

PSC NO: 8 GAS
NATIONAL FUEL GAS DISTRIBUTION CORPORATION
INITIAL EFFECTIVE DATE: 06/01/12
ISSUED IN COMPLIANCE WITH ORDER IN CASE NO. 11-M-0542 DATED 12/09/11.

LEAF: 162
REVISION: 2
SUPERSEDING REVISION: 1

SERVICE CLASSIFICATION No. 3

GENERAL - Continued

RIDER

(to Service Classification No. 3)

Economic Development Zone and Excelsior Program Rate

Economic Development Zone rates are available to Customers qualified to receive such rates before implementation of the Excelsior Program. Excelsior Program rates are available to an existing or new customer upon notification of the customer certification of eligibility to the Company. Such applicant shall meet the necessary qualifications listed below:

TERM -

To become effective on the first day of the next billing cycle following qualification and acceptance by the Company and to continue during the qualification period for a maximum of ten (10) years. Excelsior Program customers shall require an annual certification of eligibility as defined in Article 17 of the Economic Development Law and such certification will end no later than fifteen months after receipt of such notification.

QUALIFICATIONS -

1. Facility

The following shall be considered a "qualified facility":

- a. a newly constructed facility;
- b. an existing facility that has been purchased or leased and has been vacant for at least six (6) months;
or
- c. an expansion of an existing facility; AND
- d. the facility is located within an area that has been certified under the New York State Economic Development Zones Act as an economic development zone and the customer is certified by New York State and continues to be certified as being eligible for this rate pursuant to Article 18 - B of the New York State General Municipal Law. The Excelsior program participation is subject to conditions defined in Article 17 of the Economic Development Law and provisions under Section 31 of the tax law provisions for the excelsior jobs program.

2. Gas Usage

a. New Customers

The gas consumed by an applicant at a qualifying facility shall be eligible for this rate if it is demonstrated that the facility will have gas consumption in excess of 1,200 Mcf per year.

b. Existing Customers

Incremental gas consumed by an applicant at a qualifying facility shall be eligible for this rate provided that the incremental load is 20% greater than the applicant's prior year's normalized load or 1,200 Mcf per year, whichever is less. However, such incremental gas usage shall not qualify unless the incremental load totals at least 600 Mcf per year. To determine qualifying

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