

GENERAL INFORMATION

8. LIMITATIONS OF SERVICE CLASSIFICATIONS

8.1 RESIDENTIAL SERVICE

Service will be supplied under a residential service classification to any single family residence or apartment occupied as the home, residence or sleeping place of one or more persons, and to any private garage, guest house or similar accessory building located on the same premises and served through the same meter as such residence. Each such single family residence or apartment shall be served under a separate service agreement through a separate meter.

If any portion of the premises, as described above, is used for business or professional purposes, the residential service classification is available for service to the entire premises only when the use of electricity for residential purposes exceeds the use for business or professional purposes.

When a part of a business or professional building or premises is for residential use, service may be taken on the residential service classification for that part of such building or premises entitled to such service if the customer provides the necessary installation so that the service to such portion may be metered separately. Otherwise, the General Service rate will apply to the entire building or premises.

Service also will be supplied under a residential service classification to:

- (A) a corporation or association organized and conducted in good faith for religious purposes, where such service is utilized exclusively in connection with such religious purposes;
- (B) community residences as defined in subdivision twenty-eight, twenty-eight-a or twenty-eight-b of section 1.03 of the mental hygiene law provided that such residences shall be operated by not-for-profit corporations and if supervisory staff is on site on a twenty-four hour per day basis, that the residence provides living accommodations for fourteen or fewer residents, and provided that service supplied is utilized exclusively at such community residence; or
- (C) a post or hall owned or leased by a not-for-profit corporation that is a veterans' organization.

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8. LIMITATIONS OF SERVICE CLASSIFICATIONS (Continued)

8.2 REDISTRIBUTION

(A) Non-Residential Buildings:

A customer may purchase electricity for resale under any service classification of this rate schedule that would be applicable if such electricity were not for resale and said customer may resell the electricity purchased to tenants on an individually metered basis subject to approval by the Public Service Commission in response to individual proposals concerning electric service furnished to:

- (1) Master metered, new or renovated non-residential buildings; and
- (2) Commercial occupants of cooperatives, condominiums, campgrounds, recreational trailer parks, or recreational marinas whose occupants were purchasing individually metered electric service on May 21, 1980.

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8. LIMITATIONS OF SERVICE CLASSIFICATIONS (Continued)

8.2 REDISTRIBUTION (Continued)

(B) Residential Buildings:

(1) Master Metering

Master metering is prohibited in residential buildings in which the internal wiring was not installed before January 1, 1977 except if this provision is waived by the Commission or, beginning April 27, 2000, if the building is a senior living facility and meets the following criteria:

- (a) the senior living facility will provide services that distinguish it from a typical apartment complex and its design will be energy efficient, resulting in electricity usage that does not vary significantly among residential units and most or all services are provided within the scope of a single monthly fee;
- (b) the facility will continue to offer senior living services in the future; and
- (c) the facility will promote economic development.

In existing senior living facilities where individual metering was originally installed, the customer may petition the Company to convert to master metering. Such petitions shall be approved if the facility meets the criteria specified above. Existing master metered senior living facilities desiring to convert to a different use shall petition the Commission for approval of an appropriate alternative means of receiving electric service.

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8. LIMITATIONS OF SERVICE CLASSIFICATIONS (Continued)

8.2 REDISTRIBUTION (Continued)

(B) Residential Buildings: (Continued)

(2) Submetering, Remetering or Resale of Electric Service

Submetering, remetering, or resale of electric service shall not be permitted except as provided in paragraph (a) through (e) of this rule.

- (a) Master Metered, New or Renovated Rental Units Owned or Operated by Private or Government Entities: Permitted upon Commission approval of application containing the information required by 16 NYCRR 96.2(b)(1) through (8) for master metered units and (1) through (7) for new or renovated units.
- (b) Master Metered Cooperatives and Condominiums: (1) Permitted upon certification that a majority of its shareholders, where all tenants are shareholders, and all non-shareholders, where one or more tenants are non-shareholders, favor submetering, that a rate cap equivalent to the Company's rate for directly metered service is provided, that grievance procedures are established, and that savings will be used for conservation efforts; and (2) where one or more non-shareholder tenants refuse to agree, submetering shall be permitted only upon Commission approval of an application meeting the conditions set forth in 16 NYCRR 96.2(b)(1) through (7).
- (c) Directly Metered Cooperatives and Condominiums: (1) Permitted where all tenants are shareholders (a) upon certification that 70% of shareholders favor submetering; and (b) provided that the rate cap, grievance procedures, and savings provisions set forth in paragraph (b)(1) of this Rule are met; and (2) where one or more tenants are non-shareholders, submetering shall be permitted (a) upon certification that all non-shareholder tenants have approved a plan that meets the rate cap, grievance procedures, and savings provisions set forth in paragraph (b)(1) of this Rule; or (b) if all non-shareholder tenants have not approved such a plan, upon Commission approval of an application meeting the conditions set forth in 16 NYCRR 96.2(b)(1) through (7).

