

PSC NO. 220 ELECTRICITY \_\_\_\_\_ LEAF: 263.12  
 NIAGARA MOHAWK POWER CORPORATION \_\_\_\_\_ REVISION: 56  
 INITIAL EFFECTIVE DATE: JUNE 1, 2020 MAY, 1 2021 SUPERSEDING REVISION: 45  
 STAMPS: Issued in Compliance with Order issued April May 1 46, 2020 1 in Cases 14-E-0423 and 15-E-0189.

#### GENERAL INFORMATION

#### 61. DISTRIBUTION LOAD RELIEF PROGRAM (Continued)

61.4.3 The Company will install interval metering within 21 business days of the later of the Company's receipt of an applicant's payment for an upgrade to interval metering and: (i) evidence that a request has been made to the telephone carrier (e.g., receipt of a job number) to secure a dedicated phone line for a meter with landline telecommunications capability or (ii) the active Internet Protocol ("IP") address that the wireless carrier has assigned to the modem's ESN for a meter with wireless capability. If the Company misses the installation timeframe for the Reservation Payment Option, it will make a "Lost Reservation Payment" to the Direct Participant or Aggregator, unless the meter delay was caused by a reason outside the Company's control, such as the telephone company's failure to install a landline or, if, at the Company's request, the Commission grants the Company an exception due to a condition such as a major outage or storm. A Lost Reservation Payment will be calculated by determining the number of months between the earliest month in which the customer could have begun participation had the meter been installed within the required timeframe (assuming the Company's acceptance of a completed application and receipt of payment for the meter upgrade) and the first month following the completed installation, and multiplying that number by the pledged kW and associated per-kW Reservation Payment Rate.

61.4.4 The customer shall be responsible for all metering and communication devices and associated costs as prescribed above and in accordance with Rule 25 of the Tariff.

#### 61.5 Applications and Terms of Service

61.5.1 Customers must enroll by completing Form DLRP or its equivalent to participate in this Program. Direct Participants and Aggregators may participate after the Company's receipt of a completed application and written or electronic notification from the Company of application acceptance. The Company will accept applications by April 1 for a May 1 commencement date, and by May 1 for a June 1 commencement date. ~~For the 2020 Capability Period only, customers may also enroll by June 1, 2020 for a July 1, 2020 commencement date.~~ If the Company does not bill the participant monthly using interval metering at the time of application, participation in the Reservation Payment Option will not commence unless both interval metering and communications are operational. If the Company receives a completed application by April 1, service can commence on May 1 if the interval metering is installed by April 1 and meter communications are operational by April 30. If the Company receives a completed application by May 1, service can commence on June 1 if the interval metering is installed by May 1 and meter communications are operational by May 31. If the application is received by May 1, but the above deadlines for installation of interval metering and meter communications are not met, service will commence on July 1 provided the interval metering is installed by June 1 and meter communications are operational by June 30. ~~For the 2020 Capability Period only, customers enrolling by June 1, 2020 for a July 1, 2020 commencement date for participation in the Reservation Payment Option must have interval metering installed by June 30, 2020 but may participate if~~ If communications are not yet installed and operational, customers may still participate subject to the customer not receiving Performance Payments until such communications equipment is installed and operational. The customer is responsible for establishing communication service. If communication service is not established and When interval meter data is not available during an event, zero kWh of Load Relief will be assumed. If communications are not established during the entire Capability Period, the performance will be set to zero, and the customer will not receive any credit for performance.

61.5.1.1 The desired commencement month must be specified in the application.

61.5.1.2 Applications will not be accepted after the specified date for participation during the current Capability Period. Where the first of the month falls on a weekend or holiday applications will be accepted until the first business day thereafter.

