CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

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ORANGE AND ROCKLAND UTILITIES, INC.

IMMEDIATE SOLUTIONS IMPLEMENTATION PLAN

Filed March 20, 2023

Case 22-E-0236

Pursuant to New York Public Service Commission's January 19, 2023
Order Establishing Framework for Alternatives to Traditional Demand-Based Rate Structures

Contents

1. Introduction

1.0 Background and Summary of Order

The New York Public Service Commission's ("PSC") January 19, 2023 *Order Establishing Framework for Alternatives to the Traditional Demand-Based Rate Structure* ("Order")[1] adopted a suite of operating cost relief solutions for commercial electric vehicle (EV) charging customers. The Order directed the Joint Utilities (JU)[2] to file an Immediate Solution implementation plan on March 20, 2023 (60 days after issuance of the Order) and a Near-term Solution proposal on July 18, 2023 (180 days after issuance of the Order).[3] The Immediate Solution included, for the Upstate Utilities,[4] a Demand Charge Rebate (DCR) for all commercial EV charging use cases; for the Downstate Utilities,[5] a Commercial Managed Charging Program (CMCP) with use-case specific adders for transit and public Level 2 (L2) charging, and a 50 percent DCR for public Direct Current Fast Charging (DCFC) sites; and for all utilities, terminating the existing Per-Plug Incentive (PPI) program for new applicants and redeploying those funds for demand management technology incentives.[6]

The immediate solution offerings provide operating cost relief to commercial EV charging customers while incenting cost-efficient grid-beneficial electric vehicle charging. The design of the Immediate Solution programs outlined above is provided in a separate filing submitted by the JU in this proceeding called the Immediate Solutions Program Design (Program Design Document). That filing includes the design, eligibility, incentive levels, and reporting requirements for the Immediate Solutions. This Immediate Solutions Implementation Plan (Implementation Plan) provides key implementation elements of the Downstate Utilities' CMCP, adder incentives, DCR, PPI Transition, and Business Incentive Rate (BIR) termination for EV charging stations, including eligibility, use cases, incentives, participation requirements, technologies, marketing, and program costs.

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[1] Case 22-E-0236, Proceeding to Establish Alternatives to Traditional Demand-Based Rate Structures for Commercial Electric Charging, Order *Establishing Framework for Alternatives to Traditional Demand-Based Rate Structures* (Issued January 19, 2023).

[2] The Joint Utilities are Central Hudson Gas & Electric Corporation (Central Hudson), Consolidated Edison Company of New York, Inc. (Con Edison), New York State Electric & Gas Corporation (NYSEG), Niagara Mohawk Power Corporation d/b/a National Grid (National Grid), Orange and Rockland Utilities, Inc. (O&R), and Rochester Gas and Electric Corporation (RG&E).

[3] For a Near-term Solution, the Order directed the JU to develop and implement an electric vehicle (EV) Phase-in Rate, including a CMCP for the Upstate Utilities. The Order specifies that the DCR and use-case-specific adders will be offered to customers until an EV Phase-In Rate is available to customers, while the Commercial Managed Charging Program (CMCP) will continue to be offered after the EV Phase-In Rate Solution is available.

[4] The Upstate Utilities are Central Hudson, NYSEG, National Grid, and RG&E.

[5] The Downstate Utilities are Con Edison and O&R.

[6] The Joint Utilities requested and received a 60-day extension, until May 19, 2023 to file a demand management technology program. Case 22-E-0236, *Proceeding to Establish Alternatives to Traditional Demand-Based Rate Structures for Commercial Electric Vehicle Charging.* Ruling on Extension Request (issued March 08, 2023).

1.1 Con Edison and O&R's Role in Driving Transportation Electrification

Consolidated Edison Company of New York, Inc. (Con Edison) and Orange and Rockland Utilities, Inc. (O&R), jointly "the Companies", are committed to delivering a clean energy future to its customers. The electrification of the transportation sector is a key element of advancing the State's ambitious clean energy goals, and the Companies support this transition to electric vehicles. The critically important transportation sector accounts for 28% of New York's statewide greenhouse gas emissions[7] and is a key policy target for reductions under New York's Climate Leadership and Community Protection Act.

The Companies currently support the buildout of a widespread and visible EV charging network through their PowerReady Make-Ready Program (MRP), authorized in 2020,[8] to bring over 19,000 new EV charging plugs to Con Edison's service area and 3,000 plugs to O&R's territory by 2025. Operating cost support, such as the residential managed charging program, SmartCharge New York (SCNY), and the programs authorized under the Order and described in this Implementation Plan, can provide critical operating cost relief to further help to spur EV charging station development, and in turn, EV adoption by drivers in the Companies' service areas, and electrification of key transportation segments like fleets. Additionally, managed charging based cost programs can help meaningfully lower the cost of this transition for its customers by mitigating growth in demand at peak times. Satisfying peak demand growth requires the installation of new grid infrastructure which can increase costs for all customers, and the Companies' CMCPs will promote behavior that reduces new EV demand at network peak times by encouraging charging during off-peak times.

2. Immediate Solutions

2.1 Commercial Managed Charging Program Implementation

2.1.1 Eligibility

Charging Sites where customers receive service under Service Classification (SC) 8 Rate I, II or III, SC 9 Rate I, II or III, SC 12 Rate I, II or III billed for both energy and demand, SC 13 Rate I, or otherwise applicable customers served under Rate I or II of the PASNY Rate Schedule for Con Edison and SC 2 – Secondary Demand Billed, SC 2 – Primary, SC 3, SC 9, SC 20, and SC 21 rates (commercial customer) for O&R will be eligible to participate in the CMCP. Eligible Sites must be able to provide the required program data through a technology that is compatible with the downstate utilities' platforms to track and verify performance.

2.1.1.1 Adder Eligibility

In addition to the criteria described above, a Charging Site must also meet the criteria below to be eligible for the use case specific adder described in this Implementation Plan:

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[7] "2021 Statewide GHG Emissions Report," New York State Department of Environmental Conservation, published December 24, 2021.

[8] Case 18-E-0138, Proceeding on Motion of the Commission Regarding Electric Vehicle Supply Equipment and Infrastructure, *Order Establishing Electric Vehicle Infrastructure Make Ready Program and Other Programs* (Issued July 16, 2020).

i. *Transit Use Case*: All of the participating EV chargers at these Charging Sites must be used for public transit.
ii. *Publicly Accessible DCFC and L2 Use Cases*: All of the participating EV chargers at these Charging Sites must be publicly accessible.

2.1.1.2 Eligibility for Participants in the Companies' SmartCharge New York Program

The Companies operate SCNY[9] programs that focus on drivers charging their vehicles outside the electric system peak period from 2pm to 6pm. These vehicle-based programs monitor the vehicles' charging using on-board telematics to determine drivers' incentives. The SCNY program complements the CMCP which instead is charger-based and focuses on grid beneficial charging behavior during the local peak windows which, as specified in the Program Design Document, can range from 11 am to 11 pm. The two programs work together at different levels in the system since the SCNY program helps mitigate buildout of infrastructure at the system level, while the CMCP mitigates buildout of infrastructure on the distribution system. Because of these two distinct benefits, cars participating in the SCNY program will be permitted to charge at CMCP participating stations. This is critically important for providing grid beneficial price signals to those without access to at-home charging including the many apartment dwellers in Con Edison's service area. Additionally, light-duty fleets will be eligible to participate in both the SCNY program and the CMCP since these fleets may charge on-the-go as well as at a depot. Medium- and heavy-duty fleets will be eligible for the CMCP only since their energy costs will typically include price signals that encourage charging away from the system peak period.

2.1.1.3 Eligibility for Demand Response Customers

Customers enrolled in the Companies' Demand Response programs will be eligible to participate in the CMCP assuming they meet all other CMCP eligibility requirements.

2.1.2 Incentive Structure

The CMCP has two core incentives that will provide operating cost relief while entrenching grid beneficial behavior for EV charging stations. The kilowatt (kW) based Peak Avoidance Incentive encourages participants to reduce their peak load during a network 4-hour peak period in Con Edison's service territory and the substation 4-hour peak period in O&R's service territory. Con Edison network peak hours and associated areas are included in Appendix 1 and O&R's substation peak hours are included in Appendix 2. The Off-Peak Charging kilowatt-hour (kWh) based incentive further incentivizes Participants to explicitly charge their vehicle during the overnight off-peak period, when system resources are more likely to have available capacity. Use-case specific adders are available to some use cases to provide additional operating cost relief. The incentive levels and eligibility for each charging use case are outlined in the Program Design Document submitted concurrently in this proceeding.

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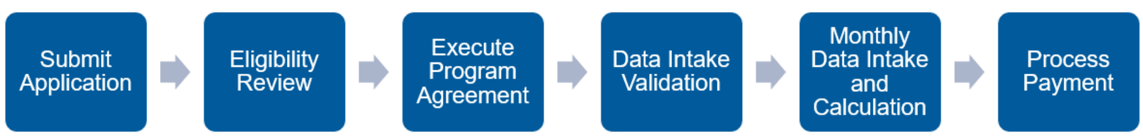
[9] https://www.coned.com/en/save-money/rebates-incentives-tax-credits/rebates-incentives-tax-credits-for-residential-customers/electric-vehicle-rewards for Con Edison and https://www.oru.com/en/our-energy-future/technology-innovation/electric-vehicles/new-york/electric-vehicle-charging-rewards for O&R.

2.1.3 Program Process

Figure 1 below shows a high-level overview of the various stages a commercial EV Charging Site is expected to go through when enrolling and participating in the Con Edison and O&R CMCPs. Each of these high-level stages can have significant levels of complex sub-processes. The Companies are creating detailed processes and workflows to identify, prioritize, and build the functionality required for each of the high-level stages below. The steps for each stage will be developed so eligible Charging Sites entering the stage can progress efficiently to the next step, and the Companies will build on the many lessons learned and best practices from implementing their other EV programs. The Companies will continually refine the Program mechanics and structure as the market matures and learnings are gained. The CMCP Team is already communicating with potential Participants to encourage their feedback on Program design and experience.

Figure 1: CMCP Process



Program participants will be required to submit data during onboarding as well as on a monthly cadence for incentive determination. The monthly consumption data for the Charging Site will be collected for each participating charger. These data requirements will include, but may not be limited to, the following:

Onboarding Data:

- Financial and other information for providing payment
- Make and model of charger(s) at the Charging Site
- Charging Site type (public, transit, fleet, etc.)

Monthly Consumption Data:

- 15-minute interval kW usage
- 15-minute interval kWh usage
- Session start and stop times

Participants that fail to provide the required data for a given month in a reasonable timeframe for the Companies to validate the data and calculate the incentive will not be eligible for the monthly incentives that month. Participants may be required to return previously earned incentives or have future incentives reduced if the data is determined to be distorted, falsified, or altered.

The CMCP and adder incentives will be paid out, at a minimum, on a quarterly basis through a bank Automated Clearing House (ACH) transfer or a check via the Companies payment system. On a billing cycle basis, CMCP and adder incentives may be assessed against the delivery portion of the customer bill. Incentive payouts may be adjusted if incentive payout exceeds monthly delivery charges.

2.1.4 Technology Tools

2.1.4.1 Con Edison

Con Edison will leverage and expand its existing tools for the CMCP Program Portal, such as the Con Edison's existing E-Mobility Enterprise System (EMES), a Salesforce-based program operations platform, application portal, and system of record that currently supports operations for Con Edison's PowerReady infrastructure incentive program for light-duty EV charging stations. Using the existing tools will provide an efficient and seamless transition for Participants to apply to the Program, track applications, and manage their incentives. The Program Portal will be customized to meet the program requirements outlined in the Order and will allow:

- Participants to apply, track application milestones, view incentive payments, and track charging behaviors while in the program;
- Con Edison program managers to review applications, determine eligibility, and progress applications and incentives through the program lifecycle;
- Con Edison to calculate incentives and track payments; and
- Con Edison to track and report data for program compliance.

2.1.4.2 O&R

O&R will seek a vendor to manage this program. A publicly accessible online webpage will provide information needed to confirm eligibility and allow for enrollment in the Program.

O&R will work with an awarded vendor to build a portal to meet the program requirements. This will provide a seamless transition for EV charging operators and owners to apply to the Program, track applications, and manage their projects. The portal will be built and customized to meet the program requirement outline in the Order and will allow:

- Customers to apply, track application milestones, view incentive payments, and track charging behaviors while in the program;
- O&R program managers to review applications, determine eligibility, and progress projects through the program lifecycle;
- O&R to calculate incentives and track payments; and
- O&R to track and report data for program compliance.

2.1.5 Estimated Program Timeline

Table 1 below lays out the proposed major milestones of the program. Once an implementation partner is selected, the Companies will update this table to show post-launch features and milestones.

Table 1. Estimated Program Timeline.

Estimated Program Launch Timeline[10]	
Milestone	**Date**
CMCP Implementation Plan Filed	March 2023
IT Platform Vendor Selection	May 2023
Estimated Timeframe for Order Approving CMCP	July 2023
Launch Outreach & Marketing Activities	July 2023
Launch Program	September 2023
Adder phases out, CMCP continues	2025[11]

2.2 Demand Charge Rebate Implementation

2.2.1 Eligibility

The eligibility criteria for the DCR are laid out in the Program Design Document Section 1.1, including eligibility for Customers with non-EV load co-mingled with EV load. These customers will require a Charging Ratio (CR) computation to participate, which relies on availability of an up-to-date load letter specifying the customer loads for the account.
If the customer load letter is outdated or there is no record of a load letter for the account, they will be required to provide an updated load letter during the Eligibility Review program process step to establish eligibility as described below in Section 2.2.3.

Charging Sites where customers receive service under SC 8 Rate I, II or III, SC 9 Rate I, II or III, SC 12 Rate I, II or III billed for both energy and demand, SC 13 Rate I, or otherwise applicable customers served under Rate I or II of the PASNY Rate Schedule for Con Edison and SC 2 – Secondary Demand Billed, SC 2 – Primary, SC 3, SC 9, SC 20, and SC 21 rates (commercial customer) for O&R will be eligible to participate in the DCR. A site will be ineligible to participate if it: (1) receives a discount under the Rider H - Economic Development Rider (for O&R); (2) participates in the Excelsior Jobs Program; or (3) participates under Recharge-NY.