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8. LIMITATIONS OF SERVICE CLASSIFICATIONS (Continued)

8.2 REDISTRIBUTION (Continued)

(B) Residential Buildings (Continued):

(2) Submetering, Remetering or Resale of Electric Service (Continued)

- (d) New or Renovated Cooperatives and Condominiums, Where All Tenants Will be Shareholders: Permitted (1) upon Commission approval of (a) application containing verification that the building will be a condominium or cooperative; and (b) certification that the requirements as to rate cap, grievance procedures, and tenant protections are met, as provided in 16 NYCRR 96.2(f); and (2) upon certification that, in the event of transfer of control to the appropriate Cooperative or Condominium Board, the Board will sub-meter electricity according to plan set forth in paragraph (b)(1) of this Rule.
- (e) Submetering shall be permitted in Master Metered and New or Renovated Campgrounds, Recreational Trailer Parks and Marinas.

8.3 STANDBY AND BUY-BACK SERVICES

Except as noted in the following paragraphs, the rates and charges set forth in all service classifications except Service Classification No. 15 and Service Classification No. 25 in this Schedule are applicable only where the Company's service is to be used as the customer's firm delivery service. The Company's delivery service shall not be used as backup or supplemental to any other generating equipment, nor shall any other generating equipment be operated in parallel or synchronism with the Company's service, except as specifically authorized by the Company. A customer having another installed source of energy may, however, segregate any portion of customer's total requirements so that such portion shall be served exclusively with the Company's service.

A customer with a private generating facility on its premises that (1) desires standby service or (2) desires to operate in parallel with the Company's electrical system must take service under Service Classification No. 25 of this Rate Schedule, except for customers identified as not being subject to standby service under the provision "Standby Service is Not Applicable To" of Service Classification No. 25. The customer shall notify the Company of all changes in customer's generating facilities prior to making such changes and shall allow the Company's representatives access to those facilities at all reasonable times, for the purpose of inspection and/or re-determination of the contract demand.

GENERAL INFORMATION

8. LIMITATIONS OF SERVICE CLASSIFICATIONS (Continued)

8.3 STANDBY AND BUY-BACK SERVICES (Continued)

A customer who operates a Qualifying Facility or a Qualifying Small Power Production Facility as defined under Part 292 of Title 18 of the Code of Federal Regulation and who desires to sell electrical energy or capacity to the Company may do so under Service Classification No. 15 of this Rate Schedule, or may contract with the Company for such service prior to providing such service. Said contract shall be subject to Commission review and approval.

8.4 EMERGENCY GENERATING FACILITIES

The use of emergency generating equipment will be permitted to affected customers for the duration of an interruption of the Company's service, or a Company announced voltage reduction, or for necessary testing purposes, or when generating equipment is operated at the direction of the NYISO under NYISO Installed Capacity procedures for Special Case Resources, or when used as a load reduction measure under Rider L, provided that the customer's wiring and switching equipment are so arranged as to prevent feedback into the Company's lines or parallel operation of the emergency generator with the Company's electrical system, except for closed-transition transfer switching where the term "closed-transition transfer" is characterized as a momentary make-before-break switching sequence. Before such emergency equipment is installed, the customer shall submit to the Company for its approval:

- (A) a wiring diagram showing how the emergency generator would be connected to the building wiring, including the switching arrangements to prevent parallel operation, except as permitted above; and
- (B) a statement in writing signed by the customer to the effect that the emergency generating facilities will be used only under the circumstances specified above. Customers using emergency generating equipment under other than the above specified circumstances will be required to take service under Service Classification No. 25.