~~61.5.1.3 The Company will accept applications for participation in the Voluntary Participation Option at any time provided the metering and communications requirements specified in 61.4 are met.~~

PSC NO. 220 ELECTRICITY \_\_\_\_\_ LEAF: 263.13  
NIAGARA MOHAWK POWER CORPORATION \_\_\_\_\_ REVISION: ~~56~~  
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#### GENERAL INFORMATION

#### 61. DISTRIBUTION LOAD RELIEF PROGRAM (Continued)

61.5.1.3 The Company will accept applications for participation in the Voluntary Participation Option at any time provided the metering and communications requirements specified in 61.4 are met.

~~61.5.2~~ A Direct Participant or Aggregator may apply in writing to change the CBL Verification Methodology, to change the kW of pledged Load Relief, or to terminate service under this Program for the upcoming Capability Period provided the request is received prior to commencing participation for that Capability Period. For the ~~2020-2021~~ Capability Period, existing Direct Participants or Aggregators may apply in writing to change the kW of pledged Load Relief by June 1, 2020~~1~~ to be effective July 1, 2020~~1~~. In cases where the updated pledged Load Relief is less than the original pledged Load Relief for the 2021 Capability Period, the updated new-pledged Load Relief value will be applied retroactively and used in place of the original pledged Load Relief for all Reservation Payment calculations during the 2021 Capability Period.

~~61.5.2.1 With the exception of the 2020 Capability Period, as specified above, an~~ With the exception of the 2021 Capability Period, as specified above, Aan Aggregator may increase its kW of pledged Load Relief during a Capability Period only if it enrolls customers whose Aggregator either exits the Program or is suspended from enrollment in the Program for noncompliance with Aggregator eligibility requirements or the Company's operating procedures. In such case, the Aggregator may increase its pledged Load Relief up to the amount of the transferred customers' existing kW of pledged Load Relief.

61.5.3 Each application must state the kW of Load Relief that the Direct Participant or Aggregator contracts to provide for the Load Relief Period. The weather-adjusted CBL will be used as the CBL Verification Methodology for each account number enrolled, unless the application specifies that the average-day CBL is to be used or an approved alternate CBL, for verification of performance. A single CBL Verification Methodology will be used for each customer to assess both demand (kW) and energy (kWh) Load Relief.

61.5.4 If a Direct Participant or Aggregator requests to operate Electric Generating Equipment for Load Relief purposes under this Program, the application must state generator information, including the unit serial number(s), nameplate rating(s), manufacturer(s), and date(s) of manufacture, and meet the Company's requirements for interconnection of such equipment. Furthermore, participants enrolled in a NYISO market-based program, such as the Day-ahead Demand Response Program or the Demand-Side Ancillary Service Program, must provide the Company with their NYISO generator identification number(s), under a confidentiality agreement, and give the Company the ability to view their market participation activity. This information will be used to verify the times of participation in these other programs to prevent double-payment during concurrent events.

61.5.5 Direct Participants and Aggregators must meet the metering requirements specified in Rule 61.4.

#### ~~61.6~~ Administrative Review

~~61.6.1 The Company reserves the right to review records and/or operations of any Direct Participant, Aggregator, or customer of an Aggregator to verify enrollment information and performance associated with any designated Load Relief Period or event called by the Company.~~

~~Once the Company initiates a data review, all payments will be suspended pending the outcome of the review. The Company shall make reasonable efforts to complete its review within 30 days of receipt of all requested data, but no later than December 31 of the calendar year of the Capability Period under review. Any suspended payments will be reinstated if the Company's review of the data results in a finding that the enrollment and performance information are correct.~~

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SUPERSEDING REVISION:

STAMPS: Issued in Compliance with Order issued April 16, 2021 in Cases 14-E-0423 and 15-E-0189.

GENERAL INFORMATION

61. DISTRIBUTION LOAD RELIEF PROGRAM (Continued)

61.6 Administrative Review

61.6.1 The Company reserves the right to review records and/or operations of any Direct Participant, Aggregator, or customer of an Aggregator to verify enrollment information and performance associated with any designated Load Relief Period or event called by the Company. Once the Company initiates a data review, all payments will be suspended pending the outcome of the review. The Company shall make reasonable efforts to complete its review within 30 days of receipt of all requested data, but no later than December 31 of the calendar year of the Capability Period under review. Any suspended payments will be reinstated if the Company's review of the data results in a finding that the enrollment and performance information are correct.

