facilities, provided the Customer was supplied with such modified high tension service prior to January 1, 1998 or entered into a transformer purchase and/or maintenance agreement with the Company by some later date specified by the Commission, and all of the following conditions are satisfied:

- a. The Customer's distribution transformers, network protectors, and related low tension service facilities:
 - (1) are covered by an agreement with the Company providing for the maintenance and repair of the Customer's distribution transformers and related facilities;
 - (2) are owned by the same person or entity who, or which, has entered into an agreement with the Company providing for the maintenance and repair of the distribution transformers and related facilities, or who, or which, has notified the Company in writing that they have assumed the obligations of a predecessor in interest, and provides suitable evidence thereof;
 - (3) are located within or contiguous to the property line of the building or buildings supplied or are in the sidewalk in an enclosure which is adjacent to the property line;
 - (4) are in Customer owned or leased enclosures or supports which, except for the high tension connection, are physically isolated from the Company's distribution facilities; and
 - (5) are electrically isolated from the Company's low tension distribution system.
- b. The entire service installation beyond the point of service termination of the Company's high tension feeders and the cost of conversion to high tension service, including the cost to the Company of changes to its facilities resulting from such conversion, were made at the Customer's expense and in accordance with Company specifications.
- c. All service to a modified high tension service installation by the Company is billed to a single Customer and is exclusively supplied from high tension service facilities, except that if two or more low tension characteristics of service were being supplied to a building, the Customer was permitted to retain one low tension characteristic, if, in the judgment of the Company, it would not affect the safety or reliability of the Company's service. When a high tension characteristic replaced a low tension characteristic, all of that low tension characteristic supplying a building was required to be replaced.
- d. Low-tension metering is adjusted for transformer losses.
- e. No service of other characteristics shall thereafter be introduced to the building or buildings, unless designated by the Company.

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GENERAL RULES

5. Installation and Maintenance of Overhead and Underground Facilities

5.1 Definitions: The terms defined below apply to this General Rule only.

- **“Applicant”** means a developer, builder, person, partnership, association, corporation or governmental agency requesting the provision of electric service either:
 - at a premises to be used as the applicant's residence (residing applicant);
 - in a residence to be used by others (non-residing applicant), provided, however, that a governmental agency applying for service on behalf of a client, who would otherwise be a residing applicant, shall be treated as a residing applicant; or
 - at a non-residential premises.
- **“Appurtenant facilities”** means the necessary and ancillary accessories to an electric line that enable the transportation and distribution of electric energy.
- **“Distribution line”** means an electric line used to distribute electric energy, which will or may reasonably be expected to provide service to more than one Customer.
- **“Multiple occupancy building”** means 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”** means the installation of new electric distribution lines, service lines, and appurtenant facilities on any R/W 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. The installation of a new facility parallel to and on the same R/W as an existing underground facility also constitutes the new construction of such facility.
- **“Premises”** means a parcel of land; or more than one building and/or parcel of land proximate to each other if there is common use, whether or not such buildings or parcels are individually owned or leased or separated by public or private roads.
- **“Public right-of-way”** means 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 Company facilities.

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GENERAL RULES

5. Installation and Maintenance of Overhead and Underground Facilities - Continued

5.1 Definitions – Continued

- **“Residential building”** means a structure enclosed within exterior walls or fire walls, which is built, erected, and framed of component structural parts and is designed for permanent residential occupancy.
- **“Residential subdivision”** means 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 by a governmental authority having jurisdiction.
- **“Right-of-way” (R/W)** means a right to pass over, occupy or use another's land for placing and maintaining Company facilities.
- **“Service line”** means an electric line used to connect a distribution line to an individual customer's meter or the point of attachment to a building or the premises; a service line, at the Company's discretion, may be connected to two or more meters at a single premises.
- **“Supply line”** means a part of a distribution line that is installed between an existing electric distribution system and an underground distribution line within a residential subdivision.

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GENERAL RULES

5. Installation and Maintenance of Overhead and Underground Facilities - Continued

5.2 Common Provisions Applicable to the Installation and Maintenance of Overhead and Underground Facilities

5.2.1 General

To avoid misunderstanding, the Customer shall consult the Company before starting work as to the exact location of the point of service termination and as to whether the facilities are to be installed overhead or underground.

Electric service will be supplied to a building or premises through a single service line, except where, for reasons of least cost to the Company, conditions on the Company's distribution system, improvement of service conditions, or magnitude of the Customer's load, the Company elects to install more than one service line.

The Company reserves the right to determine the location and the point of service termination of its service line.

5.2.2 Change in Location of Service Line and Appurtenant Facilities

Any change requested in the point of service termination or location of the service line and appurtenant facilities, provided such change is approved by the Company, will be made at the expense of the applicant, who shall pay in advance the Company's estimated cost of such change.

5.2.3 Maintenance of Overhead and Underground Facilities

Any distribution, supply, or service line which the Company is required to install and has installed, or the Customer has installed on the Company's behalf, in whole or in part, shall be maintained, repaired, and if necessary replaced by the Company at its expense, up to the service termination point, as required by 16 NYCRR Sections 98.4 and 98.5.

The Company will maintain underground service lines to 1, 2, and 3 family houses whether or not such service line has been installed by the Company.

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GENERAL RULES

5. Installation and Maintenance of Overhead and Underground Facilities - Continued

5.2. Common Provisions Applicable to the Installation and Maintenance of Overhead and Underground Facilities – Continued

5.2.4 Excess Distribution Facilities (Applicable only to Customers served under SCs 1, 2, 5, 8, 9, and 12 and Customers served under the PASNY Rate Schedule)

Upon written application of a Customer on the application form prescribed in Application Form C of the General Rules, and subject to the terms and conditions thereof and the provisions hereinafter set forth, the Company will provide, at the Customer's expense, distribution facilities in excess of or in place of those normally provided or otherwise designated by the Company under the other provisions of this Rate Schedule, including facilities for the purpose of supplying equipment the operation of which involves inrush currents above the values otherwise allowed by the Company. Excess distribution facilities hereunder are unavailable to Customers eligible for service under Rider Y.

Such excess facilities will be provided only if, in the Company's judgment:

- a. the furnishing of such facilities will not adversely affect the Company's standard system of distribution; and
- b. such facilities will conform with the Company's practices as to construction and installation of distribution facilities; and
- c. the utilization of service by the Customer through such facilities will not constitute a present or potential cause of interference with the supply of service to other Customers.

The provision of excess facilities hereunder shall be subject in all respects to the limitations upon characteristics of service elsewhere set forth in this Rate Schedule, and shall be subject to the other provisions of this Rate Schedule, except as may be expressly provided above.

5.2.5 Permits

The Company will make, or cause to be made, application for any necessary street permits for installing its service facilities and shall not be required to furnish electric service until a reasonable time after such permits are granted. The Customer shall obtain, or cause to be obtained by its contractor or representative, and present to the Company for registration, all permits (excepting street permits), consents, and certificates necessary to give the Company or its representatives access to the installation and equipment and to enable its service lateral to be connected therewith, or for other purposes in connection with the supply of electric service. No application will be deemed to be complete until all permits (excepting street permits), consents, and certificates have been obtained by the Customer and presented to the Company for registration.

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5. Installation and Maintenance of Overhead and Underground Facilities - Continued

5.2 Common Provisions Applicable to the Installation and Maintenance of Overhead and Underground Facilities – Continued

5.2.6 Easements or Rights-of-Way When Required for Line Extensions

When required by the Company, the Customer (or Customers) shall execute and deliver to the Company, free from cost, permanent easements or rights-of-way for the placing and maintaining of an extended line in so far as the line extension or subsequent additions thereto affect the property owned by the Customer (or Customers).

The Company shall not be obliged to commence construction of an extension of its electric system until the Customer (or Customers) to be served by such extension have obtained and delivered to the Company satisfactory permanent easements or rights-of-way agreements or have agreed to pay a lump sum or a surcharge in accordance with General Rule 5 for such costs as may be incurred by the Company if at the Customer's request it obtains such easements or rights-of-way.

A successor to a Customer who has agreed to pay such a surcharge shall, as a condition of receiving service, agree to assume the surcharge obligations of the predecessor.

These provisions are applicable irrespective of the length of the extension.

5.2.7 Temporary Service

Where the use of service will be temporary, the Customer will be required to pay in advance to the Company the estimated non-recoverable cost of the Company's service installation and removal (including any street reinforcement and extension required), as determined by the Company and endorsed on the agreement for service. The Customer shall not be relieved of the obligation to fulfill the term and minimum charge provisions of the agreement for service. Where the applicable Service Classification has a term of 1 year or more the Customer may contract for temporary service for a lesser period but not less than 30 days.

Temporary service for the purposes hereof shall include, but shall not be limited to, use of service to non-permanent structures; or to construction sites, fairs, celebrations, and other temporary activities; or under circumstances where the Company has reason to believe that the facilities installed by the Company to provide service may not be used for permanent supply.

The Customer's payment hereunder shall be refundable if circumstances change after the Customer commences to take service, and the Company has reasonable assurance that the use of the service will not be temporary and that the Company's facilities will be used for permanent supply.

In instances where service will be used for less than 60 days for any purpose or the service installation presents difficulties as to metering, the Company may estimate the amount of the charges for such service according to the Service Classification applied for and specify, by endorsement upon the agreement for service, such amount as the charges for the service.

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5. Installation and Maintenance of Overhead and Underground Facilities - Continued

5.3 Company and Customer Obligations With Respect to the Initiation of Service

5.3.1 Company Obligations

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

- a. render the service requested in accordance with the provisions of General Rule 5. The Company shall install any necessary distribution line, service line or appurtenant facilities, with sufficient capacity and using suitable material which, in its judgment, will assure that an applicant receives safe and adequate service. Such installation shall be undertaken as soon as is reasonably possible after compliance with the procedures contained in this section and shall be made at a time appropriate to render service. Construction shall not be delayed by the Company 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;
- b. furnish, place, construct, and operate all electric facilities within public R/W and other R/W when the Company elects to use such R/W in lieu of constructing facilities within public R/W and service lines in accordance with General Rule 5; and
- c. bear the material and installation costs of construction of the distribution lines, service lines, and appurtenant facilities, and the amounts paid to governmental authorities for permits to do the work required and any additional amounts paid for the right(s) to make use of other elective R/W including the material and installation costs of meters and transformers as provided under the "Company's Cost Responsibility" sections of this General Rule 5. The applicant shall bear the remaining cost of construction required for the initiation of the service requested as provided under the "Customer's Cost Responsibility" sections of General Rule 5.

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GENERAL RULES

5. Installation and Maintenance of Overhead and Underground Facilities - Continued

5.3 Company and Customer Obligations With Respect to the Initiation of Service – Continued

5.3.2 Obligations of All Applicants: All applicants shall, prior to receiving service

- a. deliver to the Company, free from cost, any necessary R/W easement(s); or pay in advance or agree in writing to pay the Company any charge relating to the Company's acquisition of the necessary R/W easement(s), so long as the applicant indicates to the Company in writing that the applicant has been unable to obtain such easement(s). In such case, the Company shall impose a lump sum charge on non-residing residential applicants and on applicants requesting non-residential service to cover the actual reasonable costs of acquiring such easement(s). The Company shall impose on a residing residential applicant either a lump sum charge or a surcharge, at the applicant's option, to cover the actual reasonable costs of acquiring such easement(s);
- b. pay or agree in writing to pay the Company the material and installation costs relating to any portion of the distribution line, service line, and appurtenant facilities that exceeds the portion which the Company is required to provide to the applicant under the "Company's Cost Responsibility" sections of General Rule 5; and
- c. furnish reasonable security as may be required by the Company with respect to the performance of the applicant's agreement under General Rule 5.

5.3.3 Additional Obligations of Non-Residing Applicants

Before service is supplied to a non-residing applicant, such applicant shall:

- a. clear any R/W conveyed to the Company of tree stumps, brush, and other obstructions and grade such R/W 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 will be placed underground at the request of the applicant;
- b. provide 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, if requested to do so by the Company;
- c. place and agree to continue to maintain survey stakes indicating grade and property lines;
- d. furnish to the Company or agree 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
- e. agree to maintain the required clearance and grading during construction by the Company.

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GENERAL RULES

5. Installation and Maintenance of Overhead and Underground Facilities - Continued

5.3 Company and Customer Obligations With Respect to the Initiation of Service – Continued

5.3.4 Additional Obligations of Residing Residential Applicants

Before service is rendered to a residing residential applicant, such applicant shall:

- a. assure the Company that the applicant will be a reasonably permanent Customer; and
- b. agree in writing to pay the Company the applicable rates and charges.

5.3.5 Customer Responsibility for Incremental Costs

If the Company estimates the total construction cost directly attributable to supply new service to an applicant or expanded service to a Customer to exceed \$2 million, the Company, upon advance written notice to the applicant or Customer, will require such party to make a non-refundable payment for the lesser of (a) the total construction cost in excess of \$2 million, or (b) the Company's incremental cost. The incremental cost will be equal to the Company's estimated total construction cost less the Customer's cost responsibility under General Rule 5.4.3 or 5.5.3 and less the product of five times the estimated annual Pure Base Revenue that would be obtained from the Customer under the rates of the appropriate Service Classification, if such difference is greater than zero. The "total construction cost" is calculated from the area station breaker to the point of service termination determined by the Company and includes the cost of any required distribution feeder extensions; feeder, secondary distribution, and service reinforcements; structure placements; and local voltage transformation. It does not include substation or transmission facility costs, the cost of the actual transformer(s), or Excess Distribution Facility costs specified under General Rule 5.2.4.

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5. Installation and Maintenance of Overhead and Underground Facilities - Continued

5.4 Overhead Facilities

5.4.1 General

The Company shall furnish, place, construct, and operate all overhead electric lines and overhead 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 where the Company elects to use such a route in lieu of construction within such limits.

The Company will install a service line from its street system to the first point of attachment on or near the front face of the building or to the first intermediate supporting structure for the building or premises which, in such case, shall be the point of service termination. The Customer shall furnish, install and maintain, in accordance with the Company's specifications, all supporting structures and all service line and equipment beyond the first supporting structure, including the standpipe, weather head, and standpipe conductors on the building.

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5. Installation and Maintenance of Overhead and Underground Facilities - Continued

5.4 Overhead Facilities - Continued

5.4.2 Company's Cost Responsibility

1. Residential Applicants: Where permitted to provide overhead service to a residential applicant, the Company shall bear, for each residential building or premises, the material and installation costs for up to 500 feet of overhead distribution line and up to 100 feet of service line or up to 300 feet of overhead distribution line and up to 100 feet of service line for single-phase and three-phase supply, respectively, measured from the Company's existing electric system.
2. Non-Residential Applicants: Where permitted to provide overhead service to a non-residential applicant, the Company shall bear the material and installation costs for up to 500 or 300 feet of overhead distribution line, for single-phase and three-phase supply, respectively.

5.4.3 Customer's Cost Responsibility

If to provide the service requested, the Company must install or provide for the installation of facilities in addition to those facilities provided to the applicant under General Rule 5.4.2, the Company shall impose:

- a. on residing residential applicant(s), a lump sum charge or a surcharge, at the applicant's option, to cover the cost of such additional facilities; and
- b. on all other applicant(s), a lump sum charge to cover the cost of such additional facilities.

The cost of additional overhead facilities shall be determined in accordance with the Company's standard estimating procedures. After the facilities have been installed, the Company shall compare the actual costs of construction with the original cost estimate provided to the Customer and make the necessary reconciliations. The lump sum charge shall be equal to the material and installation costs of distribution lines, service lines, and appurtenant facilities and R/W acquisition costs that exceed the portion the Company is required to provide to the applicant under General Rule 5.4.2. A residing residential applicant who pays a lump sum charge or a surcharge customer shall receive an appropriate refund or adjustment, without interest, if other applicants subsequently take service from such facilities within ten (10) years.

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5. Installation and Maintenance of Overhead and Underground Facilities - Continued

5.4 Overhead Facilities - Continued

5.4.3 Customer's Cost Responsibility - Continued

The annual or rateable surcharge is the applicant's share of costs for the excess facilities times the Company's weighted capital recovery factor which is based on the pre-tax return approved by the Public Service Commission in the Company's most recent rate case. The capital recovery factor is computed as follows:

$$[(i(1 + i/m)^{nm}) / [(1 + i/m)^{nm} - 1]] \text{ where}$$

i = pre-tax return approved by the PSC in the Company's most recent rate case,
m = number of payments in a given year, and
n = 10, the number of years in the surcharge period.

The surcharge shall be subject to the following provisions:

- a. If more than one Customer is to be served from new overhead distribution lines and the length of the lines requested exceeds such Customers' aggregate entitlement (that is, the number of Customers multiplied by 500 feet or 300 feet for single-phase and three-phase supply, respectively), the excess length shall be prorated among the Customers for purposes of calculating the surcharge.

Each applicant's pro rata share of costs for distribution line beyond the aggregate free allowances shall be calculated based upon the costs and expenses for each section of distribution line divided by the number of customers that are supplied by that portion of the line. No applicant 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 receives service.

- b. After commencement of service from a new overhead distribution line whenever the aggregate entitlement of the Customers then served from the line (that is, the number of Customers multiplied by 500 feet or 300 feet for single-phase and three-phase supply, respectively) equals or exceeds the length of the distribution line initially constructed, the surcharge shall terminate to all Customers served from the distribution line.

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5. Installation and Maintenance of Overhead and Underground Facilities - Continued

5.4 Overhead Facilities - Continued

5.4.3 Customer's Cost Responsibility - Continued

- c. Whenever the total Pure Base Revenue in each of any two consecutive calendar years from all Customers served from a new overhead distribution line exceeds 1.5 times the reasonable actual capital cost of the total distribution line, all surcharges to Customers served from the distribution line shall cease. If the revenue test is met within a period of ten years after the new overhead distribution line is ready to render service, customers who paid lump sums will be entitled to prorated, interest-free refunds inversely proportionate to the number of years in the ten-year period which elapsed before the revenue test was met (i.e. if the revenue test was met seven years after the extension was ready to render service, customers who paid lump sums would receive refunds of 3/10 of the lump sums).
- d. No surcharges shall be imposed if the total estimated Pure Base Revenue in each of any two consecutive calendar years from all Customers served from a new distribution line exceeds 1.5 times the reasonable actual capital costs of the total distribution line.
- e. If a residing residential applicant who is subject to a surcharge changes the ownership of the residence after the imposition of such surcharge, the Company may collect the remainder of the surcharge from the successor owner(s) provided the surcharge agreement states in bold face type: **APPLICANT HEREBY AGREES TO INFORM PROSPECTIVE PURCHASERS OF THIS PROPERTY THAT A COMPANY SURCHARGE IS IN EFFECT.**
- f. A residing residential applicant electing to pay a surcharge may, at any time, pay the outstanding balance in a lump sum payment.

5.4.4 Surcharge Form for Extension of Overhead Facilities

For surcharge form for extension of overhead facilities in excess of 500 feet for single phase supply and 300 feet for three phase supply, or for connection thereto of an additional Customer or a successor Customer, see Application Form B in the General Rules.

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5. Installation and Maintenance of Overhead and Underground Facilities - Continued

5.5 Underground Facilities

5.5.1 Facilities to be Installed Underground

The Company shall install underground any distribution line, service line, and appurtenant facilities which are necessary to furnish permanent electric service as follows:

- a. To a residential subdivision in which it is planned to build five or more new residential buildings, if the residential subdivision will require no more than 200 trench feet of facilities per dwelling unit planned within the residential subdivision, subject to the exceptions listed in General Rule 5.5.4.6;
- b. To one or more multiple occupancy buildings if the project will require no more than 200 trench feet of facilities per dwelling unit planned within the project, subject to the exceptions listed in General Rule 5.5.4.6;
- c. To any building or residential subdivision which a local governmental authority having jurisdiction to do so requires the underground installation of facilities provided that the Company shall not install service lines beyond the property line for non-residential buildings in such instances; and
- d. In response to a request for underground facilities by an applicant for service.

In all other circumstances not including the foregoing, the Company will install its facilities overhead.

For the purposes of subdivisions and multiple occupancy buildings under “a” and “b” above, the number of dwelling units is the criterion to be used to determine whether installation is required to be underground. Each lot shown on the approved subdivision map shall, in the case of a single family dwelling, be considered to contain one dwelling unit unless there is sufficient contrary evidence to render it unlikely that each lot will contain a separate dwelling unit (e.g., a foundation is constructed occupying two lots). The measurement of trench footage shall be the shortest distance required to serve the homes within the residential subdivision, consistent with the Company's obligation to provide safe and adequate service.

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5. Installation and Maintenance of Overhead and Underground Facilities – Continued

5.5 Underground Facilities – Continued

5.5.1 Facilities to be Installed Underground - Continued

The Company will install a service line from its street system to the point of service termination. The point of service termination shall be (i) a property line of the building or premises or (ii) if the Company is obligated to provide a service line at its expense, the exterior of the building wall (provided that the service termination point shall be a point immediately inside the wall of the building if the Company can extend, without materially increasing its cost, its service line through a sleeve in the wall provided by the property owner). The Customer shall furnish, install, and maintain, in accordance with the Company's specifications, all service line and equipment beyond the point of service termination.

5.5.2 Company's Cost Responsibility

Where the Company installs underground facilities in accordance with General Rule 5.5.1, the Company shall bear the material and installation costs of construction of its facilities as follows:

5.5.2.1 Residential Applicants-Mandatory Undergrounding: Where the Company is required, for any of the reasons listed in "a", "c," or "d" of General Rule 5.5.1 (with respect to subdivision projects) above, to provide underground facilities for a residential applicant, the cost and expense which the Company must bear, except as otherwise provided in this section, shall include the material and installation costs for up to a total of 100 feet of underground distribution line (including supply line) and underground service line per dwelling unit served, measured from the Company's existing electric system (from 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.

5.5.2.2 Residential Applicants-Non-Mandatory Undergrounding: Where a residential applicant requests underground facilities in situations where the Company is not otherwise required to underground its facilities, the Company will bear, with respect to each residential building, the material and installation costs equivalent to those relating to the length of overhead facilities to which the applicant would otherwise be entitled, measured from the Company's existing electric system.

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5. Installation and Maintenance of Overhead and Underground Facilities – Continued

5.5 Underground Facilities – Continued

5.5.2 Company's Cost Responsibility – Continued

- 5.5.2.3 Elective Underground Installation: Where the Company elects to provide underground facilities, the Company must bear 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.
- 5.5.2.4 Non-Residential Applicants-Mandatory and Non-Mandatory Undergrounding: Where requested to provide underground facilities by a non-residential applicant, or where a local governmental authority having jurisdiction to do so requires undergrounding for non-residential service, the Company must bear the material and installation costs equivalent to the cost that the Company would be required to bear if the facilities were installed overhead.
- 5.5.2.5 Required Undergrounding by a Governmental Authority: If the Company receives an application for residential service outside of a subdivision which will require the installation of underground facilities solely because a governmental authority having jurisdiction to do so has required that the facilities be installed underground, and the per foot cost of installing the necessary facilities will be greater than two times the Company's experienced average cost per foot of installed underground facilities filed with the Public Service Commission, the Company may petition the Public Service Commission pursuant to 16 NYCRR Section 98.2 (e), to allow a greater contribution to the cost of installation of the facilities than this section would otherwise require, or to set up a special surcharge district.

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5. Installation and Maintenance of Overhead and Underground Facilities – Continued

5.5 Underground Facilities – Continued

5.5.2 Company's Cost Responsibility – Continued

5.5.2.6 Multiple Occupancy Buildings: Where the Company is required to place facilities underground to serve a residential multiple occupancy building, for any of the reasons listed in “b”, “c,” or “d” of General Rule 5.5.1, the Company shall bear the material and installation cost for up to a total of 100 feet of underground distribution, supply, and service line times the average number of dwelling units per floor. The total number of floors in the multiple occupancy building shall be used to determine the average number of dwelling units per floor.

5.5.3 Customer's Cost Responsibility

If to provide the service requested the Company must install or provide for the installation of facilities in addition to those whose cost the Company must bear under General Rule 5.5.2, the Company shall impose on the applicant a lump sum charge equal to the material and installation costs of such additional facilities. A residing applicant may, in lieu of a lump sum payment, opt for a surcharge option as outlined in General Rule 5.4.3. The Company will allow non-residing applicants to perform trenching or other work required to install distribution lines, service lines, or appurtenant facilities within the subdivision in lieu of a surcharge or lump-sum payment provided that the Company and applicant are in agreement on the cost and scope of such work.

5.5.3.1 With respect to such additional underground facilities that the Company installs to serve a residential subdivision in accordance with “a” or “d” of General Rule 5.5.1, or a residential building or subdivision in response to a local governmental requirement in accordance with “c” of General Rule 5.5.1, such lump sum charge shall equal the difference between the material and installation costs for underground facilities installed less the cost which the Company bears in accordance with General Rule 5.5.2.1. Should additional dwelling units be later constructed within the same subdivision within a five-year period, and take service from the same underground facilities, the Company will recalculate the charges paid by the non-residing applicant as if the additional dwelling unit(s) had been constructed at the time of the original construction, and refund without interest any monies due to the Customer.

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5. Installation and Maintenance of Overhead and Underground Facilities – Continued

5.5 Underground Facilities – Continued

5.5.3 Customer's Cost Responsibility - Continued

- 5.5.3.2 With respect to such additional underground facilities that the Company installs at the request of a residential applicant in accordance with “d” of General Rule 5.5.1, such lump sum charge shall equal the difference between the material and installation costs for all of the underground facilities requested less the cost which the Company bears in accordance with General Rule 5.5.2.2.
- 5.5.3.3 With respect to such additional underground facilities that the Company installs at its own election in accordance with General Rule 5.5.2.3, such lump sum charge shall equal the amount that the applicant would be required to pay if the distribution and service lines were installed overhead.
- 5.5.3.4 With respect to such additional underground facilities that the Company installs for a non-residential applicant in response to the applicant's request or a local governmental requirement in accordance with “c” or “d” of General Rules 5.5.1, such lump sum charge shall equal the difference between the material and installation costs for all underground facilities requested or required less the cost which the Company bears in accordance with General Rule 5.5.2.4.
- 5.5.3.5 With respect to such additional underground facilities that the Company installs for a multiple occupancy building project pursuant to “b,” “c,” or “d,” of General Rule 5.5.1, such lump sum charge shall equal the difference between the material and installation costs for all underground facilities installed less the cost which the Company bears in accordance with General Rule 5.5.2.6.

