

PSC NO: 219 GAS  
NIAGARA MOHAWK POWER CORPORATION  
INITIAL EFFECTIVE DATE: 01/01/12

LEAF: 122.8  
REVISION: 5  
SUPERSEDING REVISION: 4

## GENERAL INFORMATION

### 35. INCREMENTAL STATE ASSESSMENT SURCHARGE (continued):

- 35.1.2 Recoveries resulting from the Incremental State Assessment Surcharge shall be reconciled as determined in Case 09-M-0311, "Implementation of Chapter 59 of the Laws of 2009 Establishing a Temporary Annual Assessment Pursuant to PSL §18-a(6)".
- 35.1.3 The surcharge shall be set forth on the Statement of Incremental State Assessment Surcharge. Every statement shall be filed not less than fifteen (15) business days before the date on which the statement is proposed to be effective.

### 36. NYSERDA LOAN INSTALLMENT PROGRAM

- 36.1 On August 4, 2011, the Power NY Act of 2011 was enacted which amends the Public Service Law to address the establishment of the Green Jobs-Green New York Program administered by the New York State Energy Research and Development Authority ("NYSERDA") or its designated agent. This program provides for an on-bill recovery mechanism for certain qualified residential and non-residential customers to pay back loans for energy efficiency improvements approved and obtained through NYSERDA ("NYSERDA Loan Installment Program"). As set forth in this law, the Company will bill and collect NYSERDA Loan Installment amounts on a customer's utility bill when notified by NYSERDA that these NYSERDA Loan Installments apply to the customer's utility account. Unless otherwise precluded by law, participation in the NYSERDA Loan Installment Program shall not affect a customer's eligibility for any rebate or incentive offered by the Company. In order to comply with the requirements set forth in the Power NY Act of 2011, the Company will provide NYSERDA, or its agents, certain customer information and take other actions for purposes of the NYSERDA Loan Installment Program. The Company will implement the NYSERDA Loan Installment Program no later than May 30, 2012.
  - 36.1.1 All customer information released to NYSERDA by the Company will be considered confidential. Customers making application to NYSERDA under the NYSERDA Loan Installment Program will be required to provide consent for NYSERDA's use of the customer's utility account information. For premises with an outstanding NYSERDA Installment Loan, the Company will release to NYSERDA each successor customer's information pursuant to the requirements of the Power NY Act of 2011.
  - 36.1.2 The number of customers that may participate in the NYSERDA Loan Installment Program under this Rule will initially be limited to no more than one-half of one percent of the Company's total 2011 customer population as reported to the Commission in the Company's PSC Annual Report, as of December 31, 2011, on a first-come, first-served basis.
- 36.2 NYSERDA will have direct responsibility for advising the Company of the NYSERDA Loan Installment amount and loan term in months to be billed for each customer NYSERDA has advanced monies under the NYSERDA Loan Installment Program. The responsibility of the Company is limited to providing billing and collection services for NYSERDA. Such billing and collection services will be available regardless of whether the electricity or gas delivered by the Company is the customer's primary energy

Issued by Kenneth D. Daly, President, Syracuse, NY