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Consolidated Edison Company  
of New York, Inc.

P.S.C. No. 9 - Electricity  
Fourth Revised Leaf No. 28  
Superseding Second Revised Leaf No. 28  
(Third Revised Leaf No. 28 - Pending)

**GENERAL INFORMATION - Continued**

**III. General Rules, Regulations, Terms and Conditions under Which Electric Service Will Be Supplied,  
Applicable to and Made a Part of All Agreements for Electric Service - Continued**

**3. Installation and Maintenance of Overhead and Underground Facilities - Continued**

**(B) Common Provisions Applicable to the Installation and Maintenance of Overhead and  
Underground Facilities - Continued**

- (4) Excess Distribution Facilities (Applicable only to Customers supplied under Service Classification Nos. 1, 2, 4, 5, 7, 8, 9, and 12 and to Customers supplied under Service Classification No. 14-RA of the Retail Access Rate Schedule who would otherwise be served under one of these Service Classifications): Upon written application of a Customer on the application form prescribed in this Schedule (see Leaf Nos. 189 - 191), and subject to the terms and conditions thereof and the provisions hereinafter set forth, the Company will provide at the Customer's expense distribution facilities in excess of those normally provided by the Company under the other provisions of this Rate Schedule, including facilities for the purpose of supplying equipment the operation of which involves inrush currents above the values otherwise allowed by the Company.

Such excess facilities will be provided only if, in the Company's judgment:

- (a) the furnishing of such facilities will not adversely affect the Company's standard system of distribution; and
- (b) such facilities will conform with the Company's practices as to construction and installation of distribution facilities; and
- (c) the utilization of service by the Customer through such facilities will not constitute a present or potential cause of interference with the supply of service to other Customers.

The provision of excess facilities hereunder shall be subject in all respects to the limitations upon characteristics of service elsewhere set forth in this Rate Schedule, and shall be subject to the other provisions of this Rate Schedule, except as may be expressly provided above.

- (5) Installation of Rectifiers on Customer's Premises: Where the Company considers rectifiers necessary for the continued supply of direct current service in accordance with and subject to the limitations set forth in General Rule III-2 (D), such rectifiers and associated equipment may be installed on the Customer's premises at the Company's expense provided suitable space is made available without rental charge.

(General Information - Continued on Leaf No. 29)

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**GENERAL INFORMATION - Continued**

**III. General Rules, Regulations, Terms and Conditions under Which Electric Service Will Be Supplied, Applicable to and Made a Part of All Agreements for Electric Service - Continued**

**11. Metering and Billing - Continued**  
**(D) Maximum Demand - Continued**

When demand is determined by an interval meter, the maximum demand shall be the integrated demand occurring during the two highest contiguous fifteen minute intervals during the billing period in which such use is made.

Whenever service is terminated to a Customer's premises and the same Customer applies for, and receives, service at the same location, within what would have been the same billing period, but for the termination in service, the maximum demand for the billing period shall be determined as though there had been no termination of service.

A Customer, entitled under the provisions of this Rate Schedule to have maximum demands added for billing purposes, may be billed for coincident maximum demand, provided that: (1) the Customer furnishes and installs all necessary conduit and wiring between the wathour meters and associated metering devices, or provides remote communications capability at each meter, for connection by the Company or the Customer's Meter Service Provider, and maintains the impulse wiring and/or remote communications equipment in accordance with General Rule III-9 (E); (2) no wathour meter will be connected with any other wathour meter or wathour meters for the measurement of coincident demand unless its rated capacity is 1 percent or more of the rated capacity of each other wathour meter to be so connected; (3) high tension service at 138,000 volts is not combined with high tension service below 138,000 volts on the same account if it is served under Service Classification No. 14-RA of the Retail Access Rate Schedule; and (4) high tension service at any voltage is not combined with low tension service under the same account under any Rate Schedule. Billing will be permitted on a coincident demand basis for high tension service at 138,000 volts and high tension service below 138,000 volts under Service Classification No. 14-RA, and for combined high tension service and low tension service under any Service Classification, if the Customer was billed for such service on a coincident demand basis prior to September 10, 2002.

Whenever electric service having the different characteristics of direct and alternating current is supplied through two or more wathour meters under a single agreement, the Customer has not requested coincident demand billing, and no suitable self-contained direct-current wathour-demand meter is commercially available, the Company may compute the maximum demand of the direct current service on the basis of 0.1 kilowatt for each 18 kilowatthours of registered consumption during a monthly billing period.

Whenever electric service of the same or different characteristics is supplied through two or more wathour meters under a single agreement the Company may compute the maximum demand, in lieu of installing a demand measuring device, for any wathour meter which has not registered more than 360 kilowatthours per month in 2 consecutive months during the preceding 12 months, on the basis of 0.1 kilowatt for each 18 kilowatthours of registered consumption during a monthly billing period.