2.2.2 Incentive Structure

As per Ordering Clause7, the DCR for eligible customers will be calculated as the product of: (1) the actual kW demand for the billing period, (2) the CR, (3) the 50% rebate level, and (4) the applicable base delivery demand rate, which may be a prorated rate in months where there is a rate change. There will be no DCR on surcharges or supply charges that are billed on a per kW basis.

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[10] Timeline for marketing activities and program start may be adjusted based on when Order following the Immediate Solutions Implementation Plan is filed
[11] Use case specific adders will be offered until the EV Phase-in Rate becomes available

2.2.3 Program Process

The DCR program will follow the same high-level process shown for the CMCP above in Figure 1. As part of the Eligibility Review step in the process, customers who choose to participate into the DCR program will be required to provide the maximum potential connected load of the site in the form of a load letter to determine their CR. For sites with existing load letters that meet the needs of the program, a customer will not be required to provide a new load letter; however, to the extent a new Load Letter is needed, the customer will be required to provide one to establish eligibility for the program. The CR shall be determined at the time of application and shall remain the CR until such time that the customer provides a new load letter with changes to the site's electrical needs or otherwise updates the loads for an account. Additionally, the Companies may re-evaluate the CR at any time during the program offer period as needed. In some cases, the Companies may complete a visual inspection to confirm accuracy of load letter data; if inspection shows that the information on the load letter is inaccurate corrective action will be taken by the associated company.

Incentives will be determined based on data collected at the utility account level so no EV charger data will be required to determine the monthly incentive amount.

2.2.3.1 Con Ed Rebate Mechanism

The EMES program management platform will be integrated with Con Edison's vendor payment system. Rebates will be paid directly to the Participant through checks or ACH payments. The integrated system allows rebate to be tracked throughout the entire process for each Participant.

2.2.3.2 O&R Rebate Mechanism

O&R will work with a vendor to calculate and make incentive payments to participants by check or electronic method (e.g., ACH payments, PayPal). Incentive payments will be calculated on a quarterly basis and paid directly to the Participant.

2.2.4 Technology Tools

Con Edison will build on the EMES platform for all required program management, applicant portal, financial tracking and payments as described in Section 2.1.4 above for the CMCP.

O&R will leverage and adapt its existing tools to provide a seamless transition for EV charging operators and owners to apply to the Program while a customized portal is developed and deployed. The portal will be built and customized to meet the program requirement outline in the Order as described in section 2.1.4 above.

2.2.5 Estimated Program Timeline

The DCR program development will follow the same timeline as the timeline laid out in Table 1 above for the CMCP development in Section 2.1.5.

2.3 Program Budget

2.3.1 Con Edison Estimated Budget

Con Edison determined the estimated CMCP, adder, and DCR budgets by estimating (1) rates for charger buildout of each use case[12] in the utility territory, (2) program enrollment rates by use case, and (3) expected charging behavior by use case. To account for uncertainty in station buildout rates and enrollment rates by use case, the Companies developed low and high estimated budgets. For the low budget case, input assumptions included (1) charger forecasts based on supporting the light-duty vehicle fleet projections in Con Edison's territory-specific market-based vehicle forecast model, and (2) standard projected enrollment rates for each charging use case. At the higher end of the incentive range, input assumptions included (1) charger forecasts based on supporting vehicle adoption levels that meet aggressive policy targets, such as those under Advanced Clean Cars II, and (2) aggressive enrollment rates ranging from 75% to 95%, depending on charging use case. For both the low and high cases, the use case specific assumptions for charging behavior at each Charging Site were based on the load profiles provided in the New York State Energy Research & Development (NYSERDA) EV Rate Summary Report[13] which were found to be consistent with Con Edison's estimated profiles and a small sample of EV charging data.

Table 2 below outlines Con Edison's budget estimate for the CMCP with use case specific adders and DCR for the fourth quarter of 2023 and the subsequent three years.

Table 2. Con Edison Estimated Budget.

	CMCP	Adder	DCR
Use Cases	• Public DCFC • Fleet DCFC • All L2	• Transit • Public L2	• Public DCFC
Timeline	Q4 2023, 2024-2026	Q4 2023 - Q2 2025	Q4 2023 - Q2 2025
Incentives[14]	\$90M - \$180M	\$ 7M - \$14M	\$130M - \$193M
Implementation	\$45M		

Con Edison's \$45 million (M) budget will support implementation and administration of the programs. This budget estimate is based on assuming robust program participation across the available programs but does not double count across overlapping programs (e.g., does not assume for a given enrollment rate the same public DCFC station would participate in both DCR and CMCP). Standing up this new first-of-kind program with significant technology needs on the program operations side as well as ongoing management of significant volumes of charging data

[12] Use cases considered for budget development include public DCFC, public L2, transit, and commercial fleet.

[13] https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={C2BFD595-D1A7-4DCF-B992-623957FBBAFF}

[14] Ranges in CMCP implementation budgets vary depending on charger forecasts for the service territory and enrollment rates. For the lower end of the range, charger forecasts follow market-based projections and program enrollment begins in the first year at 10%, and depending on charging use case increases to 25% over the three year period. At the higher end of the range, charger forecasts are based on levels to meet policy goals and program enrollment depending on use case ranges from 75% to 95%.

while maintaining data completeness, quality, and fidelity will require development of sophisticated technology tools from scratch as well as close program management and evaluation, measurement and verification. Table 3 below outlines the categories associated with the expenditure needed for implementation of the program and expected distribution of the budget across those categories which are described further below:

Table 3. Con Edison Implementation Budget Components.

Implementation Budget Components	**Budget**
Program Implementation and Administration	50% - 60%
Third-Party Support and Program Tools	15% - 25%
Marketing & Outreach	20% - 25%

The implementation cost categories in Table 3 are described below:

I. *Program Implementation and Administration*: To effectively manage this new Program, Con Edison will add personnel to its Managed Charging Team. Con Edison expects additional personnel will be needed across functional areas including program administration, measurement and evaluation, reporting, and data quality assurance.

II. *Third Party Support and Program Tools*: Technology vendors will support the buildout of tools to facilitate Program activities as described above in Section 2.1.4. Examples of these tools include the expansion of the EMES program platform to accommodate this new program and IT infrastructure to bring in, store, validate, and integrate the EV charger data.

III. *Marketing & Outreach*: Con Edison will develop materials for the marketing, outreach and other communications efforts laid out in Section 2.5.1 across print, digital, and in-person channels. This will include fact sheets and brochures for mail and email campaigns to Customers and Developers and digital advertising and social media campaigns. This budget will also support fees for outreach activities.

2.3.2 O&R Estimated Budget

O&R determined the estimated CMCP, adder, and DCR budgets by building off of Con Ed's analysis and estimating (1) rates for charger buildout of each use case[15] in the utility territory, (2) program enrollment rates by use case, and (3) expected charging behavior by use case. Input assumptions included (1) charger forecasts based on supporting vehicle adoption levels that meet aggressive policy targets and (2) aggressive enrollment rates ranging from 75% to 95%, depending on charging use case. The use case specific assumptions for charging behavior at each Charging Site were based on the load profiles provided in the New York State

[15] Use cases considered for budget development include public DCFC, public L2, transit, and commercial fleet.

Energy Research & Development (NYSERDA) EV Rate Summary Report[16] which were found to be consistent with O&R's estimated profiles and a small sample of EV charging data.

Table 4 below outlines O&R's budget estimate for the CMCP with use case specific adders and DCR for the fourth quarter of 2023 and the subsequent three years.

Table 4. O&R Estimated Budget.

	CMCP	Adder	DCR
Use Cases	• Public DCFC • Fleet DCFC • All L2	• Transit • Public L2	• Public DCFC
Timeline	Q4 2023, 2024-2026	Q4 2023 - Q2 2025	Q4 2023 - Q2 2025
Incentives	$13M	$ 0.5M	$0.3M
Implementation	$4.3M		

O&R anticipates the need for a $4.3M budget to facilitate program implementation and administration. Implementing this new, first-of-its-kind program will necessitate significant fixed upfront technology costs. O&R must develop sophisticated technology tools and systems to manage significant volumes of charging data while maintaining data completeness, ensuring data quality and fidelity. Because O&R must develop these stand-alone systems and cannot leverage existing platforms, O&R anticipates its administration needs to be greater than other utilities. O&R notes that these upfront technology implementation costs, once incurred, will not be required after the initial three-year life of the program so that ongoing administration and operation costs will be decreased.

Table 5. O&R Implementation Budget Components.

Implementation Budget Components	Budget
Program Implementation and Administration	50%
Third-Party Support and Program Tools	40%
Marketing & Outreach	10%

The implementation cost categories in Table 5 above are described below:

I. *Program Implementation and Administration*: To effectively manage this new Program, O&R will add personnel to its Managed Charging Team. O&R expects additional personnel will be needed across functional areas including program administration, measurement and evaluation, reporting, and data quality assurance.

II. *Third Party Support and Program Tools*: Technology vendors will support the buildout of tools to facilitate Program activities as described above. The scope of work will include building a platform to accommodate this new program and

[16] https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={C2BFD595-D1A7-4DCF-B992-623957FBBAFF}

IT infrastructure to bring in, store, calculate incentives over, validate, and make payments for O&R as well as have a customer facing portal.

III. *Marketing & Outreach*: O&R will develop materials for the marketing, outreach and other communications efforts across print, digital, and in-person channels. This will include fact sheets and brochures for mail and email campaigns to Customers and Developers and digital advertising and social media campaigns. This budget will also support fees for outreach activities.

2.4 Cost Recovery

As required by Ordering Clause 7, the Companies have included in Appendix 3 draft tariff language to effectuate cost recovery for the CMCP and DCR Program. Costs for the DCR and CMCP will be (1) recovered on a one-year lag basis with carrying costs at the weighted average cost of capital set at the Company's regulated rate of return accruing during the year's lag, (2) allocated among service classes using the transmission and distribution revenues allocator, (3) recovered on a per-kW basis for demand-billed customers and on a per-kWh basis for non-demand billed customers, and (4) through the existing Electric Vehicle Make Ready (EVMR) Surcharge for each Company, which is assessed on a per kWh basis from non-demand billed classes and on a per kW basis from demand billed classes. Costs will be allocated to each class in proportion to each class's delivery revenues. The EVMR Surcharge recovers the prior calendar year costs for the 12-month period commencing February 1 of every year.

However, we note that all expenses for the program will be evaluated for cost categorization in line with Generally Accepted Accounting Principles (GAAP). While the significant majority of program costs will be recovered as stated above, in limited cases, costs may be determined to be capital, such as certain IT development expenses. In these cases, any charges that are determined to be capital will be amortized as appropriate to the asset in concert with the depreciation/amortization schedule in each company's Joint Proposal[17] (Appendix 14, schedule A). These expenses will be recovered through either surcharge or in base rates in line with guidance for make-ready program recovery provided in the *Order Approving Managed Charging Programs with Modifications.*[18]

2.5 Program Marketing and Outreach

2.5.1 Marketing, Outreach and Education

2.5.1.1 Con Edison

Con Edison's CMCP and DCR outreach strategy is based on a coordinated and multifaceted approach that aims to engage potential customers across a variety of channels.

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[17] For Con Edison, see https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={070F9CB3-17F6-4FAD-B030-1139B47545B5}. For O&R, see https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={72F442B0-A71B-4382-B210-44261199D871}

[18] https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={A1E3F84E-0710-4073-865F-FE7D4816B76B}

Program outreach leads will attend events, advocate for the program, and be available to assist participants in signing up for the CMCP and DCR. These leads will also work with other EV program teams to identify participants who would benefit from signing up for the respective programs.

Program information, including FAQs, instructional videos, and program guides, will be posted on the Con Edison EV web portal as well as the application website, similar to the Con Edison PowerReady Contractor Resources page[19] for the Con Edison make-ready program. Con Edison will engage in program marketing through targeted advertising to funnel prospective participants to the website.

Con Edison will partner with various industry groups, non-governmental organizations, developers, building management companies, and other businesses to help educate their members and customers about CMCP and DCR.

2.5.1.2 O&R

O&R's CMCP and DCR outreach strategy is a multifaceted approach that aims to engage potential customers across a variety of channels. O&R plans to market the CMCP and DCR and will build on its prior and proven success of utilizing a variety of media channels, as well as in-person engagement, to acquire new participants. These media channels may include traditional print collateral, social media, and targeted digital engagement. O&R will review opportunities for in-person engagement (e.g., through ride-and-drive events, auto enthusiast meetups, fleet shows) on a rolling basis and seek to focus on events with high impact returns to program enrollment. O&R will be developing methods of gathering participant insights into the respective programs and assessing satisfaction. These will be detailed and implemented throughout the year as participants are enrolled.

2.6 Per-Plug Incentive Transition

2.6.1 Implementation

As discussed in the Program Design Document filed concurrently and as mandated by the Order, the Companies will terminate the PPI program for new participants and redeploy the unspent program funds to fund a new program to incentivize EV charging demand management technologies. The deadline for new applications in the PPI Program, which was communicated to customers via the Joint Utilities website and each utility's website, is March 20, 2023.

After March 20, 2023, the Companies will:

- Reach out to existing Participants to inform them of the upcoming decision window regarding the end of the PPI Program for new applicants, and that there will be a one-time option to either continue participating in the PPI Program or switch to the new Immediate Solution referenced herein, when the order is issued in this proceeding.

[19] https://www.coned.com/en/our-energy-future/technology-innovation/electric-vehicles/power-ready-program/contractor-resources

    - The Companies will reach out twice by email to inform Participants of the upcoming decision required regarding their remaining in the PPI program or choosing one or more of the Immediate Solution offerings, but no decision will be made about their participation based on response/non-response from this outreach; each attempt will be made at least one week apart.
- Reach out to in-process applicants to inform of the upcoming decision window regarding the end of the PPI Program for new applicants, and that there will be a one-time option to either continue to pursue their participation in the PPI Program or switch to the new Immediate Solution referenced herein, when the order is issued in this proceeding.
    - The Companies will reach out twice by email and once by phone if no email response is provided. If a participant fails to respond after these three attempts, the Companies will determine that the Participant does not want to move forward with their PPI application; each attempt will be made at least one week apart.

