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September 30, 2010

Hon. Jaclyn A. Brillling
Secretary
State of New York
Public Service Commission
Three Empire State Plaza
Albany, N.Y. 12223-1350

RE: Case Number 09-G-0795

Dear Secretary Brillling:

Consolidated Edison Company of New York, Inc. ("Con Edison" or the "Company") is filing today with the Public Service Commission ("the Commission") amendments to its Schedule for Gas Service, PSC No. 9 – Gas ("the Gas Tariff"). The changes to the Gas Tariff are set forth in the attached tariff leaves, which bear an effective date of October 1, 2010 and a notation that the leaves are issued in compliance with the Commission's Order dated September 22, 2010 ("September 2010 Order") in the subject case.¹ A list of the revised tariff leaves and Statement is set forth on Appendix A. Supplement No. 41 to the Gas Tariff, canceling, as of October 1, 2010, the tariff leaves filed on November 6, 2009, and the related supplements that postponed the effective date of such leaves, was filed on September 29, 2010 under separate cover.

Reasons for the Proposed Changes

On November 6, 2009, the Company submitted a filing to the Commission proposing rate and other tariff changes to become effective December 6, 2009, in Case 09-G-0795, with the expectation that such leaves would become effective at the conclusion of the Company's current gas rate plan, October 1, 2010. On May 18, 2010, the Company, the Department of Public Service Staff, the City of New York, and other parties submitted a Joint Proposal ("Joint Proposal") to the Commission proposing a three-year gas rate plan commencing October 1, 2010.

¹ Case 09-G-0795, *Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Gas Service*, Order Establishing Three-Year Steam and Gas Rate Plans and Determining East River Repowering Project Cost Allocation Methodology, issued and effective September 22, 2010.

The tariff amendments being filed herewith are in compliance with the Commission's September 2010 Order adopting the proposed three-year rate plan for Con Edison's gas service covering the period from October 1, 2010 through September 30, 2013 ("Gas Rate Plan").

Summary of Proposed Changes

The rates reflected on the attached tariff leaves have been designed to produce an increase in delivery revenues of approximately \$47.1 million (including gross receipt taxes) in the first Rate Year ("RY1"), commencing October 1, 2010, based on the estimated level of firm delivery volumes for the twelve months ended September 30, 2011. The last increase in gas delivery rates became effective on October 1, 2009, as part of a three year gas rate plan effective October 1, 2007.

The attached tariff leaves reflect the following:

Rate Design

1. Allocation of Increased Revenue Requirement

In accordance with the September 2010 Order, the RY1 revenue increase of \$47,138,000, less gross receipts taxes of \$1,371,752, was allocated to the Company's firm sales and firm transportation Customers in Service Classification Nos. ("SC") 1, 2, 3, 9 and 13 in the following manner:

- Class revenues from unbundled services and non-competitive delivery services at current rates were estimated, including an adjustment among the classes for Low Income discounts consistent with the rate design for current discounts;
- Revenue deficiencies and surpluses (as shown in Appendix H, Table 3 of the Joint Proposal) were used to realign Rate Year revenue at current rate levels for SC2 Non Heating, SC 3 and SC 13;
- The overall average percentage increase was applied to the resulting realigned class revenue;
- Low Income discounts were allocated among the classes in a manner consistent with the allocation of the rate increase;
- Class revenue from unbundled services at the proposed rates were subtracted to determine the non-competitive delivery service revenue at proposed rates; and
- The total non-competitive delivery rate increase was determined as the difference between the non-competitive delivery revenue at October 1, 2009 rates and the non-competitive delivery revenue at RY1 rates.

The overall average percentage increase for RY1 for each class was determined by dividing the Rate Year 1 delivery revenue increase by the total Rate Year delivery revenue at current rates.

