

**PSC NO: 9 GAS**

LEAF: 310

**CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.**

REVISION: 5

INITIAL EFFECTIVE DATE: 08/01/05

SUPERSEDING REVISION: 4

STAMPS: Issued in compliance with order in Case 03-G-1671 dated September 27, 2004

**SERVICE CLASSIFICATION NO. 9 - Continued****TRANSPORTATION SERVICE - Continued****Capacity Release Service - Continued****(C) Capacity Release Quantity - Continued**

For a Capacity Release Seller serving a Customer taking Daily Delivery Service, in addition to the requirements specified above, the Seller shall present documentation to the Company (in accordance with the requirements set forth in the Sales and Transportation Operating Procedures Manual) by October 1, 2001, 2002 and 2003, that there is in place one or more executed transportation contract(s) with one or more interstate pipeline(s) for transportation or storage and associated transportation to the Citygate dedicated to deliveries for the Customer's account for each Winter Period for the difference between the highest anticipated Daily Load Quantity the Customer is required to deliver and the daily quantities specified in the foregoing paragraphs. The highest anticipated Daily Load Quantity shall be determined by the Company on the basis of the Customer's historical usage and design weather conditions. Such transportation and storage must be non-recallable firm with primary delivery point capacity from the source of gas supply to the Citygate. For the Extended One-Year Capacity Release Service, Capacity Release Sellers must provide the above-described documentation by October 1, 2004 in accordance with the requirements set forth in Third Party Capacity and the Sales and Transportation Operating Procedures Manual for the Winter Period (November 2004 – March 2005).

Seller's demonstration of firm transportation requirements shall include submission of a completed Con Edison Affidavit of Firm Transportation and other supporting documentation as set forth in subsection (A) (2) of the Character of Service section of this Service Classification.

In instances where the Capacity Release Seller's load increases during the Winter Period, and such increases will not be served with capacity provided by the Company, pursuant to this Capacity Release Service, the Capacity Release Seller must obtain capacity from third parties in accordance with Third Party Capacity and comply with the documentation requirements set forth above by the first day of the calendar month following such increase.

**(Service Classification No. 9 - Continued on Leaf No. 311)****Issued By: ~~Joan S. Freilich, Executive Vice President & Chief Financial Officer, 4 Irving Place, New York, N. Y. 10003~~**

(Name of Officer, Title, Address)