Per the Order, existing PPI Participants will have 60 days beginning on the date the Commission issues an order on this filing to decide if they will stay in the PPI Program or switch to an Immediate Solution. Once the order is released, the Companies will:

- Reach out to existing Participants to inform them that the 60-day window to select the one-time option to either continue participating in the PPI Program or switch to the new Immediate Solution is now open.
    - The Companies will reach out twice by email and once by phone if no response is provided by email. If a participant fails to respond after these three attempts, the Companies will keep the Participant on the PPI Program; each attempt will be made at least one week apart.

2.7 EV Business Incentive Rate Termination

2.7.1 Implementation

As discussed in the Program Design Document in this proceeding, Con Edison proposes to terminate the EV Quick Charging Station Program component of the BIR to avoid market distortionary effects.

After March 20, 2023, Con Edison will:

- Reach out to existing Participants and in-process applications to inform them of termination of EV BIR when the final Order is released.
    - Con Edison will reach out twice by email and once by phone if no response is provided by email; each attempt will be made one week apart. After three outreach attempts Con Edison will cease attempts to reach Participants.

Once the Commission issues an order in this proceeding, Con Edison will:

- Reach out to existing Participants to inform them that BIR will terminate once immediate operating cost relief solutions become available and provide details of the Immediate Solution options.
    - Con Edison will reach out twice by email and once by phone if no response is provided by email; each attempt will be made one week apart.

2.8 Draft Tariff Leaves

As required by Ordering Clauses 1, 5, 6 and 8, the Companies include in Appendix 3 a description of the tariff changes and the associated draft tariff leaves for the DCR, the cost recovery for the DCR and the CMCP, and the exemption to Standby Service Rates for certain energy storage systems. In addition, the Companies propose to terminate the EV Quick Charging Station Program.

3. Glossary: Abbreviations, Acronyms and Definitions

Applicant	Any entity who has submitted program application details to Con Edison but has not yet been accepted
Program Portal	Customer facing portal to be used for application and program details
Charging Site	One or more EV chargers at a single location
Commission	New York Public Service Commission
CMCP	Commercial Managed Charging Program
The Companies	Consolidated Edison Company, of New York, Inc. (“Con Edison”) and Orange and Rockland Utilities, Inc. ("O&R”)
Customer	A person or organization that is billed for Con Edison or O&R electric service
CR	The ratio of a customer’s EV charging capacity (sum of nameplate or actual maximum charging capability if less) to the customer’s maximum potential connected load, including EV charging
DCFC	Direct Current Fast Charger
DCR	Demand Charge Rebate
EMES	E-Mobility Enterprise System; Salesforce program operations platform that support’s Con Edison’s PowerReady infrastructure incentive program
EV	Electric vehicle
EVMR	Electric Vehicle Make Ready
BIR	Con Edison’s Business Incentive Rate
Implementation Plan	Outlined proposal to facilitate the execution of a managed charging program, Demand Charge Rebate program, Per Plug Incentive Transition and Business Incentives Rate Transition
JU	The Joint Utilities are Central Hudson Gas & Electric Corporation (Central Hudson), Consolidated Edison Company of New York, Inc. (Con Edison), New York State Electric & Gas Corporation (NYSEG), Niagara Mohawk Power Corporation d/b/a National Grid (National Grid), Orange and Rockland Utilities, Inc. (O&R), and Rochester Gas and Electric Corporation (RG&E)
L2	Level two EV charger
Participant	Any accepted applicant enrolled in the program
PPI	Per-Plug Incentive program
PSC	New York State Public Service Commission
Service Classification (SC)	Service class;electric service delivered under one of Con Edison’s or O&R's tariffs, as filed with the PSC
SCNY	Smart Charge New York

4. Appendices

Appendix 1: Con Edison Networks Peak Hours at the Time of Filing

11:00 AM – 3:00 PM		2:00 PM – 6:00 PM	
Battery Park City	Kips Bay	Bay Ridge	Herald Square
Beekman	Midtown West	Borough Hall	Hudson
Borden	Park Place	Canal	Lenox Hill
Bowling Green	Pennsylvania	Cedar St.	Lincoln Square
Cortland	Plaza	Chelsea	Long Island City
Freedom	Rockefeller Center	City Hall	Madison Square
Fulton	Sutton	Columbus Circle	Millwood West
Grand Central	Times Square	Elmsford #2	Park Slope
Greeley Square	Turtle Bay	Empire	Pleasantville
Hunter		Fashion	Roosevelt
		Grasslands	Sheridan Square
		Greenwich	White Plains
		Harrison	

4:00 PM – 8:00 PM		7:00 PM – 11:00 PM	
Buchanan	Riverdale	Brighton Beach	Prospect Park
Cooper Square	Rockview	Central Bronx	Randall's Island
Flushing	Sunnyside	Central Park	Rego Park
Fox Hills	Triboro	Crown Heights	Richmond Hill
Fresh Kills	Wainwright	Flatbush	Ridgewood
Granite Hill	West Bronx	Fordham	Sheepshead Bay
Mohansic	Williamsburg	Harlem	Southeast Bronx
Northeast Bronx	Willowbrook	Jackson Heights	Washington Heights
Ocean Parkway	Woodrow	Jamaica	Washington St.
Ossining West	Yorkville	Maspeth	

Appendix 2: O&R Substation Peak Hours

O&R 51 Substations Peak Windows			
Substation		**Begin**	**End**
Western (NY)	Western #1	18:00	22:00
	Western #2	15:00	19:00
	Western #3	15:00	19:00
	Western #4	17:00	21:00
	Western #5	18:00	22:00
	Western #6	15:30	19:30
	Western #7	9:00	13:00
	Western #8	17:00	21:00
	Western #9	18:00	22:00
	Western #10	16:00	20:00
	Western #11	18:00	22:00
	Western #12	19:00	23:00
	Western #13	16:00	20:00
	Western #14	16:00	20:00
	Western #15	18:00	22:00
	Western #16	18:00	22:00
Central (NY)	Central #1	18:00	22:00
	Central #2	15:00	19:00
	Central #3	17:00	21:00
	Central #4	15:00	19:00
	Central #5	13:00	17:00
	Central #6	17:00	21:00
	Central #7	15:30	19:30
	Central #8	17:00	21:00
	Central #9	16:00	20:00
	Central #10	17:00	21:00
	Central #11	17:00	21:00
	Central #12	15:30	19:30
	Central #13	12:00	16:00
Eastern (NY)	Eastern #1	17:00	21:00
	Eastern #2	15:30	19:30
	Eastern #3	16:00	20:00
	Eastern #4	11:00	15:00
	Eastern #5	19:00	23:00
	Eastern #6	15:00	19:00
	Eastern #7	16:00	20:00
	Eastern #8	16:00	20:00

	Eastern #9	15:00	19:00
	Eastern #10	16:00	20:00
	Eastern #11	15:30	19:30
	Eastern #12	14:00	18:00
	Eastern #13	15:00	19:00
	Eastern #14	11:00	15:00
	Eastern #15	16:00	20:00
	Eastern #16	16:00	20:00
	Eastern #17	13:00	17:00
	Eastern #18	16:00	20:00
	Eastern #19	15:00	19:00
	Eastern #20	17:00	21:00
	Eastern #21	15:00	19:00
	Eastern #22	10:00	14:00

Appendix 3: Draft Tariff Leaves

Schedule 1 – Con Edison Description of Tariff Changes, Clean Leaves, and Redline Leaves
Schedule 2 – O&R Description of Tariff Changes, Clean Leaves, and Redline Leaves

Changes proposed to the Schedule for Electricity Service, P.S.C. No. 10 – Electricity and the Schedule for PASNY Delivery Service, P.S.C. No. 12 – Electricity

Con Edison (the "Company") is filing revisions to its Schedule for Electricity Service, P.S.C. No. 10 – Electricity (the "Electric Tariff") and the Schedule for PASNY Delivery Service, P.S.C. No. 12 – Electricity (the "PASNY Tariff") in draft format pursuant to the Commission's January 19, 2023 *Order Establishing Framework for Alternatives to Traditional Demand-Based Rate Structures* in Case No, 22-E-0236 (the "Order"). The draft tariff leaves included in this Appendix address the requirements of the Order to establish a Demand Charge Rebate Program for public electric vehicle direct current fast charging sites ("Public DCFC Sites"), provide for cost recovery for the Commercial Managed Charging Program ("CMCP") and the Demand Charge Rebate ("the Rebate") Program, and provide an exemption from being billed under Standby Service rates for certain Electric Energy Storage Systems**.**

Specifically, the Company has proposed the following changes to the Electric Tariff:

- The Company has added the Rebate Program as a new section under General Rule 10 – Metering and Billing. In addition to adding this new section to the Table of Contents, the following provisions have been added under new General Rule 10.13.[1]
    - The Rebate will be available to qualifying demand billed Customers served under Service Classification ("SC") 8 Rate I, II or III, SC 9 Rate I, II or III, SC 12 Rate I, II, or III billed for both energy and demand, SC 13 Rate I, or otherwise applicable Customers served under Rate I or II of the PASNY Tariff, with Public DCFC Sites.
        - The Rebate is not available to Customers billed under Standby Service rates and Customers taking service under Rider J – Business Incentive Rate, SC No. 9, Special Provision G, Recharge New York ("RNY"), or SC No. 9, Special Provision H, Excelsior Jobs Program ("EJP") since: (1) the Order specifically addresses providing alternatives to traditional demand rates; and (2) Rider J, RNY, and EJP already provide some form of discount.
    - To be eligible for the Rebate, a Customer with a Public DCFC Site is required to have a Charging Ratio of 50 percent or greater.
    - For Customers that separately meter their EV load, the Charging Ratio is assumed to be 100 percent. For Customers that do not separately meter their EV load, the Charging Ratio will be calculated as the ratio of the (i) the sum of the EV charging capacity in kW[2] to (ii) the sum of the maximum kW demands of all loads that could occur simultaneously on the Customer's account.[3]

[1] The Company has also included housekeeping changes to reorder General Rules 10.11 and 10.12, which were inadvertently comingled in a prior filing.
[2] The sum of the EV charging capacity in kW will be the lesser of the sum of the nameplate charging capacity of each charger and the maximum simultaneous charging capacity, to the extent that there is a difference between the two.
[3] The sum of the maximum kW demands will be established based on the Customer's load letter submitted at the time of Customer's application for service, or further updated based on the Customer either submitting a new load letter or based on a reevaluation of the Charging Ratio and program eligibility by the Company subsequent to the application for service.

  - The Rebate will be determined for each billing period as the product of: (i) the billed Demand Delivery Charges;[4] (ii) the Charging Ratio; and (iii) 50 percent. The Rebate will be issued separately from the Customer's bill.
  - Customers participating in the Company's DCFC per-plug incentive ("PPI") program will have a one-time option to either continue participating in the PPI Program for the remainder of the Customer's eligibility period or to begin receiving the Rebate.
  - The Rebate will remain available to eligible Customers until such time as the EV Phase-In Rate Solution described in the Order is made available to Customers.
- The Company has eliminated the tariff references to the EV Quick Charging Station Program to reflect its proposed termination.
- The Company has amended General Rule 20.3 – Customers Exempt from Standby Service Rates to provide an exemption from being billed under Standby Service Rates to customers who install Electric Energy Storage to help manage the demand of EV charging load, with the Electric Energy Storage having inverter capability greater than 1 MW and less than or equal to the sum of nameplate EV charging capability (provided that such installations meet all other applicable interconnection and Standby Service requirements).
- Costs for the CMCP and the Rebate Program, including recovery of any incentive paid to Customers, will be allocated between Customers served under the Electric Tariff and the PASNY Tariff. The Company has added cost recovery provisions to General Rule 26.10 – EV Make-Ready Surcharge of the Electric Tariff and to the Additional Delivery Charges and Adjustments – Electric Vehicle Make Ready ("EVMR") Surcharge section of the PASNY Tariff. As proposed by the Company, CMCP and Rebate Program costs shall include carrying charges at the pre-tax weighted average cost of capital and such costs will be recovered commencing every February 1, over a one-year period.

[4] No Rebates will be calculated on surcharges or supply charges that are billed on a per kW of demand basis.

Con Edison Draft Tariff Leaves – Clean

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General Rules – Continued

PSC NO: 10 – Electricity
Consolidated Edison Company of New York, Inc.
Initial Effective Date:
Issued in compliance with Order in Case 22-E-0236 dated 1/19/2023

Leaf: 7
Revision: DRAFT
Superseding Revision:

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General Rules – Continued

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 500 kW in any two months;

(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, 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.

(2) Charge per kVar

$2.14 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 last 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.

$2.14 per kVar — applicable to Customers specified in paragraph (1)(e) above for the kVar requirements of the induction-generation equipment.

GENERAL RULES

10. Meter Reading and Billing - Continued

10.11 Reactive Power Demand Charge - Continued

(3) 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.

(4) After the installation of communications service, 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 pursuant to paragraphs (1)(a) 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 communications issues that may arise from time to time.

10.12 Electric Vehicle Managed Charging Program Participation Incentives

Participation incentives paid to customers under the Managed Charging Program, as described in the Managed Charging Implementation Plan filed by the Company in Case 18-E-0138, are set forth on the Statement of Managed Charging Participation Incentives.

The Statement of Managed Charging Participation Incentives shall be filed with the Commission, apart from this Schedule. Such statement shall be filed not less than thirty days prior to a proposed change in the participation incentives. Such participation incentives shall be designed as follows:

(a) The participation incentive for light duty vehicles shall be designed so as to not exceed the sum of: (1) the difference between the SC 1 Rate I over 250 kWh block delivery rate and the off-peak SC 1 Rate III delivery rate; and (2) the difference between the forecast of the SC 1 Rate I Market Supply Charge and the SC 1 Rate III off-peak energy Market Supply Charge.

(b) The participation incentive for medium and heavy duty vehicles shall be designed so as to not exceed the sum of: (1) a per kWh equivalent of the difference between the SC 9 Rate I demand delivery rate and the off-peak SC 9 Rate IV as-used demand delivery rate; and (2) the difference between the forecast of the energy component of the SC 9 Rate I Market Supply Charge and the forecast of the energy component of the SC 9 Rate IV off-peak Market Supply Charge.

The Company may file with the Commission for approval of participation incentives that exceed such values.