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## GENERAL INFORMATION

### 61. DISTRIBUTION LOAD RELIEF PROGRAM (Continued)

61.8.5.3 The Performance Factor, when a Test Event is called, is the ratio of i) the kW of Load Relief provided by the Direct Participant or Aggregator during the test hour and ii) the kW of contracted Load Relief.

61.8.5.4 When more than one Planned Event and/or Test Event is called during the month, the average of the Performance Factors of all events for a Direct Participant or Aggregator is the Performance Factor for that month.

61.8.5.5 Direct Participants and Aggregators may increase the kW of contracted Load Relief in subsequent Capability Periods above their previously contracted kW of Load Relief, provided their most recent Performance Factor was 1.00. The Performance Factor is rounded to two decimal places.

61.8.5.6 If, during the prior Capability Period, an Aggregator did not participate in this Program or if a Direct Participant either did not participate in this Program or participated in this Program through an Aggregator, the Performance Factor will be set to 0.5 in the current Capability Period and will remain at that level until the first month in which a Load Relief Period or Test Event is called. The Performance Factor determined for that month will be applied retroactively, starting with the enrollment month, to true-up the Reservation Payments for the prior month(s).

61.8.6 Application of Payments - Reservation Payments, Performance Payments and Penalties under this Rule 61.8 will be calculated on a monthly basis. Payments will be made by bill credit, check, or wire transfer. Payments will be made within seventy-five (75) days following the end of the applicable Load Relief month.

#### 61.8.7 Testing:

61.8.7.1 Once during each Capability Period, the Company may require a Direct Participant or Aggregator to participate in a Test Event, for a period not to exceed one hour, commencing at a time determined solely at the Company's discretion. The Company will give at least two hours advance notice of the Test Event. ~~For the 2020 Capability Period the Company will not require a Test Event until July 1, 2020 or thereafter.~~

61.8.7.2 The Company will make a payment for one hour of energy for the Load Relief achieved up to the contracted amount, as specified in section 61.8.4.

### 61.9 Voluntary Participation Option

#### 61.9.1 Payments

61.9.1.1 Except as specified in Rule 61.9.2, the Company will make Performance Payments to a Direct Participant or Aggregator participating in the Voluntary Participation Option for Load Relief provided during a designated Load Relief Period.

61.9.1.2 The Performance Payment amount paid per event is equal to the applicable Payment Rate for the Voluntary Participation Option multiplied by the average hourly kWh of Load Relief provided during the event multiplied by the number of event hours.

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## GENERAL INFORMATION

### 62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

“Planned Event” is the Company’s request, on not less than 21 hours’ advance notice, for Load Relief during the Contracted Hours. Planned Events may be called when the Company’s day-ahead forecasted load level is at least 92 percent of the Company’s forecasted summer system-wide peak.

“Test Event” refers to the Company’s request under the Reservation Payment Option specified in Rule 62.9 for Direct Participants and Aggregators to provide one hour of Load Relief, within the four-hour span of Contracted Hours, on not less than 21 hours’ advance notice.

“Reservation Payment Option” customers who enroll under this option agree to provide a specified amount of load reduction during demand response events, and will receive a set dollar per kilowatt (kW) payment per month for the summer capability period, regardless of whether or not the utility calls its demand response program.

“Unplanned Event” is the Company’s request for Load Relief: (a) on less than 21 hours’ advance notice; or (b) for hours outside of the Contracted Hours.

“Voluntary Participation Option” is the payment option the customer will be enrolled in if they do not elect to participate under the “Reservation Payment Option.” Customers will only receive payment for actual load reductions during demand response events under this option.