The Company reserves the right to meter the demand of any Customer.

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**GENERAL INFORMATION - Continued**

**III. General Rules, Regulations, Terms and Conditions under Which Electric Service Will Be Supplied, Applicable to and Made a Part of All Agreements for Electric Service - Continued**

**11. Metering and Billing - Continued**

(G) **Unmetered Service:** Where the Customer's only utilization equipment consists of warning lights, electric signs or the like, having a total rated capacity of less than 10 kw and an estimated use of less than 3,000 kwhr per month and such equipment has a definitely determinable demand, and is operated on a fixed schedule, the Company may supply unmetered service at the applicable Service Classification rates and charges, upon the basis of the usage determined by the Company and endorsed upon the agreement for service. Unmetered service will not be supplied at any location where the Customer is supplied with metered service or to any account served under Service Classification No. 14-RA of the Retail Access Rate Schedule. The Company reserves the right at any time to meter service previously supplied on an unmetered basis.

(H) **Backbills:** Except as provided below, the Company shall not backbill a non-residential Customer:

- (1) more than 6 months after the Company actually became aware of the circumstances, error, or condition that caused the underbilling, unless a court extends the time to render a backbill;
- (2) for service rendered more than 12 months before the Company actually became aware of the circumstances, error, or condition that when the failure was due to Company deficiency caused the underbilling, unless the Company can demonstrate that the Customer knew or reasonably should have known that the original billing was incorrect;
- (3) for service rendered more than 24 months before the Company actually became aware of the circumstances, error, or condition that caused the underbilling, unless the Company can demonstrate that the Customer knew or reasonably should have known that the original billing was incorrect.

Backbilling for residential and non-residential Customers is subject to the rules of the Public Service Commission.

For any period when the Customer obtained Competitive Metering Services, the Company's right to backbill will not be limited for meter-related conditions that arose or could reasonably have been discovered during that time.

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**GENERAL INFORMATION - Continued**

**III. General Rules, Regulations, Terms and Conditions under Which Electric Service Will Be Supplied,  
Applicable to and Made a Part of All Agreements for Electric Service - Continued**

**11. Metering and Billing - Continued**

**(U) Minimum Monthly Charge for Demand-billed Customers**

A Minimum Monthly Charge is applicable to all customers billed for demand under Service Classification Nos. 4, 5, 8, 9, 12, and 13 and to customers served under Special Provision D of Service Classification No. 14-RA of the Retail Access Rate Schedule. An exemption from the Monthly Adjustment Clause is made for certain temporary service customers as provided below.

High-tension Customers served by temporary service pursuant to General Rule III-1(F) are exempt from the Minimum Monthly Charge if they are billed for service under Rate II or Rate III of Service Classification Nos. 4, 8, 9, or 12, Rate II of Service Classification No. 5, or Service Classification No. 13, and electricity is used exclusively during off-peak hours (i.e., the entire 48 hours of Saturday and Sunday, and 10PM through 8AM, Monday through Friday). If such a Customer uses service during on-peak hours in any month, the account will become ineligible for the Minimum Monthly Charge exemption for that month and the successive 17 months.

The Minimum Monthly Charge, when fully implemented as of April 1, 2001, will ensure that a Customer pays, at least, one-half of the distribution demand costs associated with meeting the Customer's Contract Demand.

- (1) Each month, the Company will determine for each Customer: (a) the monthly pure base revenue, and (b) the Minimum Monthly Charge.

Except for service under Rider Q, "monthly pure base revenue" as defined hereunder is equal to the total kilowatt and kilowatthour charges for the Customer less charges for the Market Supply Charge, Adjustment Factor - MSC and Adjustment Factor - MAC (as explained in General Information Section VII), without reference to the Minimum Monthly Charge and exclusive of "Other Charges and Adjustments" (as explained in General Information Section VIII-(B)) and of the "Increase in Rates and Charges" (as explained in General Information Section VIII-(A)), after application of any applicable rate reductions other than any applicable Retail Access Incentives, after application of the monthly Metering Credit (as explained in General Rule III-11(V)) if applicable, and after inclusion of any minimum demand charge applicable under the Customer's Service Classification. "Monthly pure base revenue" for service under Rider Q as defined hereunder is equal to the portion of the demand charge for the month based on the demand charge as set forth in the "Economic Development Delivery Service" rate schedule, inclusive of any minimum demand charge, and exclusive of the energy charge, "Other Charges and Adjustments," and the "Increase in Rates and Charges." The calculation of monthly pure base revenue excludes the effect of applicable charges for direct-current service. "Monthly pure base revenue" for service under Rider M as defined hereunder is equal to the total kilowatt and kilowatthour charges for the Customer under Rider M less charges for actual energy usage priced at the applicable hourly energy prices in accordance with the provisions of Rider M, without reference to the Minimum Monthly Charge and exclusive of "Other Charges and Adjustments" (as explained in General Information Section VIII-(B)) and of the "Increase in Rates and Charges" (as explained in General Information Section VIII-(A)), after application of any rate reductions other than applicable Retail Access Incentives, and after inclusion of any minimum demand charge applicable under the Customer's Service Classification.