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5. Installation and Maintenance of Overhead and Underground Facilities – Continued

5.5 Underground Facilities – Continued

5.5.3 Customer's Cost Responsibility – Continued

- 5.5.3.6 Surcharge Form for Extension of Underground Facilities: For surcharge form for extension of underground facilities in excess of 100 feet, or for connection thereto of an additional Customer or a successor Customer, see Application Form B in the General Rules.

For subdivisions and multiple occupancy buildings, the material and installation costs of underground distribution and service lines shall be determined by multiplying the trench footage by the Company's experienced applicable average cost per foot of installed underground facilities as set forth on the "Statement of Average Cost Per Trench Foot of Installed Underground Facilities" (Statement) filed with the Public Service Commission apart from this Rate Schedule. The Company's average cost per trench foot of supply, distribution, and service line shall be determined for each of the Company's customer service areas and will be filed with the Public Service Commission on or before April 15 to become effective on June 1 of each year based on the experienced average cost of all underground line extensions installed for the 12 months ended December 31 of the previous year.

For installations outside of subdivisions and multiple occupancy buildings, the material and installation costs of underground supply, distribution and service lines shall be determined in accordance with the Company's standard estimating procedures. After the facilities have been installed, the Company shall compare the actual costs of construction with the original cost estimate provided to the Customer and make the necessary reconciliations.

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5. Installation and Maintenance of Overhead and Underground Facilities – Continued

5.5 Underground Facilities – Continued

5.5.4 Residential Subdivisions and Multiple Occupancy Buildings

5.5.4.1 Sale of Lots Without Dwelling Units: Where the applicant will sell vacant lots and is not primarily engaged in the construction of dwelling units in a residential subdivision, the applicant will be required to pay the total cost of the underground distribution facilities. The cost will be determined by multiplying the total distribution trench footage by the Company's experienced applicable average cost per trench foot of installed underground facilities. This charge will be refunded to the applicant with interest at the rate specified by the Public Service Commission for Customer deposits at the rate of 100 feet per dwelling unit or the actual footage required per dwelling unit, whichever is lower, as meters are set for each dwelling unit. Any unrefunded portion of the deposit, five years after the date the Company has informed the applicant in writing that it is ready to provide service, may be retained by the Company.

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5. Installation and Maintenance of Overhead and Underground Facilities – Continued

5.5 Underground Facilities – Continued

5.5.4 Residential Subdivisions and Multiple Occupancy Buildings – Continued

5.5.4.2 Connection From Existing Electric Facilities to Residential Subdivisions: In the event the Company either intends, at its own discretion, or is required to place underground connecting supply lines between an existing electric system and the underground distribution lines installed within an applicant's residential subdivision, it 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 will be used, the connecting supply lines of the Company and the telephone company and cable television company shall be placed underground. Where any part of the supply line is to be placed overhead, an applicant must submit written application to the Company at least 75 days prior to the commencement of construction, and the Company will report such projected construction to the Public Service 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.

Where an 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.

5.5.4.3 Deposits by Applicants: In order to guarantee performance, the Company may require a reasonable deposit from a non-residing applicant before construction is commenced, but in no event shall such deposit exceed the estimated total cost of construction. This deposit is in addition to the applicant's payment of its share of costs for installation and such deposit shall be returned to the applicant with interest, at the rate specified by the Public Service Commission for interest on Customer deposits, on a pro rata basis as each new Customer is connected with service.

Any portion of the deposit remaining unrefunded five years after the date the Company is first ready to render service from the underground electric distribution lines shall be retained by the Company. Upon the mutual agreement of both the Company and an applicant, a bond may be posted in lieu of any deposit.

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5. Installation and Maintenance of Overhead and Underground Facilities – Continued

5.5 Underground Facilities – Continued

5.5.4 Residential Subdivisions and Multiple Occupancy Buildings – Continued

5.5.4.4 Cooperation by Applicants: Each applicant shall cooperate with the Company in an effort to keep the cost of the construction and installation of underground electric distribution lines, service lines, and appurtenant facilities as low as possible, consistent with requirements for safe and adequate service.

The Company may require that all sewers, water facilities, drainage facilities, and curbs be installed before it commences construction within a residential subdivision.

5.5.4.5 Street Lighting Facilities: Street Lighting standards shall be supplied, installed, and maintained by the builder or municipality. For proper coordination of required construction, a street lighting plan approved by the Company shall be established before street lighting work is performed by the Company.

5.5.4.6 Installation of Overhead Facilities In a Residential Subdivision

In unusual circumstances when the application of this section appears impracticable or unjust to either party, or discriminatory to other Customers, or if the Company or the applicant believes that the new construction of underground distribution lines, service lines or appurtenant facilities within a residential subdivision would be less environmentally desirable than the new construction of overhead facilities, the Company or the applicant may petition the Public Service Commission for a special ruling or for the approval of special conditions which may be mutually agreed upon before construction is commenced, or for granting of an exception, pursuant to 16 NYCRR Part 100.5 (b) and (c).

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

- i. when the developer of the residential subdivision is not primarily engaged in the construction of dwelling units within the residential subdivision; and
- ii. no governmental authority having jurisdiction to do so has required underground service; and

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5. Installation and Maintenance of Overhead and Underground Facilities – Continued

5.5 Underground Facilities – Continued

5.5.4 Residential Subdivisions and Multiple Occupancy Buildings – Continued

5.5.4.6 Installation of Overhead Facilities in a Residential Subdivision – Continued

- iii. either 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 will be other new applicants in the residential subdivision within six months, or five years have elapsed from the time of final approval of the residential subdivision or section thereof and less than 25 percent of the lots have been sold in the residential subdivision or any section thereof except where ten percent or more of the lots in the residential subdivision or any section thereof have been sold within the last two years. If the residential subdivision contains sections, percentage requirements must be met by every section of the subdivision and not just the section in which the distribution facilities are to be installed.

In cases where overhead installation would be permissible in accordance with subdivision “iii” above, except that less than five years have elapsed and the Company has reason to believe that the residential subdivision will 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 Public Service Commission to allow overhead installation.

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 subdivision by: extending its facilities no more than 600 feet in a cul-de-sac where a portion of the street within the 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. In order to determine whether 1,200 feet or more of facilities must be constructed to connect existing overhead facilities, the measurement should be along the route of construction. This will usually be the street within the residential subdivision. The Company will report such overhead construction to the Public Service Commission on a quarterly basis for the reasons set forth in this paragraph, except for installing service lines to new applicants from existing overhead lines.

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5. Installation and Maintenance of Overhead and Underground Facilities – Continued

5.5 Underground Facilities – Continued

5.5.4 Residential Subdivisions and Multiple Occupancy Buildings – Continued

5.5.4.6 Installation of Overhead Facilities in a Residential Subdivision – Continued

Service to a residential subdivision may be supplied overhead if no governmental authority having jurisdiction to do so has required undergrounding, by installing service lines to specific houses within the subdivision from existing overhead lines, even though the rest of the subdivision will be served underground.

If the Company receives an application for service within a residential subdivision and the estimated per foot cost of installing the necessary distribution lines, service lines and appurtenant facilities will be greater than two times the Company's experienced applicable average cost per foot of installed underground facilities filed with the Public Service Commission, the Company or the applicant may petition the Public Service Commission to allow overhead installation.

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5. Installation and Maintenance of Overhead and Underground Facilities – Continued

5.6 Transformers and Associated Equipment

5.6.1 Space for Transforming Apparatus

Where the Company considers transformers and associated equipment reasonably necessary for the adequate supply of service to a Customer or a Customer's premises the Customer shall provide suitable space and reasonable access thereto, without rental charge. To facilitate access and ventilation, such space shall, wherever practicable, be adjacent to the property line and should be outside the building and immediately below street grade.

Where space for transformers and associated equipment is at or immediately below street grade and adjacent to the property line, the Company, at its expense, will construct the transformer enclosures abutting the property line and will assume any compensation payable by the Company to the municipal authorities for any necessary sub-sidewalk transformer vaults and splicing chambers, and the Company will furnish, install and maintain the transformers and associated equipment therein.

5.6.2 Interior Distribution Installation

At the request of the Customer, the Company's transformers and associated equipment may be installed by the Customer at one or more points in the building or premises on the same or different levels, provided that the entire service installation within the premises, including the installation of, and connections to the Company's transformers and associated equipment, or replacements thereof, is made at the Customer's expense in accordance with the Company's specifications.

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GENERAL RULES

6. Meters

6.1 Meter Installation

All electric service to a Customer at a single location will be rendered through a single meter except as hereinafter provided. Except in the circumstances described below, the Company will furnish, install, connect, and maintain such meter or meters as are necessary for metering electric energy and demand for Company billing purposes.

The Company will furnish and maintain current and potential transformers necessary for metering purposes.

All transformers, meters, cables, and associated apparatus furnished by the Company shall remain its property and may be removed by it at any time.

The Company reserves the right to meter the demand of any Customer.

6.2 Installation of More than One Meter

6.2.1 Upon the request of the Customer, as many meters as the Customer shall desire will be installed to measure the service at a single location provided the circuit or circuits connected to each meter are kept separate from all other circuits. In such case and in cases where a separate meter is installed in connection with the provision of excess distribution facilities, the service rendered through each meter will be computed and billed in accordance with the applicable Service Classification(s) on separate accounts.

If the Customer is billed under Rider B or Rider C on a time-of-day basis, and the registration of some of the meters is not on a time-of-day basis, the Customer may elect to establish a separate account for each non-time-of-day meter unless the meters were installed pursuant to General Rule 6.2.2.

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GENERAL RULES

6. Meters - Continued

6.2 Installation of More than One Meter – Continued

6.2.2 When more than one meter is installed to measure the service of a single Customer at a single location, under any of the following conditions or circumstances as determined solely by the Company, the registrations of the meters will be combined and the Customer will be billed for such total use, computed as if all service had been rendered through a single meter, in accordance with General Rule 10.8:

- (1) When the use of more than one meter is necessary to provide safe service;
- (2) Where the use of more than one meter is required by a municipal ordinance;
- (3) When a single meter cannot correctly measure the total service rendered;
- (4) When the characteristics of service of the Customer were such that at the time the service connections were installed there was no single meter commercially available to correctly measure such service and multiple meters have been continued in use;
- (5) When service is measured through two or more meters and the occupancy by the present Customer is temporary;
- (6) When two or more service connections are necessary to provide service at the least expense to the Company;
- (7) When in order to render proper and reliable service without undue interruptions more than one service connection is necessary and a meter or meters are connected with each service connection; or
- (8) When service of different characteristics is supplied and there is no meter commercially available to correctly measure such combined service.

If the account is billed on a time-of-day basis, and the registration of some of the meters is not on a time-of-day basis, the Customer may elect to have the non-time-of-day meters billed on one separate account.

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GENERAL RULES

6. Meters - Continued

6.3 Customer-owned Meters

Customers billed under Rate II or Rate IV of SC 5, Rate II or Rate V of SC 8, 9, or 12, or Rate I or Rate II of SC 13 may own the meter(s) that measure their electric service, provided that all electric meters for the Customer's account are owned by the Customer. The meter(s) may be purchased from the Company or from a third party. The Company has the same rights and responsibilities to read, install, test, maintain, remove, and have access to meters that are Customer-owned as meters that are Company-owned. Only Commission-approved meters compatible with the Company's metering infrastructure may 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. A Customer owning the meter measuring service for billing purposes will not be billed a Meter Ownership Charge that is applicable to Customers for whom the Company furnishes the meter(s).

The Company will remove a Customer-owned meter if the condition of the meter or meter-related equipment or facilities presents a hazard, the meter is damaged or inoperable, the Company discovers a theft-of-service condition, or if required periodic or customer-requested meter testing cannot be conducted on site with the meter in place. Unless the meter removal is based on immediate safety concerns, the Company will attempt to substitute a meter of equal functionality while the Customer's meter is removed or until another meter of the same type and functionality can be provided by the Customer. If the Company removes the Customer's meter and unless the meter is held as evidence in a theft of service investigation, the meter will be reinstalled if practicable or turned over to the Customer for further disposition. The Customer will be liable for all costs associated with a meter replacement upon the basis of cost to the Company as defined in General Rule 17.6.

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6. Meters - Continued

6.4 Competitive Metering Services

A Customer may obtain Competitive Metering Services if its registered demand was 50 kW or greater for two consecutive months during the most recent twelve months. Competitive Metering Services are described in New York Practices and Procedures for the Provision of Electric Metering in a Competitive Environment (the "Meter Manual") as adopted by the Public Service Commission and as may be amended from time to time by the Commission. The Meter Manual is set out in Addendum-MET to this Rate Schedule.

If an interval meter was installed or would have been installed by the Company, and the Customer takes Competitive Metering Services from a Meter Service Provider, the Meter Service Provider must install an equivalent meter. If the Customer takes Competitive Metering Services from a Meter Data Service Provider, the Meter Data Service Provider must provide interval data to the Company.

A Customer for whom a Meter Service Provider provides the meter(s) will not be billed a Meter Ownership Charge that is applicable to Customers for whom the Company furnishes the meter(s). A Customer who obtains meter services from a Meter Service Provider will not be billed a Meter Service Provider Charge that is applicable to all other Customers. A Customer who obtains meter data services from a Meter Data Service Provider will not be billed a Meter Data Service Provider Charge that is applicable to all other Customers.

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6. Meters – Continued

6.5 Meters with Communications Capabilities

- (1) Except if meter data services are provided by a Meter Data Service Provider or service is taken under General Rule 20.2.1(B)(8), the Company will provide and maintain the communications service for the following: (a) Full Service Customers who are served under Rider M on a mandatory basis and Retail Access Customers who would be served under Rider M on a mandatory basis if they purchased supply from the Company; (b) Customers served under Rate II or Rate IV of SC 5, Rate II or Rate V of SC 8, 9, or 12, or Rate I or Rate II of SC 13; (c) Customers subject to Reactive Power Demand Charges, pursuant to General Rule 10.11; and (d) Standby Service Customers who were billed for Full Service or Retail Access Service under Rate I or Rate II of SC 3 or SC 10 on and before February 1, 2004.
- (2) The Customer, at its expense, will provide and maintain the communications service unless the Company is required to do so as specified in paragraph (1) above. If communications is by telephone line, the Customer shall provide a dedicated telephone line. If a Customer's telephone line is not operational for any reason when the Company attempts to read the meter, the Customer will be assessed the charge specified in General Rule 16.4.

GENERAL RULES

6. Meters – Continued

6.6 Requirements for Coincident Demand

- a. The Company will bill an account for coincident maximum demand under the provisions of General Rule 10.4, commencing with bills having a “from” date on or after March 1, 2014, if all meters on the account measure and record kW and kVar interval data as part of the reactive power program for Customers with demands of 500 kW or greater (as specified in General Rule 10.11).
- b. Other accounts will be billed for coincident maximum demand under the provisions of General Rule 10.8 if the Customer: (i) furnishes and installs all necessary conduit and wiring between the watt-hour meters and associated metering devices or provides remote communications capability at each meter for connection either by the Company or the Customer’s Meter Service Provider, and (ii) maintains the impulse wiring connecting the meters and/or the remote communications equipment which permits the determination of coincident demand. The Company at its discretion may accept alternate methods for developing coincident maximum demand.

When a defective impulse wiring condition is detected or remote communications capability is inoperative for a meter maintained by the Company, the Company will notify the Customer in writing. Following such notification, the Customer may: (a) repair the condition or (b) request that the meters be separated into two or more accounts to isolate the meter(s) affected by the condition, and may additionally request that the affected meter(s) be upgraded to interval meters as described in General Rule 17.6. If a Customer does not elect to separate the meters into multiple accounts or repair the condition within 60 days of notification from the Company, the Company will replace the affected watt-hour meters measuring the Customer’s service with watt-hour/demand meters, charge the Customer for the cost of such replacement based on the cost elements described in General Rule 17.6, and bill the demand on an additive basis.

- c. An account is not eligible to be billed for coincident demand if: (i) high tension service at 138,000 volts is combined with high tension service below 138,000 volts on an account billed at Standby Service rates; or (ii) high tension service at any voltage is combined with low tension service on the same account. Billing will be permitted on a coincident demand basis for high tension service at 138,000 volts and high tension service below 138,000 volts under Standby Service rates, and for combined high tension service and low tension service under any Service Classification, if the Customer was billed for such service on a coincident demand basis prior to February 1, 2004.

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GENERAL RULES

6. Meters – Continued

6.7 Seals on Meters and Other Equipment

All meters (regardless of ownership), meter equipment and other enclosures on the service side of the meter must be sealed and/or locked. No person, except a duly authorized employee of the Company or the Customer's Meter Service Provider, shall be permitted to break or replace a seal or to alter or change a meter or its connections or location; except that, when wiring changes are being made by the Customer following receipt of Company specifications as to service supply, a qualified electrician may break the meter seal and remove and remount a meter when authorized to do so by the Company or the Customer's Meter Service Provider.

6.8 Testing of Meters

At such times as the Company may deem proper, or as the Public Service Commission may require, the Company will test Customer-owned meters and its meters and measuring devices in accordance with the standards and bases prescribed by the Public Service Commission. The Company may, but is not required to, test meters furnished by Meter Service Providers.

6.9 Unmetered Service

Where the Customer's only utilization equipment consists of warning lights, electric signs or the like, having a total rated capacity of less than 10 kW and an estimated use of less than 3,000 kWhr per month and such equipment has a definitely determinable demand, and is operated on a fixed schedule, the Company may supply unmetered service at the applicable Service Classification rates and charges, upon the basis of the usage determined by the Company and endorsed upon the agreement for service. Unmetered service will not be supplied at any location where the Customer is supplied with metered service or to any account taking Standby Service. The Company reserves the right at any time to meter service previously supplied on an unmetered basis.

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GENERAL RULES

6. Meters - Continued

6.10 AMR/AMI Meter Opt-out

Residential Customers in one- to four-family homes that have, or are scheduled to have, automated meters installed by the Company on their premises may make a one-time election to opt out of an Automated Meter Reading equipped meter (“AMR meter”) or an Advanced Metering Infrastructure equipped meter (“AMI meter”) and, thereby, have their meters read manually, by submitting a completed AMR/AMI Meter Opt-out Application Form available on the Company’s website, www.coned.com.

The Company will attempt to read the meters of Customers who opt out of AMR/AMI metering bi-monthly and render bills monthly, as described in General Rule 10.3. The monthly bills will contain an incremental charge, per account, at half the charge specified in General Rule 17.1.f. If an AMR/AMI meter was previously installed, Customers who opt out of AMR/AMI metering must pay \$104.74 for each meter change-out (i.e., removal of an AMR/AMI meter and installation of a solid-state non-communicating meter), unless the Company did not notify the Customer in writing at least 30 days in advance of the AMR/AMI meter installation, in which case there will be no charge.

Customers who opt out of AMR/AMI metering and thereafter have two months of estimated bills in a 12-month period due to no access to the meter will be required to furnish, install, and maintain the facilities necessary to accept outdoor meter(s) or provide access to the Company to install, or re-install, as applicable, an AMR/AMI meter.

Customers who opt out of AMR/AMI metering may elect to participate in AMR/AMI metering at a later date.

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7. Customer's Installation and Equipment

7.1 Customer Wiring and Equipment

Wherever it is provided that the Customer shall perform any work or furnish or maintain any equipment or facilities, the Customer shall do the same or cause the same to be done at the Customer's expense.

The Company will determine the location, and specify the type and manner of installation and connection, of the service terminating equipment and of the metering equipment and will furnish this information to the Customer upon request. The Customer shall obtain this information as one of the first steps in planning the electrical installation.

All construction by the Customer from the point of service termination to and inclusive of the meter equipment shall be subject to approval by the Company.

The Customer shall furnish, install, and maintain all wiring and equipment, including standpipes, conduits, fittings, wires, cables, fuses, end boxes, service switch, meter equipment (except meters and metering transformers), and meter wiring, beginning with the point of service termination. The Customer shall furnish, install and maintain the facilities necessary to accept outdoor meter(s) wherever feasible when service is provided to a new one-, two-, or three-family home or when the service conduit to an existing one-, two- or three-family home must be replaced in response to a Customer's request for an upgraded service.

If the Customer takes service from a Meter Service Provider, the Meter Service Provider will furnish, install, and maintain the meters for the Customer's service. The Customer shall install and connect metering transformers on initial installation and upon subsequent alteration to the main cable or bus circuit. The Customer shall furnish and install meter wiring between metering transformers or meter equipment and the meters, but the Company or the Customer's Meter Service Provider will make the final connection of such wiring to the meters. Where demand metering devices are required in addition to watt-hour meters, the Customer or the Customer's Meter Service Provider shall furnish, install, maintain, and remove, as necessary, meter equipment for such devices.

The Customer shall provide, or arrange to be provided with, properly identified, suitable wiring and equipment to assure that all service supplied to the Customer, and only service supplied to the Customer, shall register on the meter(s) or other measuring device(s) used for the measurement and billing of the Customer's service. Where the Customer's service equals or exceeds 1000 amperes, and the service is measured by one or more current transformer meters installed and maintained by the Company, the Company shall not be liable to refund payments for service rendered more than 24 months before the Company became aware that such payments were based on incorrect billing resulting from the Customer's failure to provide, or arrange to be provided with, properly identified, suitable wiring and equipment, provided, however, that the Company shall be responsible for proving the connection between the current transformer and the meter pan(s) identified to the Customer's service.

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7. Customer's Installation and Equipment - Continued

7.2 Adequacy and Safety of Installation

The Company shall not be required to supply electric service until the Customer's installation shall have been approved by the authorities having jurisdiction over the same; and the Company further reserves the right to withhold its service, or discontinue its service, whenever such installation or part thereof is deemed by the Company to be unsafe, inadequate or unsuitable for receiving the Company's service or to interfere with or impair the continuity or quality of the Company's service to the Customer or to others. The final connection for making the service alive shall be made only by the Company.

7.3 Customer's Repairs

All repairs to the Customer's installation and equipment shall be made by the Customer, and the Customer shall maintain the installation and equipment in the condition required by the authorities having jurisdiction and by the Company.

7.4 Carrier Current Equipment

If a Customer uses the building wiring for a carrier current system for communication or signaling purposes, the Customer shall install suitable filter equipment or make other provisions approved by the Company to keep the Company's distribution facilities free from carrier currents produced by the equipment.

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7. Customer's Installation and Equipment - Continued

7.5 Motors and Miscellaneous Apparatus

Before installing motors or miscellaneous apparatus, the Customer shall consult the Company regarding the characteristics of the service to be supplied and the manner in which the equipment may be connected. It is important that the characteristics of motors, motor starting equipment, and miscellaneous apparatus, such as welders and X-rays particularly in the matter of inrush currents, shall be such as not to impair the quality of service rendered by the Company to any of its Customers.

Considerable latitude in the amount of inrush current is permissible under certain conditions and the Company will give a written expression of opinion to any Customer as to the acceptability of the Customer's proposed installation in this respect. The Company, however, shall not be understood at any time as giving any assurance or warranty, expressed or implied, that particular conditions may not later require change, unless inrush currents are within limits specified by the Company as acceptable in any case.

For welders, X-rays and other inherently single phase apparatus requiring inrush current in excess of the values allowed by the Company, the Customer shall provide rotating equipment for converting from three phase to single phase, or other equipment such as capacitors, to reduce inrush current to a value acceptable to the Company.

If miscellaneous appliances, such as furnaces, heaters and ranges, having 120 volt elements are supplied from 3 or 4 wire services, the elements should be so connected between the line wires and neutral that the operating current unbalance will be a minimum.

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7. Customer's Installation and Equipment – Continued

7.6 Minimum Insulation Standards – Continued

7.6.1 Definitions applicable to New Dwellings and to Existing Dwellings converting to Electric Space Heating

- a. The term "Dwelling" shall mean a building designed or used as the living unit for one or more families. For the purposes of this standard, mobile homes shall not be considered dwellings.
- b. The term "Historical Building" shall mean any building or structure designated historically significant by the State or local governing body, or listed (or determined by the Secretary of the Interior to be eligible to be listed) in "The National Register of Historic Places."

7.6.2 For New Dwellings

7.6.2.1 Applicability and Compliance:

- a. All new dwellings in the State of New York for which an application for a building permit was made and plans were filed on or after January 1, 1979, and all new dwellings within the State for which construction was begun on or after January 1, 1979, will not be eligible for electric service unless these dwellings comply with the New York State Energy Conservation Construction Code. Compliance with this Code will be satisfied under any of the following circumstances:
 - i. A building permit is obtained for the dwelling from a building code authority or similar authority empowered by local law to issue building permits; or
 - ii. An affirmation is given by the contractor or builder on a certificate of compliance that the construction of the dwelling will comply with the Energy Conservation Construction Code within 30 days after occupancy; or
 - iii. A modification or variance from the requirements of the Energy Conservation Construction Code is issued by the State Board of Review as constituted pursuant to the Executive Law.
- b. For any dwelling constructed after April 1, 1977, but before January 1, 1979, electric service will not be provided without compliance with the Minimum Insulation Standards as set forth by the Public Service Commission in Opinion 77-10 (Case 26286, November 2, 1977) as amended.

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7. Customer's Installation and Equipment – Continued

7.6. Minimum Insulation Standards – Continued

7.6.2 For New Dwellings – Continued

7.6.2.2 Waivers

For any dwelling subject to the requirements of General Rule 7.6.2.1.b, a waiver from these requirements may be granted by:

- a. the Company when the overall heat loss for the building envelope does not exceed the total heat loss which would result from conformance to the individual requirements. The heat loss calculations shall be certified by a licensed engineer or architect;
- b. the Company, if the applicant for service can establish through two estimates, one of which may be a Company audit, that the purchase price and installation charge (excluding financing charges) will be greater than seven times the anticipated annual savings to be obtained (based on the present cost of the fuel currently used in the dwelling); or
- c. the Public Service Commission for just cause, in unusual circumstances, if the applicant for electric service has been denied a waiver pursuant to “a” or “b” above.

A copy of each variance granted or denied by the Company shall be made available to the Public Service Commission, and each applicant denied a variance shall be promptly informed by the Company of the right to appeal to the Public Service Commission.

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7. Customer's Installation and Equipment – Continued

7.6 Minimum Insulation Standards – Continued

7.6.2 For New Dwellings – Continued

7.6.2.3 Certificate of Compliance

- a. A Certificate of Compliance shall be used in all areas of the State where no local authority exists, to assure compliance with the insulation requirements of the Energy Conservation Construction Code.
- b. Each Certificate of Compliance shall be signed by the builder or contractor, and the owner shall receive a copy of such certificate.