GENERAL RULES

10. Meter Reading and Billing - Continued

10.13 Public DCFC Demand Charge Rebate

Demand billed Customers with public electric vehicle direct current fast charging sites ("Public DCFC sites") served under SC 8 Rate I, II, or III, SC 9 Rate I, II or III, SC 12 Rate I, II, or III billed for both energy and demand, SC 13 Rate I, or otherwise applicable Customers served under Rate I or II of the PASNY Rate Schedule, will be eligible for the Public DCFC Demand Charge Rebate (the "Rebate") as follows.

To be eligible for the Rebate, a Customer with a Public DCFC site is required to have a Charging Ratio of 50 percent or greater. The Company will calculate the Charging Ratio to determine eligibility as follows:

(a) For Customers that separately meter the EV charging load, the Charging Ratio will be equal to 100 percent.

(b) For Customers that do not separately meter the EV charging load, the Charging Ratio will be calculated as the ratio of the (i) the sum of the EV charging capacity in kW to (ii) the sum of the maximum kW demands of all loads that could occur simultaneously on the Customer's account.

The sum of the EV charging capacity in kW used in the Charging Ratio calculation will be the lesser of the sum of the nameplate charging capacity of each charger and the maximum simultaneous charging capacity, to the extent that there is a difference between the two.

The sum of the maximum kW demands as described herein will be established based on the Customer's load letter submitted at the time of Customer's application for service, or further updated as specified below.

The Charging Ratio shall be determined at the time of application and shall remain the Charging Ratio until such time that the Customer provides a new load letter revising the Customer's electric load; however, the Company reserves the right to re-evaluate the Charging Ratio and program eligibility subsequent to application for service.

For eligible Customers, the Rebate will be determined for each billing period as the product of: (i) the billed Demand Delivery Charges; (ii) the Charging Ratio; and (iii) 50 percent. The Rebate will be issued separately from the Customer's bill.

The following Customers shall be ineligible for the Rebate: (1) Customers billed under Standby Service rates; and (2) Customers taking service under Rider J – Business Incentive Rate, Service Classification No. 9, Special Provision G, Recharge New York, or Service Classification No. 9, Special Provision H, Excelsior Jobs Program.

GENERAL RULES

10. Meter Reading and Billing - Continued

10.13 Public DCFC Demand Charge Rebate - Continued

Customers participating in the Company's DCFC per-plug incentive ("PPI") program will have a one-time option to either continue participating in the PPI Program for the remainder of the Customer's eligibility period or to begin receiving the Rebate.

The Rebate will remain available to eligible Customers until such time as the EV Phase-In Rate Solution as described in the Commission's orders in Case 22-E-0236 is made available to Customers.

GENERAL RULES

20. Standby Service and Standby Service Rates - 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 its on-site generation facility has an in-service date between July 29, 2003 and May 31, 2023; or

(b) uses efficient combined heat and power ("CHP") that does not exceed 1 MW of capacity in aggregate, and its CHP generation facility has an in-service date between July 29, 2003 and May 31, 2021; or

(c) uses efficient CHP with an aggregated capacity greater than 1 MW, but no more than 15 MW, its CHP generation facility has an in-service date between May 31, 2015 and May 31, 2021, and meets additional requirements specified in General Rule 20.3.4(a); or

(d) uses Electric Energy Storage with maximum capability up to and including 1 MW; or

(e) installs Electric Energy Storage to help manage the demand of EV charging load, with the Electric Energy Storage having inverter capability greater than 1 MW and less than or equal to the sum of nameplate EV charging capability (provided that such installations meet all other applicable interconnection and Standby Service requirements); and

GENERAL RULES

20. Standby Service and Standby Service Rates - Continued

20.3 Customers Exempt from Standby Service Rates - Continued

20.3.2 Customers With Designated Technologies - Continued

(f) meets all of the following requirements if CHP is used: (i) has an annual overall efficiency of no less than 60 percent based on the higher heat value of the fuel input, (ii) has a usable thermal energy component that absorbs a minimum of 20 percent of the CHP facility's total usage annual energy output, (iii) serves no more than has 100 percent of the Customer's maximum potential demand, and (iv) is designed to have maximum NOx emissions of 1.6 lbs/MWh; provided, however, that the facility is designed to have maximum NOx emissions of 4.4 lbs/MWh if that Customer was exempt from Standby Service rates as of January 1, 2017, or had an accepted interconnection application and/or air permit application as of that date.

GENERAL RULES

24. Service Classification Riders (Available on Request) - Continued

RIDER J - BUSINESS INCENTIVE RATE

Applicable to SC 9
(Subject to the provisions thereof)

(A) Applicability

To non-governmental Customers eligible for service under SC 9 and meeting the requirements of this Rider.

(B) Business Incentive Rate ("BIR") Program Components and Availability

(1) New York City and Westchester Comprehensive Package of Economic Incentives ("New York City Comprehensive Package" and "Westchester Comprehensive Package"): This BIR component is provided to Customers receiving economic development benefits in the form of a Comprehensive Package of Economic Development Incentives in exchange for a long-term commitment to locate, remain, or relocate in the Company's service area pursuant to a contract with state or local authorities.

"Comprehensive Package of Economic Incentives" is defined as: (a) a separately-negotiated comprehensive package of economic incentives of at least five-years' duration conferred by the local municipality or state authorities to maintain or increase employment levels in the service area. Such incentives must include substantial tax or similar incentives, such as an allocation under the Recharge New York ("RNY") program or the START-UP NY program and/or certification of eligibility for energy rebates under the New York City Energy Cost Savings program ("ECSP"); or (b) low-cost financing conferred by the local municipality, state authorities, the federal government, or entities which are tasked to provide federal financing, stimulus funds, or make similar investments to not-for-profit institutions utilizing space for Biomedical Research (as defined below under the Biomedical Research Program). Customers eligible under both the Comprehensive Package and the New and Vacant Program are considered eligible for the Comprehensive Package only.

GENERAL RULES

24. Service Classification Riders (Available on Request) - Continued

RIDER J - BUSINESS INCENTIVE RATE - Continued

(B) Business Incentive Rate ("BIR") Program Components and Availability – Continued

(4) Business Incubators and Business Incubator Graduates: This BIR component is available to Business Incubators for BIR load of up to 750 kW and Business Incubator Graduates for BIR load of up to 500 kW. If the Business Incubator or Business Incubator Graduate is a tenant in a redistribution building, its usage must be a minimum of 10 kW.

"Business Incubator" is defined as a facility that supports the launch and growth of start up and fledgling businesses by providing: (a) a workspace at discounted rates; (b) access to a network of successful entrepreneurs and support organizations through a program of events and an advisory board; and (c) an array of targeted resources and services. "Business Incubator Graduate" is defined as a start up or fledgling business that was a resident in a Business Incubator and left the Incubator in order to grow or expand its business. Businesses that are dismissed from the Incubator are excluded from this definition.

GENERAL RULES

24. Service Classification Riders (Available on Request) - Continued

RIDER J - BUSINESS INCENTIVE RATE - Continued

(C) Eligibility

(1) Energy Audits

Customers may take service under this Rider only if an energy efficiency audit has been performed either by NYSERDA or other governmental authority that administers energy efficiency programs or by an independent third party (e.g., a qualified energy audit firm under the Company's Small Business Direct Install Program) or Customer personnel capable of conducting a comparable audit, except as follows:

(a) a Business Incubator must have an energy efficiency audit performed within six months of applying for service under this Rider; and
(b) a Business Incubator Graduate must have the energy efficiency audit performed prior to taking service under this Rider, but no more than six months after signing a lease or obtaining a deed.

Business Incubators and Business Incubator Graduates must provide proof to the Company that: (a) they have had an energy audit performed, as described above; (b) they have installed the energy efficiency measures recommended in the audit or provided a reasonable explanation as to why recommended measures were not implemented; and (c) if they use 100 kW or more per month, they received paid rebates, if any. To remain eligible for service under this Rider, a Business Incubator must have an energy efficiency audit conducted once every five years and provide the proof specified above.

(2) Distribution Facilities Cost Test

An application for service under this Rider shall not be accepted if the Company is required to incur substantial costs for additional distribution facilities to serve the premises in which the Customer is located. The Company shall determine whether the cost of such distribution facilities is substantial in the following manner:

The investment in additional distribution facilities necessary and attributable to providing service to an eligible Customer in the premises shall be compared to an amount that is four times the estimated annual Pure Base Revenue that would be obtained from the Customer under the rates of the appropriate Service Classification. If the investment in distribution facilities exceeds such amount, the applicant will not qualify for service under this Rider. The applicant may qualify for service by making a non-refundable payment or other contribution satisfactory to the Company towards the investment in distribution facilities that would result in the applicant meeting the foregoing economic test. Such payment or other contribution must be made in advance of taking service.

GENERAL RULES

24. Service Classification Riders (Available on Request) - Continued

RIDER J - BUSINESS INCENTIVE RATE - Continued

(C) Eligibility - Continued

(3) Electric Chiller Reduction for Customers Located Near a Steam Main

Customers who are located within 250 feet of a steam main in the Borough of Manhattan and receive allocations of power on or after April 1, 2008, under either the New and Vacant Program or the New York City Comprehensive Package Program, will receive a reduction in their delivery service kW and kWhr eligible for bill reductions under this Rider for the months of June through September if they have electric and/or hybrid electric chillers ("Electric Chiller Reduction"). The Company will determine the kW and kWhr portions of the Electric Chiller Reduction based on information supplied by the Customer, including the nameplate rating of the chilling equipment and equipment efficiency information ("cut sheets").

For each month during the months of June through September, the Customer's kW and kWhr Electric Chiller Reduction will be deducted from the allocation of power made under this Rider to determine the Customer's load eligible for the rate reductions specified in section (H); provided, however, that the reduction can never result in a negative allocation.

(D) Scope of BIR Program

A maximum of 452 MW are allocated under this Rider, as follows:

Program Component	Maximum Aggregate MW Allocation
New York City Comprehensive Package	165
Westchester Comprehensive Package	40
New and Vacant Program	155
Biomedical Research	80
Business Incubators & Graduates	12 (10 MW to NYC and 2 MW to Westchester)

As allocations to Customers in a particular program component expire, such allocations will be available for re-use in that program at the then-current Rider terms and rate reductions.

GENERAL RULES

24. Service Classification Riders (Available on Request) - Continued

RIDER J - BUSINESS INCENTIVE RATE - Continued

(E) Term of BIR Rate Reductions

(1) BIR rate reductions will be available under the New York City or Westchester Comprehensive Package for an initial term of service of no less than three years and no more than five years, and will either terminate after the initial term or be followed by a phase-out period of three to five years, as specified in the contract. If New York City or Westchester County uses the Recharge New York ("RNY") program or the START-UP NY program as a qualifying program under the Comprehensive Package of Economic Incentives, the BIR term shall not extend beyond the period of the Customer's participation in the respective program. At any time, the governmental agency designating the Customer for service under the Comprehensive Package may reduce the load eligible for rate reductions if the agency determines that the Customer is not fulfilling its economic-development commitments.

(2) BIR rate reductions will be available to Business Incubator Graduates for nonrenewable five-year terms, with no phase-out period. BIR rate reductions provided to Business Incubator Graduates will not be transferrable to other premises, unless the Business Incubator Graduate moved to another premises due to reasons outside the recipient's control, including, but not limited to, a fire or other incident that renders the existing space uninhabitable, or a taking of the property by eminent domain. A Business Incubator Graduate who receives service under this Rider will continue to be eligible for service under this Rider for the remainder of its term if the Business Incubator Graduate remains at the same location and: (a) merges with another business, but does not change the name of its business; or (b) changes the name of its business due to incorporation of the business, which was previously a sole proprietorship or partnership. Except as specified above, successor businesses and successor Customers will not be eligible to receive service under this Rider for any months remaining under the predecessor's term of service under this Rider.

(3) BIR rate reductions will be available to the Biomedical Research Program for ten-year terms, with no phase-out period.

(4) BIR rate reductions for all other Customers will be provided for a period of ten years, which is composed of an initial five-year term of service followed by a phase-out period of five years.

PSC NO: 10 – Electricity | Leaf: 200
Consolidated Edison Company of New York, Inc. | Revision: DRAFT
Initial Effective Date: | Superseding Revision:
Issued in compliance with Order in Case 22-E-0236 dated 1/19/2023

GENERAL RULES

24. Service Classification Riders (Available on Request) - Continued

RIDER J - BUSINESS INCENTIVE RATE – Continued

(G) Restrictions as to the Availability of the Rider

Service under this Rider shall not be available as follows:

(1) to Customers receiving service under Special Provision D or H of SC 9 or Rider Y;
(2) where service is furnished solely or predominantly for telephone booths, warning lights, bus stop shelters, signboards, cable television and telecommunication local distribution facilities, or similar structures or locations;
(3) to a building or premises where 25 percent or more of the square footage of the premises is used on a permanent basis for residential purposes, unless (i) the residential space is separately metered or (ii) the Customer receives high-tension service and applies for Rider J as a Biomedical Research Customer, Business Incubator, or Business Incubator Graduate and the load designated for service under this Rider excludes any of the residential load on the premises;
(4) for public light and power in multi-tenanted- residential buildings, or for construction purposes, or for activities of a temporary nature as described in General Rule 5.2.7;
(5) to residential -type premises where the account is in the name of a non-residential entity, such as apartments for renting purposes;
(6) to any Customer eligible for service under SC 1, such as a corporation or association organized and conducted in good faith for religious purposes; or
(7) to retail establishments, i.e., entities that are engaged in the sale of goods or services to end-users, including, without limitation, restaurants; hotels; entertainment-related establishments (unless primarily used for film production); and museums; or
(8) to energy intensive facilities that generate relatively few new jobs, such as web-hosting centers, data centers and data switching facilities. This subsection shall not restrict the availability of this Rider to energy intensive facilities where such facilities are part of a larger facility used in the ordinary course of business, such as corporate computer centers. Governmental economic development agencies shall have the discretion to allocate power available under this Rider to energy intensive facilities based upon factors other than the amount of anticipated electric demand, provided that a compelling reason to do so can be shown.