2. Proposed Delivery Rate Design within the Firm Classes

The gas delivery rates for RY1 were designed as follows:

- The minimum charges (the charge for the delivery of the first 3 therms or less) for SCs 1, 2 and 3 and for the corresponding SC9 rates were increased to better reflect the Company's cost to provide service. The SC 13 minimum charge and the corresponding SC 9 minimum charge, which collect minimum charges over seven months as opposed to twelve months, were increased accordingly.
- The rate for the remaining SC 1 rate block (for usage over 3 therms per month) was designed to collect the balance of the revenue increase assigned to SC 1 after accounting for the increased revenues to be collected through the minimum charge.
- The 4-90 therm and the 91-3,000 therm rate blocks within SC 3 were increased on an equal percentage basis in order to collect the remaining SC 3 class revenue increase after deducting the increase in annual revenues resulting from the changes to the minimum charge and the air-conditioning rates (as explained below). The SC 3 tailblock rate (for usage in excess of 3,000 therms) remains at the October 1, 2009 level of \$0.4062 per therm.
- The rates for the remaining blocks for SC 2 Heating and Non Heating were increased on an equal percentage basis after deducting the increase in annual revenue assigned to the minimum charges for those classes.
- For SC 13, the increase in the minimum charge produced more than the total revenue increase assigned to the class. Therefore, the rates in the remaining SC 13 rate blocks were decreased. The SC 2 and 3 air-conditioning rates were set equal to the block rates in SC 13.
- Riders G and I rates, for usage up to 250 therms per month, were set equal to the SC 2 rates. The rates for usage in excess of 3,000 therms per month ("terminal rate") were set at 50% of the corresponding SC 2 delivery rates. To maintain the existing rate differential between the SC 2 penultimate and terminal rates, the Riders G and I rates for usage between 250-3,000 therms ("penultimate rate") were set at the increased terminal rates plus the difference between the proposed SC 2 penultimate rate and the SC 2 terminal rate.
- The Rider H and J Distributed Generation ("DG") rates were increased by the average rate increase allowed for their applicable non DG classes.
- No increases were allocated to SC 14 or to bypass Customers taking firm service under contract rates.
- Low Income SC 1 (Rate II) and corresponding SC 9 minimum charges reflect a reduction of \$1.50 from the non-Low Income SC 1 (Rate I) (and corresponding SC 9) minimum charges. The over- 3 therm block in SC 1 Rate II remains equal to the corresponding block in SC 1 Rate I.
- Low Income SC 3 (Rate II) and corresponding SC 9 rates reflect a reduction in the 4-90 block of \$0.3833 from the equivalent non-Low Income rate (SC3 Rate I). The SC 3 Rate II minimum charge was set equal to the SC 3 Rate I minimum charge.

Appendix B shows by service classification, the annualized service class revenues for the twelve months ended September 30, 2011 at current October 1, 2009 rates, the corresponding annualized service class revenues at the October 1, 2010 rates, the total increase in annual service class revenues and the associated effect on customers' bills.

3. Low Income Rate Provision

The low income rate provisions in SC 1 and SC 3 and the equivalent rate provisions in SC 9, which are applicable to low-income residential customers who are receiving benefits under certain governmental assistance programs² or who received a Home Energy Assistance Program grant and participate in the low income rate program, have been modified to provide annual rate reductions of approximately \$6.4 million: \$2.6 million for SC 1 low income customers and \$3.8 million for SC 3 low income customers, including customers served under the SC 9 firm transportation equivalent of those rates. In addition, tariff provisions have been added to describe a new feature of the low income program, a waiver of the service reconnection fee:

- The Company will waive a service reconnection fee no more than one time during the term of the Gas Rate Plan for any customer participating in the Low Income Program, with an annual Company cost target for all such reconnection fee waivers of \$75,000 and a three-year maximum of \$225,000.
- The Company may grant more than one waiver to a customer on a case-by-case basis and for good cause shown, provided that the Company does not forecast that it will exceed the three-year program cost of \$225,000. If the Company forecasts, based on quarterly reported data from at least the first six months of the Program in RY1, that the \$225,000 program target will be exceeded over the term of the Gas Rate Plan, the Company may file with the Commission to limit the waiver to no less than 50% of the reconnection fee.
- The Company will perform an annual reconciliation of allowed vs. actual low income discounts, and will credit or surcharge firm customers through the Monthly Rate Adjustment ("MRA"), over the succeeding Rate Year, any variation between actual discounts and approximately \$6.4 million in discounts assumed in the design of rates under the Gas Rate Plan. The annual reconciliation will also include, in addition to the low income discount amount, any costs incurred in connection with any arrears forgiveness program for low income customers adopted by the Company and any reconnection fees waived by the Company for low income customers.