7.6.2.4 Compliance Procedures

- a. In areas where there is no local building code authority, upon a complaint by a dwelling owner or tenant concerning noncompliance with General Rule 7.6.2.1 the Company will perform an on-site inspection to determine conformance with the standards concerning roofs, walls, foundation walls, floors, windows, and doors. The result of this inspection will be provided in writing to the owner (and tenant when applicable) of the building.
- b. Whenever the Company finds, as a result of such inspection or notification by the local building code authority, more than one outstanding complaint against any particular contractor wherein a dwelling constructed by such contractor or builder was found to be in noncompliance with the applicable standards, the Company shall refuse to provide electric service to any construction site of that contractor or builder until all existing violations are corrected. The Company shall undertake random inspections of the future construction work of a past noncomplying contractor or builder until such time as the Company is satisfied that the applicable standards are being met.

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7. Customer's Installation and Equipment – Continued

7.6 Minimum Insulation Standards – Continued

7.6.2 For New Dwellings – Continued

7.6.2.5 Penalties for Noncompliance

- a. In the event the Company finds that any dwelling fails to comply with General Rule 7.6.2.1.a or 7.6.2.1.b, the Company shall impose a 25 percent surcharge on any bill for electric service to the Customer until such violations are corrected.
- b. The effective date of the surcharge rate shall be:
 - i. immediately after notice, in the event the owner is directly responsible for the noncompliance; and
 - ii. ninety days after notice, in the event the owner has not contributed to the deficiencies. No surcharge shall be applied if the owner brings the building into compliance within 90 days.
- c. In the event the owner is not billed for the provision of Company service, no surcharges will be applied to the bills of the non-owner occupants of the dwelling. Instead, after notification to the owner that the building is not in compliance, a surcharge will be billed to the owner. The surcharge will be 25 percent of the Company bills for the dwelling that is not in compliance.

In the event that circumstances prevent collecting the surcharge amount from the owner of the non-complying building, the Company may refuse future connections for service to new tenants in the dwelling until it is brought into compliance.

Furthermore, if the owner is an occupant of the dwelling, but is not billed for any electric service, the surcharge will be imposed on the bill for service to the unit occupied by the owner.

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7. Customer's Installation and Equipment – Continued

7.6 Minimum Insulation Standards – Continued

7.6.3 For Existing Dwellings Converting to Electric Space Heating

7.6.3.1 Applicability and Compliance

An existing dwelling will not be supplied electric service for the purpose of converting to electric space heating unless:

- a. the roof/ceiling has at least six inches of insulation or insulation with an R value of 19 or greater;
- b. the dwelling has storm windows, or thermal windows with multiple glazing; and
- c. the entrances have storm doors or thermal doors.

7.6.3.2 Waivers

- a. the Company may waive the requirements in General Rule 7.6.3.1 above where:
 - i. the applicant for service can establish through two estimates, one of which may be a Company audit, that the purchase price and installation charge (excluding interest charges) will be greater than seven times the anticipated annual savings to be obtained (based on the present cost of the fuel currently used in the building);
 - ii. the dwelling is a historical building; or
 - iii. other measures have been taken so that the overall heat loss for the building envelope does not exceed the total heat loss which would result from conformance with the minimum requirements of General Rule 7.6.3.1. Such a heat loss calculation must be certified by a licensed architect or engineer.

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7. Customer's Installation and Equipment – Continued

7.6 Minimum Insulation Standards – Continued

7.6.3 For Existing Dwellings Converting to Electric Space Heating - Continued

7.6.3.2 Waivers - Continued

- b. In the case of a dwelling having a flat roof or having four or more stories, compliance with the roof insulation standard will not be required if four or more inches of insulation are already in place or if insulation can be installed only by means of cutting an opening in the roof.
- c. In the case of a dwelling having six or more stories, storm windows will not be required as long as the Company certifies that the dwelling's windows are caulked and weatherstripped. This certification shall be made in writing to the Public Service Commission. A storm window will not be required on any window opening onto a fire escape.

Copies of waivers granted or denied by the Company shall be made available to the Public Service Commission. Applicants denied waivers shall be informed of their right to appeal that denial to the Public Service Commission.

The Public Service Commission may grant a waiver of the requirements of General Rule 7.6.3.1 for just cause after an applicant for electric service has been denied a waiver by the Company.

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7. Customer's Installation and Equipment – Continued

7.6 Minimum Insulation Standards – Continued

7.6.3 For Existing Dwellings Converting to Electric Space Heating – Continued

7.6.3.3 Certificate of Compliance

- a. A dwelling's compliance with General Rule 7.6.3.1 shall be certified either by
 - i. the owner;
 - ii. a contractor of the owner's choice who has inspected the building; or
 - iii. a Company representative who has inspected the building at the owner's request.
- b. The Company will provide the Certificate of Compliance Form to the applicant at the time of application for service, so that the applicant will be apprised of the requirements for service and the methods by which compliance can be certified.

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GENERAL RULES

7. Customer's Installation and Equipment – Continued

7.6 Minimum Insulation Standards – Continued

7.6.3 For Existing Dwellings Converting to Electric Space Heating – Continued

7.6.3.4 Penalties for Noncompliance:

- a. The Company shall impose a 25 percent surcharge on any bill for electric service to any dwelling which has been converted to electric space heating and which does not comply with the standards set forth in General Rule 7.6.3.1.
- b. The effective date of the surcharge rate shall be:
 - i. immediately after notice, in the event the owner is directly responsible for the noncompliance; and
 - ii. ninety days after notice, in the event the owner has not contributed to the deficiencies. No surcharge shall be applied if the owner brings the building into compliance within 90 days.
- c. In the event the owner is not billed for the provision of Company service, no surcharges will be applied to the bills of the non-owner occupants of the dwelling. Instead, after notification to the owner that the building is not in compliance, a surcharge will be billed to the owner. The surcharge will be 25 percent of the Company bills for the dwelling that is not in compliance.

In the event that circumstances prevent collecting the surcharge amount from the owner of the non-complying building, the Company may refuse future connections for service to new tenants in the dwelling until it is brought into compliance.

Furthermore, if the owner is an occupant of the dwelling, but is not billed for any electric service the surcharge will be imposed on the bill for service to the unit occupied by the owner.

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GENERAL RULES

7. Customer’s Installation and Equipment – Continued

7.6 Minimum Insulation Standards – Continued

7.6.4 Certificate of Compliance Form applicable to New Residential Construction

Consolidated Edison Company of New York, Inc.

CERTIFICATE OF COMPLIANCE

New Residential Construction

The undersigned certifies that the

- 1 or 2 family residence
- multi-family residence

at _____

(Location)

is or will be, not later than 30 days after time of occupancy, in compliance with the current New York State Energy Conservation Construction Code.

It is understood that electric service will, depending on the applicable circumstances, not be connected, be subject to a 25 percent surcharge on the Company bill until all violations are eliminated, or be disconnected, if, upon inspection the structure is found not to be in compliance with the conditions set forth above.

The undersigned certifies that a properly executed copy of this certificate will be delivered to the owner prior to closing and further attests that all statements and representations contained in this certificate are true and accurate.

Date

Signature of Builder or Contractor

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GENERAL RULES

7. Customer’s Installation and Equipment – Continued

7.6 Minimum Insulation Standards – Continued

7.6.5 Certificate of Compliance Form applicable to Existing Dwellings Converting to Electric Space Heating - Continued

Consolidated Edison Company of New York, Inc.

**CERTIFICATE OF COMPLIANCE
Dwelling Converting to Electric Space Heating**

One of the following certificates shall be completed and signed:

(a) I, _____, am aware that the Minimum Insulation Standards for
(Owner)
Dwellings Converting to Electric Space Heating require my house to have storm doors, storm windows and at least R-19 (usually six inches) roof insulation.

I certify that my building at _____ meets those requirements,
(Location)
or that I have obtained a waiver; and I understand that should my building be found not in compliance, a 25 percent surcharge on my Company bill may be imposed or electric service may be discontinued.

The undersigned attests that all statements and representations contained in this certificate are true and accurate.

Address Signature of Owner

(b) I have inspected the building at _____
(Location)
owned by _____ and certify that it meets the requirements of the
(Owner)
Minimum Insulation Standards for Dwellings Converting to Electric Space Heating.

The undersigned certifies that a properly executed copy of this certificate will be delivered to the owner and further attests that all statements and representations contained in this certificate are true and accurate.

Date Signature of Contractor or
Company Representative

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GENERAL RULES

8. Customer Use of Generating Equipment

8.1 Segregated Service

No other source of electric energy shall be introduced or permitted, directly or indirectly, in connection with the Customer's equipment to which electric energy is delivered by the Company, except as provided in Rider R, General Rule 8.2, General Rule 8.3, or General Rule 20. Where any other such source of electric energy is introduced in connection with or auxiliary to the Customer's equipment to which electric energy is delivered by the Company, or for which a delivery and/or delivery and supply of electric energy is requested from the Company, except as otherwise provided herein, such delivery and/or delivery and supply shall be classified as service for standby service purposes and shall be available only upon compliance with and subject to the terms and conditions of Standby Service as described in General Rule 20. All interconnections of generating equipment must be in compliance with the interconnection requirements specified in General Rule 20 or Rider R, as applicable, or by the NYISO as may be required. A Customer who would be served under Standby Service, but fails to connect its equipment to the Company's electric system or operate its equipment in accordance with this General Rule or the Company's specifications, will be required to pay a Contract Demand surcharge each month, beginning the month in which the condition is detected, until the Customer complies with this General Rule and the Company's specifications for Standby Service. The surcharge will equal twice the amount of the charge for Contract Demand that would otherwise be applicable under Standby Service rates.

Issued by: Robert N. Hoglund, Senior Vice President & Chief Financial Officer, New York, NY

GENERAL RULES

8. Customer Use of Generating Equipment – Continued

8.2 Emergency Generating Facilities Used for Self-Supply

The use of emergency generating equipment at the premises for self-supply will be permitted as follows: (1) by affected Customers for the duration of an interruption of the Company's service, or a Company announced voltage reduction; or (2) when generating equipment is operated at the direction of the NYISO under NYISO Installed Capacity procedures for Special Case Resources ("SCR procedures") or NYISO procedures for the Emergency Demand Response Program ("EDRP procedures"); or (3) at the direction of the Company pursuant to Rider O or T; or (4) at the direction of the Company when demand response events are called under the Brooklyn/Queens Demand Management ("BQDM") Program. Unless the Customer is also authorized to export pursuant to General Rule 8.3, the Customer's wiring and switching equipment shall be so arranged as to prevent parallel operation of the emergency generator with the Company's electrical system or feedback into the Company's lines. Before such emergency equipment is installed, the Customer shall submit to the Company for its approval:

- a. a wiring diagram showing how the emergency generator would be connected to the building wiring, including the switching arrangements to prevent parallel operation; and
- b. a statement in writing signed by the Customer to the effect that the emergency facilities will be used only during an interruption of the Company's electricity service or a Company announced voltage reduction and for necessary testing purposes or when generating equipment is operated at the direction of the NYISO under NYISO SCR procedures or EDRP procedures or at the direction of the Company pursuant to Rider O or T or during BQDM Program demand response events.

Customers using emergency generating equipment under other than the above-specified circumstances will be required to take Standby Service as described in General Rule 20.

Effective date postponed to 02/05/2016. See Supplement No. 32.

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GENERAL RULES

8. Customer Use of Generating Equipment – Continued

8.3 Generating Facilities Used on an Emergency Basis for Export

The use of generating facilities at the premises for delivery to the Company's primary distribution feeders will be permitted on an emergency basis as follows: (1) when the generating equipment is operated at the direction of the NYISO under NYISO SCR procedures or EDRP procedures, or (2) at the direction of the Company under Rider O. Delivery to the Company's secondary networks is prohibited. A Customer may not deliver to the Company's primary distribution feeders while it is receiving electric energy delivered by the Company.

A Customer operating its generating equipment on an emergency basis pursuant to this General Rule must comply with all Common Provisions of SC 11, including the Interconnection Charge and Determination of Demand, including establishment of a contract demand and installation of appropriate metering to measure the energy delivered to the Company's system. Further, such Customer is required to pay charges as would be required of Customers taking service under SC 11. The Customer will pay any costs associated with reinforcing the distribution system and/or adding facilities as may be required for load delivery.

The Company reserves the right to exclude a generator from connecting to the Company's primary distribution feeders when the Company deems it necessary to protect its system, facilities, or other Customers. In addition, the Company may prohibit a Customer from delivering power and energy to the Company's primary distribution feeders, or limit the amount of power and energy delivered, for operational reasons.

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GENERAL RULES

9. Eligibility for and Use of Service

9.1 Limitations as to Availability of Service Classifications

9.1.1 Customer's Eligibility for Service

Upon request by the Company, the Customer shall furnish satisfactory proof that the Customer is eligible to be served under the Service Classification and Rider, if any, for which application is made or under which service is supplied, and that the Customer is or will be using service according to the conditions of the application or agreement for service. Upon any change in such use contrary to such conditions the Customer shall forthwith notify the Company thereof in writing. In the event that the Customer's use of service is contrary to the provisions of the Service Classification and/or Rider under which the Customer is being served, the Customer's agreement shall be deemed to be terminated or to be modified as may be required to conform to the appropriate provisions of the Rate Schedule and the Customer will be billed accordingly, and, upon request by the Company, the Customer shall make a new application for service in accordance with General Rule 3.1, appropriate to the service for which the Customer is eligible under the provisions of this Rate Schedule.

9.1.2 Riders

The inclusion of any Rider as a part of any application or agreement for service under any Service Classification shall not prejudice or affect the Company's right to refuse to supply service thereunder for submetering, resale, or other disposition contrary to any provision thereof, and shall not require the Company to supply service for a purpose of use to which such Service Classification is not applicable.

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GENERAL RULES

9. Eligibility for and Use of Service - Continued

9.2 Changes in Customer's Requirements

The capacity of the Company's facilities supplying service to an individual Customer is designed to provide adequate service to the installation existing at the time service was connected so that any material increase in load may result in poor quality of service, interruption of service or damage to the Company's facilities. The Customer shall give the Company reasonable advance notice of intention materially to increase the Customer's load so that adequate facilities may be provided.

When there is a change in the Customer's requirements for electric service or a change by the Customer from one Service Classification to another, or when the Customer includes in the requirements any service theretofore supplied to the Customer or to others under another agreement or agreements for service, the Customer shall make such changes and alterations in the wiring, meter equipment, and appurtenances and other parts of the Customer's installation as may be necessary to enable the Company to furnish safe and adequate service and to measure the electric service thereafter to be supplied through the meter or meters installed in accordance with General Rule 6. Such changes and alterations shall be governed by the requirements applying to new installations. When a Customer takes Competitive Metering Services from a Meter Service Provider, the Meter Service Provider must furnish and install appropriate metering to reflect the change in the Customer's requirements.

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GENERAL RULES

10. Meter Reading and Billing

10.1 Measurement of Electric Service

Bills will be based upon the registration of the Company-owned meters or approved Customer-owned or Meter Service Provider-furnished meters except as otherwise provided in this Rate Schedule. All service shall be measured according to the characteristics of the service supplied by the Company except that there shall be an appropriate adjustment for transformer losses in the computation of energy and demand charges for Customers receiving high tension service which is metered on the low tension side of the transformer.

10.2 Shared Meter Conditions

In accordance with 16 NYCRR Sections 11.30 through 11.32, and Section 52 of the Public Service Law, when a tenant's service meter also registers service used outside the tenant's dwelling, the tenant is not required to pay the charges for that service. The Company will establish an account in the owner's name for all service registered on the shared meter after that date and will rebill for past service in accordance with Section 52 of the Public Service Law. A Customer may request a copy of the entire rules governing shared meters from the Company.

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GENERAL RULES

10. Meter Reading and Billing - Continued

10.3 Meter Reading and Billing Period

Thirty days is considered a month for billing purposes. Unless otherwise specified in this Rate Schedule, rates and charges are stated on a 30-day basis. In the ordinary course of business, meters are scheduled by the Company to be read and bills are rendered monthly (approximately 30 days) or bi-monthly (approximately 60 days). The Company prepares such schedules in advance. Where meters are scheduled to be read bi-monthly, the Company may render an interim, averaged bill for the first month (approximately 30 days) of the bi-monthly period. Where demand meters are installed for billing purposes, the Company will schedule meter readings monthly. The Company reserves the right to schedule meter readings and render bills at any other interval of time. Meter Data Service Providers must provide meter reading data, billing determinants, and interval data, as applicable, in a timeframe consistent with the requirements of the Company.

Except for meters served by Meter Data Service Providers:

- a. The Company shall attempt to obtain an actual meter reading for each scheduled meter reading for each Customer account by a remote reading or a visit to the Customer's premises. In the case of non-residential Customers, the visit shall be between 8 A.M. and 5 P.M. on a business day.
- b. Where the Company did not obtain an actual reading from the meter(s) of a demand account at the time of a regularly scheduled or follow-up reading attempt, the Company shall make another reading attempt as soon as possible and within seven calendar days after its last attempt.
- c. Where the Company has billed a non-residential Customer's account based on the readings of a remote registration device for six consecutive months, the Company shall, at the time of every subsequent reading attempt and, until successful, try to gain access to and read the meter.

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GENERAL RULES

10. Meter Reading and Billing - Continued

10.4 Maximum Demand

The maximum demand when determined by a demand meter shall be the highest 30 minute integrated demand occurring during the billing period in which such use is made.

Whenever service is terminated to a Customer's premises and the same Customer applies for, and receives, service at the same location, within what would have been the same billing period, but for the termination in service, the maximum demand for the billing period shall be determined as though there had been no termination of service.

An account with more than one meter will be billed for demand in accordance with General Rule 10.8.

Whenever electric service of the same or different characteristics is supplied through two or more watthour meters under a single agreement the Company may compute the maximum demand, in lieu of installing a demand measuring device, for any watthour meter which has not registered more than 360 kilowatthours per month in 2 consecutive months during the preceding 12 months, on the basis of 0.1 kilowatt for each 18 kilowatthours of registered consumption during a monthly billing period

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GENERAL RULES

10. Meter Reading and Billing - Continued

10.5 Billing of Changes in Rates and Proration of Monthly Rates and Charges

Unless otherwise specified under this Rate Schedule, the following provisions will apply to billing of changes in rates and proration of monthly rates and charges:

- 10.5.1 Rates and charges shall apply to service rendered on and after the effective date of those rates and charges. The rates and charges will be prorated when there is a change in rates and charges on the basis of 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.
- 10.5.2 Monthly rates and charges will be prorated when the Company renders a bill for other than a 30-day period on the basis of the number of elapsed days divided by 30; except that:
- (i) a Customer who terminates service less than 30 days after the commencement of service will be billed for 30 days;
 - (ii) rates and charges assessed per bill or per calendar month will not be prorated; and
 - (iii) rates and charges assessed per kWhr will not be prorated.

Where Energy Delivery Charges are subject to kWhr rate blocks, usage within the first and each succeeding rate block will be prorated on the basis of the number of elapsed days divided by 30 before any remaining usage is allocated to the succeeding rate block(s).

Rates and charges assessed per kW will be prorated for 30 days; provided, however, that where there are kW rate blocks, the Demand Delivery Charges will be totaled and then prorated on the basis of the number of elapsed days divided by 30.

- 10.5.3 As-Used Daily Demand Delivery Charges under Standby Service rates are not subject to proration.

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GENERAL RULES

10. Meter Reading and Billing - Continued

10.6 Backbills

Except as provided below, the Company shall not backbill a non-residential Customer:

- a. more than 6 months after the Company actually became aware of the circumstance, error, or condition that caused the underbilling, unless a court extends the time to render a backbill;
- b. for service rendered more than 12 months before the Company actually became aware of the circumstance, error, or condition that caused the underbilling, when the failure to bill was due to Company deficiency, unless the Company can demonstrate that the Customer knew or reasonably should have known that the original billing was incorrect;
- c. for service rendered more than 24 months before the Company actually became aware of the circumstance, error, or condition that caused the underbilling, unless the Company can demonstrate that the Customer knew or reasonably should have known that the original billing was incorrect.

Backbilling for residential and non-residential Customers is subject to the rules of the Public Service Commission.

For any period when the Customer obtained Competitive Metering Services, the Company's right to backbill will not be limited for meter-related conditions that arose or could reasonably have been discovered during that time.

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GENERAL RULES

10. Meter Reading and Billing - Continued

10.7 Estimated Bills

The Company may render an estimated bill for a regular cycle billing period for Company-owned or Customer-owned meters only when:

- a. the Company has failed to obtain access to the meter(s);
- b. circumstances beyond the control of the Company made obtaining an actual reading of the meter(s) extremely difficult, despite having access to the meter area; provided, however, that estimated bills for this reason may be rendered no more than twice consecutively without the Company advising the Customer in writing of the specific circumstances and the Customer's obligation to have the circumstances corrected;
- c. the Company has good cause for believing that an actual or Customer reading obtained is likely to be erroneous; provided, however, that estimated bills for this reason may be rendered no more than twice consecutively without the Company initiating corrective action before the rendering of the next cycle bill;
- d. circumstances beyond the control of the Company prevented the meter reader from making a premises visit;
- e. an actual reading was lost or destroyed; provided, however, that an estimated bill for this reason shall be rendered no more than once without the Company initiating corrective action before the rendering of the next cycle bill;
- f. an estimated reading has been prescribed or authorized by the Public Service Commission for a particular billing cycle;
- g. an estimated reading is the approved billing method in accordance with the Company's tariff for the billing; or
- h. an unmetered condition was in existence during the period.

The Company may render an estimated bill for a regular cycle billing period for meters served by Meter Data Service Providers, when:

- a. the Company determines that an actual reading is likely to be erroneous;
- b. the Company does not receive an actual reading in a timely manner;
- c. the Company determines that an estimated reading is likely to be erroneous;
- d. an estimated reading has been prescribed or authorized by the Public Service Commission for a particular billing cycle;
- e. an estimated reading is the approved billing method in accordance with the Company's tariff for the billing; or
- f. an unmetered condition was in existence during the period.

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GENERAL RULES

10. Meter Reading and Billing - Continued

10.8 Plural Meters - Billing of Charges

- a. If an account is billed under Rider B or Rider C or has more than one meter pursuant to General Rule 6.2.2, the amount of energy registered by each watt-hour meter will be combined. The maximum demands will be added for billing purposes, unless the account is billed on the basis of coincident maximum demand. An account may be billed for coincident maximum demand provided the Customer meets the requirements set forth in General Rule 6.6. Except in accordance with this provision or other specific provision therefor contained in this Rate Schedule, the amount of electric service supplied through more than one meter will not be combined for billing purposes.
- b. Where an account is billed under Rate I of SC 5, 8, 9, or 12 (demand) on the basis of coincident maximum demand for both high tension and low tension service under a single agreement, the number of kilowatts of high tension demand, for billing purposes, will be determined based on the readings of each meter if all meters on the Customer's account measure and record kW and kVar interval data as part of the reactive power program. If the account is not part of the reactive power program or interval data is not available to determine the low tension and high tension coincident peak demands: (a) the number of kilowatts of high tension demand will be determined by applying to the coincident maximum demand the ratio that the high tension non-coincident maximum demand bears to the sum of the high tension and the low tension non-coincident maximum demands; and (b) the number of kilowatts of low tension demand, for billing purposes, shall be equal to the difference between the number of kilowatts of high tension demand, determined as herein provided, and the coincident maximum demand.

Where both high tension and low tension service are supplied and billed to a Customer under a single agreement, the high tension service will be billed at the high tension rate and the low tension service will be billed at the low tension rate. Where there are kW rate blocks, the high tension service will be billed at the high tension rate blocks, and the low tension service will be billed at the appropriate succeeding rate blocks. If the Customer is billed at Standby Service rates for high tension service at 138 kV and high tension service at voltages below 138 kV under a single agreement, the high tension service at 138 kV will be billed at rates for high tension service at 138 kV, and the high tension service below 138 kV will be billed at rates for high tension service below 138 kV. A Customer billed at Standby Service rates will pay only one Customer Charge on an account that combines low tension service, high tension service below 138 kV and/or high tension service at 138 kV: the highest Customer Charge will apply.

- c. If an account is billed on a time-of-day basis, and the registration of some of the meters is not on a time-of-day basis, the registrations of such meters will be billed on the time-of-day characteristics indicated by the time-of-day meter.
- d. If a Customer with Competitive Metering Services has a multi-metered account where demand is billed on a coincident basis, the Customer's Meter Data Service Provider must provide the Company with billing determinants to bill the demand on a coincident basis. Where such coincident demand determinants cannot be provided for a billing cycle, the Customer's Meter Data Service Provider must provide billing determinants so that the maximum demands can be billed on an additive basis.

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GENERAL RULES

10. Meter Reading and Billing - Continued

10.9 [RESERVED FOR FUTURE USE]

GENERAL RULES

10. Meter Reading and Billing - Continued

10.10 Minimum Monthly Charge for Demand-billed Customers

- a. A Minimum Monthly Charge is applicable to Customers billed for demand under SCs 5, 8, 9, 12, and 13, except as specified below. A Minimum Monthly Charge is not applicable: (i) to Customers whose requirements are served in full or in part under the programs specified in General Rule 11; (ii) to Customers served under Rider I, Rider R or Rider Y; (iii) to Customers billed under Standby Service rates; and (iii) to certain temporary service customers as provided below.

High-tension Customers served by temporary service pursuant to General Rule 5.2.7 are exempt from the Minimum Monthly Charge if they are billed for service under Rate II or Rate III of SC 8, 9, or 12, Rate II of SC 5, or SC 13, and electricity is used exclusively during off-peak hours (i.e., the entire 48 hours of Saturday and Sunday, and 10 PM through 8 AM, Monday through Friday). If such a Customer uses service during on-peak hours in any month, the account will become ineligible for the Minimum Monthly Charge exemption for that month and the successive 17 months.

- b. The Minimum Monthly Charge is equal to the product of the Customer's Contract Demand and 40 percent of the Demand Delivery Charges per kW applicable to such Customer under the Customer's applicable rate.
- c. Each month, the Company will determine for each Customer: (a) the monthly Pure Base Revenue exclusive of the Reactive Power Demand Charge, (b) the monthly Pure Base Revenue (i) less the Reactive Power Demand Charge (ii) plus the Monthly Adjustment Clause ("MAC") exclusive of the Adjustment Factor – MAC, and (c) the Minimum Monthly Charge.

