

**PSC NO: 9 GAS**

LEAF: 309

**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:**

A Capacity Release Seller may receive any quantity up to the Company's estimate of the MDQ's of Seller's firm transportation customers as of November 1, 2001, subject to the restrictions prescribed in sub-section (A) of this Capacity Release Service Section. The MDQ for each of the Capacity Release Seller's firm transportation customers is equal to:

- (a) For a Customer taking the Load Following Service or Daily Delivery Service, the historical average daily quantity during the Customer's Winter peak month.
- (b) For a Customer taking the Daily Cashout Service, the Customer's historical peak day quantity during the Winter Period.

If a Capacity Release Seller receives Capacity Release Service, for less than the aggregate MDQ's of its firm transportation customers as of November 1, 2001, 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 non-recallable firm transportation with primary delivery point capacity from the source of gas supply (as defined in the Sales and Transportation Operating Procedures Manual) to the Citygate dedicated to deliveries for the account(s) of Seller's customer(s) for each Winter Period for the difference between the aggregate MDQ's of Seller's firm transportation customers as of November 1 of each year and the quantity of Capacity Release Service the Seller receives from the Company. (See Leaf No. 310 for load increases during the Winter Period). For the Extended One-Year Capacity Release Service, Capacity Release Sellers (receiving less than the aggregate MDQ's of their firm transportation customers as of November 1, 2004) 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).

**(Service Classification No. 9 - Continued on Leaf No. 310)****Issued By: ~~Joan S. Freilich, Executive Vice President & Chief Financial Officer, 4 Irving Place, New York, N. Y. 10003~~**

(Name of Officer, Title, Address)