GENERAL RULES

24. Service Classification Riders (Available on Request) - Continued

RIDER J - BUSINESS INCENTIVE RATE - Continued

(I) Provision Applicable to Large Manufacturing Customers

Manufacturing Customers applying for high-tension service and establishing operations after April 1, 1996, with monthly maximum demands of at least 15 megawatts and otherwise eligible for service under this Rider, will be subject to the terms of this Rider, except that service under this Rider will be available for a term of ten years, which is composed of an initial five-year term of service followed by a phase-out period of five years. Customers receiving service under this provision will commit to a minimum term of five years of service, and their demands will not be subject to the aggregate load limits of this Rider.

(J) Term

An applicant will become eligible for service under Rider J commencing on the first day of the next billing cycle following Company's approval of a completed application for service under this Rider. Upon an applicant's written request, commencement of billing under this Rider may be delayed for up to 120 days from the date of approval of the Customer's application.

GENERAL RULES

26. Additional Delivery Charges and Adjustments - Continued

26.9 Tax Sur-credit - Continued

The unit amount(s) to be credited per SC will be shown on the Statement of Tax Sur-credit (the "Statement") that is filed with the Public Service Commission apart from this Rate Schedule. The Company will implement sur-credits for the 12-month period January 1, 2019 to December 31, 2019. Unless otherwise directed by the Commission, any change to the unit amounts to be collected will be filed with the Commission on a revised Statement no less than five days prior to the Statement's effective date.

26.10 EV Make-Ready Surcharge

The Electric Vehicle Make-Ready ("EVMR") Surcharge recovers costs associated with investments made by the Company and incentives paid to customers to support the infrastructure and equipment necessary to accommodate increased electricity demands associated with the deployment of Electric Vehicles, until such costs are reflected in base rates.

The costs to be recovered, collectively referred to as "EVMR Costs" are as follows:

(a) Company-Owned Make-Ready Work: The depreciation expense related to Company-Owned make-ready costs, including costs related to future proofing utility infrastructure, and return on the average unrecovered investment net of deferred income taxes for each program year, including carrying charges at the pre-tax weighted average cost of capital, that will be recovered over a subsequent one-year period;

(b) Customer-Owned Make-Ready Work: Incentives paid for customer-owned make-ready work, including carrying charges calculated on the net-of-tax balances at the pretax weighted average cost of capital, will be recovered over a period of 15 years;

(c) Make-Ready Implementation Costs: Implementation costs inclusive of the Fleet Assessment Service, including carrying charges calculated on the net-of-tax balances at the pretax weighted average cost of capital, will be recovered over a period of 5 years;

(d) Other Programs: This includes costs such as Environmental Justice Community Clean Vehicles Transformation Prize, Clean Personal Mobility Prize, Clean Medium and Heavy Duty Innovation Prize, Fleet Assessment Service, and Transit Authority Make-Ready Program. To the extent that costs in these programs are for Company-owned make-ready infrastructure, such costs will be recovered consistent with Company-Owned Make-Ready Work as noted in (a) above. Other costs of these programs, including carrying charges on the net-of-tax balances calculated at the pretax weighted average cost of capital, will be recovered over a period of 15 years;

(e) Electric Vehicle Managed Charging Program: Enrollment and Implementation costs, program administration costs and enrollment incentives, including carrying charges at the pre-tax weighted average cost of capital, that will be recovered over a subsequent one-year period, as specified by the Commission in Case No. 18-E-0138; and

GENERAL RULES

26. Additional Delivery Charges and Adjustments – Continued

26.10 EV Make-Ready Surcharge – Continued

(f) Commercial Managed Charging Program ("CMCP") and Public DCFC Demand Charge Rebate Program: Costs related to: (1) the CMCP, including CMCP and adder incentives paid to participants; and (2) the Public DCFC Demand Charge Rebate Program, including the rebates paid to participants described in General Rule 10.13. CMCP and Public DCFC Demand Charge Rebate Program costs shall include carrying charges at the pre-tax weighted average cost of capital, that will be recovered over a subsequent one-year period.

EVMR Cost Recovery will be determined:

(1) annually, commencing with Customer bills having a "from" date on or after February 1, 2021 with the first EVMR Surcharge recovering costs for the period July 16, 2020 through December 31, 2020 and each subsequent EVMR Surcharge recovering costs for January 1 through December 31 periods thereafter;

(2) for all but the Electric Vehicle Managed Charging Program costs, for each service classification or rate class in proportion to each class' delivery revenues;

(3) for the Electric Vehicle Managed Charging Program costs, for SCs 1 and 9;

(4) on a kWhr basis for non-demand billed service classification groups, on a kW basis for demand billed service classification groups (for Customers billed on Standby Service rates the surcharge will be collected on a per kW of Contract Demand basis), or on a dollar per month basis;

(5) with the rate per kWh or kW determined by dividing allocable costs by estimated billed kWh deliveries or kW demand over the collection period;

(6) by reconciling the EVMR Surcharge at the end of each program year. Any over- or under-collection as a result of this reconciliation will be reflected in the following EVMR Surcharge.

(7) by the costs, other than costs recovered in base rates.

The EVMR Surcharge will be applicable to all delivery customers served under SCs 1, 2, 5, 6, 8, 9, 11, 12 and 13. Amounts collected under this Rate Schedule will be equal to the total program costs less the program costs allocated for collection under the PASNY Rate Schedule. The EVMR Surcharge is not applicable to Customers served under the Excelsior Jobs Program, SC 9 Special Provision H.

The unit amounts to be collected will be shown on the Statement of EVMR Surcharge filed with the Public Service Commission apart from this Rate Schedule. Unless otherwise directed by the Commission, the Company will file each Statement no less than fifteen days before its effective date.

For purposes of billing, the EVMR Surcharge will be included with the Monthly Adjustment Clause.

GENERAL RULES

27. [RESERVED FOR FUTURE USE]

PASNY DELIVERY SERVICE

Additional Delivery Charges and Adjustments - Continued

(H) Other Charges and Adjustments - Continued

(14) Direct Current Fast Charging ("DCFC") Surcharge

The DCFC Surcharge will be applicable to service under this Rate Schedule to recover program costs related to the DCFC per-plug incentive available to qualified DCFC electric vehicle charging stations.

The monthly DCFC Surcharge was developed by multiplying the DCFC Surcharge per kWh (calculated as specified in the Commission's February 7, 2019 order in Case 18-E-0138), by PASNY's annual delivery kWhr, and dividing the result by twelve months. The DCFC Surcharge is applicable for the 12-month period January 1, 2020 through December 31, 2020.

(15) Electric Vehicle Make-Ready ("EVMR") Surcharge

The EVMR Surcharge will be applicable to service under this Rate Schedule to recover PASNY's allocation of EVMR costs. The EVMR costs include: (1) Company-owned Make-Ready Work, (2) Customer-owned Make-Ready Work, (3) Other Programs, (4) Make-Ready Implementation Costs, (5) Electric Vehicle Managed Charging Program enrollment and implementation costs, and (6) Commercial Managed Charging Program and Public DCFC Demand Charge Rebate Program costs. The amounts to be recovered under this Rate Schedule will be based on General Rule 26.10 of the Schedule for Electricity and the PASNY Allocation.

(16) Reliable Clean City ("RCC") Projects Surcharge

A charge will be applicable to service under this Rate Schedule to recover PASNY's allocation of carrying charges related to the Rainey to Corona Project, the Gowanus to Greenwood Project, and the Goethals to Fox Hills Project, collectively, the Reliable Clean City ("RCC") projects, as authorized by the Commission's April 15, 2021 Order in Case 19-E-0065. The amount to be recovered under this Rate Schedule will be based on the PASNY Allocation.

(17) Unbilled Fees Adjustment

The Unbilled Fees Adjustment will be applicable to service under this Rate Schedule to recover and reconcile deferred late payment fees and other fees originally associated with customer non-payment ("Unbilled Fees") for Rate Year One (i.e., 2020) as authorized by the Commission in Case 19-E-0065. The amount to be recovered or passed back under this Rate Schedule will be based on the PASNY Allocation. The Company will recover these Unbilled Fees commencing January 1, 2022, through December 31, 2022.

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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 500 kW in any two months;

(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, 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.

(2) Charge per kVar

$2.14 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 last 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.

$2.14 per kVar — applicable to Customers specified in paragraph (1)(e) above for the kVar requirements of the induction-generation equipment.

GENERAL RULES

10. Meter Reading and Billing - Continued

10.11 Reactive Power Demand Charge - Continued

(3) 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.

(4) After the installation of communications service, 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 pursuant to paragraphs (1)(a) 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 communications issues that may arise from time to time.

10.12 Electric Vehicle Managed Charging Program Participation Incentives

Participation incentives paid to customers under the Managed Charging Program, as described in the Managed Charging Implementation Plan filed by the Company in Case 18-E-0138, are set forth on the Statement of Managed Charging Participation Incentives.

The Statement of Managed Charging Participation Incentives shall be filed with the Commission, apart from this Schedule. Such statement shall be filed not less than thirty days prior to a proposed change in the participation incentives. Such participation incentives shall be designed as follows:

(a) The participation incentive for light duty vehicles shall be designed so as to not exceed the sum of: (1) the difference between the SC 1 Rate I over 250 kWh block delivery rate and the off-peak SC 1 Rate III delivery rate; and (2) the difference between the forecast of the SC 1 Rate I Market Supply Charge and the SC 1 Rate III off-peak energy Market Supply Charge.

(b) The participation incentive for medium and heavy duty vehicles shall be designed so as to not exceed the sum of: (1) a per kWh equivalent of the difference between the SC 9 Rate I demand delivery rate and the off-peak SC 9 Rate IV as-used demand delivery rate; and (2) the difference between the forecast of the energy component of the SC 9 Rate I Market Supply Charge and the forecast of the energy component of the SC 9 Rate IV off-peak Market Supply Charge.

The Company may file with the Commission for approval of participation incentives that exceed such values.

~~**[RESERVED FOR FUTURE USE]**~~

GENERAL RULES

10. Meter Reading and Billing - Continued

10.13 Public DCFC Demand Charge Rebate

Demand billed Customers with public electric vehicle direct current fast charging sites ("Public DCFC sites") served under SC 8 Rate I, II, or III, SC 9 Rate I, II or III, SC 12 Rate I, II, or III billed for both energy and demand, SC 13 Rate I, or otherwise applicable Customers served under Rate I or II of the PASNY Rate Schedule, will be eligible for the Public DCFC Demand Charge Rebate (the "Rebate") as follows.

To be eligible for the Rebate, a Customer with a Public DCFC site is required to have a Charging Ratio of 50 percent or greater. The Company will calculate the Charging Ratio to determine eligibility as follows:

(a) For Customers that separately meter the EV charging load, the Charging Ratio will be equal to 100 percent.

(b) For Customers that do not separately meter the EV charging load, the Charging Ratio will be calculated as the ratio of the (i) the sum of the EV charging capacity in kW to (ii) the sum of the maximum kW demands of all loads that could occur simultaneously on the Customer's account.

The sum of the EV charging capacity in kW used in the Charging Ratio calculation will be the lesser of the sum of the nameplate charging capacity of each charger and the maximum simultaneous charging capacity, to the extent that there is a difference between the two.

The sum of the maximum kW demands as described herein will be established based on the Customer's load letter submitted at the time of Customer's application for service, or further updated as specified below.

The Charging Ratio shall be determined at the time of application and shall remain the Charging Ratio until such time that the Customer provides a new load letter revising the Customer's electric load; however, the Company reserves the right to re-evaluate the Charging Ratio and program eligibility subsequent to application for service.

For eligible Customers, the Rebate will be determined for each billing period as the product of: (i) the billed Demand Delivery Charges; (ii) the Charging Ratio; and (iii) 50 percent. The Rebate will be issued separately from the Customer's bill.

The following Customers shall be ineligible for the Rebate: (1) Customers billed under Standby Service rates; and (2) Customers taking service under Rider J – Business Incentive Rate, Service Classification No. 9, Special Provision G, Recharge New York, or Service Classification No. 9, Special Provision H, Excelsior Jobs Program.

GENERAL RULES

10. Meter Reading and Billing - Continued

10.13 Public DCFC Demand Charge Rebate - Continued

Customers participating in the Company's DCFC per-plug incentive ("PPI") program will have a one-time option to either continue participating in the PPI Program for the remainder of the Customer's eligibility period or to begin receiving the Rebate.

The Rebate will remain available to eligible Customers until such time as the EV Phase-In Rate Solution as described in the Commission's orders in Case 22-E-0236 is made available to Customers.

GENERAL RULES

20. Standby Service and Standby Service Rates - 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 its on-site generation facility has an in-service date between July 29, 2003 and May 31, 2023; or

(b) uses efficient combined heat and power ("CHP") that does not exceed 1 MW of capacity in aggregate, and its CHP generation facility has an in-service date between July 29, 2003 and May 31, 2021; or

(c) uses efficient CHP with an aggregated capacity greater than 1 MW, but no more than 15 MW, its CHP generation facility has an in-service date between May 31, 2015 and May 31, 2021, and meets additional requirements specified in General Rule 20.3.4(a); or

(d) uses Electric Energy Storage with maximum capability up to and including 1 MW; or

(e) installs Electric Energy Storage to help manage the demand of EV charging load, with the Electric Energy Storage having inverter capability greater than 1 MW and less than or equal to the sum of nameplate EV charging capability (provided that such installations meet all other applicable interconnection and Standby Service requirements); and

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GENERAL RULES

20. Standby Service and Standby Service Rates - Continued

20.3 Customers Exempt from Standby Service Rates - Continued

20.3.2 Customers With Designated Technologies - Continued

(~~e~~f) meets all of the following requirements if CHP is used: (i) has an annual overall efficiency of no less than 60 percent based on the higher heat value of the fuel input, (ii) has a usable thermal energy component that absorbs a minimum of 20 percent of the CHP facility's total usage annual energy output, (iii) serves no more than has 100 percent of the Customer's maximum potential demand, and (iv) is designed to have maximum NOx emissions of 1.6 lbs/MWh; provided, however, that the facility is designed to have maximum NOx emissions of 4.4 lbs/MWh if that Customer was exempt from Standby Service rates as of January 1, 2017, or had an accepted interconnection application and/or air permit application as of that date.

GENERAL RULES

24. Service Classification Riders (Available on Request) - Continued

RIDER J - BUSINESS INCENTIVE RATE

Applicable to SC 9
(Subject to the provisions thereof)

(A) Applicability

To non-governmental Customers~~, except for customers under the Electric Vehicle Quick Charging Station Program,~~ eligible for service under SC 9 and meeting the requirements of this Rider.