GENERAL RULES

10. Meter Reading and Billing - Continued

10.10 Minimum Monthly Charge for Demand-billed Customers - Continued

- d. For any month in which the Minimum Monthly Charge exceeds the monthly Pure Base Revenue exclusive of the Reactive Power Demand Charge and the monthly Pure Base Revenue plus the MAC less the Reactive Power Demand Charge, the Customer will pay the Minimum Monthly Charge in place of the following: (a) the MAC, (b) Demand Delivery Charges, and (c) Energy Delivery Charges. Such Customer will continue to be subject to the Billing and Payment Processing Charge, Charges for Metering Services unless those services are taken competitively, the Reactive Power Demand Charge if applicable, the Adjustment Factor – MAC, the System Benefits Charge, Supply Charges if the Customer is a Full Service Customer, and all other applicable rates and charges.
- e. Contract Demand is described in the "Minimum Monthly Charge" provision of the applicable Service Classification. Any Customer may request a revision of the Contract Demand, and the Contract Demand will be adjusted to a lower level if the Customer demonstrates to the Company, in advance, permanent changes to the electrical load in its premises through changes in equipment or changes in the kind of business or activity conducted that will make it highly improbable that the Customer's current Contract Demand will be experienced in the future. No such adjustment may be based on expectations of changes in weather. For a Customer whose Contract Demand has been reduced in the current month, subsequent Contract Demands will be determined in the same manner as for all other Customers, except that the demand history prior to the reduction will not be considered in determining the Customer's Contract Demand for subsequent months.

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GENERAL RULES

10. Meter Reading and Billing - Continued

10.11 Reactive Power Demand Charge

(1) The Reactive Power Demand Charge is applicable to the following Customers served under SCs 5, 8, 9, 11, 12, and 13, provided the metering has the capability of measuring and recording Var:

(a) Existing Customers:

- (i) Customers as of October 1, 2010, if the Customer's maximum demand both (a) equals or exceeds 1,000 kW in any two months during the annual period ending September 30, 2009, and (b) exceeds 300 kW in any month during the annual period ending September 30, 2010,

beginning with the later of (A) the Customer's first bill that is issued with a "from" date on or after January 1, 2011, or (B) the Customer's first bill that is issued with a "from" date six months after the date that kVar interval data is first made available via the Internet, subject to paragraphs (2) and (3) below;

- (ii) Customers as of October 1, 2011, if the Customer is not already subject to the Reactive Power Demand Charge and the Customer's maximum demand both (a) equals or exceeds 500 kW in any two months during the annual period ending September 30, 2010, and (b) exceeds 300 kW in any month during the annual period ending September 30, 2011,

beginning with the later of (A) the Customer's first bill that is issued with a "from" date on or after October 1, 2011, or (B) the Customer's first bill that is issued with a "from" date twelve months after the date that kVar interval data is first made available via the Internet, subject to paragraphs (2) and (3) below;

- (iii) Customers as of October 1, 2012, and each October 1 thereafter, if the Customer is not already subject to the Reactive Power Demand Charge and the Customer's maximum demand both (a) equals or exceeds 500 kW in any two months during the annual period ending September 30 of the preceding year and (b) exceeds 300 kW in any month during the annual period ending September 30 of the current year,

beginning with the later of (A) the Customer's first bill that is issued with a "from" date on or after October 1 of the current year or (B) the Customer's first bill that is issued with a "from" date six months after the date that kVar interval data is first made available via the Internet, subject to paragraphs (2) and (3) below;

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GENERAL RULES

10. Meter Reading and Billing - Continued

10.11 Reactive Power Demand Charge - Continued

- (1) – Continued
 - (b) New Customers, beginning with the Customer's first bill for service, if the maximum demand during the first year of service is expected in the Company's estimate to equal or exceed:
 - (i) 1,000 kW in any two months commencing between October 1, 2010 and September 30, 2011;
or
 - (ii) 500 kW in any two months commencing on or after October 1, 2011;
 - (c) Customers who are successors of Customers referred to in subparagraphs (a) and (b) above, beginning with the successor Customer's first bill for service, unless the maximum demand in the Company's estimate is not expected to exceed 300 kW in any month during the first year of service;
 - (d) Customers with induction-generation equipment who would not otherwise be subject to the Reactive Power Demand Charge pursuant to subparagraphs (a) through (c) above:
 - (i) beginning with bills having a "from" date on or after October 1, 2010, if the equipment has a nameplate rating equal to or greater than 1,000 kW; and
 - (ii) beginning with bills having a "from" date on or after October 1, 2011, if the equipment has a nameplate rating equal to or greater than 500 kW; and
 - (e) Any Customer with induction-generation equipment not covered under subparagraphs (a) through (d), beginning with the first bill for service. The kVar requirements of the equipment will be determined from the nameplate rating of the Customer's generating equipment or from the design specifications of the manufacturer of the generating equipment. The kVar requirements of the Customer's generating equipment will be reduced by the kVar rating of any power factor corrective equipment installed by the Customer.

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GENERAL RULES

10. Meter Reading and Billing - Continued

10.11 Reactive Power Demand Charge - Continued

- (2) Reactive Power Demand Charges pursuant to paragraph (1)(a)(i) above will commence no later than the Customer's first bill that is issued with a "from" date on or after:
- (a) April 1, 2011, for Customers billed under: (i) Rate I or Rate III of SC 8, 9, or 12, (ii) Rate I of SC 5, (iii) SC 11 with a contract demand between 1000 kW and 1500 kW, or (iv) Standby Service rates of SC 5, 8, 9, or 12 if the Customer would otherwise be billed under (i) or (ii) of this paragraph; and
 - (b) July 1, 2015, for Customers billed under: (i) Rate II of SC 5, 8, 9, or 12, (ii) SC 13, (iii) SC 11 with a contract demand greater than 1500 kW, or (iv) Standby Service rates of SC 5, 8, 9, or 12 if the Customer would otherwise be billed under (i) or (ii) of this paragraph.

Reactive Power Demand Charges pursuant to paragraph (1)(a)(ii) will commence no later than the Customer's first bill that is issued with a "from" date on or after October 1, 2012.

Reactive Power Demand Charges pursuant to paragraph (1)(a)(iii) will commence no later than the Customer's first bill issued with a "from" date on or after October 1 of the following year.

- (3) If the Company is advised by the telecommunications carrier that access was denied to make the communications service operational or if the Company was unable to install a Var meter because the Company was denied access to the Customer's premises, billing will commence the later of: (A) the Customer's first bill that is issued with a "from" date on or after January 1, 2011, if the Customer is subject to Reactive Power Demand Charges pursuant to (1)(a)(i), or October 1 of the applicable year if the Customer is subject to Reactive Power Demand Charges pursuant to paragraph (1)(a)(ii) or (1)(a)(iii); or (B) the first bill issued with a "from" date six months after the Company was notified by the telecommunications carrier that access was denied or six months after the Company was denied access to install the Var meter, as applicable.

GENERAL RULES

10. Meter Reading and Billing - Continued

10.11 Reactive Power Demand Charge - Continued

(4) Charge per kVar

\$1.41 per kVar applicable to Customers specified in paragraph (1)(a), (b), (c), or (d) above for billable reactive power demand. Billable reactive power demand, in kVar, shall be equal to the kVar at the time of the kW maximum demand (as defined in General Rule 10.4) during the billing period (all hours, all days) less one-third of such kW maximum demand; provided, however, that, if this difference is less than zero, the billable reactive power demand shall be zero. If the same kW maximum demand occurs two or more times during the billing period, the reactive power demand will be determined at the time of the first kW maximum demand occurrence.

If the Company restricts an existing Customer with synchronous generation from utilizing Customer load power factor correction through the Generator's controls, the Customer will not be subject to the above charge until such time that the Company removes this restriction.

\$1.41 per kVar applicable to Customers specified in paragraph (1)(e) above for the kVar requirements of the induction-generation equipment

- (5) A Customer subject to the Reactive Power Demand Charge pursuant to paragraph (1)(a), (b), or (c) above will no longer be subject to the Reactive Power Demand Charge commencing in the month following 12 consecutive months in which the maximum demand does not exceed 300 kW.
- (6) After the installation of telecommunications service by the telecommunications carrier, the Company will make available to a Customer its kVar and kW interval data via the Internet. Existing Customers subject to the Reactive Power Demand Charge in October 2011 pursuant to paragraph (1)(a)(ii) above will generally be provided access to daily kW and kVar interval data during each of the twelve months in advance of being subject to the Reactive Power Demand Charge. Existing Customers subject to the Reactive Power Demand Charge in January 2011, October 2012, and each October thereafter pursuant to paragraphs (1)(a)(i) and (1)(a)(iii) above will generally be provided access to daily kVar and kW interval data during each of the six months in advance of being subject to the Reactive Power Demand Charge. Customer access to daily kW and kVar interval data via the Internet will generally be provided on a one-day lag, subject to the Company resolving telecommunications issues that may arise from time to time.

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GENERAL RULES

11. Billing Applicable to Service Under Certain Economic Development Programs

Applicable Economic Development Programs

General Rule 11 is applicable to Customers served under SC 9 of this Rate Schedule and Customers served under Special Provision No. 8 of the PASNY Rate Schedule.

Definitions and Abbreviations applicable under this General Rule:

“RNY” refers to service under SC 9, Special Provision G of this Rate Schedule.

“WTC” refers to service under Special Provision No. 8 of the PASNY Rate Schedule.

“Each program” refers to Service under RNY or WTC, as applicable.

Billing

If an allocation of power and energy is made under RNY and/or WTC, the following rules will apply:

- a. Prioritization of Power and Energy Served under each Economic Development Program: If service is taken under both of the above programs, power and energy to be served under each program will be determined in the following priority order, with the highest priority listed first and lowest priority listed last:

RNY
WTC

GENERAL RULES

11. Billing Applicable to Service Under Certain Economic Development Programs – Continued

b. Allocating Demand to the Various Programs

The demand served under RNY, as applicable, will be the lower of (i) the demand allocation under that program or (ii) the registered monthly maximum demand. If Delivery Service for the RNY load is furnished under Special Provision H of SC 9, the demand served under RNY for Delivery Service will be the lower of (i) the RNY demand allocation or (ii) the registered maximum monthly maximum demand less the demand served under Special Provision H of SC 9. A Customer who has demand served under WTC is not eligible to have Delivery Service for RNY load served under Special Provision H of SC 9.

The demand served under WTC, as applicable, will be the lower of (i) the demand allocation under that program or (ii) the registered monthly maximum demand less any demand served under RNY. If billing is issued under WTC Standby Service rates, the As-used Daily Delivery Service Demand Charge for each time period will be equal to the Daily Peak Demand during the applicable time period multiplied by the Allocation Ratio.

For purposes of General Rule 11, “registered monthly maximum demand” means the maximum demand as defined in General Rule 10.4, except as follows:

“Registered monthly maximum demand” means “billable” demand for a Customer served under Special Provision D of SC 9.

For Rider M Customers, commencing with bills having a “from” date on or after June 1, 2016, capacity served under RNY or WTC, as applicable, will be the Customer’s ICAP Tag for the billing month (as described in General Rule 25.1) multiplied by the Allocation Ratio for that program.

c. Allocation Ratio

The “Allocation Ratio” under each program equals the demand served under that program, as determined in subparagraph “b” above, divided by the registered monthly maximum demand.

GENERAL RULES

11. Billing Applicable to Service Under Certain Economic Development Programs – Continued

d. Allocating Energy and Reactive Power Demand to the Various Programs

Energy served under each program will be equal to the total kilowatthour usage for the month multiplied by the Allocation Ratio.

The Company's delivery system is designed to address Customers' real and reactive power needs. If Reactive Power Demand Charges are applicable, they will be billed by the Company under each program to the responsible party in accordance with the Allocation Ratio.

e. Service for Any Remaining Requirements

Except as described below, any difference between the total demand and energy served under the programs and the registered monthly maximum demand and kilowatthour usage for the month will be supplied and billed to the Customer under the Service Classification of this Rate Schedule that would have otherwise been applicable if allocation(s) had not been made under the program(s); provided, however, that if the Customer takes Retail Access Service pursuant to General Rule 19, the demand and energy in excess of that served under the programs will be supplied by the Customer's ESCO or the Direct Customer's Supplier, and the energy delivery service for power and energy supplied by the ESCO or Supplier will be provided by the Company. If Reactive Power Demand Charges are applicable, any kVar in excess of that billed under each program will be billed by the Company to the Customer. If the Customer is billed under Standby Service rates, the kW of Daily Peak Demand for each specified time period will be determined for each day in the billing period for which As-used Daily Demand Delivery Charges are to be determined by multiplying the Daily Peak Demand for the time period by one less the Allocation Ratio(s).

Any difference between a Rider M Customer's ICAP Tag and the capacity served under the programs will be supplied and billed to the Customer under the Service Classification of this Rate Schedule that would have otherwise been applicable if allocation(s) had not been made under the program(s).

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GENERAL RULES

11. Billing Applicable to Service Under Certain Economic Development Programs – Continued

- f. If a Customer is billed for both high tension and low tension service under a single agreement: (i) the high-tension demand served under each program will be equal to the demand served under the program, as specified in subparagraph “b”, multiplied by the ratio of the high tension registered monthly maximum demand to the total registered monthly maximum demand. The low tension demand served under each program will be equal to the total demand served under the program less the high tension demand served under the program. If there are different energy rates for high tension and low tension service, the high tension energy served under each program will be equal to the high tension kilowatthour usage for the month multiplied by the ratio of the high-tension demand served under the program to the total high-tension registered monthly maximum demand, and the low tension energy to be served under the program will be equal to the total energy served under the program, as specified in subparagraph “c,” less the high tension energy served under the program. Any remaining high-tension and low-tension demand and energy will be served pursuant to subparagraph “e.”

If a Customer is served under Standby Service rates for high tension service at 138 kV and high tension service at voltages below 138 kV under a single agreement, and the rate has different kW charges for voltages at and below 138 kV, the high-tension demand at 138 kV served under each program will be equal to the demand served under the program, as specified in subparagraph “b”, multiplied by the ratio of the 138 kV registered monthly maximum demand to the total high-tension registered monthly maximum demand; and the high tension demand below 138 kV served under each program will be equal to the total high tension registered monthly maximum demand served under the program less high tension demand at 138 kV served under each program.

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GENERAL RULES

11. Billing Applicable to Service Under Certain Economic Development Programs – Continued

- g. Where service is provided under Time-of-Day rates, the demand to be billed in the delivery service time periods under each program will be equal to the total demand in each of the respective time periods multiplied by the Allocation Ratio; the energy to be billed in the on-peak and off-peak billing periods under each program will be equal to the total kilowatthour usage for the month in each time period multiplied by the Allocation Ratio.
- h. [RESERVED FOR FUTURE USE]
- i. Minimum Monthly Charge (“MMC”)

The MMC is not applicable if all or part of the Customer’s requirements are served under one of the economic development rate programs described in this General Rule.

GENERAL RULES

11. Billing Applicable to Service Under Certain Economic Development Programs – Continued

j. Competitive Services

Load served under the economic development programs specified in this General Rule is not subject to the Billing and Payment Processing Charge.

Customers who are served under RNY will be billed for metering services under SC 9 unless they own the meter(s), take metering services competitively, or receive service under Special Provision No. 8 of the PASNY Rate Schedule. PASNY will receive metering credits, as specified under the PASNY Rate Schedule, for PASNY Customers served under Special Provision No. 8 of that Rate Schedule who own the meter(s) or take metering services competitively.

Customers may take retail access service for their requirements in excess of that served under the programs specified under this General Rule; provided, however, that a Customer who receives power and energy from an ESCO under RNY must be served by that same ESCO for its excess requirements, and a Customer who serves itself as a Direct Customer under RNY must serve as a Direct Customer for its excess requirements.

k. Service Under Rider M

Rider M is not available to a Customer who is served under one or more of the programs specified in this General Rule, unless all of the following conditions exist: (a) the Customer has remaining requirements as specified in subparagraph “e” above; (b) the Customer would otherwise be eligible for mandatory service under Rider M; and (c) the Customer has requested in writing to be served under Rider M.

The energy served under Rider M for each hour of the month will be equal to the total kilowatthour usage for each hour of the month multiplied by 1 minus the Allocation Ratio for all programs served under this General Rule.

Commencing with bills having a “from” date on or after June 1, 2016, capacity billed under Rider M will be equal to the Customer’s ICAP tag for the billing month (as described in General Rule 25.1) multiplied by 1 minus the Allocation Ratio for all programs served under this General Rule.

l. Service Under Rider R

Customers may not take service under Rider R in conjunction with any of the economic development programs specified in this General Rule except for RNY.

GENERAL RULES

12. Payments

12.1 Payment of Bills, Charge for Late Payment, and Charge for Dishonored Payment

Bills of the Company for service are due on presentation if hand delivered or provided electronically, or three days after the mailing of the bill, and are payable by mail, electronically, or at any customer service walk-in center of the Company or to any duly authorized collector of the Company.

A late payment charge at the rate of one and one-half percent (1 1/2%) per monthly billing period may be applied to the accounts of all Customers as provided herein, except for state agencies which instead will be subject to interest charges in accordance with the provisions of State Finance Law Article XI-A (L. 1984, Ch. 153, effective July 1, 1984). The charge will be applied to all amounts billed, including arrears, and unpaid late payment charges which are not received by the Company within at least 20 days of the date payment is due. The charge will also be applied to amounts due by non-residential Customers under deferred payment agreements for arrears. The charge will not be applied to backbills unless the backbill is for service to or through tampered equipment, or the Company can demonstrate either that the unbilled service condition began since the Customer initiated service or that the Customer knew or reasonably should have known that the original billing was incorrect. In addition, the Company reserves the right to discontinue service and/or to take any other action permitted by law with respect to any Customer who fails to make full and timely payment of all amounts due the Company. The late payment charge will be applied to the account of any such person or Customer in cases where the Company has underbilled, or failed to bill, because the person or Customer was receiving service through tampered equipment. The charge will apply to the amounts found to be due and owing for each monthly billing period, including all amounts due for preceding monthly billing periods and any late payment charges thereon. Notwithstanding any other provision in this paragraph, the charge will not apply unless the Company can demonstrate either that the condition began on or after the date the Customer initiated service, or that the Customer actually knew, or reasonably should have known the original billing was incorrect.

The Company shall waive the first late payment charge assessed on the account of a Customer receiving service under SC 1.

Pursuant to Public Service Law Section 38, the Company shall offer any residential Customer, 62 years of age or older, a plan for payment on a quarterly basis of the charges for service rendered, provided that such Customer's average annual billing by the Company is not more than \$150.

An applicant or Customer making payment by a negotiable instrument (including an electronic payment) that is subsequently dishonored shall be liable for a fee of \$12.00 and under the rules, immediate service termination.

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GENERAL RULES

12. Payments - Continued

12.2 Interest on Customer Overpayments

The Company shall provide interest on Customer overpayments in accordance with 16 NYCRR §145 subject to any applicable statute of limitations. A Customer overpayment is defined as payment by the Customer to the Company in excess of the correct charge for electric service supplied to the Customer which was caused by billing by the Company that is erroneous due to the Company's own mistake.

The rate of interest on Customer overpayments shall be the greater of the unadjusted Customer deposit rate or the applicable late payment rate, if any, for the Service Classification under which the Customer was billed. Interest shall be paid from the date when the Customer overpayment was made, adjusted for any changes in the deposit rate or late payment rate, and compounded monthly, until the date when the overpayment is refunded.

The Company will not be required to pay interest on Customer overpayments that are refunded to Customers within 30 days after such overpayment is received by the Company.

12.3 Levelized Payment Plans

A "levelized payment plan" is a billing plan designed to reduce fluctuations in a Customer's bill payments due to varying, but predictable, patterns of consumption.

The Company shall offer a levelized payment plan to its Customers at least annually, except for the following non-residential Customers:

- a. those with less than 12 months of billing history at the premises or seasonal, short-term or temporary Customers;
- b. those in arrears or those who for any reason ceased being billed on a previous levelized payment plan before the end of the plan year in the past 24 months; and
- c. interruptible Customers, or those whose pattern of consumption is not sufficiently predictable to be estimated on an annual basis with any reasonable degree of certainty.

The Company may only remove a non-residential Customer from its levelized payment plan if the Customer becomes ineligible under "a," "b," or "c" above. However, if delinquency is the cause of the ineligibility, the Company must first give the Customer the opportunity to become current in payment, provided that such an opportunity need be given only once in any 12 month period. Each levelized bill shall clearly identify consumption and the amount that would be due without levelized billing.

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GENERAL RULES

12.4 Deferred Payment Agreements

A “deferred payment agreement” is an agreement for the payment of outstanding charges over a specified period of time. The Company will offer any eligible Customer or applicant a deferred payment agreement as required by 16 NYCRR §11.10 for residential Customers and 16 NYCRR §13.5 for non-residential Customers, which set forth in detail the procedures summarized here. The forms of application are set forth in Application Forms D and E in the General Rules.

12.4.1 Residential Customers:

- a. **Eligibility:** All residential Customers and applicants are eligible for an agreement unless the Customer has broken an existing payment agreement that required payment over a period at least as long as the standard agreement described below, or the Public Service Commission determines that the Customer or applicant has the resources to pay the bill.
- b. **Written Offers:** A specific written offer will be made to eligible Customers before the date of any threatened termination of service, where payment of outstanding charges is a requirement for reconnection or acceptance of an application for service, or when a Customer has broken an agreement that was for a shorter period than the standard agreement.
- c. **Negotiating Agreements:** Before making a written offer, the Company will make a reasonable effort to contact eligible Customers or applicants in order to negotiate agreement terms that are fair and equitable considering the Customer's financial circumstances. The Company may, at its discretion, require the Customer to complete a form showing his or her assets, income and certain expenses and provide reasonable substantiation of such information and shall treat all such information confidentially. The Company also may postpone a scheduled termination for up to 10 days for the purpose of negotiating an agreement.
- d. **The Standard Agreement:** If the Company and the Customer or applicant are unable to agree upon specific terms, the Company will offer an agreement with the following terms:
 - i. a downpayment up to 15 percent of the amount covered by the payment agreement or the cost of one-half of one month's average usage, whichever is greater, or if the amount covered by the agreement is less than one-half of one month's average usage, 50 percent of such amount; and
 - ii. monthly installments up to the cost of one-half of one month's average use or one-tenth of the balance, whichever is greater.

In the event service was disconnected for nonpayment, the Company may require a downpayment of one-half the arrears that was the basis for disconnection or three months' billing, whichever is less.

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GENERAL RULES

12. Payments – Continued

12.4 Deferred Payments Agreements – Continued

12.4.1 Residential Customers – Continued

- e. **Entering Into the Agreement:** Any required downpayment must be received by the Company in order for the agreement to be valid and enforceable. In the case of Customers who are subject to a final notice of termination, the downpayment must be returned to the Company by the day before the earliest day on which termination may occur in order to avoid termination. If the downpayment is not received as required, the Company shall have the right to terminate service.
- f. **Renegotiating Agreements:** If a Customer or applicant demonstrates that his or her financial circumstances have changed significantly because of circumstances beyond his or her control, the Company will amend the terms of the agreement to reflect such changes.
- g. **Broken Agreements:** If a Customer fails to make timely payment of installments in accordance with a payment agreement, the Company will send a reminder notice before sending a final notice of termination. If a Customer fails to pay an installment by the 20th day after payment was due and has not negotiated a new agreement, the Company will demand full payment and send a final notice of termination in accordance with 16 NYCRR §11.4 and General Rule 14.1 of this tariff.

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GENERAL RULES

12. Payments – Continued

12.4 Deferred Payments Agreements – Continued

12.4.2 Non-Residential Customers

- a. Eligibility: Any customer is eligible for a deferred payment agreement except as specified in 16 NYCRR §13.5.
- b. Written Offers: A specific written offer will be made to an eligible non-residential Customer at least five days before a scheduled termination of service for non-payment, or eight days if mailed. A deferred payment agreement shall also be offered to a non-residential Customer when a backbill exceeds the cost of twice the Customer's average monthly usage or \$100, whichever is greater, provided however, that the Company shall not be required to offer an agreement when the Customer knew or reasonably should have known that the original billing was incorrect.
- c. Agreement Terms: The offer may require the Customer to make a downpayment of up to 30 percent of the arrears on which a termination notice is based or twice the Customer's average monthly usage, whichever is greater, plus any charges billed after issuance of the termination notice which are in arrears when the agreement is made. In the event of a field visit to physically terminate service, the downpayment amount may be increased to the greater of 50 percent of the arrears or four times the average monthly usage, plus the charges in arrears as previously defined.

The agreement may also require the payment of late payment charges as well as the balance due in monthly installments of no higher than the cost of the Customer's average monthly usage or one-sixth of the balance, whichever is greater. Agreements offered for payment of backbills may require the Customer to pay the outstanding charges in monthly installments of up to the cost of one-half of the Customer's average monthly usage or one-twenty-fourth of such charges, whichever is greater.

- d. Entering Into the Agreement: Any required down payment must be received by the Company in order for the agreement to be valid and enforceable.
- e. Broken Agreements: If a Customer fails to make timely payment of installments in accordance with a payment agreement, the Company will give the Customer a reasonable opportunity to keep the agreement in force by paying any amounts due under the agreement. If a Customer fails to comply with the terms, the Company will demand full payment and send a final notice of termination in accordance with 16 NYCRR §13.3(b)(3)(ii) and General Rule 14.1 of this tariff.

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GENERAL RULES

12. Payments – Continued

12.5 Consumer Policies Related to Prolonged Outages

The following sets forth the policies 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.

12.5.1 Credits to be applied to Customer Accounts under this Schedule and the PASNY Rate Schedule

- a. In the event of a Prolonged Outage, the Company will 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 will 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 in the geographic area(s), as appropriate) to 30 days. For rate classes that do not have a Customer Charge: (a) the credit for energy-only rate classes will be based on the SC 2 Rate I Customer Charge; and (b) the credit for demand-billed rate classes will be based on the Customer Charge applicable to Customers served under equivalent Standby Service rates. Accounts served under Rider D or SC 1 - Special Provision D will not be credited if the Customer receives a credit on a companion metered account.
- c. The above credit will be applied to the Customer’s account no later than 75 days after the Company restores electric service.

12.5.2 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, will be suspended for Customers that the Company knows or reasonably believes experienced a Prolonged Outage. The suspension will 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 of the Commission, the suspension will apply for a minimum of 14 days for residential Customers located in the designated area. The 14-day suspension will also apply to any residential or non-residential Customer who notifies the Company and provides evidence that his/her financial circumstances have changed as a result of the outage.

