

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

LEAF: 122.8
REVISION: 3
SUPERSEDING REVISION: 2

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 New York State Energy Research and Development Authority ("NYSERDA") or its designated agent. This program provides for an on-bill recovery mechanism, the NYSEDA Loan Installment Program, for certain residential and non-residential customers to pay back loans for energy efficiency improvements approved and obtained through NYSEDA. As set forth in this law, the Company will bill NYSEDA Loan Installment amounts on a customer's utility bill when notified by NYSEDA that these loan installments apply to the customer's utility account. The NYSEDA Loan Installment Program is available through NYSEDA for owners of properties who have primary account meter responsibility and meet eligibility standards established by NYSEDA. In order to comply with the requirements set forth in the Power NY Act of 2011, the Company will provide NYSEDA, or its agents, certain customer information and take other actions for purposes of the NYSEDA Loan Installment Program. The Company will implement the NYSEDA Loan Installment Program no later than May 30, 2012.
 - 36.1.1 All customer information released to NYSEDA by the Company will be considered confidential. Customers making application to NYSEDA under the NYSEDA Loan Installment Program will be required to provide consent for NYSEDA's use of the customer's utility account number.
 - 36.1.2 The number of customers that may participate in the NYSEDA Loan Installment Program under this Rule will initially be limited to no more than one-half of one percent of the Company's total customers on a first-come, first-served basis. This initial limit may be modified over time by the Commission.
- 36.2 NYSEDA will have direct responsibility for advising the Company of the NYSEDA Loan Installment amount and loan term in months to be billed for each customer NYSEDA has advanced monies under the NYSEDA Loan Installment Program. The Company will commence charging the NYSEDA Loan Installment on the customer's next cycle bill for utility service after notification by NYSEDA, if practical, but not later than the second billing cycle after receipt of the notification. For each monthly period billed, the Company will include the monthly NYSEDA Loan Installment amount until the loan is satisfied or the account is closed. A monthly billing period will be defined as any billing period of not less than twenty-five calendar days.
 - 36.2.1 Only one NYSEDA Loan Installment can exist on a customer's utility account. Should the customer enter into an additional NYSEDA Loan Installment agreement, NYSEDA will replace the current NYSEDA Loan Installment on the account with a new

Issued by Thomas B. King, President, Syracuse, NY