(B) Business Incentive Rate ("BIR") Program Components and Availability

(1) New York City and Westchester Comprehensive Package of Economic Incentives ("New York City Comprehensive Package" and "Westchester Comprehensive Package"): This BIR component is provided to Customers receiving economic development benefits in the form of a Comprehensive Package of Economic Development Incentives in exchange for a long-term commitment to locate, remain, or relocate in the Company's service area pursuant to a contract with state or local authorities.

"Comprehensive Package of Economic Incentives" is defined as: (a) a separately-negotiated comprehensive package of economic incentives of at least five-years' duration conferred by the local municipality or state authorities to maintain or increase employment levels in the service area. Such incentives must include substantial tax or similar incentives, such as an allocation under the Recharge New York ("RNY") program or the START-UP NY program and/or certification of eligibility for energy rebates under the New York City Energy Cost Savings program ("ECSP"); or (b) low-cost financing conferred by the local municipality, state authorities, the federal government, or entities which are tasked to provide federal financing, stimulus funds, or make similar investments to not-for-profit institutions utilizing space for Biomedical Research (as defined below under the Biomedical Research Program). Customers eligible under both the Comprehensive Package and the New and Vacant Program are considered eligible for the Comprehensive Package only.

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GENERAL RULES

24. Service Classification Riders (Available on Request) - Continued

RIDER J - BUSINESS INCENTIVE RATE - Continued

(B) Business Incentive Rate ("BIR") Program Components and Availability – Continued

(4) Business Incubators and Business Incubator Graduates: This BIR component is available to Business Incubators for BIR load of up to 750 kW and Business Incubator Graduates for BIR load of up to 500 kW. If the Business Incubator or Business Incubator Graduate is a tenant in a redistribution building, its usage must be a minimum of 10 kW.

"Business Incubator" is defined as a facility that supports the launch and growth of start up and fledgling businesses by providing: (a) a workspace at discounted rates; (b) access to a network of successful entrepreneurs and support organizations through a program of events and an advisory board; and (c) an array of targeted resources and services. "Business Incubator Graduate" is defined as a start up or fledgling business that was a resident in a Business Incubator and left the Incubator in order to grow or expand its business. Businesses that are dismissed from the Incubator are excluded from this definition.

~~(5) Electric Vehicle ("EV") Quick Charging Station Program: This BIR component is available to owners of EV quick charging stations, including governmental customers, with a minimum aggregate charging capacity of 100 kW and a maximum aggregate demand of 2,000 kW. Stations must be newly constructed EV quick charging stations with no more than 10 kW of ancillary (non-EV charging) load. To be eligible, the stations must be publicly accessible, such as stations located at: supermarkets, malls and retail outlets, train stations, hotels, restaurants, and parking garages and parking lots where the EV quick charging station is open to the general public and will be used by a wide variety of users.~~

GENERAL RULES

24. Service Classification Riders (Available on Request) - Continued

RIDER J - BUSINESS INCENTIVE RATE - Continued

(C) Eligibility

(1) Energy Audits

Customers may take service under this Rider only if an energy efficiency audit has been performed either by NYSERDA or other governmental authority that administers energy efficiency programs or by an independent third party (e.g., a qualified energy audit firm under the Company's Small Business Direct Install Program) or Customer personnel capable of conducting a comparable audit, except as follows:

(a) a Business Incubator must have an energy efficiency audit performed within six months of applying for service under this Rider; and
(b) a Business Incubator Graduate must have the energy efficiency audit performed prior to taking service under this Rider, but no more than six months after signing a lease or obtaining a deed.~~; and~~
~~(c) an energy efficiency audit will not be required under the EV Quick Charging Station Program.~~

Business Incubators and Business Incubator Graduates must provide proof to the Company that: (a) they have had an energy audit performed, as described above; (b) they have installed the energy efficiency measures recommended in the audit or provided a reasonable explanation as to why recommended measures were not implemented; and (c) if they use 100 kW or more per month, they received paid rebates, if any. To remain eligible for service under this Rider, a Business Incubator must have an energy efficiency audit conducted once every five years and provide the proof specified above.

(2) Distribution Facilities Cost Test

An application for service under this Rider shall not be accepted if the Company is required to incur substantial costs for additional distribution facilities to serve the premises in which the Customer is located. The Company shall determine whether the cost of such distribution facilities is substantial in the following manner:

The investment in additional distribution facilities necessary and attributable to providing service to an eligible Customer in the premises shall be compared to an amount that is four times the estimated annual Pure Base Revenue that would be obtained from the Customer under the rates of the appropriate Service Classification. If the investment in distribution facilities exceeds such amount, the applicant will not qualify for service under this Rider. The applicant may qualify for service by making a non-refundable payment or other contribution satisfactory to the Company towards the investment in distribution facilities that would result in the applicant meeting the foregoing economic test. Such payment or other contribution must be made in advance of taking service.

GENERAL RULES

24. Service Classification Riders (Available on Request) - Continued

RIDER J - BUSINESS INCENTIVE RATE - Continued

(C) Eligibility - Continued

(3) Electric Chiller Reduction for Customers Located Near a Steam Main

Customers who are located within 250 feet of a steam main in the Borough of Manhattan and receive allocations of power on or after April 1, 2008, under either the New and Vacant Program or the New York City Comprehensive Package Program, will receive a reduction in their delivery service kW and kWhr eligible for bill reductions under this Rider for the months of June through September if they have electric and/or hybrid electric chillers ("Electric Chiller Reduction"). The Company will determine the kW and kWhr portions of the Electric Chiller Reduction based on information supplied by the Customer, including the nameplate rating of the chilling equipment and equipment efficiency information ("cut sheets").

For each month during the months of June through September, the Customer's kW and kWhr Electric Chiller Reduction will be deducted from the allocation of power made under this Rider to determine the Customer's load eligible for the rate reductions specified in section (H); provided, however, that the reduction can never result in a negative allocation.

(D) Scope of BIR Program

A maximum of 452 MW are allocated under this Rider, as follows:

Program Component	Maximum Aggregate MW Allocation
New York City Comprehensive Package	165
Westchester Comprehensive Package	40
New and Vacant Program	~~125~~155
Biomedical Research	80
Business Incubators & Graduates	12 (10 MW to NYC and 2 MW to Westchester)
~~EV Quick Charging Station Program~~	~~30~~

As allocations to Customers in a particular program component expire, such allocations will be available for re-use in that program at the then-current Rider terms and rate reductions. ~~When the EV Quick Charging Station Program component expires, the 30 MW applicable to that BIR component will be reallocated to the New and Vacant Program.~~

GENERAL RULES

24. Service Classification Riders (Available on Request) - Continued

RIDER J - BUSINESS INCENTIVE RATE - Continued

(E) Term of BIR Rate Reductions

(1) BIR rate reductions will be available under the New York City or Westchester Comprehensive Package for an initial term of service of no less than three years and no more than five years, and will either terminate after the initial term or be followed by a phase-out period of three to five years, as specified in the contract. If New York City or Westchester County uses the Recharge New York ("RNY") program or the START-UP NY program as a qualifying program under the Comprehensive Package of Economic Incentives, the BIR term shall not extend beyond the period of the Customer's participation in the respective program. At any time, the governmental agency designating the Customer for service under the Comprehensive Package may reduce the load eligible for rate reductions if the agency determines that the Customer is not fulfilling its economic-development commitments.

(2) BIR rate reductions will be available to Business Incubator Graduates for nonrenewable five-year terms, with no phase-out period. BIR rate reductions provided to Business Incubator Graduates will not be transferrable to other premises, unless the Business Incubator Graduate moved to another premises due to reasons outside the recipient's control, including, but not limited to, a fire or other incident that renders the existing space uninhabitable, or a taking of the property by eminent domain. A Business Incubator Graduate who receives service under this Rider will continue to be eligible for service under this Rider for the remainder of its term if the Business Incubator Graduate remains at the same location and: (a) merges with another business, but does not change the name of its business; or (b) changes the name of its business due to incorporation of the business, which was previously a sole proprietorship or partnership. Except as specified above, successor businesses and successor Customers will not be eligible to receive service under this Rider for any months remaining under the predecessor's term of service under this Rider.

~~(3) BIR rate reductions are available under the EV Quick Charging Station Program until December 31, 2025.~~

(3~~4~~) BIR rate reductions will be available to the Biomedical Research Program for ten-year terms, with no phase-out period.

(4~~5~~) BIR rate reductions for all other Customers will be provided for a period of ten years, which is composed of an initial five-year term of service followed by a phase-out period of five years.

GENERAL RULES

24. Service Classification Riders (Available on Request) - Continued

RIDER J - BUSINESS INCENTIVE RATE – Continued

~~**(F) Applications for Service - Continued**~~

~~(6) Applications must be made under the EV Quick Charging Station Program with proof of an EV station building permit and proof of payment of excess distribution facilities, if applicable. A completed application must include proof of eligibility that the station is publicly accessible.~~

(G) Restrictions as to the Availability of the Rider

Service under this Rider shall not be available as follows:

(1) to Customers receiving service under Special Provision D or H of SC 9 or Rider Y;
(2) where service is furnished solely or predominantly for telephone booths, warning lights, bus stop shelters, signboards, cable television and telecommunication local distribution facilities, or similar structures or locations;
(3) to a building or premises where 25 percent or more of the square footage of the premises is used on a permanent basis for residential purposes, unless (i) the residential space is separately metered or (ii) the Customer receives high-tension service and applies for Rider J as a Biomedical Research Customer, Business Incubator, or Business Incubator Graduate and the load designated for service under this Rider excludes any of the residential load on the premises;
(4) for public light and power in multi-tenanted- residential buildings, or for construction purposes, or for activities of a temporary nature as described in General Rule 5.2.7;
(5) to residential -type premises where the account is in the name of a non-residential entity, such as apartments for renting purposes;
(6) to any Customer eligible for service under SC 1, such as a corporation or association organized and conducted in good faith for religious purposes; or
(7) to retail establishments~~ (except for participants in the EV Quick Charging Station Program)~~, i.e., entities that are engaged in the sale of goods or services to end-users, including, without limitation, restaurants; hotels; entertainment-related establishments (unless primarily used for film production); and museums; or
(8) to energy intensive facilities that generate relatively few new jobs, such as web-hosting centers, data centers and data switching facilities~~, except for participants in the EV Quick Charging Station Program~~. This subsection shall not restrict the availability of this Rider to energy intensive facilities where such facilities are part of a larger facility used in the ordinary course of business, such as corporate computer centers. Governmental economic development agencies shall have the discretion to allocate power available under this Rider to energy intensive facilities based upon factors other than the amount of anticipated electric demand, provided that a compelling reason to do so can be shown.

GENERAL RULES

24. Service Classification Riders (Available on Request) - Continued

RIDER J - BUSINESS INCENTIVE RATE - Continued

(I) Provision Applicable to Large Manufacturing Customers

Manufacturing Customers applying for high-tension service and establishing operations after April 1, 1996, with monthly maximum demands of at least 15 megawatts and otherwise eligible for service under this Rider, will be subject to the terms of this Rider, except that service under this Rider will be available for a term of ten years, which is composed of an initial five-year term of service followed by a phase-out period of five years. Customers receiving service under this provision will commit to a minimum term of five years of service, and their demands will not be subject to the aggregate load limits of this Rider.

~~**(J) Provision Applicable to Customers in the EV Quick Charging Station Program**~~

~~As described in General Rule 5.2.4.3, Customers served under the EV Quick Charging Station Program may qualify for incentives to offset a portion of the EV make-ready infrastructure costs.~~

(J~~K~~) Term

An applicant will become eligible for service under Rider J commencing on the first day of the next billing cycle following Company's approval of a completed application for service under this Rider. Upon an applicant's written request, commencement of billing under this Rider may be delayed for up to 120 days from the date of approval of the Customer's application.

GENERAL RULES

26. Additional Delivery Charges and Adjustments - Continued

26.9 Tax Sur-credit - Continued

The unit amount(s) to be credited per SC will be shown on the Statement of Tax Sur-credit (the "Statement") that is filed with the Public Service Commission apart from this Rate Schedule. The Company will implement sur-credits for the 12-month period January 1, 2019 to December 31, 2019. Unless otherwise directed by the Commission, any change to the unit amounts to be collected will be filed with the Commission on a revised Statement no less than five days prior to the Statement's effective date.

26.10 EV Make-Ready Surcharge

The Electric Vehicle Make-Ready ("EVMR") Surcharge recovers costs associated with investments made by the Company and incentives paid to customers to support the infrastructure and equipment necessary to accommodate increased electricity demands associated with the deployment of Electric Vehicles, until such costs are reflected in base rates.

The costs to be recovered, collectively referred to as "EVMR Costs" are as follows:

(a) Company-Owned Make-Ready Work: The depreciation expense related to Company-Owned make-ready costs, including costs related to future proofing utility infrastructure, and return on the average unrecovered investment net of deferred income taxes for each program year, including carrying charges at the pre-tax weighted average cost of capital, that will be recovered over a subsequent one-year period;

(b) Customer-Owned Make-Ready Work: Incentives paid for customer-owned make-ready work, including carrying charges calculated on the net-of-tax balances at the pretax weighted average cost of capital, will be recovered over a period of 15 years;

(c) Make-Ready Implementation Costs: Implementation costs inclusive of the Fleet Assessment Service, including carrying charges calculated on the net-of-tax balances at the pretax weighted average cost of capital, will be recovered over a period of 5 years;

(d) Other Programs: This includes costs such as Environmental Justice Community Clean Vehicles Transformation Prize, Clean Personal Mobility Prize, Clean Medium and Heavy Duty Innovation Prize, Fleet Assessment Service, and Transit Authority Make-Ready Program. To the extent that costs in these programs are for Company-owned make-ready infrastructure, such costs will be recovered consistent with Company-Owned Make-Ready Work as noted in (a) above. Other costs of these programs, including carrying charges on the net-of-tax balances calculated at the pretax weighted average cost of capital, will be recovered over a period of 15 years;~~ and~~

(e) Electric Vehicle Managed Charging Program: Enrollment and Implementation costs, program administration costs and enrollment incentives, including carrying charges at the pre-tax weighted average cost of capital, that will be recovered over a subsequent one-year period, as specified by the Commission in Case No. 18-E-0138; and~~.~~

GENERAL RULES

26. Additional Delivery Charges and Adjustments – Continued

26.10 EV Make-Ready Surcharge – Continued

(f) Commercial Managed Charging Program ("CMCP") and Public DCFC Demand Charge Rebate Program: Costs related to: (1) the CMCP, including CMCP and adder incentives paid to participants; and (2) the Public DCFC Demand Charge Rebate Program, including the rebates paid to participants described in General Rule 10.13. CMCP and Public DCFC Demand Charge Rebate Program costs shall include carrying charges at the pre-tax weighted average cost of capital, that will be recovered over a subsequent one-year period.

