

November 5, 2008

VIA ELECTRONIC FILING

Honorable Jaclyn A. Brilling, Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, NY 12223-1350

Re: New York State Legislature Bill S7171-B and A11146
Amendment to PSL § 66-j; Net Metering for Non-Residential
Solar Electric Generating Systems and Amendments to Eligible
Equipment for Farm Waste
Tariff Filing by Rochester Gas & Electric Corporation

Dear Secretary Brilling:

The New York State Legislature enacted Bills S7171-B and A11146 that the Governor of the State of New York signed into law on August 5, 2008. This new law, which is incorporated into the consolidated laws of New York as an amendment to New York State Public Service Law Section 66-j, provides for the net energy metering of qualifying Non Residential solar electric generating systems and makes revisions to the Farm waste.

Subsection 3 of the new law provides that "each electric corporation shall develop a model contract and file a schedule that establishes consistent and reasonable rates, terms and conditions for net energy metering to customer-generators," on or before three months after the effective date of the new law. Rochester Gas & Electric Corporation ("RG&E" or the "Company") hereby submits this tariff filing in compliance with the new law.

The enclosed original and revised tariff leaves are submitted in compliance with the Public Service Commission's ("PSC" or "Commission") Appendix 7-H (electronic tariff filing system) to the Commission's Codes, Rules and Regulations (16 NYCRR Appendix 7-H).

PSC No. 19 – Electricity
Leaf No. 120, Revision 3
Leaf No. 160.37 Revision 1
Leaf No. 160.38, Revision 1
Leaf No. 160.39, Revision 1
Leaf No. 160.39.1, Revision 0
Leaf No. 160.39.2, Revision 0

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Leaf No. 160.39.3, Revision 0
Leaf No. 160.39.4, Revision 0
Leaf No. 163, Revision 4
Leaf No. 163.1, Revision 3
Leaf No. 163.1.1, Revision 1
Leaf No. 163.2, Revision 2
Leaf No. 165.1, Revision 4
Leaf No. 165.2, Revision 1
Leaf No. 173, Revision 1
Leaf No. 173.1, Revision 2
Leaf No. 177, Revision 3
Leaf No. 178, Revision 3
Leaf No. 178.1, Revision 6
Leaf No. 178.2, Revision 2
Leaf No. 193.3, Revision 2
Leaf No. 193.4, Revision 1
Leaf No. 204.1, Revision 3
Leaf No. 204.2, Revision 1
Leaf No. 239, Revision 3
Leaf No. 247, Revision 3
Leaf No. 248, Revision 1

Effective: February 5, 2009

Description of the Proposed Revisions

The attached tariff leaves introduce a Solar Non-Residential Electric Service Option for eligible customers, and increases the total rated generating capacity for solar and farm waste electric generating equipment for customers on a first come, first served basis, until the total rated generating capacity for solar and farm waste electric generating equipment in RG&E's service area is equivalent to 16,250 kW.

In addition to adding a Solar Non-Residential Electric Service Option in accordance with Public Service Law ("PSL"), Section 66-j, the Solar Residential Electric Service Option generating system was increased to a rated capacity of not more than twenty-five kilowatts. The Farm Waste Electric Generating System Option was increased to a rated capacity of not more than five hundred kilowatts and fueled with the biogas fuel requirement generated by anaerobic digestion reduced to fifty percent by weight of its feedstock being livestock manure materials on an annual basis.

Similar to the current Wind and Electric Hybrid Generating System Options which have the overall description located in the General Information section of PSC 19, the Solar Residential and Solar Non-Residential Electric Service Option has been added to the General Information section of PSC 19. The Farm Waste Electric Generating System Option description has been moved from the individual service classes to the

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General Information Section also. In an unrelated matter, a housekeeping change is being made to the "Term" section of Leaf No. 163 to update an incorrect reference.

The tariff language describing the metering was simplified as a result of the new PSL, Section 66-j, removing the requirement for a "non-demand, non-time differentiated meter" for net metering. Until such time as metering is installed for a TOU customer to measure the customer's generation supplied back to the Corporation metered in each TOU period, the existing allocations factors as set forth in each service classification special provision will remain in the tariff.

Consistent with the new PSL, Section 66-j, the tariff was revised to include the customer's responsibility to pay the Corporation's actual costs of installing a dedicated transformer or transformers or other equipment to protect the safety and adequacy of electric service, limited to five thousand dollars (\$5,000) per farm waste operation or three hundred fifty dollars (\$350) for a residential customer's residence. A non-residential customer-generator who owns or operates generating equipment located or used at its premises is responsible to pay the Corporation's actual costs of installing a dedicated transformer or transformers or other equipment to protect the safety and adequacy of electric service.

Customers electing service under the Public Service Law ("PSL"), Section 66-j are required to comply with the standards and requirements set forth in the Company's tariff, PSC 19 – Electricity, and Addendum-SIR to PSC 19.

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Newspaper Publication

The Company respectfully requests that the requirement of § 66(12)(b) of the Public Service Law and 16 NYCRR §720-8.1 for newspaper publication be waived because a customer will be notified of these tariff changes when the customer submits an application for such service with the Company.

Company Contacts

Please direct any questions pertaining to this filing to Carl King at (607) 347-2959.

Very truly yours,

Mark O. Marini
Manager, Regulatory and Tariffs
Rates and Regulatory Economics