#### 62.3 Applications and Term of Service

62.3.1 Customers must enroll by completing Form CSRP to participate in this Program. Direct Participants and Aggregators may participate after the Company’s receipt of a completed application and written notification from the Company of application acceptance. The Company will accept applications by April 1 for a May 1 commencement date, and by May 1 for a June 1 commencement date. ~~For the 2020 Capability Period only, customers may also enroll by June 1, 2020 for a July 1, 2020 commencement date.~~ If the Company does not bill the participant monthly using interval metering at the time of application, participation in the Reservation Payment Option will not commence unless both interval metering and communications are operational. If the Company receives a completed application by April 1, service can commence on May 1 if the interval metering is installed by April 1 and meter communications are operational by April 30. If the Company receives a completed application by May 1, service can commence on June 1 if the interval metering is installed by May 1 and meter communications are operational by May 31. If the application is received by May 1, but the above deadlines for installation of interval metering and meter communications are not met, service will commence on July 1 provided the interval metering is installed by June 1 and meter communications are operational by June 30. ~~For the 2020 Capability Period only, customers enrolling by June 1, 2020 for a July 1, 2020 commencement date for participation in the Reservation Payment Option must have interval metering installed by June 30, 2020 but may participate i~~ If communications are not yet installed ~~and operational, customers may still participate~~ subject to the customer not receiving Performance Payments until such communications equipment is installed and operational. ~~The customer is responsible responsible for establishing communication service. If communication service is not established and~~ When interval meter data is not available during an event then zero kWh of Load Relief will be assumed. ~~If communications are not established during the Capability Period, the performance will be set to zero, and the customer will not receive any credit for performance.~~



~~62.3.1.1 The desired commencement month must be specified in the application.~~

~~62.3.1.2 Applications will not be accepted after the specified date for participation during the current Capability Period. Where the first of the month falls on a weekend or holiday applications will be accepted until the first business day thereafter.~~

~~62.3.1.3 The Company will accept applications for participation in the Voluntary Participation Option at any time provided the metering and communications requirements specified in 62.5 are met.~~

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GENERAL INFORMATION

62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

62.3.1.1 The desired commencement month must be specified in the application.

62.3.1.2 Applications will not be accepted after the specified date for participation during the current Capability Period. Where the first of the month falls on a weekend or holiday applications will be accepted until the first business day thereafter.

62.3.1.3 The Company will accept applications for participation in the Voluntary Participation Option at any time provided the metering and communications requirements specified in 62.5 are met.

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## GENERAL INFORMATION

### 62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

62.3.2 A Direct Participant or Aggregator may apply in writing to change the CBL Verification Methodology, to change the kW of pledged Load Relief, or to terminate service under this Program for the upcoming Capability Period provided the request is received prior to commencing participation for that Capability Period. For the 2021~~9~~ Capability Period, existing Direct Participants or Aggregators may apply in writing to change the kW of pledged Load Relief by June 1, 2021~~9~~ to be effective July 1, 2021~~9~~. ~~—In cases where the updated pledged Load Relief is less than the original pledged Load Relief for the 2021 Capability Period, the updated new-pledged Load Relief value will be applied retroactively and used in place of the original pledged Load Relief for all Reservation Payment calculations during the 2021 Capability Period.~~

62.3.2.1 ~~With the exception of the 2020 Capability Period as specified above, an~~ With the exception of the 2021 Capability Period, as specified above, An Aggregator may increase its kW of pledged Load Relief during a Capability Period only if it enrolls customers whose Aggregator either exists the Program or is suspended from enrollment in the Program for noncompliance with Aggregator eligibility requirement or the Company's operating procedures. In such case, the Aggregator may increase its pledged Load Relief up to the amount of the transferred Customers' existing kW of pledged Load Relief.

62.3.3 Each application must state the kW of Load Relief that the Direct Participant or Aggregator contracts to provide for the Contracted Hours. The weather-adjusted CBL will be used as the CBL Verification Methodology for each account enrolled, unless the application specifies that the average-day CBL, or an alternate proposed CBL, is to be used for verification of performance. A single CBL Verification Methodology will be used for each customer to assess both energy (kWh) and demand (kW) Load Relief.