² Supplemental Security Income, Temporary Assistance to Needy Persons/Families, Safety Net Assistance, Medicaid, or Food Stamps.

Unbundling

1. Merchant Function Charge

The Merchant Function Charge (“MFC”) applicable to all firm full service customers will continue as before, with the following changes:

- The Uncollectible Accounts expense rate associated with supply (“UBs”) will change to an overall UB rate of 0.79%. The UB factor will be 1.06% for residential customers, and 0.56% for non-residential customers. These rates will also apply to the UBs included in the MRA.
- Separate carrying charges will be applied to base and above base levels of gas in storage to determine Gas in Storage Working Capital. The Company’s authorized pre-tax rate of return of 10.52% will be applied to a base storage level, while the Commission’s Other Customer Capital Rate, which is currently 4.20% (through December 31, 2010), will be applied to amounts in storage above the base storage level.

2. Billing and Payment Processing

The Billing and Payment Processing (“BPP”) rates will now be \$1.04 for a single service customer and \$0.52 for a dual service customer. For billing periods that include days both before and after October 1, 2010, the old and new rates will be prorated accordingly. The BPP rates payable by ESCOs will also be \$1.04 and \$0.52, as applicable, based on the number of services taken by the customer and the number of ESCOs serving the customer.

Revenue Decoupling Mechanism

The Revenue Decoupling Mechanism (“RDM”) will continue to be based upon a revenue per customer methodology. The General Information Section of the Tariff has been amended to reflect the following changes:

- The customer groups covered by the RDM will now include Rider G customers, air conditioning customers taking service under SCs 2 and 3, and SC 3 customers participating in the low income program.
- Actual Delivery Revenue will include an adjustment to add back the cost associated with the rate discounts provided to SC 3 low income customers.
- In the first month of each Rate Year, Actual Delivery Revenue will be adjusted upward to reverse the effects of proration between old and new rates.
- For Rate Years 2 and 3, the number of bills included in the RPC targets will be based on the actual number of bills for the 12 months ended July preceding the start of each Rate Year, adjusted to recognize potential customer growth.
- The Company may institute an Interim RDM Adjustment whenever it determines that such an adjustment is necessary to avoid a large over- or under-collection.

- After Rate Year 3, to the extent that new rates will not take effect until at least 15 days beyond the end of Rate Year 3 but within 12 months of the end of Rate Year 3, the RDM will be implemented as described in Appendix I to the Joint Proposal under the Gas Rate Plan.

Other Tariff Changes

The Company has made the following additional tariff changes in compliance with the September 2010 Order:

1. Lost and Unaccounted For: The General Information Section of the Tariff describing the Gas Cost Factor has been revised for a new line loss methodology. Specifically, the line loss factor will be set at 1.315% (which results in a factor of adjustment of 1.0133) for each of the three Rate Years. Each Rate Year, benefits or costs to the Company will result to the extent that the actual line loss for the rate year is greater than 1.815% or less than 0.815%.
2. Disposition of Non-Firm Revenues: Tariff provisions related to the disposition of Non-firm Revenues ("NFRs") have been revised in accordance with the September 2010 Order as follows:
 - a. For each Rate Year the Company will retain the first \$58 million of NFRs.
 - b. For NFRs above \$58 million, firm customers will be credited with 75% of the amount above \$58 million and the Company will retain 25%.
 - c. If NFRs are less than \$58 million, the Company will (i) defer on its books of accounts for future recovery with interest, the amount by which NFRs are less than \$33 million, and (ii) surcharge firm customers in the subsequent Rate Year, 80% of the difference between \$58 million and actual NFRs at or above \$33 million.
3. Balancing Services for Firm Customers: The General Information Section and the SC 9 provisions of the Tariff have been revised as follows:
 - a. The Daily Delivery Service—Same Day and Prior Day balancing services as well as the Daily Cashout Services have been eliminated. The only balancing service available to firm customers will be Load Following Service.
 - b. The cost of the Load Following assets has been removed from the calculation of the monthly Gas Cost Factor.
 - c. Load Following costs will be charged equally, to both firm sales and firm transportation customers, on a cents per therm basis through the Monthly Rate Adjustments.
4. Adjusted Gas Revenue: The definition of Adjusted Gas Revenue in General Information Section II is being revised to exclude charges and adjustments that did not exist when the current definition was written.
5. Service Availability Under SC 1 and SC 3: Language is being added to the "Service is Not Available Under This Service Classification" section under the SC 1 and SC 3

tariff provisions to allow non-residential activities to be served under these SCs under specified conditions, and for customers that are entities rather than persons to take service for their employees who reside in the premises served. This change was made to conform the Gas Tariff to the Electric Tariff.

