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December 16, 2013

Kathleen H. Burgess  
Secretary  
New York State Department of Public Service  
3 Empire State Plaza, 19<sup>th</sup> Floor  
Albany, New York 12223

**RE: Case 13-M-0061, Prolonged Service Outages**

Dear Secretary Burgess:

Consolidated Edison Company of New York, Inc. (“Con Edison” or the “Company”) is filing with the Public Service Commission (the “Commission”) amendments to its Schedule for Electricity Service, P.S.C. No. 10 – Electricity (the “Electric Tariff”), applicable to its customers in the City of New York and the County of Westchester. The Company is also filing an amendment to its Schedule for PASNY Delivery Service – P.S.C. No. 12 - Electricity (the “PASNY Tariff”), applicable to delivery by the Company of power and associated energy to customers of the New York Power Authority (“NYPA” or “PASNY”).<sup>1</sup>

The revised Tariff Leaves, which are identified below, have an effective date of January 15, 2014:

<u>Electric Tariff Leaf No.</u>	<u>Revision No.</u>	<u>Superseding Revision</u>
3	2	0 <sup>2</sup>
102	2	1
106.1	0	-
350	2	0 <sup>3</sup>
378	1	0
<u>PASNY Tariff Leaf No.</u>	<u>Revision No.</u>	<u>Superseding Revision</u>
21	1	0

<sup>1</sup> This is the Delivery Service Rate Schedule implementing and part of the service agreement between PASNY and the Company, dated March 10, 1989, for the delivery by the Company of power and associated energy to Authority Public Customers (“PASNY Customers”).

<sup>2</sup> Revision 1 of this leaf is pending in Case 13-E-0030.

<sup>3</sup> Revision 1 of this leaf is pending in Case 13-E-0030.

### **Reason for Filing**

This filing is being made pursuant to the Commission's Order Establishing Policies ("Order"), issued November 18, 2013, in Case 13-M-0061, "In the Matter of Customer Outage Credit Policies and Other Consumer Protection Policies Relating to Prolonged Electric or Natural Gas Service Outages." As directed by Ordering Clause 1 of the Order, the Company is filing amendments to both its Electric Tariff and its PASNY Tariff to implement the provisions of the Order.<sup>4</sup>

### **Tariff Changes**

The following tariff changes are being made:

- General Rule 12.5, "Consumer Policies Related to Prolonged Outages," has been added to the Electric Tariff. This General Rule is applicable to both the Electric Tariff and the PASNY Tariff. General Rule 12.5 defines "Prolonged Outage" as an outage resulting from an emergency in which electricity Customers are out of service for a continuous period exceeding three days and in which the 16 NYCRR Part 105 regulations governing utility outage preparation and system restoration performance reviews apply.

General Rule 12.5.1 sets out the credit that will be applied to Customer accounts under the Electric Tariff and to PASNY Customer accounts under the PASNY Tariff when there is a Prolonged Outage. The credit will be equal to the Customer Charge for the Customer's Service Classification ("SC") multiplied by the number of days of the service outage.<sup>5</sup> Because not all rate classifications have a customer charge to which a credit can be applied, the tariff specifies that the credit for energy-only rate classes will be based on the SC 2 Rate I Customer Charge, and the credit for demand-billed rate classes will be based on the Customer Charge applicable to Customers served under equivalent Standby Service rates.<sup>6</sup> The tariff further indicates that the credit will be applied to the Customer's account no later than 75 days after service is restored.<sup>7</sup>

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<sup>4</sup> No change is being proposed to the Company's Schedule for Economic Development Delivery Service – P.S.C. No. 11 – Electricity (the "EDDS Schedule"), because no customers are currently served under the EDDS Schedule, and the Company has proposed to cancel that Schedule in Case 13-E-0030, the Company's current electric rate case.

<sup>5</sup> The tariff indicates that the number of days of the service outage will be based on the average duration of the service outage in the geographic area(s) as appropriate.

<sup>6</sup> For example, the credit on an SC 12 - Rate I energy-only account or a PASNY energy-only account will be based on the SC 2 Rate I Customer Charge, and the credit on an SC 9 - Rate III account will be based on the Customer Charge applicable under SC 9 - Rate V. To avoid duplicate credits, accounts served under Rider D or SC 1 – Special Provision D will not receive a credit if the Customer receives a credit on a companion metered account.

<sup>7</sup> Although the Order requires application of the credit to the Customer's bill, credits are actually applied toward outstanding charges on the Customer's account.

General Rule 12.5.2 indicates that collection-related activities (with the exception of issuance of service termination notices and assessment of security deposits) will be suspended for a minimum of seven calendar days from the beginning of a Prolonged Outage.<sup>8</sup> It also indicates that if there is a Prolonged Outage in which additional protections are required, as determined by an Order of the Commission, the suspension will apply for a minimum of seven days for residential Customers located in the designated area and to any residential or non-residential Customer who notifies the Company and provides evidence that his/her financial circumstances have changed as a result of the outage.

- Text was added to the Electric Tariff and the PASNY Tariff regarding the Revenue Decoupling Mechanism (“RDM”) to indicate that, at the time of the next true-up, RDM targets will exclude credits applied to Customer accounts pursuant to General Rule 12.5.1.
- Text in General Rule 12.1 that indicated that late payment charges “will” be applied was modified to indicate that such charges “may” be applied. A similar change was made to the “Late Payment Charges” section of Application Form E, the non-residential customer payment agreement. (Reference Order, p. 11.)
- The Table of Contents of the Electric Tariff was amended to reflect the addition of new General Rule 12.5.

### **Conclusion and Notice**

Pursuant to Ordering Clause 1 of the Order, tariff changes are being filed on not less than 30 days’ notice, to become effective on January 15, 2014. Pursuant to Ordering Clause 2 of the Order, the Commission waived the requirement for newspaper publication.

Very truly yours,  
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

/s/ William A. Atzl, Jr.  
Director  
Rate Engineering

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<sup>8</sup> Order, p. 13 and Attachment A, par. I.D.