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GENERAL RULES

13. Access and Tampered Equipment

13.1 Access to Premises

Except as provided in General Rule 6.7, the Customer shall not permit access by anyone, except authorized employees of the Company, to the meters (regardless of ownership), equipment or any other property of the Company, and shall not interfere or permit interference with the same; and the Customer shall be responsible for their safekeeping on the premises. The Company's duly authorized representatives shall have the right of access to the premises of the Customer and to all of the Company's property thereon at all reasonable times for the purpose of reading and testing meters, inspecting equipment used in connection with its service, metering the demand, ascertaining and counting the connected load of the Customer's installation, installing, inspecting, maintaining and replacing, where necessary, its load testing equipment, removing its property, or any other proper purpose except as provided below.

A duly authorized representative of the Company may enter Customer premises at all reasonable times upon exhibiting proper identification and written authority for the purpose of inspecting and examining the meters, pipes, fittings, wires, and other apparatus for regulating, supplying and/or ascertaining the quantity supplied.

However, in non-emergency situations, entry to the premises of residential Customers shall be limited to non-holiday workdays between 8 A.M. and 6 P.M., or at such other reasonable times as may be requested by a residential Customer; or between 8 A.M. and 9 P.M. on any day when there is evidence of meter tampering or theft of service. However, when an emergency may threaten the health and safety of a person, the surrounding area, or the Company's distribution system, or when authorized by a court order, entry by authorized Company representatives shall be permitted at any time for purposes of the inspection and examination permitted under this paragraph. A Customer who at any time, directly or indirectly prevents or hinders the inspection or examination provided under this provision, at any reasonable time, may be billed a \$100 penalty charge for each such offense. In addition, the Company shall have all other remedies against such a Customer as are provided under this tariff or at law.

Except to the extent prevented by circumstances beyond its control, the Company shall conduct a field inspection of Company apparatus supplying a non-residential Customer as soon as reasonably possible and within 60 calendar days of the following:

- a. a request contained in a service application pursuant to the rules of the Public Service Commission;
- b. a reasonable Customer request;
- c. the issuance of a field inspection order in accordance with an automatic Company bill review program;
- d. notification from any reasonable source that service may not be correctly metered; or
- e. a directive by the Public Service Commission or its authorized designee.

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GENERAL RULES

13. Access and Tampered Equipment – Continued

13.2 No Access Procedure - Non-Residential Accounts

The Company will be exempt from the requirements of the No Access Procedure for meters served by Meter Data Service Providers.

- 13.2.1 The Company shall provide no access notices for non-residential accounts when the bill has been estimated pursuant to “a” or “b” of General Rule 10.7 commencing with: the second consecutive estimated bill to an account billed for demand; or the fourth consecutive estimated bill in the case of an account not billed for demand; or the tenth consecutive bill based on a remote registration device or a Customer reading.
- 13.2.2 The no access notices and charges shall be directed only to the access controller. In any case where the access controller is not the Customer of the subject account, a copy of these no access notices shall also be sent to the Customer at the same time.
- 13.2.3 The series of no access notices shall be as follows:
 - a. The first notice shall advise the access controller that unless access to the Customer's meter is provided on the next meter reading date or a special appointment to read the meter is made and kept by the access controller prior to that date, a no access charge not to exceed \$100.00 per building will be added to the access controller's next bill and to every bill thereafter until access to the Customer's meter is provided, but that no charge will be imposed if an appointment is arranged and kept. The notice shall advise the access controller that the Company will arrange a special appointment for a reading of the Customer's meter if the access controller calls a specified telephone number.
 - b. The second notice shall advise the access controller of the no access charge that has been added to the access controller's bill and that unless access to the Customer's meter is provided on the next meter reading date or a special appointment to read the meter is made and kept by the access controller prior to that date, another charge will be added to the access controller's next bill. The notice shall further explain that if the access controller's service can be physically terminated without obtaining access, steps to terminate service will follow, and that in the event that the access controller's service cannot be physically terminated, steps to obtain a court order to gain access to the Customer's meter will follow. The notice shall advise the access controller that the Company will arrange a special appointment for a reading of the Customer's meter if the access controller calls a specified number.

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13. Access and Tampered Equipment – Continued

13.2 No Access Procedure - Non-Residential Accounts - Continued

13.2.3 The series of no access notices shall be as follows - Continued

- c. The third and each successive notice shall advise the access controller of the no access charge that has been added to the access controller's bill and, if the access controller's service can be terminated without obtaining access, shall be accompanied by a final notice of termination for non-access. In any case where the access controller's service cannot be physically terminated without obtaining access, the notice shall advise the access controller that the Company is seeking to obtain a court order to gain access to the Customer's meter.

13.3 No Access Procedure - Residential Accounts

- 13.3.1 After the Company has rendered a maximum of four consecutive estimated monthly bills or two consecutive bi-monthly bills to a residential Customer, the Company shall seek to obtain an actual meter reading for the next billing period by various means including but not limited to requesting the Customer to use a dial card. The Company may also notify the Customer that the Company will arrange a special appointment for a meter reading. In the case of a Customer residing in a multiple dwelling (as defined in the Multiple Dwelling Law or the Multiple Residence Law), or in a two-family dwelling that is known by the Company to contain residential units where service is provided through a single meter or meters, in which the meter is not located in the Customer's apartment the Company shall notify the Customer's landlord, or the landlord's managing agent, or the building superintendent, that such a special appointment may be arranged to obtain an actual meter reading. If the Company's records do not contain the address of the person, Customer's landlord, the building agent or the building superintendent, the Company shall request such information from the Customer.
- 13.3.2 After the Company has rendered a maximum of six consecutive estimated monthly bills or three consecutive bi-monthly bills, and has received no response to its request for a special appointment, the Company shall send a second letter to the Customer and the person who controls access to the meter, offering a special appointment to obtain a meter reading and may advise the recipient(s) that failure to make such appointment shall result in an additional charge of \$25.00 applicable to the next bill rendered to the person who controls and refuses access to the meter. If a suitable response to this second letter is not received within fourteen calendar days of the date of its mailing, a special charge of \$25.00 may be added to the next bill of the person who controls access to the meter.

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GENERAL RULES

13. Access and Tampered Equipment – Continued

13.3 No Access Procedure - Residential Accounts - Continued

- 13.3.3 If the Company has not received a reply to its second special appointment letter within two months of mailing, the Company may notify the Customer or the person who controls access to the meter, by certified mail, that in accordance with the Public Service Commission's directive, the Company may apply for a court order to gain access to the Company's meter or meters for the purpose of removing and replacing the meter or meters. It shall be the responsibility of the person who controls access to the meter, to pay the court costs and the costs of removing and replacing the meter or meters.
- 13.3.4 The Company shall install outdoor meters for all new one, two, and three family homes wherever feasible. The installed cost of the facilities to accept an outdoor meter shall be borne by the Customer.

The Company shall have the right to invoke General Rules 13.3.1, 13.3.2 and 13.3.3 whenever a Customer with a remote reading device has not provided access to the indoor meter for four consecutive monthly billing periods.

13.4 Tampered Equipment

In the event evidence of tampered equipment is found at any premises, the Company may:

- 13.4.1 If the premises are occupied by only one Customer, upon thirty days' notice to the Customer, seek permission from the Public Service Commission to relocate the meter equipment to a secure location, including a location outside the building. In connection with the relocation of the meter, the Company, after a reasonable attempt to consult with the Customer, may determine the new location of the meter equipment. It will then specify the type and manner of installation to the service terminating equipment and the meter equipment and present this information to the Customer. The Customer will be required to perform all necessary work in conformance with the requirements of this Rate Schedule within thirty days of presentation of this information as a condition of continued service. The reasonable expense of such relocation shall be divided equally between the Company and the account of the Customer.
- 13.4.2 If the premises are occupied by two or more Customers, send a first notice of the tampering to the Customer and the responsible party demanding that adequate security be provided so that tampering does not recur. The first notice shall list the actions that may be taken by the Company under "a" and "b" below in the event that tampering recurs. If, at any time after thirty days and within one year of sending the first notice, evidence of tampered equipment is again found, and the responsible party has not taken reasonable steps to secure a common meter room, the Company shall:

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13. Access and Tampered Equipment – Continued

13.4 Tampered Equipment: - Continued

13.4.2 -Continued

- a. Send a second notice of the tampering to the Customer and the responsible party stating that starting with the date the second notice is sent and thereafter for the period in which the tampering persists, the Company will add to the hall, basement, boiler, or elevator account, or any other account under which service is supplied to a common facility, charges, which the Company may estimate, for the electricity used on the premises but not metered as a result of tampering. Such charges shall be separately calculated and itemized for each unmetered account. The second notice shall also list the other actions that may be taken by the Company under “b” below.
- b. If, thirty days or more after sending the second notice, evidence of tampered equipment is again found and the responsible party has not taken reasonable steps to secure a common meter room, the Company may as a condition of continued service, with the assistance of the responsible party as hereinafter specified, and after obtaining permission from the Public Service Commission, relocate all or part of its meter equipment to a place which is more secure, including a place outside of the building. In connection with the relocation of the meters, the Company, after a reasonable attempt to consult with the responsible party may determine the new location of the meters. It will then specify the type and the manner of installation and connection to the service terminating equipment and present this information to the responsible party. The responsible party will be required to perform all necessary work in conformance with the requirements of this Rate Schedule within thirty days of presentation of this information as a condition of continued service. The reasonable expense of any relocation shall be divided equally between the Company and the hall, basement, boiler, or elevator account, or any other account under which service is supplied to a common facility.

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13. Access and Tampered Equipment – Continued

13.5 Inability to Obtain Access to Terminate Service

In the event that the Company has sent a Customer notice of its intention to terminate service for non-payment, or the Company is seeking to terminate service to a meter for which there is no Customer of record, and thereafter the Company is unable to disconnect service because a Company representative has attempted to gain access to the meter and has been affirmatively denied access:

- 13.5.1 The Company shall send a notice to the Customer or occupant and the responsible party, requesting access to the meter at one of several appointed times within thirty days. The notice shall include a Company phone number and address to be used to advise the Company as to the time selected.
- 13.5.2 If the Company, acting with diligence, is thereafter unable to gain access to the meter, it may add a charge to the hall, basement, boiler, or elevator account, or any other account under which service is supplied to a common facility, equal to its estimate of the electricity used on the premises starting after the thirty-day period provided for General Rule 13.5.1, and continuing for the period in which the condition persists. Such charge shall be separately calculated and itemized for each account included in the estimate. The estimated charge will be adjusted after the meter is read to reflect actual usage. Also, the Company may seek permission from the Public Service Commission to relocate all or part of the meter equipment to a location outside the building. In connection with the relocation of the meter equipment, the Company, after a reasonable attempt to consult with the responsible party, may determine the new location of the meter equipment. It will then specify the type and manner of installation and connection to the service terminating equipment and meter equipment and present this information to the responsible party. The Customer will be required to perform all necessary work in conformance with the Company's Rate Schedule requirements within thirty days of presentation of this information as a condition of continued service. The reasonable expense of any such relocation shall be divided equally between the Company and the hall, basement, boiler, or elevator account, or any other account under which service is supplied to a common facility, and if there is no common facility it shall be divided equally between the Company and the account of the owner or occupant.
- 13.5.3 The Company's procedures for termination of service when there is no Customer of record shall not be inconsistent with the procedures applicable under the Public Service Commission's rules for termination of service when there is no Customer of record.

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13. Access and Tampered Equipment – Continued

13.6 Applicability of Charges and Terminology

13.6.1 The charges provided for in General Rules 13.4 and 13.5 hereof shall in all respects be treated in the same manner as other charges for service, and failure to pay them shall constitute grounds for discontinuance of service.

13.6.2 As used under General Rules 13.4 and 13.5:

Responsible party means the Customer for the hall, basement, boiler, or elevator account, or any other account under which service is supplied to a common facility, or the Customer of record, where the meter is located inside the apartment. Where one tenant rents or leases the entire premises and in turn sublets, the sublessor shall be deemed the responsible party and the Rate Schedule shall apply as described in General Rule 13.4.2.

Notices by the Company shall be sent by certified mail or mailgram. All time periods related to notices in these provisions shall be measured from the date the notice is sent. Each notice, other than that requesting access to read the meter, must advise the Customer or responsible party of the right to appeal the Company's application of the provisions of this Rate Schedule to the Public Service Commission's Consumer Services Division. The notice shall contain an address and telephone number of the Consumer Services Division office and shall expressly invite the Customer to contact that office in cases of dispute concerning liability under the Rate Schedule.

Taking reasonable steps to secure a common meter room is not limited to, but includes, installation of a steel, security, fireproof door, and a lock. In establishments containing large entrance ways, installation of cinderblocks to constrict the entrance way and/or installation of accordion steel gates, or suitable alternatives, will be required.

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GENERAL RULES

14. Termination and Reconnection of Service

14.1 Termination of Service

14.1.1 Grounds for Termination, Withholding or Suspension of Service

The Company may terminate service to a Customer after sending a final notice of termination and fulfilling all other requirements of the applicable rules of the Public Service Commission:

- a. if the Customer fails to pay amounts due under a deferred payment agreement;
- b. if the Customer fails to pay a lawfully required security deposit;
- c. in the case of a non-residential Customer, if the Customer fails to provide reasonable access to the premises for necessary or proper purposes in connection with rendering service or removal or securing of the Company's property; provided that the Company has met applicable requirements of the Public Service Commission's rules for obtaining access to the premises or property, the Customer has not advised the Company that the Customer does not control access, and the Customer has advised the Company of who does control access;
- d. if the Customer fails to pay lawfully billed tariff charges, provided that unless otherwise permitted under the Public Service Commission's regulations, bills to non-residential Customers shall be restricted to service used within 6 years of the date of the bill first containing these charges, and bills to residential Customers shall be restricted to service rendered within the preceding 12 months;
- e. if the applicant's or Customer's installation, or part thereof, is deemed to be unsafe, inadequate or unsuitable for receiving the Company's service; or if the applicant or Customer fails to comply substantially with any applicable provision of this Rate Schedule, or with any lawful and applicable rule, regulation, order or directive of the Public Service Commission or other authorities, having jurisdiction; or
- f. if the Customer's ESCO participates in the Company's purchase of receivables program and the Retail Access Customer does not pay charges due on a Consolidated Bill.

The Company may withhold service for the reasons stated in "b" and "e" above. Upon termination of service by the Company for any of the above reasons, or upon discontinuance of service by the Customer prior to the end of the term of an agreement for service, there shall become forthwith due and payable to the Company, as stipulated damages and not as a penalty, a sum equal to the minimum charge guaranteed under such agreement for the remainder of the term thereof.

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GENERAL RULES

14. Termination and Reconnection of Service - Continued

14.1 Termination of Service - Continued

14.1.1 Grounds for Termination, Withholding or Suspension of Service - Continued

In the event that service to a particular premises is terminated by the Company or by the Customer prior to the expiration of the annual term of an agreement for service, and service is supplied to another Customer at the same premises during all or part of the remainder of such term, the Company will offset against the minimum charge or charges payable by the former Customer for the remainder of such term:

- a. under a monthly minimum agreement, the amount billed by the Company to, and paid by, the latter Customer for service supplied during each corresponding monthly billing period; and
- b. under an annual minimum agreement, the amounts billed by the Company to, and paid by, the latter Customer for service supplied during the remainder of such term.

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14. Termination and Reconnection of Service - Continued

14.1 Termination of Service - Continued

14.1.2 Notice, Days and Hours

A final notice of termination of service shall be sent to:

- a. Residential Customers in accordance with applicable Public Service Commission rules.
- b. Non-residential Customers no less than 20 days after the date payment was due, or the date given in a written notice to cure a tariff violation, as provided in the applicable Public Service Commission rules, or where the reason for the notice is failure to provide access except that a final notice of termination for non-payment may be sent on or after the date payment was due in cases involving failure to pay for unmetered service supplied through tampered equipment, failure to pay an installment amount due under a deferred payment agreement, or if the Company has accepted a written waiver of the Customer's right to a 20 day notice, in lieu of a deposit, all as more fully described in, and in accordance with, the Public Service Commission's rules. Service may not be terminated until at least 5 days after personal service or 8 days after the mailing of a final notice of termination of service.

Service may be terminated between 8 A.M. and 6 P.M. Monday through Friday, except on public holidays as defined in the General Construction Law, days on which the main business office of the Company are closed for business, and days on which the Public Service Commission is closed. However, on days preceding days on which service may not be terminated, termination may only occur after 3 P.M. if the Customer or any person in charge of the premises is informed prior to termination in a personal contact that termination is about to occur and the Company is prepared to accept a check for any payment required to avoid termination.

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14. Termination and Reconnection of Service - Continued

14.1 Termination of Service - Continued

14.1.3 Termination Without Normal Notice

The Company shall, to the extent reasonably feasible under the circumstances, provide advance notice to non-residential Customers whose service will be interrupted for any of the reasons shown below. Notwithstanding any other provision of this tariff, the Company may withhold, suspend, curtail or disconnect service to a building, unit or piece of equipment, at any time, only when:

- a. an emergency may threaten the health or safety of a person, the surrounding area, or the Company's generation, transmission or distribution systems;
- b. there is a need to make permanent or temporary repairs, changes or improvements in any part of the system, including equipment or facilities provided by a Meter Service Provider or Meter Data Service Provider;
- c. there is a governmental order or directive requiring the Company to do so; or
- d. the Company or a Meter Service Provider or Meter Data Service Provider finds service being supplied through tampered equipment, provided that the Company has complied with the Public Service Commission's rules for the termination of service under these circumstances.

14.1.4 Further Information Relating to Termination of Service

The Company's procedures for termination of service are subject to the rules of the Public Service Commission for termination of service in Title 16 of the NYCRR. Among other matters these rules deal with the time and form of notice, physical termination of service, multiple and two-family dwelling, persons receiving welfare assistance and special procedures for medical emergencies, the elderly, blind or disabled and during cold weather.

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14. Termination and Reconnection of Service – Continued

14.2 Reconnection of Service

14.2.1 Service Terminated for Other Than Emergency Reasons

The Company shall reconnect service within 24 hours after either the Customer has satisfied or corrected all conditions for termination and reconnection, upon the lawful direction of the Commission or its designee or, in the case of a residential Customer, the Company has notice that a serious impairment to health of the Customer is likely to result if service is not reconnected. However, if circumstances beyond the Company's control prevent reconnection within the specified 24 hour period, service shall be reconnected within 24 hours after those circumstances cease to exist.

14.2.2 Service Terminated in Emergency

The Company shall act promptly to restore service as soon as possible after a termination of service for emergency reasons. However, as to non-residential Customers, service need not be restored if, at the time restoration is to occur, the Company has the right to terminate service for other than emergency reasons.

14.2.3 Payment Prior to Reconnection of Service

Prior to reconnection of service terminated solely for non-payment of bills, for any tariff charge, or for failure to pay a security deposit, the Company may require a non-residential Customer to pay any bill, tariff charge, and security deposit due. The Company shall offer the Customer a deferred payment agreement in circumstances where such an agreement is required under the rules of the Public Service Commission.

14.2.4 Penalty for Failure to Reconnect

Where the Company fails to reconnect service to a residential Customer within 24 hours or neglects to do so without good cause the Company shall pay a penalty of up to \$50.00 per day to the Customer in accordance with the Public Service Commission's regulations.

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GENERAL RULES

15. Collection, Reconnection and Meter Recovery Charges

The Customer shall pay the following charges as a condition of the continuation or re-establishment of service in the following circumstances:

15.1 Collection Charge

A \$29.00 collection charge, if, after a lawful notice of discontinuance of service for non-payment, the Customer has failed to pay all of the amount due within the time specified in the notice and the Company thereafter sends an employee to the Customer's premises to collect payment; however, if more than one visit is made to the Customer to collect or to disconnect service, this charge shall be collected no more than twice in the same transaction regardless of the number of visits made to the Customer to collect or to disconnect service. The collection charge is not applicable to a Customer taking service under SC 1 or to any other Customer who uses such service primarily for his or her residential purposes and has so notified the Company.

15.2 Reconnection Charge

A reconnection charge for the re-establishment of service, if service to the same Customer at the same meter location has been discontinued for non-payment of a deposit or of any rates and charges billed pursuant to this Rate Schedule, including service disconnected due to evidence of tampering with Company apparatus, within twelve months of the Customer's request to re-establish service. The charge for re-establishment of service, except as modified in General Rule 15.4, during the hours of 8 A.M. to 4 P.M. Monday through Friday, excluding holidays, shall be \$26.00, and \$28.00 at all other times, except that, if service was disconnected in the street, the reconnection charge shall be \$271.00. The reconnection charge when service was disconnected due to evidence of tampering or when service was disconnected in the street is not applicable to a Customer taking service under SC 1 or to any other Customer who uses such service primarily for his or her residential purposes and has so notified the Company.

During the period January 1, 2014 through December 31, 2016, all or part of the reconnection charge will be waived, one time, for Customers enrolled in the Company's low-income program under SC 1, subject to the following provisions:

- (a) 60 percent of the reconnection charge will be waived through February 28, 2014, and the full reconnection charge will be waived thereafter;
- (b) no waiver will be granted once the Company has waived \$1.0 million in reconnection charges during the two-year period ending December 31, 2015, and \$0.5 million during the one-year period ending December 31, 2016;
- (c) no waiver will be granted to an individual Customer more than once unless, on a case-by-case basis, good cause is shown and the Company does not forecast that it will waive more than \$1.0 million in reconnection charges over the two-year period ending December 31, 2015, and \$0.5 million over the one-year period ending December 31, 2016;
- (d) if waivers are expected to exceed the above amount over each applicable period, the Company may file a tariff change to reduce the reconnection charge waiver to no less than 50 percent of the total reconnection charge; and
- (e) the above provisions are subject to revision if directed by Commission Order in Case 14-M-0565.

GENERAL RULES

15. Collection, Reconnection and Meter Recovery Charges - Continued

15.3 Meter Recovery Charge

A meter recovery charge equal to the filing fee paid by the Company to apply for a court order to recover the meter plus amounts paid by the Company to a marshal to execute a court order. Such amounts include fees authorized by law, as applicable: to receive and enter the order; to either receive payment or serve a summons and recover the meter; and to reimburse for mileage at the average mileage costs paid by the Company to marshals. In cases where the Company is required to employ a locksmith to gain entry to the meter(s), the Customer shall be subject to a further additional charge of \$40.00.

15.4 Charge for Disconnecting Service in the Street

A \$114.00 charge when the Company disconnects service in the street for non-payment after the Company tried and failed at least twice, or was refused access by the Customer at least once, to collect amounts due or to terminate service for non-payment at the Customer's premises. The charge for disconnecting service in the street is not applicable to a Customer taking service under SC 1 or to any other Customer who uses such service primarily for his or her residential purposes and has so notified the Company.

15.5 Multiple Dwelling Collection Charge

A \$22.00 charge to a Customer having an account for common areas service for an entire multiple dwelling in any case where the Company is required to provide notices to the occupants of the multiple dwelling, as provided in the Public Service Law, in connection with an imminent termination of service for non-payment to the multiple dwelling.

15.6 Collection Agency Fee

The fee imposed by a collection agency to collect bills on a closed Customer account will be due from the Customer. The collection agency fee is not applicable to a Customer taking service under SC 1 or to any other Customer who uses such service primarily for his or her residential purposes and has so notified the Company.

GENERAL RULES

16. Other Charges

16.1 Charge for Replacing a Damaged Meter

A charge for removing and replacing a Company owned meter that was damaged because the access controller to the meter did not exercise reasonable care or the meter was damaged due to tampering. The charge of \$86.00 for a non-demand meter and \$205.00 for a demand meter shall be assessed on the account of the access controller even if the damaged meter was for the account of another customer, except that if the meter was damaged due to tampering, the charge shall be assessed on the account of the customer who benefited from such tampering.

16.2 Charge for Investigating Tampered Apparatus

A \$413.00 charge for inspecting the apparatus, locking and sealing any tampered meter, billing, and associated administrative activities, where evidence of tampered Company apparatus is found.

16.3 Charge for Re-inspection

A \$188.00 charge for each re-inspection required because the Customer's contractor submitted documentation that its work at the Customer's premises was completed according to Company specifications and is ready for final inspection by the Company, but the Company on its inspection found the work to be either incomplete or incorrectly performed.

16.4 Charge when a Customer's Telecommunications Equipment is Not Operational

If a Customer is required to provide and maintain the telecommunications equipment for the meter at its expense pursuant to General Rule 6.5, and the Customer's telephone line is not operational for any reason when the Company attempts to read the meter, the Customer will be assessed a charge of \$50.00 on each monthly cycle date until the condition is corrected, and the Customer will be charged \$19.00 for an on-site meter reading on each scheduled reading date.

GENERAL RULES

17. Special Services Performed by the Company at a Charge

17.1 Special Services at Stipulated Rates

Upon a Customer's request, the Company will perform the following special services for the Customer and will charge the Customer at the stipulated rates:

- a. Make high potential proof tests on new high tension equipment of the Customer, or on existing high tension equipment of the Customer after completion of certain maintenance and alteration work. Where these tests are made at a Company Station and are not coincident to Company purpose tests, or are made on the Customer's premises, the following rates will apply:

High potential proof test, per visit to the premises:

Up to four hours \$1,818.00

For each additional hour or portion thereof
if the cause is beyond the Company's control \$454.00

If a high potential proof test fails and the Company is required to revisit the premises and retest, separate charges will apply to each visit.

- b. Perform a 2500-volt direct-current Megger Test at the Customer's premises \$454.00

- c. Take and test samples of dielectric fluid from Customer's high tension apparatus, where the apparatus is equipped with proper valves or fittings; or test samples of dielectric fluid supplied by the Customer in an approved container furnished by the Company at the following rates:

First sample taken by the Company \$1,271.00
Each additional sample taken by the Company at the same time \$917.00

Tests of samples supplied by the Customer in an approved container furnished by the Company and delivered to an authorized Company representative:

Each sample taken by the Customer \$816.00

GENERAL RULES

17. Special Services Performed by the Company at a Charge - Continued

17.1 Special Services at Stipulated Rates - Continued

- d. Except for meters served by Meter Data Service Providers, provide at a Customer's request separate reports, for four separate monthly billing periods to be designated by the Customer within the first 12 months of commencing billing under Rate II of SC 8, 9, or 12, or under SC13, showing the Customer's total demand based on fifteen minute intervals for each day of the billing period and the date, time, and the amount of the Customer's monthly maximum demand based on the two highest contiguous fifteen minute intervals during each such monthly billing period. Any similar report requested by such Customers other than the four reports specified above, or by other Customers with metering equipment capable of generating this information, shall be provided, if available, (1) in a paper report at a charge of \$15.00 per month of interval information, or (2) by computer disk at a charge of \$19.00 or by email at a charge of \$17.00 for 12 consecutive months or less of interval information; provided, however, that there will be no charge for interval information that the Customer can access via the Internet.