6. Other Non-Recurring Adjustments in Monthly Rate Adjustment: General Information Sections VII and IX have been changed to include a new line item in the MRA applicable to firm sales and firm transportation customers to non-recurring adjustments authorized by the Commission to be recovered through the MRA, including a \$1 million credit adjustment plus accrued interest, resulting from Case 10-G-0100 and authorized by the Commission for recovery through the MRA, in Case 09-G-0795. Accordingly, future non-recurring adjustments authorized by the Commission to be included in the MRA shall be included in this line item.
7. Housekeeping Changes: Housekeeping changes were made as follows:
 - a. Tariff language in General Information Section VII has been revised to clarify that net revenues from capacity releases include capacity released to firm customers or ESCOs serving firm customers under the Company's capacity release program.
 - b. Tariff language was added to Rider H referring to provisions in the Joint Proposal concerning payment of new facilities costs by Rider H customers.
 - c. Various minor housekeeping changes were made throughout the tariff, primarily to remove obsolete language, insert clarifying language, move tariff language for proper presentation, and correct erroneous tariff language. For example, tariff provisions in General Information Section III, related to the Parts Replacement Program, were eliminated as those provisions were obsolete.

A revised Statement of Monthly Rate Adjustment applicable to firm full service customers and a revised Statement of Rate for Service Classification No. 9, which includes a revised Monthly Rate Adjustment applicable to firm transportation customers, has been filed under separate cover in accordance with the due dates established for these Statements in the Gas Tariff.

Also enclosed with this filing is a revised Statement of Rate Adjustment Clause. As directed by the June 2009 Order in Case No. 09-M-0114 ("June 2009 Order"), \$32 million of annual gas delivery revenues are to be recovered subject to refund pursuant to a Rate Adjustment Clause mechanism, pending the outcome of the Commission's audit and review of Company capital and O&M expenditures in that proceeding. As a result, Statement of Rate Adjustment Clause No. 1 was filed on June 30, 2009 effective July 1, 2009, and Statement of Rate Adjustment Clause No. 2 was filed on August 31, 2009, effective October 1, 2009. With this compliance filing in Case 09-G-0795, Statement of Rate Adjustment Clause No. 3 is being filed on September 30, 2010, to be effective October 1, 2010. The Statement of Rate Adjustment Clause mechanism sets forth the portion of the rates and charges in each Service Classification, effective October 1, 2010, associated with that portion of the Company's revenue requirement that is being collected subject to refund pursuant to the June 2009 Order.

Conclusion

Pursuant to Ordering Clause No. 4 of the September 2010 Order, the Company is filing the tariff changes to take effect on a temporary basis on October 1, 2010. Pursuant to Ordering Clause 6, publication of notice of these changes for Rate Year 1 will be completed within six weeks after October 1, 2010.

As directed in Ordering Clause No. 3, the Company is to cancel the tariff leaves submitted by the Company in November 2009 and related supplements. Accordingly, Supplement No. 41 to the Gas Tariff was issued on September 29, 2010, canceling the tariff leaves issued on November 6, 2009, and Supplement Nos. 37 and 38.

The Company is serving copies of this filing upon all parties to this proceeding by electronic mail.

Respectfully submitted,
Consolidated Edison Company of New York, Inc.

