

PSC No: 20 - Electricity
Rochester Gas and Electric Corporation
Initial Effective Date: June 1, 2003

Leaf No. 54
Revision: 0
Superseding Revision:

GENERAL INFORMATION

PART II - RULES AND REGULATIONS

5. BILLING AND PAYMENT (Cont'd)

D. PAYMENT (Cont'd)

(3) **Application of Payment**

Unless otherwise agreed to by the Distribution Provider and the Distribution Company or Direct Customer, payments will be applied to arrears first and then to current charges.

(4) **Failure to Make Payment**

Upon failure of the Distribution Customer or Direct Customer to make any payment when due, the Distribution Provider may draw down on any security that may be available as described in Rule 2.A.6.

E. REVENUE SURCHARGE AND SALES TAXES

(1) **Revenue Surcharge**

The rates and charges for service under all service classifications, including minimum charge, shall be increased by the effective aggregate percentage rate based on the aggregate percentage rate of the taxes imposed on the Distribution Provider's electric revenues pursuant to Sections 210 and 186-a of the Tax Law; Section 20-b of the General City Law; and Section 5-530 of the Village Law, and billed accordingly to the Distribution or the Direct Customer. These surcharges are subdivided into rates applicable to revenues from (1) transportation, (2) commodity and (3) net income.

The applicable aggregate percentage rate and surcharge factor shall be set forth on statements filed with the PSC. Whenever a city or village levies a new tax on the Distribution Provider's gross revenue, repeals such a tax or changes the rate of such a tax, the Distribution Provider will file a new statement. Every such statement shall be filed not less than fifteen (15) business days before the date on which it is proposed to be effective, and no sooner than the date of the tax enactment to which the statement responds; shall become effective no sooner than the date when the tax enactment is filed with the Secretary of State; shall be applicable to bills subject to the tax enactments that are rendered on or after the effective date of the statement; and shall be canceled not more than five (5) business days after the tax enactment either ceases to be effective or is modified so as to reduce the tax rate. Such statements will be duly filed with the PSC, apart from this rate schedule, and will be available to the public at Distribution Provider offices at which applications for service may be made.

The effective aggregate percentage rate is computed as follows:

$$\frac{\text{tax imposed (\%)}}{1 - \text{taxes imposed (\%)}}$$

(2) **Sales Taxes**

The Distribution Provider will bill to the Distribution Customer all applicable state and local sales taxes on the products and services sold under this Tariff to the Distribution Customer. The Distribution Customer must also comply with all applicable state and local tax regimes.

ISSUED BY: James A. Lahtinen, Vice President Rates and Regulatory Economics, Rochester, New York