- e. Disconnecting or reconnecting service at the meter for a seasonal Customer served under SC 1 or 2 \$26.00

- f. Obtaining a reading from one or more Company- or Customer-owned meters on request, limited to one charge per account per visit \$19.00

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17. Special Services Performed by the Company at a Charge - Continued

17.2 Special Services at Cost

Upon the request of a Customer or agent of the Customer, the Company will perform the following special services and charge the Customer or the Customer's agent upon the basis of cost to the Company as defined in General Rule 17.3:

- a. Install temporary services as set forth in General Rule 5.2.7;
- b. Change the point of service termination or location of the service lateral as set forth in General Rule 5.2.2;
- c. Relocate a Company-owned or jointly-owned pole, provided that the City, Town or Village will issue an order at the Customer's request to relocate any existing street lighting equipment;
- d. Make temporary changes to Company facilities to permit the moving of a building or equipment from one location to another;
- e. Temporarily relocate underground service to City-owned or Company-owned lamppost, traffic standard, or similar facilities;
- f. Relocate Company street facilities to accommodate Customers;
- g. Remove and relocate Company facilities when a street is to become private property;
- h. Install underground service from Company's overhead lines on the street;
- i. Provide kilowatt demand pulses for single and/or coincident demand meters;
- j. Inspect, maintain, repair, and replace transformers and related service facilities for Customers receiving high tension service which is metered on the low tension side of the transformer, as provided in General Rule 4.6;

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17. Special Services Performed by the Company at a Charge - Continued

17.2 Special Services at Cost - Continued

- k. For a Customer served under Rider N, prepare an emergency supply plan and a storage facility; provide if requested, store, maintain, and test the mobile generating equipment associated with the Rider N service; transport the generating equipment to the Customer's service address; and supply personnel and fuel to operate the generating equipment;
- l. Perform incidental environmental remediation work on Customer premises associated with the Company's performance of its transmission and distribution service obligations;
- m. Interrupt or restore service to a Customer's premises to accommodate internal maintenance and/or repair activities, provided that the charge is not applicable when such service interruption or restoration is performed between 7 A.M. and 3 P.M., Monday through Friday, excluding holidays;
- n. Perform engineering work when the Company must design non-standard specifications for structures to house the Company's transformers and associated equipment on the Customer's premises to address site-specific conditions; and
- o. Expose the Customer's property line splice box to determine the fault location of cable, when the fault is not located within a Company facility; provided, however, that there will be no charge for exposing the property line splice box to a 1, 2 or 3 family house.

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17. Special Services Performed by the Company at a Charge - Continued

17.3 Definition of Cost

The cost to be charged for the furnishing of the special services listed in General Rule 17.2 and General Rule 17.7 consists of the following elements of cost where applicable. Where applicable, charges shall be increased to reflect the Percentage Increase in Rates and Charges, as explained in General Rule 30, and shown on the related Statement.

- Labor of the Company organization unit involved at average payroll rate plus related expenses and indirect costs. Overtime and Sunday rates will be charged where applicable;
- Material at the average actual storeroom price plus 7.5% for handling cost (sales taxes to be added where applicable);
- Use of transportation vehicles at rates covering operation, maintenance, carrying charges, and taxes;
- Contract work and sundry vendors' bills at invoice cost, including any taxes contained therein;
- Use of large tools and equipment at rates covering operation, maintenance, and carrying charges;
- Corporate overhead for the above five bulleted items at (a) 13% for engineering and drafting, unless the labor cost for those services is separately stated or was already charged on a prior invoice, (b) 33% for construction management, if applicable, and (c) 3% for administration.
- Salvage credit at storeroom price of materials reduced by salvaging cost, or at junk value;
- Governmental permits or licenses necessary to perform the service;
- Mobile generating equipment for service under Rider N at invoice cost, including any taxes contained therein, if purchased or at reproduction cost new less accrued depreciation if from on-hand equipment, plus costs incurred in purchasing, including acceptance inspection and testing (sales taxes to be added where applicable);
- Fuel for mobile generating equipment operation at invoice cost, including any taxes contained therein; and
- Use of real property at a rate covering operation, maintenance, carrying charges, and taxes.

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17. Special Services Performed by the Company at a Charge - Continued

17.4 Request for Individual Company Records

All requests for Company records by a Customer or its authorized agent pertaining to Customer billing will be charged at the following rates:

- a. There will be no charge for a statement of account covering the most recent two years from the date of the request. The statement will be provided within five business days of the request.
- b. For statements of account going back from two to not more than six years from the date of the request, the charge is \$15.00 per account per year, or part thereof, except when there is a specific billing dispute, as prescribed in the Company's operating procedures. Information provided on statements of accounts will be limited to the Customer's billing dates, meter reading indices, energy usage, bill amounts and payments.

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17. Special Services Performed by the Company at a Charge – Continued

17.5 Request for Aggregated Company Records

A building owner or its authorized agent may request that the Company provide aggregated information concerning a building's electricity usage (i.e., for all units plus common areas) in kilowatt-hours ("kWh") and, where demand is metered, in both kWh and demand in kilowatts ("kW") covering up to the most recent two years from the date of the request.

All requests for Company records will be subject to the following terms and charges:

- a. Building-level Data, provided solely in aggregate form, without revealing particularized or identifiable Customer information. A request for information may be made by: the address served by the Company; the building identification number ("BIN") assigned to the building by the New York City Department of Buildings; or the borough, tax block and tax lot ("BBL") number assigned to the property by the New York City Department of Finance.

The charges are as follows: (i) \$102.50 per request for information, covering the lesser of 24 months or the months of data in the Company's database of current Customers, independent of the number of addresses or buildings associated with the BIN or BBL number, and (ii) \$102.50 per hour of Company labor (calculated in half-hour increments and rounded up to the nearest half-hour) for archived information.

- b. Tenant-level Data, provided for all directly-metered accounts in the building for which the Company has received written consent from the Customer authorizing the release of information to the building owner or its agent

The charge is \$102.50 per hour of Company labor (calculated in half-hour increments and rounded up to the nearest half-hour).

- c. All requests for building-level or tenant-level data must be made in writing and must state the relationship of the requestor to the building and the reason the information is being requested. The Company will comply with requests within 15 business days or within a reasonable period thereafter if the Company receives multiple requests during such timeframe.
- d. If building-level or tenant-level data is requested for both electricity and gas in a building receiving the Company's electricity and gas service, half of the applicable charge will be allocated to the electric service and half to the gas service.

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17. Special Services Performed by the Company at a Charge – Continued

17.6 Meter Upgrades and Purchases

17.6.1 Customers billed under all Service Classifications may request meter upgrades from the Company for a charge, upon the basis of cost to the Company as defined below. The cost to be charged for the meter upgrade consists of the following elements, where applicable:

- a. Labor of the Company organization unit involved at average payroll rate plus related expenses and indirect costs. Overtime and Sunday rates will be charged where applicable;
- b. Material (including but not limited to meter, input/output boards, demarcation box, adapters) at the average actual storeroom price plus handling costs at the Company's current rate;
- c. Corporate overhead at the Company's current rate;
- d. Reimbursement of net present value of federal tax expenses attributable to meter upgrade.

Charges hereunder will be increased by the applicable percentage as explained in General Rule 30.

17.6.2 Customers billed under Rate II or Rate IV of SC 5, Rate II or Rate V of SC 8, 9, or 12, or Rate I or Rate II of SC 13 may own the meter(s) that measure their electric service, provided that all electric meters for the Customer's account are owned by the Customer. The cost to be charged for a meter consists of the elements described in General Rule 17.6.1, where applicable, plus:

- a. if the Customer purchases a meter already in place, the charge includes, for the type of meter, the higher of the replacement cost of the meter new less depreciation or the undepreciated book cost of the Company meter; or
- b. if the Customer purchases a new meter, the charge includes the Company's undepreciated book cost of the Company meter that is removed or the cost of refurbishment if the removed meter is reused.

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17. Special Services Performed by the Company at a Charge – Continued

17.7 Termination of Service to Outdoor Signs at the Request of Department of Transportation

Upon written notice from the New York State Department of Transportation (DOT) the Company within 15 days of receipt of the notice, will discontinue service to any outdoor advertisement sign, display or device deemed to be a public nuisance in accordance with Section 88 of the State Highway Law, provided that:

- a. There will be no adverse effect on electric service supplied for any other purpose;
- b. The DOT notice states that, the outdoor advertisement sign, display or device has been found to be a public nuisance, pursuant to Section 88 of the State Highway Law; that the required 30 day notice provided for in said Law has been given; and that the finding of public nuisance and the notice provided for in said Law have not been stayed, modified or revoked;
- c. The DOT notice shows the anticipated removal date of the sign, display or device; and
- d. The DOT notice states that DOT will reimburse the Company for the cost of discontinuing service. The cost of such service discontinuance shall be charged upon the basis of cost to the Company as defined in General Rule 17.3 herein.

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18. Competitive Metering Service Providers

18.1 Eligibility of Competitive Metering Service Providers

To provide Competitive Metering Services to Customers, Meter Service Providers (“MSPs”) and Meter Data Service Providers (“MDSPs”) must have received a letter of eligibility from the State of New York Department of Public Service and have executed a Competitive Metering Services Agreement with Con Edison.

An MSP or MDSP providing services to Customers must comply with the applicable requirements, performance standards and regulations as set forth in New York Practices and Procedures for the Provision of Electric Metering in a Competitive Environment (the “Meter Manual”) as adopted by the Public Service Commission in Case Nos. 00-E-0165 and 94-E-0952 and as may be amended from time to time by the Commission. The Meter Manual requires, among other things, that meters physically interface with the service end points of the Company’s distribution system and be capable of developing and supplying billing determinants in a manner and timeframe consistent with the requirements of the Company. The Meter Manual is set out in Addendum-MET to this Rate Schedule.

Each MSP and MDSP offering competitive metering services in the Company’s service territory shall agree to indemnify, defend and save harmless the Company from and against any and all liabilities, losses, damages, costs, expenses, causes of action, suits, judgments and claims, including, but not limited to, reasonable attorneys’ fees and the costs of investigation, (collectively “claims”), in connection with any action, suit or proceeding by or on behalf of any person, firm, corporation or other entity arising from, caused by or relating to the metering services and meter data services provided or to be provided by the MSP or MDSP.

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18. Competitive Metering Service Providers – Continued

18.2 Charges for Special Services

If an MSP requires access to a current or potential transformer, the charge will be \$20.00 for a Company visit.

If scheduled work requires a Company visit and the MSP fails to arrive within the agreed-upon time frame, the charge to the MSP will be \$20.00.

If an MSP does not repair or replace any unsafe, inoperative, or defective meter or tampered meter within ten days, the Company may replace the meter with a Company-owned meter, and the MSP will be charged \$150.00 toward the cost of meter replacement.

If an MSP does not correct a meter data anomaly within thirty days, the Company may replace the meter with a Company-owned meter, and the MSP will be charged \$150.00 toward the cost of meter replacement.

If a Company visit is required when a Customer switches to or from Competitive Metering Services, or when a Customer switches between MSPs, the charge to the MSP will be \$20.00. Where Customers switch between MSPs, the charge will be assessed to the new MSP.

If a Customer switches from Competitive Metering Services to the Company's service, the owner of the existing meter and the Company may agree on one of the following alternatives: (a) the Company removes the meter at a charge of \$150.00 and returns the meter to the owner; (b) the owner abandons the meter in place, or (c) the owner resells the meter to the Company at a mutually agreed-on price.

If a Customer is switched without the Customer's authorization from the Company's service to Competitive Metering Services or from its existing provider of Competitive Metering Services to a new provider, the Company will charge the switching party all costs incurred by the Company.

If an MSP-owned meter must be removed by the Company to discontinue the Customer's service for nonpayment, the charge to the Customer will be \$150.00.

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19. Retail Access Program

19.1 Definitions

The terms defined below apply to this General Rule only.

- “Direct Customer” means a Retail Access Customer with an aggregate load of 1 megawatt or more that acts on its own behalf to obtain energy supply and capacity from a Supplier. A Direct Customer purchases and schedules delivery of electricity for its own consumption and not for resale. Customers served under Service Classifications that permit redistribution are not precluded from being served as Direct Customers. A Direct Customer must comply with applicable provisions of the UBP and with operating requirements established by the NYISO. A Direct Customer may aggregate and schedule load for itself and other Direct Customers, each of which would continue to be responsible individually for meeting requirements placed on Direct Customers.
- “Operating Procedure” refers to the Con Edison Retail Access Implementation Plan and Operating Procedure, as same may be amended, modified, or superseded from time to time.
- “Supplier” means one or more entities, including the NYISO, selling capacity or energy to a Direct Customer.
- “Suspend service” or “suspension of service” as it applies to Retail Access Service refers to the disconnection of Delivery Service at the request of an ESCO, pursuant to Public Service Law §32(5).
- “Uniform Business Practices” or the abbreviation “UBP” refers to the Uniform Business Practices applicable to Retail Access Service as adopted by the PSC and as may be amended from time to time by the PSC. The UBP is set out in Addendum-UBP to this Rate Schedule.

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19. Retail Access Program – Continued

19.2 General Rules for Retail Access Service

- 19.2.1 Con Edison will provide Retail Access Service to a Customer provided that the Customer has been enrolled pursuant to the requirements of General Rule 19.2.9 and, if applicable, the Customer's ESCO meets all terms and conditions of this Rate Schedule, the Operating Procedure, the UBP, and any applicable tariffs on file with the FERC, until (a) the Company receives notice from the ESCO or the Customer that the Customer-ESCO arrangement is terminated and no ESCO provides new enrollment information for the Customer, (b) the ESCO's eligibility is suspended or revoked by the Department of Public Service or by the Company, (c) the Customer informs the Company that the Customer desires to take service as a Full Service Customer, (d) the Customer terminates service with the Company, (e) the Company disconnects service in accordance with this Rate Schedule, or (f) the Company suspends Delivery Service pursuant to an ESCO request.
- 19.2.2 Retail Access Service will be provided in accordance with the UBP, the Operating Procedure, and orders of the PSC regarding retail access service. Changes to the Operating Procedure will be effective on the first day of the second calendar month following their submission to the Staff of the Commission unless otherwise directed by the PSC. In the event of any inconsistency between the Operating Procedure and this Rate Schedule, the Rate Schedule will govern. The Operating Procedure can be viewed on the Internet and is available for examination at all customer service walk-in centers.

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19. Retail Access Program – Continued

19.2 General Rules for Retail Access Service - Continued

19.2.3 A Customer requesting Retail Access Service must satisfy the requirements to be a Customer under General Rule 3. In addition:

- a) Except for Direct Customers, a Customer must have a contract for energy supply with an ESCO. A Customer may authorize only a single ESCO to provide capacity and energy to the Customer's account.

By providing an ESCO with the Customer's name and account number (and such other information as Con Edison may require if the Company is unable to verify the Customer's account based on the information provided), a Customer authorizes the ESCO to request and receive from Con Edison historical usage and billing information and, upon the Customer's request, to enroll the Customer in the Retail Access Program. A Customer may also provide an ESCO with written authorization to request and receive from Con Edison historical credit information. By authorizing the ESCO to enroll the Customer in the Retail Access Program, the Customer appoints the ESCO as the Customer's agent to contract on the Customer's behalf for transmission service and to schedule transmission services on Con Edison's system. The Company may rely on the information submitted by the ESCO as a Customer's representation that the ESCO is authorized to act on the Customer's behalf.

- b) A Direct Customer must have a contract with one or more Suppliers to provide capacity and energy to the Direct Customer's account(s).
- c) If a Customer's account is served under economic development programs specified under General Rule 11, the Customer's remaining requirements, as determined under that General Rule, may be served by the Customer's ESCO or the Direct Customer's Supplier.

19.2.4 If the Company is notified by the Department of Public Service that an ESCO is no longer eligible to provide energy supply to Retail Access Customers, if an ESCO withdraws from participation in the Company's Retail Access Program, or if the Company terminates service to the ESCO, the Company will notify the ESCO's Retail Access Customers in accordance with the UBP.

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19. Retail Access Program – Continued

19.2 General Rules for Retail Access Service - Continued

19.2.5 Applications for Service

A Customer desiring to take Retail Access Service must: (a) select an eligible ESCO and provide the ESCO with any necessary enrollment information, or (b) enroll as a Direct Customer, or (c) enroll in PowerMove. If a Customer enrolls through an ESCO, the ESCO will submit the Customer's enrollment information to the Company using the form and process prescribed by the Company. A Direct Customer must submit directly to the Company such information as the Company may require under the Operating Procedure and, in addition, enter into Operating and Transmission Service Agreements with Con Edison.

19.2.6 PowerMove Program

PowerMove is the Company's ESCO referral program implemented in accordance with PSC orders. Under PowerMove, a Customer selects or is assigned to a participating ESCO by the Company, at the Customer's request. ESCOs that participate in PowerMove enter into a "Consolidated Utility Billing Service and Assignment Agreement" and "Supplement for Retail Marketing (ESCO Referral) Program Participant" with the Company. All provisions related to Retail Access Service are applicable to PowerMove, except as follows:

- a) The Company will obtain the Customer's consent to enroll the Customer in PowerMove, select an ESCO for the Customer unless the Customer designates a specific ESCO, retain for six months evidence of Customer authorization of enrollment, and notify the ESCO of Customer authorization. The ESCO is not required to be specifically authorized by the Customer to provide electric supply or to submit enrollment information to the Company.
- b) UBP provisions are not applicable to PowerMove to the extent waived by the PSC.
- c) By enrolling in PowerMove with a particular ESCO, the Customer authorizes that ESCO to request and obtain historical usage and billing information, appoints the ESCO as the Customer's agent to contract on the Customer's behalf for transmission service and to schedule transmission services on Con Edison's system, and agrees to receive Company-issued Consolidated Bills.
- d) After the Customer enrolls in PowerMove, the Company will send a confirmation letter to the Customer in accordance with the UBP and orders of the PSC regarding retail access service.

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19. Retail Access Program – Continued

19.2 General Rules for Retail Access Service - Continued

19.2.7 Billing and Payments

If the Company and an ESCO agree that one party will perform consolidated billing and payment processing services on behalf of the other, the billing party will issue Consolidated Bills to the Customer. Otherwise, the Company will issue bills to the Customer for its charges, and the ESCO will issue separate bills for its charges.

Customer payments on Consolidated Bills shall be allocated and prorated in accordance with the Uniform Business Practices, the Home Energy Fair Practices Act (“HEFPA”) (Public Service Law, Article 2) and HEFPA regulations (16 NYCRR Part 11), and applicable orders of the PSC for Consolidated Bills issued on or after February 3, 2004, except for Consolidated Bills issued by the Company under the purchase of receivables program.

When a Customer is enrolled in the Company’s levelized payment plan and transfers from Full Service to Retail Access Service, the Customer's future levelized payment bills will reflect the change.

An estimated bill is the approved billing method (a) when Retail Access Service is commenced or terminated or the Customer changes ESCOs on a date other than the Customer’s scheduled meter reading date or (b) when the equipment required to obtain a meter reading by remote communications is not operational and an on-site reading is not obtained.

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19.2 General Rules for Retail Access Service - Continued

19.2.8 Billing Agency

Billing Agency is an arrangement between a Customer and an ESCO in which the Customer authorizes the ESCO to act as its Billing Agent for all account activities, including, but not limited to, the receipt of Con Edison bills. Provided that the Company permits Billing Agency and the Customer's ESCO and the Company have elected a Billing Agency arrangement, a Customer may authorize the ESCO to act as its Billing Agent. The Company may rely on the information submitted by the ESCO as the Customer's representation that the ESCO is authorized by the Customer to act as the Billing Agent. The Customer is responsible for all account transactions and payment of all bills for Con Edison services, except the Company will not attempt to collect payment directly from a Customer for any amount that the Customer already paid to the Billing Agent. For a Customer receiving bills for charges under this Rate Schedule from its Billing Agent, a late payment charge will be applied to all amounts billed, including arrears, and unpaid late payment charges which are not received by the Customer's Billing Agent within at least 25 days of the date the Billing Agent received the Customer's billing information from the Company. Con Edison may terminate its Billing Agency program at any time on reasonable notice and will terminate its Billing Agency program upon the implementation of Public Service Commission-approved EDI transaction sets for bill-ready ESCO consolidated billing.

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19. Retail Access Program – Continued

19.2 General Rules for Retail Access Service - Continued

19.2.9 Term

The Company reserves the right to establish a minimum term of service in connection with transfers between Full Service and Retail Access Service.

19.2.10 Commencement of Service

Following the receipt of ESCO enrollment or PowerMove enrollment or Direct Customer application, a Customer whom the Company determines to be eligible for service under the Retail Access Program will receive a letter from the Company confirming the enrollment and will commence Retail Access Service in accordance with the UBP and orders of the PSC regarding Retail Access service.

The Customer will be billed as a Full Service Customer for any periods of time during which the Customer is not served by an ESCO or as a Direct Customer.

19.2.11 Change of Location

A Retail Access Customer (or an ESCO acting as the Customer's agent) must notify the Company when the Customer moves to another location in the service territory. The Customer may opt for continuation of ESCO service at the new location by: (a) authorizing the ESCO at the former location or another ESCO to enroll the Customer or (b) enrolling in PowerMove, if eligible. If the Customer is not enrolled as a Retail Access Customer, the Company will serve the Customer as a Full Service Customer at the new location.

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19. Retail Access Program – Continued

19.2 General Rules for Retail Access Service - Continued

19.2.12 Shared Meters

If a Customer occupying residential premises is determined to have a shared meter and an account is established in an owner's name in accordance with General Rule 10.2, the owner will be established as a Full Service Customer unless the owner is enrolled by an ESCO as a Retail Access Customer or the owner has enrolled in Retail Access as a Direct Customer.

19.2.13 Termination and Suspension of Service

An ESCO may not physically disconnect a Customer's electric service. Con Edison may disconnect delivery service to Customers in accordance with the provisions of this Rate Schedule and either HEFPA (for Residential Customers) or the PSC's rules for service to Non-residential Customers. The Company may disconnect delivery service and ESCO commodity service for non-payment of amounts billed to Residential and Non-residential Customers on Company-issued Consolidated Bills if the Company has purchased the ESCO's receivables under the purchase of receivables program.

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19. Retail Access Program – Continued

19.2 General Rules for Retail Access Service - Continued

19.2.14 ESCO-requested Service Suspension

An ESCO may request the Company to suspend delivery service to a residential Customer or two-family dwelling that receives Consolidated Bills and to a multiple dwelling. By submitting a request for suspension of service to the Company in the authorized form, an ESCO represents that it has complied with all statutory and regulatory requirements for termination of the commodity service and suspension of the delivery service. No ESCO may request service suspension during the time that the Company's purchase of receivables program is in effect for that Customer.

Suspension will end at the request of the ESCO that requested the suspension. The Customer shall pay the reconnection charge specified in General Rule 15 if service is reestablished to the same Customer at the same meter location within 12 months of the service suspension. If service to a residential Customer is suspended for non-payment of amounts billed on Company-issued Consolidated Bills, the Customer may have service reconnected by paying the lesser of the amount billed and the amount that would have been billed if the Customer had been a Full Service Customer under this Rate Schedule.

If the ESCO has not requested an end to the suspension one year after it terminated commodity service, the Company will: (a) restore Delivery Service at the Customer's request provided the Customer meets tariff and HEFPA requirements for service restoration; and (b) waive the reconnection charge if service is reestablished to that Customer at the same meter and same location.

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19. Retail Access Program – Continued

19.3 Energy Service Company (“ESCO”) Participation

19.3.1 Requirements for Participation

To provide services to Retail Access Customers, an ESCO must (a) receive a determination of eligibility from the State of New York Department of Public Service, (b) execute Operating and Retail Transmission Service Agreements with Con Edison, and (c) provide financial security as may be required.

An ESCO providing services to Retail Access Customers hereunder must comply with the Operating Procedure, the UBP, and orders of the PSC regarding retail access service, including:

- a) for Customers not enrolled in Power Move, providing Con Edison with the Customer’s name and account number to establish that it has authorization from the Customer to supply electric service to the Customer under the Retail Access Program, and retaining evidence of Customer authorization for six years, but no less than one year after termination of service to such Customer;
- b) planning to and meeting the full electric capacity and energy requirements of such Customer;
- c) fulfilling the obligations of a Load-serving Entity as set forth in NYISO tariffs;
- d) notifying Con Edison regarding termination of service to a Customer who participated in the Retail Access Program with that ESCO;

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19.3 Energy Service Company (“ESCO”) Participation - Continued

19.3.1 Requirements for Participation - Continued

- e) if the Company permits Billing Agency, acting as the Customer's Billing Agent in all aspects of the Customer's relationship with Con Edison if authorized by the Customer, and retaining evidence of such authorization for one year after termination of the agency authorization. However, an ESCO that fails to bill its customers or transmit Customer payments to Con Edison on a timely basis will be precluded from acting as a Billing Agent;
- f) providing evidence to Con Edison of creditworthiness before the ESCO may require prepayments from residential customers and deposits or prepayments from small non-residential customers, as required by order of the Public Service Commission in Case 00-M-0504, issued and effective May 9, 2002; and
- g) for residential Customers, complying with Public Service Commission orders issued in Cases 99-M-0631 and 03-M-0117 implementing Chapter 686 of the Laws of 2002 and with General Business Law §349-d.

Con Edison may cease to provide services to an ESCO in accordance with the Operating Procedure and for any reason specified in the UBP.

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19.3.2 Historical Information

An ESCO that is authorized by a Customer to receive usage and billing information may request and will be provided a statement of the account's usage and billing information as provided in the UBP, which states the period to be covered by the statement that will be provided without charge.

An ESCO which affirms electronically or in writing that it has received written authorization from a Customer to receive credit information may request and will be provided such information in accordance with the UBP, which states the period for which information will be provided without charge.

The Company will charge the amount specified in General Rule 17.4 per account per year of information when usage and billing information and/or credit information is requested beyond that provided at no charge.

If requested by an ESCO, the Company will provide interval data, if available, for up to the immediately preceding 24 months for the account of a Customer that has provided its account number for this purpose. The Company will charge the amount specified in General Rule 17.1.

The Company will not disclose customer information to an ESCO if the Customer has given advance notification to the Company in writing that such information should not be disclosed.