62.3.4 If a Direct Participant or Aggregator requests to operate Electric Generating Equipment for Load Relief purposes under this Program, the application must state generator information, including the unit's nameplate rating, manufacturer, date of manufacture, fuel type or energy source, the kW enrolled using this equipment, and identification as to whether the unit incorporates three-way catalyst emission controls (natural gas-fired rich-burn engine), a natural gas lean-burn engine of model year vintage 2000 or newer, or a diesel-fired engine of model year vintage 2000 or newer, or whether it has a NOx emission level of no more than 2.96 lb/MWh.

62.3.4.1 If the generating equipment has a NOx emission level of no more than 2.96 lb/MWh, but is not natural gas-fired rich-burn generating equipment that incorporates three-way catalyst emission controls, a natural gas lean-burn engine of model year vintage 2000 or newer, or a diesel-fired engine of model year vintage 2000 or newer, written certification by a professional engineer registered in the State of New York must be attached to the application attesting to the accuracy of all generation-related information contained in the application, including the NOx emission level.

~~62.3.4.2 A copy of the required New York State Department of Environmental Conservation ("DEC") permit or registration must be included with the application or provided to the Company within seven days of applying for participation in this Program. If the permit or registration has not yet been issued, a copy of the application to the DEC for the required permit or registration may instead be submitted; provided, however, that a copy~~

~~of the actual DEC permit or registration must be submitted before commencing service under this Program Rider.~~

~~62.3.4.3 By applying for service under this Program, Direct Participants and Aggregators (on behalf of their customers) agree to permit the Company to provide information regarding the Electric Generating Equipment to the DEC for its review, subject to the DEC's agreement to keep this information confidential.~~

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GENERAL INFORMATION

62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

62.3.4.2 A copy of the required New York State Department of Environmental Conservation ("DEC") permit or registration must be included with the application or provided to the Company within seven days of applying for participation in this Program. If the permit or registration has not yet been issued, a copy of the application to the DEC for the required permit or registration may instead be submitted; provided, however, that a copy of the actual DEC permit or registration must be submitted before commencing service under this Program Rider.

62.3.4.3 By applying for service under this Program, Direct Participants and Aggregators (on behalf of their customers) agree to permit the Company to provide information regarding the Electric Generating Equipment to the DEC for its review, subject to the DEC's agreement to keep this information confidential.

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#### GENERAL INFORMATION

#### 62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

##### 62.9.1.3 Performance Payment for Participation during Unplanned Events

62.9.1.3.1 Except as provided in Rule 62.8, a Direct Participant or Aggregator will receive payment for performance during each Unplanned Event, provided the Company can verify that the Direct Participant or Aggregator provided Load Relief.

62.9.1.3.2 The performance payment amount paid is equal to the performance payment rate in dollars per kWh multiplied by the sum of the actual load relief provided for the hours of the Unplanned Event.

##### 62.9.1.3.3 Performance Factor

62.9.1.3.3.1 When more than one Planned Event and/or Test Event is called during the month, the average of the Performance Factors of all events for a Direct Participant or Aggregator is the Performance Factor for that month.

##### 62.9.1.3.4 Application of Payments

62.9.1.3.4.1 Reservation Payments, Performance Payments, and Penalties under this Rule 62.9 will be calculated on a monthly basis. Payments will be made by bill credit, check, or wire transfer. Payments will be made within seventy-five (75) days following the end of the applicable Load Relief month.

##### 62.9.1.3.5 Testing

62.9.1.3.5.1 The Company may require a Direct Participant or Aggregator to participate in one or more Test Events, each for a period not to exceed one hour, commencing at a time determined solely at the Company's discretion, but within the Contracted Hours. ~~For the 2020 Capability Period, the Company will not require a Test Event until July 1, 2020 or later.~~

62.9.1.3.5.2 The Company will make a payment for one hour of energy for the Load Relief achieved up to the contracted amount, as specified above in Rule 62.9.1.2.