

PSC No: 120 - Electricity
New York State Electric & Gas Corporation
Initial Effective Date: December 1, 2020
Issued in compliance with Order in Case No. 19-E-0378, dated November 19, 2020.

Leaf No. 28
Revision: 14
Superseding Revision: 11

GENERAL INFORMATION

12. Western New York NYPA Power (formerly known as New Allocations of NYPA Power)

Pursuant to the Commission's Order Adopting Joint Proposal on New York Power Authority Issues, issued and effective July 20, 2007 and Order Approving Request and Directing the Filing of Tariff Amendments, issued and effective November 15, 2013, Case 13-E-0109:

Western New York ("WNY") NYPA allocations are defined as allocations of NYPA Power that are part of the Expansion Power, Replacement Power, High Load Factor Manufacturer Power, or Preservation Power programs made to customers within the Company's service territory.

For customers receiving WNY Allocations of NYPA Power, such NYPA load shall be served under the applicable Service Classification Nos. 2, 3, or 7 at the Company's standard ESCO Supply Service (ESS) tariff rates, or if applicable the Excelsior Jobs Program (EJ).

- a. New allocations of NYPA power for customers served under Service Classification Nos. 2, 3, or 7, as applicable, up to a total of 100 MW, shall be exempt from the Non-Bypassable Charge. For certain adjustments approved by the Commission, a separate credit shall be calculated and placed on the customer's bill, and
- b. WNY Allocations of power for customers served under Service Classification Nos. 2, 3, or 7, shall be exempt from the Revenue Decoupling Mechanism Adjustment.
- c. A customer receiving a WNY allocation that has received or receives an economic delivery rate pursuant to the EJ incentive shall choose between the economic development incentive and WNY delivery discount for which they qualify. Only one delivery discount shall be applied to a specific portion of the customer's load. The customer shall make a one-time election and provide its election to the Company in writing. If the customer fails to provide the Company with its written one-time election, the customer shall default to the EJ delivery rates.
 1. If a customer that is participating in the EJ incentive and has a baseload elects to receive the EJ delivery rate, the customer shall receive the WNY delivery discount on the baseload up to their designated WNY allocation.
 2. If a customer that is participating in the EJ incentive and does not have a baseload elects to receive the EJ delivery rate, the customer shall receive the EJ delivery rate on their entire load and shall not receive the WNY delivery discount.
 3. A customer that is participating in the EJ incentive and elects to receive the WNY Program delivery discounts shall receive the WNY Program delivery discounts on their entire WNY allocation and will receive the EJ delivery rate on any qualified load above the WNY allocation.

A customer that elects to receive the EJ delivery rate shall automatically revert to receiving the WNY Program delivery discount if the EJ delivery rate is, or becomes, the same as standard service classification rates. If the EJ delivery rate becomes lower than the standard service classification rates, the customer's election of the EJ delivery rate shall be reinstated.

If a customer participating in the EJ Program does not receive its annual certification from ESD in any year they are participating in the EJ Program, the customer will automatically revert to receiving the WNY Program delivery discount until such customer receives its certification from ESD for the EJ Program.

If a customer receiving service under this Special Provision has a demonstrated financial need, such customer shall be eligible to combine the WNY delivery discount with any other economic development incentive or flexible tariff rate, term or condition under Service Classification Nos. 13 and 14 for the same portion of the customer's load. Simply qualifying for a WNY Program allocation and another economic development program is not sufficient showing of financial need for the purpose of combining delivery rate discounts on the same portion of a customer's load.