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GENERAL RULES

19. Retail Access Program – Continued

19.3 Energy Service Company (“ESCO”) Participation - Continued

19.3.3 Interval Information

Except for meters served by Meter Data Service Providers, the Company will provide through the Internet interval information for the current billing cycle to ESCOs and Direct Customers for Customer accounts having interval meters with operating telemetry capability. Information for the current billing cycle will be provided without a charge at the end of the billing cycle. The Company will provide, at an ESCO’s request, access to such information on a more frequent basis for a fee, payable in advance.

Daily access fee: \$241.00 per year
Weekly access fee: \$27.00 per year

19.3.4 Information About the Company’s Charges

To enable an ESCO to determine the lowest amount that a Customer must pay to end a suspension of service, the Company shall charge \$8.00 to an ESCO per bill per service for each account on which the ESCO requests that the Company calculate what it would have charged the Customer had the Customer purchased commodity from the Company. The Company will calculate a bill under this Rate Schedule as though the Customer were a Full Service Customer; subtract the amount of the bill issued under this Rate Schedule for Retail Access Service for the same period; and provide the difference to the ESCO. The Company will accept ESCO requests by electronic mail only. The Company will cease to provide this service once its self-service bill calculation facility becomes available.

19.3.5 ESCO Customers’ Information

An ESCO may obtain a list of its enrolled Customers at no charge.

An ESCO may request and will be provided summary customer data (that is, the number of accounts enrolled with the ESCO and total sales), as provided in the UBP, which states the frequency with which such information will be provided at no charge. The Company will charge \$16.00 per request for summary customer data in excess of that provided at no charge.

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GENERAL RULES

19. Retail Access Program – Continued

19.3 Energy Service Company (“ESCO”) Participation - Continued

19.3.6 Consolidated Billing and Payment Processing Services

Subject to limitations set forth below, an ESCO and the Company may agree for one party to perform consolidated billing and payment processing services on behalf of the other. Billing and payment processing services are governed by the terms and provisions of retail access billing and payment processing practices as specified in the UBP and by such other terms and conditions not inconsistent with otherwise applicable laws, regulations, and PSC orders.

If an ESCO and the Company agree for one party to perform consolidated billing and payment processing services on behalf of the other, the Company and ESCO will execute a billing services agreement. The Company will provide Consolidated Bills in connection with the purchase of receivables program pursuant to the Consolidated Utility Billing Service and Assignment Agreement executed by the Company and the ESCO; provided, however, that Consolidated Bills are not available to Customers served under Special Provision G of SC 9 for all or part of their energy requirements. Consolidated Bills for residential Customers are limited to Company-issued Consolidated Bills. An ESCO may provide Consolidated Bills for its Customers who are not Residential Customers.

If the Company determines, in its sole discretion, that an ESCO is not in compliance with the dispute resolution procedure specified in the Consolidated Utility Billing Service and Assignment Agreement, the Company will assess a charge to the ESCO equal to the amount disputed by the Customer.

GENERAL RULES

19. Retail Access Program – Continued

19.3 Energy Service Company (“ESCO”) Participation - Continued

19.3.6 Consolidated Billing and Payment Processing Services - Continued

The Company will charge the following fee per bill per account to an ESCO if the Company provides Consolidated Bills to the ESCO’s customer(s):

- a) \$1.20 if the Company issues a Consolidated Bill on an electric-only account; or
- b) \$1.20 if the Company issues a Consolidated Bill for electricity and/or gas service on a combined electric and gas account; provided, however, that if a Consolidated Bill is issued for two separate ESCOs, the charge to the electric ESCO will be \$1.20 per bill per account less the charge applicable to the gas service under the gas rate schedule.

On a combined electric and gas account, if an ESCO issues Consolidated Bills that include its charges for one service, and a second ESCO desires Company-issued Consolidated Bills that include its charges for the other service, the second ESCO must request Account Separation as described in General Rule 19.3.8.

If an ESCO requests that a Company-issued Consolidated Bill include an insert required by statute, regulation, or Public Service Commission order, and such insert exceeds one-half ounce, the Company will charge the ESCO for incremental postage.

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GENERAL RULES

19. Retail Access Program – Continued

19.3 Energy Service Company (“ESCO”) Participation - Continued

19.3.7 Special Meter Reading

If an ESCO requests a special meter reading at the Customer’s premises for meters other than those served by Meter Data Service Providers, the Company will charge the lower of the amount specified in General Rule 17.1 or the maximum amount permitted under the UBP per Customer account per visit.

19.3.8 Account Separation

A Customer’s combined electric and gas account must be separated into electric-only and gas-only accounts when: (a) the Company or an ESCO issues Consolidated Bills that include the ESCO’s charges for one service and a second ESCO desires to issue Consolidated Bills for the other service, or (b) an ESCO desires to issue Consolidated Bills for a single service and does not agree to bill the Company’s charges for the second service. The Company will charge \$34.50 to an ESCO to separate a combined electric and gas account into two accounts. If a Customer authorizes one ESCO for electric service and another ESCO for gas service before the Company has taken action at the request of one ESCO to separate the combined account, the Company will charge each ESCO one-half of the applicable charge.

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19. Retail Access Program – Continued

19.3 Energy Service Company (“ESCO”) Participation - Continued

19.3.9 Suspension of Service

The Company shall charge the following charges to an ESCO that requests suspension of residential service, as applicable:

- a) \$26.00 if the electricity service to an electricity or electricity and gas account is suspended at the meter; provided, however, that the charge is \$13.00 to the ESCO if the electricity service is disconnected on behalf of both the ESCO and the Company;
- b) \$34.50 if the electricity and gas services to an account are suspended at the same time at the meter; provided, however, that the charge is \$17.25 to the ESCO if one service is disconnected on behalf of the ESCO and the other, on behalf of the Company or another ESCO; and
- c) \$114.00 if the electricity service is suspended through disconnection of service in the street.

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GENERAL RULES

19. Retail Access Program – Continued

19.4 Limitation of Liability and Indemnification Related to Retail Access Service

The following provisions are in addition to and not in lieu of the provisions of General Rule 21:

The Company will endeavor at all times to provide services rendered in connection with the provision of Retail Access Service (including the transmission and distribution of electricity) in a regular and uninterrupted manner, but in case any such service shall be interrupted or irregular or fail from causes beyond its control or through ordinary negligence of its employees, servants or agents, the Company will not be liable therefor.

In accordance with operating policies established by the Company or the New York Independent System Operator or the reliability rules established by the New York State Reliability Council, conditions on the electric transmission or distribution system could require remedial actions, including voltage reduction or load shedding, in the interests of preserving system safety and reliability. Such actions constitute a circumstance beyond the control of the Company for which the Company shall not be liable.

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19. Retail Access Program – Continued

19.4 Limitation of Liability and Indemnification Related to Retail Access Service - Continued

For the purposes of Retail Access Service, “damages” shall mean and include all losses, (including, but not limited to, economic loss), damages (including, but not limited to, direct, indirect, incidental, punitive, special and consequential damages), costs, expenses, judgments, claims, and attorneys’ fees,

- a) The Company shall not be liable to a Retail Access Customer for any damages caused by the Company’s conduct in compliance with, or as permitted by, the Company’s rate schedules, the Retail Access Implementation Plan and Operating Procedure, the Operating and Retail Transmission Service Agreements between the Company and the ESCO or any legal or regulatory requirements related to Retail Access Service.
- b) The Company shall not be liable to a Retail Access Customer for any damages caused to the Customer by any failure of an ESCO to comply with the Company’s rate schedules, the Retail Access Implementation Plan and Operating Procedure, or the Operating and Retail Transmission Service Agreements between the Company and the ESCO or for any damages caused by equipment installed or actions taken by an ESCO.
- c) The Company shall not be liable to a Retail Access Customer for any damages caused by an ESCO’s failure to perform any commitment to the Customer, including, but not limited to the ESCO’s obligation to provide energy to the Customer.
- d) The Company shall not be liable to any Retail Access Customers for any damages resulting from any acts, omissions, or representations made by an ESCO in conjunction with soliciting customers for Retail Access Service or performing any of its functions in rendering Retail Access Service.

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GENERAL RULES

20. Standby Service

Customers who take Standby Service are subject to all terms and conditions of this General Rule, including the Interconnection Charge, whether they are billed under Standby Service rates or Standard rates.

General Rule 20 is not applicable to generating facilities that are served under Rider R or used for emergency self-supply under General Rule 8.2.

20.1 Definitions and Abbreviations

- “Standby Service” means the delivery of power and energy that is used:
 - (a) to replace and/or supplement the power and energy ordinarily generated at a Customer’s premises by means of a private generating facility on the premises, or
 - (b) for Station Use by a Customer that is a Wholesale Generator. “Wholesale Generator” is a generator that delivers its output directly to the Company’s facilities for sale on a wholesale basis. “Station Use” means:
 - (i) power and energy is delivered over the Company’s distribution facilities at a voltage lower than 100 kV for the Customer’s use at its premises in connection with its generating facility; and
 - (ii) the Customer has provided written proof to the Company that it is registered with the NYISO under the provisions of the NYISO “ISO Market Administration and Control Area Services Tariff” (“Market Services Tariff”) to self-supply and net station power.
- “Standby Service rates” refers to the following Rates, as applicable: Rate III or Rate IV of SC 5, Rate IV or Rate V of SC 8, 9, or 12, or Rate II of SC 13. Customers who take the Company’s Standby Service are billed under Standby Service Rates unless they are exempt pursuant to General Rule 20.3.
- “Standard rates” refers to the rate under which the Customer would otherwise be billed if it was not supplied by a private generating facility or was not a wholesale generator.

GENERAL RULES

20. Standby Service - Continued

20.2 Interconnection and Operation

To receive Standby Service, the generator may be connected either for: (a) parallel operation with the Company's service, or (b) isolated operation with standby service provided by the Company by means of a double-throw switch.

20.2.1 The following provisions are applicable to interconnection and operation of private generating facilities or wholesale generating facilities on the premises not connected directly to transmission facilities (that is, delivery facilities other than distribution facilities) that: (i) commenced operation prior to February 1, 2000; or (ii) commenced operation between February 1, 2000 and December 30, 2004, and either have a total nameplate rating between 301 kVA and 2 MW or are connected in parallel with the network system; or (iii) commenced operation between December 31, 2004 and April 28, 2016, have a total nameplate rating greater than 2 MW, and are connected in parallel with the distribution system; or (iv) commenced operation after April 28, 2016, have a total nameplate rating greater than 5 MW, and are connected in parallel with the distribution system. The Company's Distributed Generation Guide (the "Guide") on the Company's website addresses installation and upgrades of electric generation facilities having a nameplate rating greater than 5 MW and up to 20 MW. When the Guide is revised, it will be posted to the Company's website thirty days before it takes effect.

(A) Interconnection Charges

The Customer will be required to pay:

- (1) A charge for the reasonable costs of connection, including the costs of initial engineering evaluations, switching, metering, transmission, distribution, safety provisions, engineering, administrative costs, and any associated tax expenses incurred by the Company directly related to the installation of the facilities deemed necessary by the Company to permit interconnected operations with a Customer, to the extent such costs are in excess of the corresponding costs which the Company would have incurred had the Customer not taken Standby Service. All such facilities will remain the property of the Company. The Customer may pay for the foregoing interconnection costs either:
 - (a) by paying in full prior to the commencement of Standby Service; or
 - (b) by paying at least twenty-five percent of the interconnection costs prior to the commencement of Standby Service and arranging with the Company to pay over not more than a five-year period the balance of such interconnection costs plus interest at the other Customer provided capital rate in effect at the time a payment plan is agreed upon with the Company. The Company may require a Customer to provide adequate security for the payment of the balance of the interconnection costs due the Company under the payment agreement.

GENERAL RULES

20. Standby Service - Continued

20.2 Interconnection and Operation - Continued

20.2.1 - Continued

(A) – Continued

(1) – Continued

The costs of delivery system reinforcements required for parallel operations and incurred subsequent to interconnection are an element of the interconnection costs and will be charged to the Customer, provided that such costs are initially foreseen, but not necessarily incurred at the time of interconnection. The Customer may pay for this element of interconnection cost at the time it is incurred, or pursuant to a payment agreement similar to the one described above.

- (2) An annual charge of 12.1 percent of the capital costs of interconnection, including the costs of delivery system reinforcements, to cover property taxes and operation and maintenance expenses. The annual charge shall be determined by multiplying the rate of 12.1 percent by the total capital costs of interconnection. The annual charge is payable by the Customer in monthly installments equal to one-twelfth of the annual charge.

(B) Other Requirements

- (1) Metering equipment (except meters and metering transformers) and interrupting equipment, as specified by the Company, will be installed and maintained by the Customer in accordance with Company specifications. Where such facilities are located on the Company's property, they will be installed and maintained by the Company at the Customer's expense.
- (2) All requests for parallel operation will be reviewed on a case-by-case basis. Parallel operation will be permitted only if, and to the extent, such operation does not jeopardize the adequacy or reliability of service to the Company's other Customers. Failure of the Customer at any time to comply with the terms and conditions specified by the Company in order to permit parallel operation will result in the Customer forfeiting its right to operate in parallel with the Company's system. In the event a Customer forfeits its right to operate in parallel with the Company's system, the Customer will be required to bear the reasonable expense associated with disconnecting the Customer's private plant from the Company's system. Where there is a dispute between the Customer and the Company with respect to the standards and charges for interconnection, the Customer may apply to the Public Service Commission for a ruling in the matter.

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GENERAL RULES

20. Standby Service - Continued

20.2 Interconnection and Operation - Continued

20.2.1 – Continued

(B) - Continued

- (3) The Customer's generating plant and the Company's system may be operated in parallel as required subject to the Customer's compliance with the Company's design requirements and operating rules and procedures. To accomplish such parallel operation in a safe, economical, and efficient manner, operating instructions shall be prepared by the Company, and adhered to by the authorized operating representatives of the Customer. Such operating instructions shall include, among other things, procedures for:
- (a) Maintaining proper voltage and frequency and for putting into effect voltage changes as required from time to time;
 - (b) Phasing and synchronizing the Customer's generating plant and the Company's system;
 - (c) Taking feeders out of service for maintenance or during emergency conditions and restoring them to service thereafter; and
 - (d) Controlling the flow of real power and reactive power between the Customer's generating plant and the Company's system.

Where there is to be parallel operation, the Customer's authorized operating representatives shall receive the necessary training from the Company's authorized operating representatives in the Company's operating procedures before parallel operation is begun.

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GENERAL RULES

20. Standby Service - Continued

20.2 Interconnection and Operation - Continued

20.2.1 – Continued

(B) - Continued

- (4) Where the Customer operates in parallel, the Customer shall provide and maintain on its premises all necessary facilities, as specified by the Company, for connecting the Company's feeder cables to the Customer's generating station, including transformers, circuit breakers, and all equipment and facilities necessary and required for synchronizing the Customer's generating plant with the Company's system and for controlling the flow of energy and wattless current and for protection of the interconnected systems. Such required facilities may include a communication system between the Customer's generating plant and the Company's system or district operator consisting of transmitting equipment and a communications path such as a leased telephone line or lines connecting these points to provide transfer trip of the Customer tie. Voice communication and telemetering of loads shall be provided at the Customer's expense.
- (5) The Customer is solely responsible for providing adequate protection for Customer's facilities operating in parallel with the Company's system. Except where caused by the Company's negligence, the Company will not be liable for, and the Customer shall indemnify and hold the Company harmless for, damages to the property of the Company or others or injuries to persons arising out of any occurrence related to the Customer's ownership, use or operation of the Customer's facilities.
- (6) When a Customer who is a wholesale generator takes service through the same bus bar that it uses to export power to the wholesale grid, the station power when the generator is operating will be treated as if the generator were self-supplying from the load side of the meter.

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GENERAL RULES

20. Standby Service - Continued

20.2 Interconnection and Operation - Continued

20.2.1 – Continued

(B) – Continued

- (7) A low-tension Customer taking service from a private generating facility having a total nameplate rating of over 2 MW but not more than 20 MW may take Standby Service by connecting the facility to the Company's high-tension distribution system, provided the connection and operation of such facility do not jeopardize the safety or operation of the Company's system, facilities or other Customers and all of the following conditions are met: (a) the facility meets eligibility criteria for designation as "combined heat and power" pursuant to the order of the Public Service Commission, dated January 23, 2004, in Case 02-E-0781, except with respect to maximum generating capacity; (b) the service interconnection is made to an interior distribution installation, pursuant to General Rule 5.6.2; (c) all the electricity delivered by the Company and supplied by the Customer's generator serves a single Customer; (d) the generating facility is connected at high tension voltage (as specified in General Rule 4.6) on the Company's side of the revenue meter; (e) the high-tension meter on the generator's output is adjusted for transformer losses; and (f) the cost to the Company of the installation is no greater than it would be if the generating facility were connected at low-tension voltage on the Customer's side of the meter, and the configuration of Company equipment is the same under either the high-tension or low-tension connection.

The Customer will be billed under Standby Service rates, as modified below:

- (a) There will be an additional Customer Charge of \$50.00 per billing period, exclusive of the Increase in Rates and Charges, to cover incremental billing and administrative costs associated with providing service to this type of installation. (b) The per-kWhr charges described in General Rule 26 will be applied to the Customer's total kWhr usage registered on the low-tension meter(s) less the kWhr registered on the high-tension meter measuring the private generating facility's output (adjusted for losses). (c) The daily maximum demand used in determining the As-used Daily Demand Delivery Charges will be the highest net integrated demand, i.e., the difference between the Customer's low-tension registered demand and the high tension registered demand measuring the generator's output (adjusted for losses). (d) The monthly maximum demand used in determining Contract Demand exceedances under section (A) of General Rule 20.4.3 will be the low-tension maximum demand.

A Customer taking service under this provision may take service under SC 11 if the kWhr export of the generating facility exceeds the total kWhr usage registered on the low-tension meter(s).

GENERAL RULES

20. Standby Service - Continued

20.2 Interconnection and Operation - Continued

20.2.1 – Continued

(B) – Continued

(8) A Customer with a private generating facility connected to the Company's high tension distribution system (as specified in General Rule 4.6) may use the output of the generating facility to supply two or more Standby Service accounts, as long as all of the following conditions are met:

(a) Eligibility:

- (1) The Standby Service accounts designated by the Customer and the account associated with export of the generating facility must be all established in a single Customer's name.
- (2) The generating facility must: (i) have a total nameplate rating of over 2 MW but no more than 20 MW; and (ii) meet eligibility criteria for designation as efficient "combined heat and power" pursuant to the order of the Public Service Commission, dated January 23, 2004, in Case 02-E-0781, except with respect to maximum generating capacity. The generating facility may have more than one generating unit so long as the aggregate nameplate rating conforms to (i) above.
- (3) The generating facility and the Standby Service accounts must all be located within a single "premises," defined, for purposes of General Rule 20.2.1(B)(8) only, as "a parcel of land; or more than one building and/or parcel of land proximate to each other if there is common use, whether or not such buildings or parcels are separated by public or private roads." At least one of the Standby Service accounts must be connected to the Company's low tension distribution system. The accounts of a Customer whose buildings or parcels of land are not physically interconnected may meet the definition of a single "premises" upon the Customer's demonstration of common use to the Company.
- (4) Each Standby Service account must be separately metered. The export of the generating facility must also be separately metered.
- (5) A Customer may take service under SC 11 if the export of the generating facility exceeds the aggregate registered kWhr usage on the Standby Service accounts.

GENERAL RULES

20. Standby Service - Continued

20.2 Interconnection and Operation - Continued

20.2.1 – Continued

(B)(8) – Continued

(a) - Continued

- (6) The communications service for the account associated with the generating facility's export and for each Standby Service account must be provided and maintained at Customer expense pursuant to General Rule 6.5, and must be operational before the Customer may take service under General Rule 20.2.1(B)(8).

(b) Interconnection:

The interconnection will be subject to the Interconnection Charges specified in General Rule 20.2.1(A) and must meet the Interconnection Requirements specified in other sections of General Rule 20.2.1(B). In addition, the interconnection must be technically and economically practicable, and the connection and operation of such facility shall not jeopardize the safety or operation of the Company's system, facilities or other Customers.

(c) Accounts Supplied by the Generating Facility's Output:

- (1) Each account must be eligible for billing under Standby Service rates and must be billed under the Standby Service rate applicable to that individual account.
- (2) The Customer's accounts must be either all Full Service or all Retail Access.
- (3) If the Customer is a Retail Access Customer, all supply in excess of that supplied by the Customer's private generating facility must be supplied by a single ESCO unless the Customer elects to be a Direct Customer pursuant to General Rule 19.
- (4) No account served under General Rule 20.2.1(B)(8) may be served under the PASNY Rate Schedule or any economic development program specified in General Rule 11.
- (5) None of the accounts may receive Consolidated Billing (described in General Rule 19.3.6).

GENERAL RULES

20. Standby Service - Continued

20.2 Interconnection and Operation - Continued

20.2.1 – Continued

(B)(8) – Continued

(d) Contract Demand for Each Account Supplied by the Generating Facility's Output:

The Contract Demand for each account will be determined based on the maximum potential demand on the Company's system to serve that individual account, including the delivery of supply from all sources.

(e) Billing Applicable to Each Account Supplied by the Generating Facility's Output:

(1) For purposes of this General Rule, the following definitions apply:

“Allocated As-used Generator Demand” means, for each account supplied by the generating facility's output, the demand registered on the account's meter(s) multiplied by the lower of: (a) 1 or (b) the ratio of the demand registered on the high-tension meter(s) measuring the generating facility's output to the sum of demands registered on the meters of all Standby Service accounts supplied by the generating facility's output.

“Allocated Generator Supply” means, for each account supplied by the generating facility's output, the total kilowatt-hours registered on the account's meter(s) multiplied by the lower of: (a) 1 or (b) the ratio of the total kilowatt-hours registered on the high-tension meter(s) measuring the generating facility's output to the sum of the kilowatt-hours registered on the meters of all Standby Service accounts supplied by the generating facility's output.

Allocated As-used Generator Demand and Allocated Generator Supply will be determined for each 15-minute interval. Adjustments will be made for transformation losses as applicable.

GENERAL RULES

20. Standby Service - Continued

20.2 Interconnection and Operation - Continued

20.2.1 – Continued

(B)(8) – Continued

(e) – Continued

- (2) Each account supplied by the generating facility's output will be billed under Standby Service rates, as modified below:
 - (i) An additional Customer Charge of \$50.00 per account per billing period, exclusive of the Increase in Rates and Charges, will be applicable to cover incremental billing and administrative costs associated with providing service under this provision.
 - (ii) The per-kWhr delivery charges and adjustments described in General Rule 26 will be applied to the total kilowatt-hours registered on the account's meter(s) reduced by the Allocated Generator Supply for each 15-minute interval (adjusted for losses as applicable).
 - (iii) For each 15-minute interval, the registered demand on the account's meter(s) will be reduced by the Allocated Generator Demand for purposes of determining the daily maximum demand that is used for billing As-used Daily Demand Delivery Charges.
 - (iv) If the Customer purchases supply from the Company, the per-kWhr supply charges and adjustments described in General Rule 25 will be applied to the total kilowatt-hours registered on the account's meter(s) reduced by the Allocated Generator Supply for each 15-minute interval (adjusted for losses as applicable).
 - (v) Monthly Communications Service Credit: Each Standby Service account will receive a credit of \$44.78 per month to reimburse the Customer for maintaining the communications service if the Company would have otherwise been required to maintain the communications service under General Rule 6.5 if not for service being taken under General Rule 20.2.1(B)(8).

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20. Standby Service - Continued

20.2 Interconnection and Operation - Continued

20.2.1 – Continued

(B)(8)(e) – Continued

- (3) The Allocated As-used Generator Demand and Allocated Generator Supply will be assumed to be zero for time periods where there is insufficient interval data available to ascertain that the Generating Facility supplied output to any associated Standby Service account.

Bills may be estimated pursuant to General Rule 10.7. If interval data is estimated on a Standby Service account, that data will be used in the calculation of the Allocated As-used Generator Demand for all other accounts. If actual data later becomes available, the account will be rebilled based on the actual registered demand on the meter less the previously determined allocated As-used Generator Demand for such account.

- (f) The Customer will be assessed a Reactive Power Demand Charge per kVar registered on the generating facility's export meter(s) at the time of the kW maximum demand; provided, however, that if the meter registers no kW demand, the charge per kVar will be applied to the highest kVar recorded during the billing period. Applicable charges are specified in General Rule 10.11(4).

GENERAL RULES

20. Standby Service - Continued

20.2 Interconnection and Operation - Continued

20.2.2 The following provisions are applicable to interconnection and operation of private generating facilities or wholesale generating facilities on the premises that: (i) commenced operation between February 1, 2000 and December 30, 2004, have a total nameplate rating of 300 kVA or less, and are connected in parallel with the radial system; or (ii) commenced operation between December 31, 2004 and April 28, 2016, have a total nameplate rating of 2 MW or less, and are connected in parallel with the distribution system; or (iii) commenced operation after April 28, 2016, have a total nameplate rating of 5 MW or less, and are connected in parallel with the distribution system.

(A) Interconnection Charges

The Customer will be required to pay:

- (1) Advance payment for the estimated costs of any equipment and facilities installed on the Company's system, including metering, necessary to permit operation of the Customer's generation facilities in parallel with the Company's system. The amounts and timing of Customers' payments shall be determined in accordance with the Standardized Interconnection Requirements set forth in Addendum - SIR.
- (2) A cost-based advance payment for the Company's review of the Customer's proposed interconnection design package and for any studies, including but not limited to the Coordinated Electric System Interconnection Review, performed by the Company with respect to the interconnection of the Customer's generation facilities.

The Company will reconcile its actual costs with the total of the Customer's advance payment for estimated costs of equipment and facilities and advance payment for reviews and studies. The Customer will pay or the Company will refund, without interest, the difference.

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GENERAL RULES

20. Standby Service - Continued

20.2 Interconnection and Operation - Continued

20.2.2 - Continued

(B) Other Requirements

- (1) Customers' applications to attach parallel generation equipment to the Company's distribution system will be made using the applications set forth in Addendum – SIR. An application fee may be required as specified in Addendum – SIR.
- (2) Assuming the conditions of the Standardized Interconnection Requirements are met, the Company and the Customer will execute the New York State Standardized Contract set forth in Addendum - SIR.
- (3) The installation and parallel operation of generation facilities will be in accordance with the Standardized Interconnection Requirements.
- (4) Parallel operation of synchronous generators with the secondary network system will be permitted only if, and to the extent, such operation does not jeopardize the adequacy or reliability of service to the Company's other Customers.