EVMR Cost Recovery will be determined:

(1) annually, commencing with Customer bills having a "from" date on or after February 1, 2021 with the first EVMR Surcharge recovering costs for the period July 16, 2020 through December 31, 2020 and each subsequent EVMR Surcharge recovering costs for January 1 through December 31 periods thereafter;

(2) for all but the Electric Vehicle Managed Charging Program costs, for each service classification or rate class in proportion to each class' delivery revenues;

(3) for the Electric Vehicle Managed Charging Program costs, for SCs 1 and 9;

(4) on a kWhr basis for non-demand billed service classification groups, on a kW basis for demand billed service classification groups (for Customers billed on Standby Service rates the surcharge will be collected on a per kW of Contract Demand basis), or on a dollar per month basis;

(5) with the rate per kWh or kW determined by dividing allocable costs by estimated billed kWh deliveries or kW demand over the collection period;

(6) by reconciling the EVMR Surcharge at the end of each program year. Any over- or under-collection as a result of this reconciliation will be reflected in the following EVMR Surcharge.

(7) by the costs, other than costs recovered in base rates.

The EVMR Surcharge will be applicable to all delivery customers served under SCs 1, 2, 5, 6, 8, 9, 11, 12 and 13. Amounts collected under this Rate Schedule will be equal to the total program costs less the program costs allocated for collection under the PASNY Rate Schedule. The EVMR Surcharge is not applicable to Customers served under the Excelsior Jobs Program, SC 9 Special Provision H.

The unit amounts to be collected will be shown on the Statement of EVMR Surcharge filed with the Public Service Commission apart from this Rate Schedule. Unless otherwise directed by the Commission, the Company will file each Statement no less than fifteen days before its effective date.

For purposes of billing, the EVMR Surcharge will be included with the Monthly Adjustment Clause.

GENERAL RULES

27. [RESERVED FOR FUTURE USE]

PASNY DELIVERY SERVICE

Additional Delivery Charges and Adjustments - Continued

(H) Other Charges and Adjustments - Continued

(14) Direct Current Fast Charging ("DCFC") Surcharge

The DCFC Surcharge will be applicable to service under this Rate Schedule to recover program costs related to the DCFC per-plug incentive available to qualified DCFC electric vehicle charging stations.

The monthly DCFC Surcharge was developed by multiplying the DCFC Surcharge per kWh (calculated as specified in the Commission's February 7, 2019 order in Case 18-E-0138), by PASNY's annual delivery kWhr, and dividing the result by twelve months. The DCFC Surcharge is applicable for the 12-month period January 1, 2020 through December 31, 2020.

(15) Electric Vehicle Make-Ready ("EVMR") Surcharge

~~As specified in Case 18-E-0138, t~~The EVMR Surcharge will be applicable to service under this Rate Schedule to recover PASNY's ~~the~~ allocation ~~to PASNY~~ of EVMR costs. The EVMR costs include: (1) Company-owned Make-Ready Work, (2) Customer-owned Make-Ready Work, (3) Other Programs, (4) Make-Ready Implementation Costs, ~~and~~ (5) Electric Vehicle Managed Charging Program enrollment and implementation costs, and (6) Commercial Managed Charging Program -and Public DCFC Demand Charge Rebate Program costs. The amounts to be recovered under this Rate Schedule will be based on General Rule 26.10 of the Schedule for Electricity and the PASNY Allocation.

(16) Reliable Clean City ("RCC") Projects Surcharge

A charge will be applicable to service under this Rate Schedule to recover PASNY's allocation of carrying charges related to the Rainey to Corona Project, the Gowanus to Greenwood Project, and the Goethals to Fox Hills Project, collectively, the Reliable Clean City ("RCC") projects, as authorized by the Commission's April 15, 2021 Order in Case 19-E-0065. The amount to be recovered under this Rate Schedule will be based on the PASNY Allocation.

(17) Unbilled Fees Adjustment

The Unbilled Fees Adjustment will be applicable to service under this Rate Schedule to recover and reconcile deferred late payment fees and other fees originally associated with customer non-payment ("Unbilled Fees") for Rate Year One (i.e., 2020) as authorized by the Commission in Case 19-E-0065. The amount to be recovered or passed back under this Rate Schedule will be based on the PASNY Allocation. The Company will recover these Unbilled Fees commencing January 1, 2022, through December 31, 2022.

Changes proposed to the Schedule for Electric Service, P.S.C. No. 3 – Electricity

O&R (the "Company") is filing revisions to its Schedule for Electric Service, P.S.C. No. 3 – Electricity (the "Electric Tariff") in draft format pursuant to the Commission's January 19, 2023 *Order Establishing Framework for Alternatives to Traditional Demand-Based Rate Structures* in Case No, 22-E-0236 (the "Order"). The draft tariff leaves included in this Appendix address the requirements of the Order to establish a Demand Charge Rebate Program for public electric vehicle direct current fast charging sites ("Public DCFC Sites"), provide for cost recovery for the Commercial Managed Charging Program ("CMCP") and the Demand Charge Rebate ("the Rebate") Program, and provide an exemption from being billed under Standby Service Rates for certain Electric Energy Storage Systems**.**

Specifically, the Company has proposed the following changes to the Electric Tariff:

- The Company has added the Rebate Program as a new section under General Information Section No. 7 – Metering and Billing. In addition to adding this new section to the Table of Contents, the following provisions have been added under new General Information Section No. 7.22.
  - The Rebate will be available to qualifying demand-billed customers served under the Standard Rates of Service Classification Nos. 2, 3, 9, 20, or 21 with Public DCFC Sites.
    - The Rebate is not available to customers billed under Standby Service Rates and customers taking service under Rider B – Recharge New York (RNY) Program Rider, Rider C – Excelsior Jobs Program Rider, or Rider H – Economic Development Rider since (1) the Order specifically addresses providing alternatives to traditional demand rates; and (2) Riders B, C, and H already provide some form of discount.
  - To be eligible for the Rebate, a customer with a Public DCFC Site is required to have a Charging Ratio of 50 percent or greater.
  - For customers that separately meter their EV load, the Charging Ratio is assumed to be 100 percent. For customers that do not separately meter their EV load, the Charging Ratio will be calculated as the ratio of the (i) the sum of the EV charging capacity in kW[1] to (ii) the sum of the maximum kW demands of all loads that could occur simultaneously on the customer's account.[2]
  - The Rebate will be determined for each billing period as the product of: (i) the billed Delivery Charges – Demand Charge;[3] (ii) the Charging Ratio; and (iii) 50 percent. The Rebate will be issued separately from the customer's bill.

[1] The sum of the EV charging capacity in kW will be the lesser of the sum of the nameplate charging capacity of each charger and the maximum simultaneous charging capacity, to the extent that there is a difference between the two.
[2] The sum of the maximum kW demands will be established based on the customer's load letter submitted at the time of customer's application for service, or further updated based on the customer either submitting a new load letter or based on a reevaluation of the Charging Ratio and program eligibility by the Company subsequent to the application for service.
[3] No Rebates will be calculated on surcharges or supply charges that are billed on a per kW of demand basis.

    - Customers participating in the Company's DCFC per-plug incentive ("PPI") program will have a one-time option to either continue participating in the PPI Program for the remainder of the customer's eligibility period or to begin receiving the Rebate.
    - The Rebate will remain available to eligible customers until such time as the EV Phase-In Rate Solution described in the Order is made available to customers.
- The Company has amended General Information Section No. 24.5 – Customers Exempt from Standby Service Rates to provide an exemption from being billed under Standby Service Rates to customers who install Electric Energy Storage to help manage the demand of EV charging load, with the Electric Energy Storage having inverter capability greater than 1 MW and less than or equal to the sum of nameplate EV charging capability (provided that such installations meet all other applicable interconnection and Standby Service requirements).
- The Company has added cost recovery provisions for the CMCP and the Rebate Program, including recovery of any incentive paid to customers, to General Information Section No. 16.9 – Electric Vehicle Make-Ready Surcharge ("EVMR") of the Electric Tariff. As proposed by the Company, CMCP and Rebate Program costs shall include carrying charges at the pre-tax weighted average cost of capital and such costs will be recovered commencing every February 1, over a one-year period.

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GENERAL INFORMATION

7. METERING AND BILLING (Continued)

7.21 ELECTRIC VEHICLE MANAGED CHARGING PROGRAM PARTICIPATION INCENTIVES

Participation incentives paid to customers under the Electric Vehicle Managed Charging Program, as described in the Managed Charging Implementation Plan filed by the Company in Case 18-E-0138, are set forth on the Statement of Managed Charging Participation Incentives.

The Statement of Managed Charging Participation Incentives shall be filed with the Commission, apart from this Schedule. Such statement shall be filed not less than thirty days prior to a proposed change in the participation incentives. Such participation incentives shall be designed so as to not exceed the sum of: (1) the difference between the SC No. 1 over 250 kWh block delivery rate and the off-peak SC No. 19 delivery rate; and (2) the difference between the forecast of the SC No. 1 Market Supply Charge and the forecast of the SC No. 19 off-peak Market Supply Charge. The Company may file with the Commission for approval of participation incentives that exceed such value.

7.22 PUBLIC DCFC DEMAND CHARGE REBATE

Demand billed customers with public electric vehicle direct current fast charging sites (“Public DCFC sites”) served under the Standard Rates of SC No. 2, 3, 9, 20, or 21 will be eligible for the Public DCFC Demand Charge Rebate (the “Rebate”) as follows.

To be eligible for the Rebate, a customer with a Public DCFC site is required to have a Charging Ratio of 50 percent or greater. The Company will calculate the Charging Ratio to determine eligibility as follows:

(A) For customers that separately meter the EV charging load, the Charging Ratio will be equal to 100 percent.

(B) For customers that do not separately meter the EV charging load, the Charging Ratio will be calculated as the ratio of the (i) the sum of the EV charging capacity in kW to (ii) the sum of the maximum kW demands of all loads that could occur simultaneously on the customer’s account.

The sum of the EV charging capacity in kW used in the Charging Ratio calculation will be the lesser of the sum of the nameplate charging capacity of each charger and the maximum simultaneous charging capacity, to the extent that there is a difference between the two.

The sum of the maximum kW demands as described herein will be established based on the customer’s load letter submitted at the time of customer’s application for service, or further updated as specified below.

GENERAL INFORMATION

7. METERING AND BILLING (Continued)

7.22 PUBLIC DCFC DEMAND CHARGE REBATE (Continued)

The Charging Ratio shall be determined at the time of application and shall remain the Charging Ratio until such time that the customer provides a new load letter revising the customer's electric load; however, the Company reserves the right to re-evaluate the Charging Ratio and program eligibility subsequent to application for service.

For eligible customers, the Rebate will be determined for each billing period as the product of: (i) the billed Delivery Charges – Demand Charge; (ii) the Charging Ratio; and (iii) 50 percent. The Rebate will be issued separately from the customer's bill.

The following customers shall be ineligible for the Rebate: (1) customers billed under Standby Service Rates; and (2) customers taking service under Rider B – Recharge New York (RNY) Program Rider, Rider C – Excelsior Jobs Program, or Rider H – Economic Development Rider.

Customers participating in the Company's DCFC per-plug incentive ("PPI") program will have a one-time option to either continue participating in the PPI Program for the remainder of the customer's eligibility period or to begin receiving the Rebate.

The Rebate will remain available to eligible customers until such time as the EV Phase-In Rate Solution as described in the Commission's orders in Case 22-E-0236 is made available to customers.

GENERAL INFORMATION

16. ADDITIONAL DELIVERY CHARGES AND ADJUSTMENTS (Continued)

16.9 ELECTRIC VEHICLE MAKE-READY SURCHARGE ("EVMR") (Continued)

(A) EVMR Costs (Continued)

(5) (Continued)

on the net-of-tax balances calculated at the pre-tax weighted average cost of capital, will be recovered over a period of 15 years.

(6) Commercial Managed Charging Program (“CMCP”) and Public DCFC Demand Charge Rebate Program: Costs related to: (1) the CMCP, including incentives paid to participants; and (2) the Public DCFC Demand Charge Rebate Program, including the rebates paid to participants described in General Information Section No. 7.22. CMCP and Public DCFC Demand Charge Rebate costs shall include carrying charges at the pre-tax weighted average cost of capital, that will be recovered over a subsequent one-year period.

(B) Determinations of EVMR Cost Recovery

EVMR Cost Recovery will be determined:

(1) annually, commencing with customer bills having a “from” date on or after February 1, 2021 with the first EVMR Surcharge recovering costs for the period July 16, 2020 through December 31, 2020 and each subsequent EVMR Surcharge recovering costs for the period January 1 through December 31 thereafter;

(2) for all but the Electric Vehicle Managed Charging Program costs described above in (A)(4), for each service classification or rate class in proportion to each class’ delivery revenues;

(3) for the Electric Vehicle Managed Charging Program costs described above in (A)(4), for SC No. 1 only;

GENERAL INFORMATION

16. ADDITIONAL DELIVERY CHARGES AND ADJUSTMENTS (Continued)

16.9 ELECTRIC VEHICLE MAKE-READY SURCHARGE ("EVMR") (Continued)

(B) Determinations of EVMR Cost Recovery (Continued)

(4) on a kWh basis for non-demand billed service classification groups or on a kW basis for demand billed service classification groups (for customers billed on Standby Service Rates the surcharge will be collected on a per kW of Contract Demand basis);

(5) with the rate per kWh or kW determined by dividing allocable costs by estimated billed kWh deliveries or kW demand over the collection period; and

(6) by reconciling the EVMR Surcharge at the end of each program year. Any over- or under-collection as a result of this reconciliation will be reflected in the following EVMR Surcharge.