By: _____
Christine Colletti
Director
Rate Engineering Department

PSC NO. 9 – GAS

Leaf 3 – Revision 2
Superseding Revision 0

Leaf 5 – Revision 14
Superseding Revision 13

Leaf 6 – Revision 6
Superseding Revision 5

Leaf 11 – Revision 2
Superseding Revision 0

Leaf 76.1 – Revision 3
Superseding Revision 2

Leaf 107 – Revision 2
Superseding Revision 0

Leaf 108 – Revision 2
Superseding Revision 0

Leaf 109 – Revision 2
Superseding Revision 0

Leaf 110 – Revision 2
Superseding Revision 0

Leaf 111 – Revision 2
Superseding Revision 0

Leaf 112 – Revision 2
Superseding Revision 0

Leaf 113 – Revision 3
Superseding Revision 1

Leaf 114 – Revision 2
Superseding Revision 0

Leaf 115 – Revision 2
Superseding Revision 0

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Leaf 116 – Revision 2
Superseding Revision 0

Leaf 152 – Revision 12
Superseding Revision 10

Leaf 154.6 – Revision 7
Superseding Revision 5

Leaf 154.8 – Revision 7
Superseding Revision 5

Leaf 154.9 – Revision 10
Superseding Revision 8

Leaf 154.11 – Revision 2
Superseding Revision 1

Leaf 154.17 – Revision 4
Superseding Revision 2

Leaf 154.18 – Revision 10
Superseding Revision 8

Leaf 154.24 – Revision 10
Superseding Revision 8

Leaf 154.25 – Revision 7
Superseding Revision 5

Leaf 154.26 – Revision 7
Superseding Revision 5

Leaf 155 – Revision 14
Superseding Revision 12

Leaf 155.1 – Revision 4
Superseding Revision 2

Leaf 156 – Revision 14
Superseding Revision 12

PSC NO. 9 – GAS

Leaf 157.1 – Revision 3
Superseding Revision 1

Leaf 158 – Revision 6
Superseding Revision 4

Leaf 159 – Revision 10
Superseding Revision 8

Leaf 166 – Revision 11
Superseding Revision 9

Leaf 166.1 – Revision 4
Superseding Revision 2

Leaf 166.2 – Revision 8
Superseding Revision 6

Leaf 177 – Revision 8
Superseding Revision 7

Leaf 178 – Revision 9
Superseding Revision 7

Leaf 178.1 – Revision 3
Superseding Revision 1

Leaf 179 – Revision 7
Superseding Revision 5

Leaf 180 – Revision 9
Superseding Revision 7

Leaf 181 – Revision 10
Superseding Revision 8

Leaf 181.1 –
Original Leaf

Leaf 181.2 –
Original Leaf

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Leaf 182 – Revision 10
Superseding Revision 9

Leaf 183.1 – Revision 16
Superseding Revision 15

Leaf 225 – Revision 2
Superseding Revision 0

Leaf 226 – Revision 3
Superseding Revision 1

Leaf 227 – Revision 2
Superseding Revision 0

Leaf 228 – Revision 16
Superseding Revision 14

Leaf 230 – Revision 13
Superseding Revision 11

Leaf 231 – Revision 16
Superseding Revision 14

Leaf 236 – Revision 3
Superseding Revision 1

Leaf 237 – Revision 4
Superseding Revision 2

Leaf 238 – Revision 4
Superseding Revision 2

Leaf 239 – Revision 2
Superseding Revision 0

Leaf 240 – Revision 16
Superseding Revision 14

Leaf 260 – Revision 8
Superseding Revision 6

PSC NO. 9 – GAS

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Superseding Revision 3

Leaf 263 – Revision 6
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Leaf 267 – Revision 3
Superseding Revision 1

Leaf 269 – Revision 13
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PSC NO. 9 – GAS

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Superseding Revision 1

Leaf 284 – Revision 2
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Leaf 285 – Revision 3
Superseding Revision 1

Leaf 286 – Revision 6
Superseding Revision 4

Leaf 287 – Revision 4
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Leaf 288 – Revision 3
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Leaf 289 – Revision 4
Superseding Revision 2

Leaf 303.1 – Revision 9
Superseding Revision 7

Leaf 315.2 – Revision 7
Superseding Revision 5

Leaf 324 – Revision 6
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Leaf 349 – Revision 15
Superseding Revision 13

Leaf 361 – Revision 8
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Leaf 362 – Revision 11
Superseding Revision 9