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GENERAL RULES

20. Standby Service - Continued

20.2 Interconnection and Operation - Continued

20.2.3 Common Provisions

- (A) A Customer taking Standby Service through direct interconnection to a transmission facility shall be subject to interconnection charges imposed under a tariff of the New York State Independent System Operator in addition to any non-duplicative charges hereunder.
- (B) Failure of the Customer to pay any of the interconnection charges or annual charges, when due, shall be cause for termination of service in accordance with the procedures specified in this Rate Schedule.
- (C) Where the meters are Company-owned, the Customer will be responsible for metering costs in excess of the corresponding costs that the Company would have incurred had the Customer taken service under Standard rates.
- (D) The meter required for Standby Service may include equipment either to prevent reverse meter registration or to separately measure Customer-generated electricity and electricity delivered by the Company.
- (E) Backfeed of power into the Company's system will not be permitted by Customers taking Standby Service, except as provided under paragraph (B)(7) of General Rule 20.2.1.
- (F) A Customer may segregate any portion of its total requirements at the premises so that such portion shall be served exclusively with the Company's service under another and appropriate Service Classification consistent with General Rule 8.1.

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GENERAL RULES

20. Standby Service - Continued

20.3 Customers Exempt from Standby Service Rates

20.3.1 The following types of Customers will be billed under Standard rates:

- (a) Customers taking service from on-site generation equipment having a total nameplate rating equal to no more than 15 percent of the maximum potential demand served from all sources;
- (b) Customers who would otherwise receive service under SC 1, SC 2, or the energy-only rate of SC 12, provided that they commence operation of their on-site generation facility on or before May 31, 2019; and
- (c) Customers with a Contract Demand of less than 50 kW, provided, however, that a Customer not described in subparagraphs (a) or (b) may elect to be billed under Standby Service rates in its application for Standby Service.

A Customer with a Contract Demand of less than 50 kW who elects billing under Standby Service rates will be billed under such rates commencing with the first full billing period for which interval metering data is available subsequent to the Company's receipt of notice. A Customer with a Contract Demand of less than 50 kW who is billed under either Standby Service rates or Standard rates may elect to change its billing rate no more than once every 12 months. Such notice must be made in advance in writing.

GENERAL RULES

20. Standby Service - Continued

20.3 Customers Exempt from Standby Service Rates - Continued

20.3.2 Customers With Designated Technologies

A Customer With Designated Technologies will be billed under Standard rates, unless the Customer makes a one-time election in writing no less than 30 days before commencing operation of the on-site generation facility to be billed under Standby Service rates. A Customer With Designated Technologies who uses Efficient CHP with an aggregated capacity greater than 1 MW, up to 15 MW, will be exempt from Standby Service rates for a period of four years from the in-service date, unless the Customer makes a one-time election in writing prior to the end of its four-year exemption period to be billed prospectively under Standby Service rates.

Definitions:

“Customer With Designated Technologies” for purpose of this General Rule means a Customer with a Contract Demand of 50 kW or greater whose on-site generation has a total nameplate rating equal to more than 15 percent of the maximum potential demand from all sources and:

- (a) exclusively uses fuel cells, wind, solar thermal, photovoltaics, sustainably-managed biomass, tidal, geothermal, and/or methane waste, and commences operation of its on-site generation facility between July 29, 2003 and May 31, 2019; or
- (b) uses Efficient CHP that does not exceed 1 MW of capacity in aggregate, and commences operation of its CHP generation facility between July 29, 2003 and May 31, 2019; or
- (c) uses Efficient CHP with an aggregated capacity greater than 1 MW, but no more than 15 MW, and commences operation of its CHP generation facility between May 31, 2015 and May 31, 2019; provided, however, that (i) the generating facility’s output must be separately metered using Commission-approved, revenue grade, interval metering with telecommunications capability (“Output Meter”) that the Customer arranges to be furnished and installed at Customer expense, and (ii) the Customer, at its expense, must provide and maintain the communications service for the Output Meter. The metering must be compatible with the Company’s metering infrastructure, including compatibility with the Company’s meter reading systems and meter communication systems. The Company will assess the charge specified in General Rule 16.4 if the Customer’s communications equipment is not operational and may transfer the Customer to Standby Service rates for repeated failure to maintain the communications service.

“Efficient CHP” for purposes of this General Rule means combined heat and power (“CHP”) generation that meets eligibility criteria that were approved in the order of the New York State Public Service Commission, dated January 23, 2004, in Case 02-E-0781.

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GENERAL RULES

20. Standby Service - Continued

20.4 Billing under Standby Service Rates

- 20.4.1 Customers who take Standby Service are billed under Standby Service rates unless they are exempt pursuant to General Rule 20.3.
- 20.4.2 Interval metering of a type approved by the Public Service Commission for the determination of maximum demand is required for billing under Standby Service rates. Communications service will be provided and maintained as described in General Rule 6.5.
- 20.4.3 Billing under Standby Service rates requires the establishment of a Contract Demand, expressed in kilowatts (“kW”). Where both high tension and low tension service are delivered to a Customer’s account, separate Contract Demands will be established for the low tension service, for the high tension service below 138,000 volts, and for the high tension service at 138,000 volts.

A Customer may establish its Contract Demand in its application for Standby Service or at any time thereafter. If the Contract Demand is not stated in the application, the Company will establish the Contract Demand at the maximum potential demand. At any time, if the monthly maximum demand exceeds the Contract Demand, the monthly maximum demand will become the Contract Demand in that month and thereafter.

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GENERAL RULES

20. Standby Service - Continued

20.4 Billing under Standby Service Rates - Continued

20.4.3 -Continued

(A) Where the Customer Establishes the Contract Demand

- (1) A Customer who chooses its own Contract Demand may revise the Contract Demand by giving written notice to the Company, which must be received no less than ten days before the beginning of the first billing period for which the revised Contract Demand shall be applicable. A Customer may revise its Contract Demand downward once every 12 months if the Customer demonstrates, based on an engineering analysis submitted to the Company, that electricity-consuming equipment is removed or abandoned in place or that permanent energy-efficiency or load-limiting equipment is installed. No retroactive adjustment will be made for a reduction in the Contract Demand level. A Customer may revise its Contract Demand upward at any time for a prospective billing period.
- (2) The Company has final authority to approve or modify the Contract Demand on an account with a generating facility: (a) served under General Rule 20.2.1(B)(7) or General Rule 20.2.1(B)(8); or (b) installed on or after March 1, 2014, in a new premises or upgraded premises (i.e., where the Customer requires additional electric service to meet a higher load or increased capacity requirements regardless of the output of the generating facility). The Company will approve or modify the Contract Demand based on the principles used by Company to establish Contract Demand pursuant to General Rule 20.4.3(B).
- (3) Where the Company does not have final authority to approve or modify the Contract Demand (i.e., the Contract Demand is set by a Customer either prior to March 1, 2014, or for an existing building that does not require additional electric service), the Customer will be subject to a surcharge if the monthly maximum demand exceeds the Contract Demand by more than 10 percent. Such surcharge will apply to the current monthly bill for the portion of the demand that is in excess of the Contract Demand. The surcharge will apply as follows:
 - (a) If the monthly maximum demand exceeds the Contract Demand by more than 10 percent but less than 20 percent, the surcharge will be equal to 12 times the monthly Contract Demand Delivery Charge for the excess demand; and
 - (b) If the monthly maximum demand exceeds the Contract Demand by 20 percent or more, the surcharge will be equal to 24 times the monthly Contract Demand Delivery Charge for the excess demand.

The Contract Demand Delivery Charge is equal to the Contract Demand Delivery Charge per kW reduced by the credit shown on the Statement of Temporary Rate Adjustment pursuant to General Rule 26.8, if applicable.

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GENERAL RULES

20. Standby Service - Continued

20.4 Billing under Standby Service Rates - Continued

20.4.3 -Continued

(B) Where the Company Establishes the Contract Demand

The Company will determine, and may thereafter re-determine, the Customer's Contract Demand if one is not established by the Customer. Upon receipt of the determination of Contract Demand from the Company, a Customer may elect to establish its own Contract Demand, subject to the surcharge and other provisions established above. Where the Customer accepts a Company-set Contract Demand, no penalties will apply if that Contract Demand is exceeded.

The Company will establish Contract Demand in accordance with the following principles:

- (1) If the Customer received service from the Company under firm service rates for the past 24 months and is newly installing on-site generation at the premises, the Contract Demand shall be the Customer's monthly maximum demand during the most recent 24 months, subject to reasonable adjustments: (a) upward, for the effect of abnormally cool summer or warm winter weather on the customer's temperature-sensitive load at the time the highest demand was registered, and (b) upward, to reflect the diversified demand imposed on the Company's delivery system by equipment on the Customer's premises that was not operating, but could have been operating, when the highest demand was registered, and (c) upward or downward, for permanent changes to the electrical load at the Customer's premises through changes in equipment subsequent to registration of the highest demand. Such adjustments will be reasonably determined through the Company's engineering analyses and information supplied by the Customer at the Company's request.

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GENERAL RULES

20. Standby Service - Continued

20.4 Billing under Standby Service Rates - Continued

20.4.3 -Continued

(B) Where the Company Establishes the Contract Demand - Continued

- (2) If the Customer received service from the Company for on-site generation at the premises for the past 24 months, and interval metering registers electricity from all sources, including the Company's system and the on-site generating equipment, the Contract Demand shall be the Customer's maximum coincident 30-minute demand from all sources during the most recent 24 months, subject to the adjustments described in paragraph (1). No amount will be added to the Contract Demand for the Customer's on-site generation capacity if the Customer demonstrates that its generating equipment was not operating during the period of the maximum 30-minute demand. If the Customer received service from the Company for on-site generation at the premises for the past 24 months, and interval metering did not register electricity from all sources, the Contract Demand shall be the sum of the Customer's monthly maximum demand on the Company's system during the most recent 24 months and the nameplate rating of the generating facility, subject to the adjustments described in paragraph (1).
- (3) If a new Customer or a Customer who received service from the Company under firm service rates for less than 24 months is newly installing on-site generation, the Contract Demand shall be the kW service requested in the Customer's application for service, reasonably adjusted to take into account the Company's engineering evaluation of the customer's electrical equipment and diversity of load. Where the Customer does not supply this information in an application for service, the Contract Demand will be reasonably determined through the Company's engineering analyses of the customer's electrical equipment and diversity of load, premises to be served, and information supplied by the Customer at the Company's request.

20.4.4 For a Customer served under one or more of the economic development programs described in General Rule 11, the Contract Demand served under Standby Service rates shall be the Customer's Contract Demand for the premises less any demand allocations under Economic Development Programs as specified under that General Rule.

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GENERAL RULES

20. Standby Service - Continued

20.5 Delivery Charges under Standby Service Rates

- 20.5.1 The delivery charges applicable to all Customers billed under the Standby Service rates of SC 5, 8, 9, 12 or 13 include, but are not limited to, a Customer Charge per month, a Contract Demand Delivery Charge, As-used Daily Demand Delivery Charges, and Charges for Metering Services. Where meter data is not available, the As-used Demand will be based on the best available data. For a Customer that is a Wholesale Generator, As-used Demand Charges will not apply to demand experienced during any period when it self-supplies all of its energy needs from the load side of the meter.
- 20.5.2 A Customer that is a Wholesale Generator and takes Standby Service for Station Use shall pay delivery charges for its Standby Service exclusive of transmission charges. The charges are shown under Rates IV and V of SC 9.
- 20.5.3 A Standby Performance Credit (“Credit”) is available to Customers based on the performance of their generating facility during a previous Measurement Period for which interval data was available from the Output Meter (i.e., the meter(s) recording the output of the generating facility). To be eligible for the Credit: (a) the generating facility’s output must be separately metered using an Output Meter that the Customer arranges to be furnished and installed at Customer expense, (b) the Customer, at its expense, must provide and maintain the communications service for the Output Meter; and (c) the output of the generating facility must be connected at a voltage lower than 100 kV. The Output Meter must be Commission-approved, revenue grade, interval metering with telecommunications capability. The metering must be compatible with the Company’s metering infrastructure, including compatibility with the Company’s meter reading systems and meter communication systems. For the 2015 Measurement Period only, Customers may record and save data from their existing metering and have the data verified by an MDSP, as described in Appendix B of the Joint Proposal that was approved by the PSC’s Order dated June 19, 2015, in Cases 15-E-0050 and 13-E-0030.

For purposes of General Rule 20.5.3 only, the following definitions apply:

“Measurement Period” is weekdays from 10 am to 10 pm during the previous two consecutive full Summer Periods; provided, however, that the first year in which a Customer seeks a Credit, the Measurement Period is weekdays from 10 am to 10 pm during the previous full Summer Period only. The Measurement Period will exclude Outage Events, regardless of cause, as selected by the Customer, as well as holidays (i.e., Independence Day (observed) if it falls on a weekday and Labor Day).

“Outage Events” are up to three time blocks for each Summer Period that, in aggregate, are comprised of no more than five 24-hour time periods, excluding weekends and holidays. If a time block contains a time period of less than 24 hours, the time period will be rounded up to the next 24 hours (i.e., the 24-hour periods cannot be applied on a partial basis). If a time block encompasses a holiday or weekend, the start of the 24-hour period on the day prior to the holiday or weekend until the same hour the next business day will be considered to be a single 24-hour time period.

“Summer Period,” for purposes of Rule 20.5.3 only, is June 15 through September 15.

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GENERAL RULES

20. Standby Service - Continued

20.5 Delivery Charges under Standby Service Rates - Continued

20.5.3 – Continued

A Customer seeking a Credit must request such Credit by October 1 of each year for which the credit is sought and, at the same time, specify the Outage Events the Customer requests to be excluded from the Measurement Period. If October 1 falls on a weekend or holiday, the Company will accept requests until the next business day.

The Credit for any Measurement Period will be equal to the product of: (a) the lesser of the lowest kW recorded on the Output Meter during the Measurement Period or the Customer's Contract Demand and (b) the Contract Demand Delivery Charge per kW that is in effect on October 1 of the year in which the Credit is determined (as reduced by the credit shown on the Statement of Temporary Rate Adjustment pursuant to General Rule 26.8, if applicable). The Credit will be applied to the Customer's successive 12 monthly bills commencing in November until the following October.

If the Customer is billed under General Rule 20.2.1(B)(8), the kW to be credited on each Standby Service account supplied by the generating facility's output will be based on the total kW to be credited multiplied by the ratio of the Contract Demand on the Standby Service account to the aggregated Contract Demands on all the Standby Service accounts supplied by the generating facility's output.

GENERAL RULES

20. Standby Service - Continued

20.6 Supply

- 20.6.1 A new Customer or a Customer who received power and energy from the Company at the time of transfer to Standby Service will be assumed to have elected to purchase supply from the Company. The Company will cease such sales if the Customer is enrolled in the Retail Access Program, or, in the case of a Direct Customer, the Company receives notification from the Customer that it has a non-Company source of supply. A Customer who participated in the Retail Access Program at the time of transfer to Standby Service will be assumed to have elected not to purchase supply from the Company unless and until the Company receives notice from an ESCO or the Customer that the non-Company supply arrangement is terminated or the Customer informs the Company that it desires to obtain supply from the Company. If notified by the ESCO that it has terminated service to the Customer or by the Customer that it no longer has a non-Company source of supply, Con Edison will assume that the Customer has again elected to purchase supply from the Company.
- 20.6.2 A Customer who purchases supply from the Company will be subject to supply and supply-related charges and adjustments as described in General Rule 25. Customers billed under Rate III of SC 5 or Rate IV of SC 8, 9, or 12 are subject to the same supply and supply-related charges and adjustments applicable to Customers taking service under Rate I of SC 5, 8, 9, or 12 as applicable. Customers billed under Rate IV of SC 5, Rate V of SC 8, 9, or 12, or Rate II of SC 13 are subject to the same supply and supply-related charges and adjustments as Customers subject to Rate II of SC 5, 8, 9, or 12 or Rate I of SC 13 as applicable. Customers are subject to billing under Rider M on a mandatory basis pursuant to the requirements of their Service Classification.
- 20.6.3 Customers that are Wholesale Generators and take delivery service pursuant to General Rule 20.5.2 will be assumed to have elected not to purchase supply from the Company unless and until the Company receives written notice from the Customer that it is applying to be a Full Service Customer.

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GENERAL RULES

20. Standby Service - Continued

20.7 Negotiated Contracts

The Company may enter into individually negotiated agreements for Standby Service with the following:

- a) Customers who can demonstrate that they can economically isolate from the utility grid, by installing and operating back-up generation at a lower cost than tariffed standby service, and would do so without the negotiated rate alternative; or
- b) Customers whose premises are currently isolated from the utility grid and rely on existing on-site generating equipment for electric service and would continue to do so without the negotiated rate alternative; or
- c) Customers who are served by on-site generating equipment having a total nameplate rating of 50 MW or greater, where no less than 90 percent of the site's energy output, net of station power requirements, is sold into the market or to a third party. The rates and charges negotiated will reflect, when applicable, the characteristics of the specific interconnection arrangements, including, but not limited to, the voltage level of the interconnection, whether the interconnection is bi-directional, and the nature of the Company facility where the generator is interconnected with the Company system.

At a minimum, the negotiated rate agreement must provide for a reasonable contribution to the Company's recovery of its fixed costs.

Within 60 days of a Customer's application for a negotiated rate agreement, the Company shall respond with either an offer or a written explanation for rejection.

For information relating to individually negotiated contracts entered into pursuant to the provisions of this General Rule 20.7, see Addendum - NEG to this Rate Schedule.

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GENERAL RULES

20. Standby Service - Continued

20.8 Customers taking Standby Service Prior to February 20, 2012

Customers who were served under SC 3 – Back-up Service or SC 10 - Supplementary Service of P.S.C. No. 9 - Electricity, including Special Provision A of either SC, on February 1, 2004, were automatically transferred to Standby Service under SC 14-RA – Standby Service of P.S.C. No. 2 – Retail Access. Customers who were served under SC 14-RA of P.S.C. No. 2 – Retail Access on February 20, 2012, were automatically transferred to service under this Rate Schedule under the rates, terms and provisions applicable to Standby Service at that time.

20.9 Applications

Except for Customers automatically transferred to SC 14-RA of the Retail Access Rate Schedule upon the cancellation of SC 3 and SC 10 of the Schedule for Electricity – P.S.C. No. 9, requests for Standby Service shall be made in writing. Applicants for Standby Service must submit a completed “Application for Net Metering or Standby Service and/or Buy-Back Service” set forth in Application Form G in the General Rules.

GENERAL RULES

21. Liability

21.1 Continuity of Supply

The Company will endeavor at all times to provide a regular and uninterrupted supply of service, but in case the supply of service shall be interrupted or irregular or defective or fail from causes beyond its control or through ordinary negligence of employees, servants or agents the Company will not be liable therefor.

The Company may, without liability therefor, interrupt service to any Customer or Customers in the event of emergency threatening the integrity of its system, if, in its sole judgment, such action will prevent or alleviate the emergency condition.

Notwithstanding other limitations of liability contained in this tariff, the Company will compensate Customers for losses, of the type and to the extent set forth below, which result from power failures attributable to malfunctions in the Company's lines and cable of 33 kV or less and associated equipment as set forth below.

The Company will reimburse residential Customers served directly under SC 1, and those served indirectly under SC 8, SC 12, and SC 13, as follows: (1) for actual losses of food spoiled due to lack of refrigeration, up to \$220 upon submission of an itemized list and over \$220 upon submission of an itemized list and proof of loss, up to a maximum of \$500 for any one Customer for any one incident; and (2) for actual losses of perishable prescription medicine, spoiled due to lack of refrigeration, upon submission of an itemized list and proof of loss and, if requested by the Company, submission of authorization to enable the Company to verify the claimed loss.

The Company will reimburse Customers under other SCs for actual losses of perishable merchandise spoiled due to lack of refrigeration, upon submission of an itemized list and proof of loss, up to a maximum of \$9,900 for any one Customer for any one incident.

The Company's total liability under this section is limited to \$15,000,000 per incident. In the event the total aggregate amount claimed under this provision exceeds \$15,000,000, the approved amounts of individual claims will be adjusted downward on a pro rata basis to the extent required to hold payments to a total of \$15,000,000. All claims under this section must be filed with the Company within 30 days from the date of occurrence.

GENERAL RULES

21. Liability - Continued

21.1 Continuity of Supply - Continued

The Company shall be held responsible under the terms of this provision for losses of power attributable to malfunctions in its lines and cable of 33 kV or less and associated equipment when the condition persists for a period in excess of 12 hours or when the same Customer is subjected to two or more such conditions aggregating 12 hours or more within a 24-hour period, except as specified. The Company shall not be held responsible under the terms of this provision for losses of power attributable to the following: (a) equipment associated primarily with lines of higher voltage or with the generation of electricity, (b) meters furnished by a Meter Service Provider or owned by the Customer, (c) deficiencies in generation or transmission facilities, (d) directives from the NYISO, and (e) conditions beyond the Company's control, such as storms, floods, vandalism, strikes, or fires or accidents external to the Company's operations, as long as reasonable efforts are made to restore service as soon as practicable, provided, however, that conditions of high or low temperature or humidity contributing to a malfunction of the Company's lines and cable of 33 kV or less shall not be considered a condition beyond the control of the Company.

This provision shall not affect the Company's liability for damages resulting from its gross negligence or willful misconduct.

21.2 Intentional Disconnection of Service of an Individual Customer Made in Error

The Company will reimburse residential Customers served directly under SC 1, those served indirectly under SC 8, SC 12, and SC 13, and any other residential Customers, whether directly or indirectly served, for losses actually sustained, not to exceed \$100 for any one Customer for any one incident, as the result of an intentional disconnection of service of an individual Customer made in error lasting more than 12 hours, when such losses consist of the spoilage of food or medicine for lack of refrigeration.

The Company will reimburse Customers served under other Service Classifications for losses actually sustained, not to exceed \$2,000 for any one Customer for any one incident, as the result of an intentional disconnection of service of an individual Customer made in error lasting more than 12 hours, when such losses consist of the spoilage of perishable merchandise for lack of refrigeration.

All claims under this section must be filed within 90 days of the date of the erroneous intentional disconnection of service.

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GENERAL RULES

21. Liability - Continued

21.3 Customer's Equipment

Neither by inspection or 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, pipes, appliances or devices owned, installed or maintained by the Customer, leased by the Customer from third parties, or furnished by a Meter Service Provider or a Meter Data Service Provider.

21.4 Company Equipment and Use of Service

The Company will 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, pipes, appliances or devices on the Customer's premises, except injuries or damages resulting from the negligence of the Company.

21.5 Selection of Service Classification

The Company will endeavor to assist a Customer in the selection of the Service Classification which may be most favorable to the Customer's requirements, but in no way can the Company make any warranty, expressed or implied, as to the rates, classifications or provisions favorable to the future service requirements of the Customer.

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GENERAL RULES

21. Liability - Continued

21.6 Competitive Metering Services

For the purposes of this provision, “damages” shall mean and include all losses (including, but not limited to, economic loss), damages (including, but not limited to, direct, indirect, incidental, punitive, special and consequential damages), costs, expenses, judgments, claims, and attorneys’ fees.

- a. The Company shall not be liable to a Customer taking Competitive Metering Services from an MSP or MDSP, or purchasing or owning the meter(s) used to measure the Company’s service, for any damages caused by the Company’s conduct in compliance with, or as permitted by, the Company’s rate schedules, the Operating Agreement between the Company and the MSP or MDSP or any legal or regulatory requirements related to Competitive Metering Services or customer ownership of meters.
- b. The Company shall not be liable to a Customer taking Competitive Metering Services from an MSP or MDSP for any damages caused to the Customer by any failure of the MSP or MDSP to comply with the Company’s rate schedules, the Operating Agreement between the Company and the MSP or MDSP or for any damages caused by equipment installed or actions taken by the MSP or MDSP.
- c. The Company shall not be liable to a Customer for any damages caused by an MSP’s or MDSP’s failure to perform any commitment to the Customer, including, but not limited to the MSP’s or MDSP’s obligation to provide metering services or meter data services to the Customer.
- d. The Company shall not be liable to any Customer for any damages resulting from any acts, omissions, or representations made by an MSP or MDSP in connection with soliciting customers for Competitive Metering Services or performing any of its functions in rendering Competitive Metering Services.

21.7 Emergency Limitation Upon Service

The Company’s offers or supply of electric service, including extensions of lines and of service laterals, are each subject to and modified by the provisions, conditions, and limitations from time to time imposed by governmental emergency statutes or by orders, rules, regulations or ordinances promulgated there under and are contingent upon the Company’s ability to obtain and use the necessary equipment, materials, facilities, and labor.

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GENERAL RULES

22. Notices

22.1 Notices to and from the Company

Any notice to the Company under any agreement, other than an oral agreement under SC 1, shall be delivered to it in writing and not otherwise. Bills shall be deemed presented and other notices duly given (except a notice of termination or disconnection of service for non-payment of bills) if delivered to the Customer personally or provided to the Customer electronically or if mailed to the Customer at the premises supplied, or at the last known address of the Customer, or if left at either of such places, or if delivered, provided electronically, or mailed to the agent or representative of the Customer, or if left at the last known address of such agent or representative. A notice of termination or disconnection of service for non-payment of bills shall be given as required by law.

22.2 Notice of Change in Ownership or Occupancy of Premises

Immediately upon the sale, lease or any other change in occupancy of the premises or any portion thereof supplied under an agreement for service, the Customer shall give written notice to the Company of such change together with the name and address, if known, of the successor in occupancy of such premises or portion thereof; provided, however, that such notice may be given orally by a Customer for residential service under SC 1, unless such Customer is a party to a service classification rider agreement, or an agreement for extension of electric lines or connection thereto.

Issued by: Robert N. Hoglund, Senior Vice President & Chief Financial Officer, New York, NY

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Consolidated Edison Company of New York, Inc.
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Superseding Revision:

GENERAL RULES

23. Provisions Hereof Subject to Termination, Change or Modification

This Rate Schedule and the Service Classifications, rates, general information, rules, regulations, terms and conditions, characteristics of service, forms of application, riders, and other provisions, contained or referred to in this Rate Schedule and in any revised leaf thereof, including agreements for service, are subject to such termination, change or modification, at any time, as may be provided by the lawful orders of the Public Service Commission or in any Schedule or revised leaf subsequently issued and in effect according to law. The Company reserves the right, in any manner permitted by law and at any time, to terminate, change, or modify this Rate Schedule and any of the Service Classifications, rates, general information, rules, regulations, terms and conditions, characteristics of service, forms of application, riders, and other provisions, contained in this Rate Schedule and in any revised leaf thereof including agreements for service.

Issued by: Robert N. Hogleund, Senior Vice President & Chief Financial Officer, New York, NY