

PSC NO: 9 GAS
COMPANY: CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
INITIAL EFFECTIVE DATE: 09/23/04

LEAF: 154.3
REVISION: 2
SUPERSEDING REVISION: 1

GENERAL INFORMATION - Continued

VI. Service Classification Riders (Available on Request) - Continued

RIDER H

Applicable to Service Classification Nos. 2 and 9
(Subject to the provisions thereof)

Distributed Generation Rate

(C) Eligibility:

A Customer's initial and continued eligibility for service hereunder shall be contingent upon the Customer maintaining an Annual Load Factor of at least 50 percent for its gas usage.

For purposes of determining a Customer's initial eligibility for service under this Rider, the Customer shall provide the Company with a reasonable estimate of the Customer's Annual Gas Usage and Winter Peak Day Gas Usage during the first year of operation of the Customer's Distributed Generation Facility, with the first year commencing after a three-month start-up phase.

Such estimate shall be submitted on a form (as contained in the Supplementary Application Form for Service Under Rider H included in General Information Section XI of this Gas Schedule) provided by the Company that is completed and signed by a Professional Engineer retained by the Customer. In the event the Customer does not submit the required information, the Company will estimate the Customer's Annual Load Factor using the best available information. A Customer may be denied service if the Customer fails to supply adequate information required to establish initial eligibility for service hereunder.

The Customer's Annual Load Factor shall be computed after the first fifteen monthly billing periods hereunder (based on the most recent twelve-month billing period) and annually thereafter for the purpose of determining continued eligibility. A Customer whose annual load factor falls below 50 percent will become ineligible for service under this Rider for one year and will be notified in writing to this effect. Such notification will also stipulate that the customer must elect to be transferred to and billed for all gas usage recorded thereafter at the rates and charges of the Customer's otherwise applicable firm, interruptible or off-peak firm Service Classification, and that such election be made within 15 days of receipt of such notification. A Customer who fails to make an election will be deemed to have elected firm service. In instances where the Customer can demonstrate to the Company's satisfaction that the Customer experienced conditions at its facility that prevented the Customer from maintaining an Annual Load Factor of at least 50 percent and that such conditions were beyond the customer's control, the Company may, at its sole discretion, continue to allow the Customer to take service under Rider H or to return to service under Rider H in less than one year. Such allowance will be contingent on the customer reasonably demonstrating to the Company's satisfaction that the condition(s) that prevented the Customer from maintaining an Annual Load Factor of at least 50 percent has been corrected and/or is not likely to recur in the next applicable annual determination period.

(General Information - Continued on Leaf No. 154.4)

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(Name of Officer, Title, Address)