Leaf 365 – Revision 7
Superseding Revision 5

PSC NO. 9 – GAS

Leaf 367 – Revision 4
Superseding Revision 2

Leaf 367.1 – Revision 3
Superseding Revision 1

Leaf 367.2 – Revision 3
Superseding Revision 1

Leaf 372 – Revision 3
Superseding Revision 1

Leaf 373 – Revision 3
Superseding Revision 1

Leaf 374 – Revision 4
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Leaf 375 – Revision 5
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Leaf 376 – Revision 4
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Leaf 377 – Revision 5
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Leaf 378 – Revision 3
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Leaf 380 – Revision 3
Superseding Revision 1

Leaf 381 – Revision 3
Superseding Revision 1

Leaf 382 – Revision 3
Superseding Revision 1

PSC NO. 9 – GAS

Leaf 383 – Revision 9
Superseding Revision 7

Leaf 383.1 – Revision 4
Superseding Revision 2

Leaf 384 – Revision 4
Superseding Revision 2

Leaf 386 – Revision 3
Superseding Revision 1

Leaf 387 – Revision 5
Superseding Revision 3

Leaf 388 – Revision 3
Superseding Revision 1

Leaf 389 – Revision 6
Superseding Revision 4

Leaf 389.1 – Revision 8
Superseding Revision 6

Leaf 389.2 – Revision 7
Superseding Revision 5

Leaf 389.3 – Revision 5
Superseding Revision 3

Leaf 389.4 – Revision 8
Superseding Revision 6

Leaf 397.3 – Revision 8
Superseding Revision 6

Statement of Rate Adjustment Clause No. 3

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Estimated Effect on Gas Customers' Bills and Company Revenues Resulting from Proposed Gas Rates

Based on Forecasted Sales and Revenues for the Twelve Months Ended September 30, 2011 for Service Classification Nos. 1, 2, 3, 13 and 14
and the Corresponding SC 9 Firm Transportation Sub-classes

Firm Service Classification (Sales and Transportation)	Annual Therms	Total Annual Revenues at Current 10/01/09 Rates (b) (c)	Total Annual Revenues at Proposed Rates (b) (c)	Estimated Total Annual Revenues Increase/(Decrease)	Percent Change	Number of Customers' Bills Increased	Number of Customers' Bills decreased	Number of Customers' Bills Unchanged
1 - Residential & Religious	47,968,103	\$ 208,276,101.99	\$ 216,920,010.63	\$ 8,643,908.64	4.15%	7,707,144	717,594	31,006
2 - General - Rate I - Non-Heating (a)	189,973,862	\$ 284,250,973.14	\$ 288,709,600.39	\$ 4,458,627.25	1.57%	730,785	65	9
2 - General - Rate I - Distribution Generation	47,650,000	\$ 54,485,867.81	\$ 54,741,769.97	\$ 255,902.16	0.47%	469	-	
2 - General - Rate II - Heating (a)	287,770,221	\$ 443,853,908.85	\$ 453,357,026.18	\$ 9,503,117.33	2.14%	723,654	118	22
2 - Total Commercial	525,394,082	\$ 782,590,749.80	\$ 796,808,396.54	\$ 14,217,646.74	1.82%	1,454,908	183	31
3 - Residential & Religious - Heating (a)	602,846,542	\$ 1,014,170,537.72	\$ 1,038,426,811.91	\$ 24,256,274.19	2.39%	3,164,408	67,264	3,528
13 - Seasonal Off Peak Firm Service	1,124,295	\$ 1,584,606.35	\$ 1,605,817.29	\$ 21,210.94	1.34%	6,543	122	72
14 - Natural Gas Vehicles	120,000	\$ 189,132.83	\$ 189,132.83	\$ -	0.00%	-		
Total Firm Sales & Firm Transportation	1,177,453,021	\$ 2,006,811,128.69	\$ 2,053,950,169.20	\$ 47,139,040.51	2.35%	12,333,003	785,163	34,637

(a) Gas air-conditioning is included in SC 2 and SC 3.

(b) Annual Revenues reflect the gas cost factor and monthly rate adjustments, merchant function charges and various other charges used in calculating Rate Year Revenues.

(c) Annual Revenues include gas supply costs for transportation customers equivalent to what these customers would have paid as full service customers.