(C) Statement of EVMR Surcharge

The EVMR Surcharge will be applicable to all delivery customers served under this Schedule, excluding customers served under Rider C.

The unit amounts to be collected will be shown on the Statement of EVMR Surcharge filed with the Public Service Commission apart from this Rate Schedule. Unless otherwise directed by the Commission, the Company will file each Statement no less than fifteen days before its effective date.

For purposes of billing, the EVMR Surcharge will be included with the Energy Cost Adjustment.

GENERAL INFORMATION

24. STANDBY SERVICE AND STANDBY SERVICE RATES (Continued)

24.5 OTHER PROVISIONS (Continued)

(C) Wholesale generators that take station service through the same bus bar as they supply the wholesale grid are eligible for Standby Service. For purposes of this section, same bus bar shall be defined as a common point of interconnection between the Company's systems and the customer's systems at the voltage level at which the customer takes service. Standby Service shall not apply in cases where the wholesale generator is operating and it supplies all of its electric needs "behind the meter" i.e., the energy does not pass through the point of interconnection between the Company's systems and the customer's systems.

(D) Billing for Customers with Designated Technologies, as defined below, is as follows.

For the purposes of this provision, Customers with Designated Technologies shall mean a customer who meets the following criteria:

(1) has a Contract Demand of 50 kW or greater and has on-site generation equipment having a total nameplate rating equal to more than 15 percent of the maximum potential demand served by all sources; and

(2) has an on-site generation facility that exclusively uses one or more of the following technologies and/or fuels: fuel cells, wind, solar thermal, photovoltaics, sustainably-managed biomass, tidal, geothermal, or methane waste with an in-service date between July 29, 2003 and May 31, 2023; or

(3) has an on-site generation facility that uses small, efficient types of combined heat and power ("CHP") generation that do not exceed 1 MW of capacity in aggregate, has an in service date between July 29, 2003 and May 31, 2021, and meets eligibility criteria that were approved in the order of the Commission, dated January 23, 2004, in Case 02-E0780; however, the maximum NOx emissions shall be 1.6 lb/MWh; or

(4) uses Electric Energy Storage with maximum capability up to and including 1 MW; or

(5) installs Electric Energy Storage to help manage the demand of EV charging load, with the Electric Energy Storage having inverter capability greater than 1 MW and less than or equal to the sum of nameplate EV charging capability (provided that such installations meet all other applicable interconnection and Standby Service requirements); or

GENERAL INFORMATION

24. STANDBY SERVICE AND STANDBY SERVICE RATES (Continued)

24.5 OTHER PROVISIONS (Continued)

(D) (Continued)

(6) installs new on-site CHP generating facility that commences service between May 31, 2015 and May 31, 2021, that uses greater than 1 MW, but not exceeding 15 MW of capacity in aggregate, and meets the efficiency and emissions criteria that were approved in the order of the Commission dated January 23, 2004 in Case 02-E-0780; however the maximum NOx emissions shall be 1.6 lb/MWh. These customers are also required to install, at the customer's expense, revenue grade, interval metering with telecommunications capability at their on-site facility.

The interval meter must be compatible with the Company's metering infrastructure, and the customer must provide and maintain all meter communications services. In cases where the Company is unable to read the meter through the customer provided telecommunications equipment, and the Company has determined that the problem is not caused by the Company's equipment, the customer will be assessed the charge outlined in the Metering and Communications Equipment section of this General Information Section. The Company may transfer the customer to Standby Service Rates for repeated failure to maintain the meter communications service.

Customers with Designated Technologies meeting criteria (D)(1), (D)(2), (D)(3), (D)(4), and (D)(5) above will be billed under their Otherwise Applicable Rate, unless the customer makes a one-time election in writing, no less than 30 days before commencing operation of their on-site generation facility, to be billed at the Standby Service Rates.

Customers with Designated Technologies meeting criteria (D)(6) above will be exempt from Standby Service Rates for a period of four years from the in-service date, unless they make a make a one-time election, in writing, prior to the end of the customer's four-year exemption period to be billed prospectively under Standby Service Rates.

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

(1) Customers that can demonstrate to the Company's satisfaction that they can economically isolate from the Company's system by installing and operating back-up generation at a lower cost than paying for Standby Service at the applicable Standby Service Rates, and would do so without the negotiated rate alternative;

(2) Customers that are currently isolated from the Company's system and rely on on-site generating facilities to meet their electrical requirements and would continue to do so without the negotiated rate alternative; and

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GENERAL INFORMATION

7. METERING AND BILLING (Continued)

7.21 ELECTRIC VEHICLE MANAGED CHARGING PROGRAM PARTICIPATION INCENTIVES

Participation incentives paid to customers under the Electric Vehicle Managed Charging Program, as described in the Managed Charging Implementation Plan filed by the Company in Case 18-E-0138, are set forth on the Statement of Managed Charging Participation Incentives.

The Statement of Managed Charging Participation Incentives shall be filed with the Commission, apart from this Schedule. Such statement shall be filed not less than thirty days prior to a proposed change in the participation incentives. Such participation incentives shall be designed so as to not exceed the sum of: (1) the difference between the SC No. 1 over 250 kWh block delivery rate and the off-peak SC No. 19 delivery rate; and (2) the difference between the forecast of the SC No. 1 Market Supply Charge and the forecast of the SC No. 19 off-peak Market Supply Charge. The Company may file with the Commission for approval of participation incentives that exceed such value.

7.22 PUBLIC DCFC DEMAND CHARGE REBATE

Demand billed customers with public electric vehicle direct current fast charging sites ("Public DCFC sites") served under the Standard Rates of SC No. 2, 3, 9, 20, or 21 will be eligible for the Public DCFC Demand Charge Rebate (the "Rebate") as follows.

To be eligible for the Rebate, a customer with a Public DCFC site is required to have a Charging Ratio of 50 percent or greater. The Company will calculate the Charging Ratio to determine eligibility as follows:

(A) For customers that separately meter the EV charging load, the Charging Ratio will be equal to 100 percent.

(B) For customers that do not separately meter the EV charging load, the Charging Ratio will be calculated as the ratio of the (i) the sum of the EV charging capacity in kW to (ii) the sum of the maximum kW demands of all loads that could occur simultaneously on the customer's account.

The sum of the EV charging capacity in kW used in the Charging Ratio calculation will be the lesser of the sum of the nameplate charging capacity of each charger and the maximum simultaneous charging capacity, to the extent that there is a difference between the two.

The sum of the maximum kW demands as described herein will be established based on the customer's load letter submitted at the time of customer's application for service, or further updated as specified below.

GENERAL INFORMATION

7. METERING AND BILLING (Continued)

7.22 PUBLIC DCFC DEMAND CHARGE REBATE (Continued)

The Charging Ratio shall be determined at the time of application and shall remain the Charging Ratio until such time that the customer provides a new load letter revising the customer's electric load; however, the Company reserves the right to re-evaluate the Charging Ratio and program eligibility subsequent to application for service.

For eligible customers, the Rebate will be determined for each billing period as the product of: (i) the billed Delivery Charges – Demand Charge; (ii) the Charging Ratio; and (iii) 50 percent. The Rebate will be issued separately from the customer's bill.

The following customers shall be ineligible for the Rebate: (1) customers billed under Standby Service Rates; and (2) customers taking service under Rider B – Recharge New York (RNY) Program Rider, Rider C – Excelsior Jobs Program, or Rider H – Economic Development Rider.

Customers participating in the Company's DCFC per-plug incentive ("PPI") program will have a one-time option to either continue participating in the PPI Program for the remainder of the customer's eligibility period or to begin receiving the Rebate.

The Rebate will remain available to eligible customers until such time as the EV Phase-In Rate Solution as described in the Commission's orders in Case 22-E-0236 is made available to customers.

GENERAL INFORMATION

16. ADDITIONAL DELIVERY CHARGES AND ADJUSTMENTS (Continued)

16.9 ELECTRIC VEHICLE MAKE-READY SURCHARGE ("EVMR") (Continued)

(A) EVMR Costs (Continued)

(5) (Continued)

on the net-of-tax balances calculated at the pre-tax weighted average cost of capital, will be recovered over a period of 15 years.

(6) Commercial Managed Charging Program ("CMCP") and Public DCFC Demand Charge Rebate Program: Costs related to: (1) the CMCP, including incentives paid to participants; and (2) the Public DCFC Demand Charge Rebate Program, including the rebates paid to participants described in General Information Section No. 7.22. CMCP and Public DCFC Demand Charge Rebate costs shall include carrying charges at the pre-tax weighted average cost of capital, that will be recovered over a subsequent one-year period.

(B) Determinations of EVMR Cost Recovery

EVMR Cost Recovery will be determined:

(1) annually, commencing with customer bills having a "from" date on or after February 1, 2021 with the first EVMR Surcharge recovering costs for the period July 16, 2020 through December 31, 2020 and each subsequent EVMR Surcharge recovering costs for the period January 1 through December 31 thereafter;

(2) for all but the Electric Vehicle Managed Charging Program costs described above in (A)(4), for each service classification or rate class in proportion to each class' delivery revenues;

(3) for the Electric Vehicle Managed Charging Program costs described above in (A)(4), for SC No. 1 only;

GENERAL INFORMATION

16. ADDITIONAL DELIVERY CHARGES AND ADJUSTMENTS (Continued)

16.9 ELECTRIC VEHICLE MAKE-READY SURCHARGE ("EVMR") (Continued)

(B) Determinations of EVMR Cost Recovery (Continued)

(4) on a kWh basis for non-demand billed service classification groups or on a kW basis for demand billed service classification groups (for customers billed on Standby Service Rates the surcharge will be collected on a per kW of Contract Demand basis);

(5) with the rate per kWh or kW determined by dividing allocable costs by estimated billed kWh deliveries or kW demand over the collection period; and

(6) by reconciling the EVMR Surcharge at the end of each program year. Any over- or under-collection as a result of this reconciliation will be reflected in the following EVMR Surcharge.

(C) Statement of EVMR Surcharge

The EVMR Surcharge will be applicable to all delivery customers served under this Schedule, excluding customers served under Rider C.

The unit amounts to be collected will be shown on the Statement of EVMR Surcharge filed with the Public Service Commission apart from this Rate Schedule. Unless otherwise directed by the Commission, the Company will file each Statement no less than fifteen days before its effective date.

For purposes of billing, the EVMR Surcharge will be included with the Energy Cost Adjustment.

GENERAL INFORMATION

24. STANDBY SERVICE AND STANDBY SERVICE RATES (Continued)

24.5 OTHER PROVISIONS (Continued)

(C) Wholesale generators that take station service through the same bus bar as they supply the wholesale grid are eligible for Standby Service. For purposes of this section, same bus bar shall be defined as a common point of interconnection between the Company's systems and the customer's systems at the voltage level at which the customer takes service. Standby Service shall not apply in cases where the wholesale generator is operating and it supplies all of its electric needs "behind the meter" i.e., the energy does not pass through the point of interconnection between the Company's systems and the customer's systems.

(D) Billing for Customers with Designated Technologies, as defined below, is as follows.

For the purposes of this provision, Customers with Designated Technologies shall mean a customer who meets the following criteria:

(1) has a Contract Demand of 50 kW or greater and has on-site generation equipment having a total nameplate rating equal to more than 15 percent of the maximum potential demand served by all sources; and

(2) has an on-site generation facility that exclusively uses one or more of the following technologies and/or fuels: fuel cells, wind, solar thermal, photovoltaics, sustainably-managed biomass, tidal, geothermal, or methane waste with an in-service date between July 29, 2003 and May 31, 2023; or

(3) has an on-site generation facility that uses small, efficient types of combined heat and power ("CHP") generation that do not exceed 1 MW of capacity in aggregate, has an in service date between July 29, 2003 and May 31, 2021, and meets eligibility criteria that were approved in the order of the Commission, dated January 23, 2004, in Case 02-E0780; however, the maximum NOx emissions shall be 1.6 lb/MWh; or

(4) uses Electric Energy Storage with maximum capability up to and including 1 MW; or

~~(4)~~(5) installs Electric Energy Storage to help manage the demand of EV charging load, with the Electric Energy Storage having inverter capability greater than 1 MW and less than or equal to the sum of nameplate EV charging capability (provided that such installations meet all other applicable interconnection and Standby Service requirements); or

GENERAL INFORMATION

24. STANDBY SERVICE AND STANDBY SERVICE RATES (Continued)

24.5 OTHER PROVISIONS (Continued)

(D) (Continued)

(~~5~~6) ~~(Continued)~~installs new on-site CHP generating facility that commences service between May 31, 2015 and May 31, 2021, that uses greater than 1 MW, but not exceeding 15 MW of capacity in aggregate, and meets the efficiency and emissions criteria that were approved in the order of the Commission dated January 23, 2004 in Case 02-E-0780; however the maximum NOx emissions shall be 1.6 lb/MWh. These customers are also required to install, at the customer's expense, revenue grade, interval metering with telecommunications capability at their on-site facility.

The interval meter must be compatible with the Company's metering infrastructure, and the customer must provide and maintain all meter communications services. In cases where the Company is unable to read the meter through the customer provided telecommunications equipment, and the Company has determined that the problem is not caused by the Company's equipment, the customer will be assessed the charge outlined in the Metering and Communications Equipment section of this General Information Section. The Company may transfer the customer to Standby Service Rates for repeated failure to maintain the meter communications service.

Customers with Designated Technologies meeting criteria (D)(1), (D)(2), (D)(3), ~~and~~ (D)(4), and (D)(5) above will be billed under their Otherwise Applicable Rate, unless the customer makes a one-time election in writing, no less than 30 days before commencing operation of their on-site generation facility, to be billed at the Standby Service Rates.

Customers with Designated Technologies meeting criteria (D)(~~5~~6) above will be exempt from Standby Service Rates for a period of four years from the in-service date, unless they make a make a one-time election, in writing, prior to the end of the customer's four-year exemption period to be billed prospectively under Standby Service Rates.

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

(1) Customers that can demonstrate to the Company's satisfaction that they can economically isolate from the Company's system by installing and operating back-up generation at a lower cost than paying for Standby Service at the applicable Standby Service Rates, and would do so without the negotiated rate alternative;

(2) Customers that are currently isolated from the Company's system and rely on on-site generating facilities to meet their electrical requirements and would continue to do so without the negotiated rate alternative; and