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**GENERAL INFORMATION - Continued**

**III. General Rules, Regulations, Terms and Conditions under Which Electric Service Will Be Supplied,  
Applicable to and Made a Part of All Agreements for Electric Service - Continued**

**13. Limitations as to Availability of Service Classifications - Continued**

(D) **Segregated Service:** Except as provided in Service Classification No. 14-RA of the Retail Access Rate Schedule, or in General Rule III - 13 (E) "Emergency Generating Facilities," or when generating equipment is operated at the direction of the New York Independent System Operator ("NYISO") under NYISO Installed Capacity procedures for Special Case Resources or at the direction of the Company under Rider U or when used as a load reduction measure under Rider V, no other source of electric energy shall be introduced or permitted, directly or indirectly, in connection with the Customer's equipment to which electric energy is supplied by the Company. Where any other such source of electric energy is introduced in connection with or auxiliary to the Customer's equipment to which electric energy is supplied by the Company, or for which a supply of electric energy is requested from the Company, except as otherwise provided herein, such supply shall be classified as service for standby service purposes and shall be available only upon compliance with and subject to the terms and conditions of Service Classification No. 14-RA of the Retail Access Rate Schedule. All interconnections of generating equipment must be in compliance with the interconnection requirements specified in Service Classification No. 14-RA of the Retail Access Rate Schedule or by the NYISO as may be required.

(E) **Emergency Generating Facilities:** The use of emergency generating equipment for supply will be permitted to affected Customers for the duration of an interruption of the Company's service, or a Company announced voltage reduction, or when generating equipment is operated at the direction of the New York Independent System Operator ("NYISO") under NYISO Installed Capacity procedures for Special Case Resources or at the direction of the Company under Rider U or when used as a load reduction measure under Rider V, provided that the Customer's wiring and switching equipment are so arranged as to prevent parallel operation of the emergency generator with the Company's electrical system or feedback into the Company's lines. Before such emergency equipment is installed, the Customer shall submit to the Company for its approval:

- (1) a wiring diagram showing how the emergency generator would be connected to the building wiring, including the switching arrangements to prevent parallel operation; and
- (2) a statement in writing signed by the Customer to the effect that the emergency facilities will be used only during an interruption of the Company's electricity service or a Company announced voltage reduction and for necessary testing purposes or when generating equipment is operated at the direction of the New York Independent System Operator ("NYISO") under NYISO Installed Capacity procedures for Special Case Resources or at the direction of the Company under Rider U. Customers using emergency generating equipment under other than the above specified circumstances will be required to take service under Service Classification No. 14-RA of the Retail Access Rate Schedule.

(General Information - Continued on Leaf No. 63)

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**GENERAL INFORMATION - Continued**

**IV. Special Services Performed by the Company for Customers at a Charge**

1. **Special Services at Stipulated Rates:** Upon the Customer's request the Company will perform the following special services for a Customer and will charge the Customer at the stipulated rates:

- (A) Make high potential proof tests on new high tension equipment of the Customer, or on existing high tension equipment of the Customer after completion of certain maintenance and alteration work. Where these tests are made at a Company Station and are not coincident to Company purpose tests, or are made on the Customer's premises, the following rates will apply:

First test:

For up to two hours \$400.00

For each additional hour or portion thereof if the cause is beyond  
the Company's control \$200.00

Each additional test immediately following the first test \$100.00

- (B) Take and test samples of dielectric fluid from Customer's high tension apparatus, where the apparatus is equipped with proper valves or fittings; or test samples of dielectric fluid supplied by the Customer in an approved container furnished by the Company at the following rates:

Tests incidental to Company work at premises, per sample \$ 65.00

Tests not incidental to Company work at premises:

First sample taken by the Company \$270.00

Each additional sample taken by the Company at the same time \$ 65.00

Tests of samples supplied by the Customer in an approved container furnished by the  
Company and delivered to an authorized Company representative:

Each sample taken by the Customer \$ 65.00

- (C) Except if the Customer takes Competitive Metering Services, provide at a Customer's request separate reports, for four separate monthly billing periods to be designated by the Customer within the first 12 months of commencing billing under Rate II of Service Classification Nos. 4, 8, 9, or 12, or under Service Classification No. 13, showing the Customer's total demand based on fifteen minute intervals for each day of the billing period and the date, time, and the amount of the Customer's monthly maximum demand based on the two highest contiguous fifteen minute intervals during each such monthly billing period. Any similar report requested by such Customers other than the four reports specified above, or by other Customers with metering equipment capable of generating this information, shall be provided, if available, (1) in a paper report at a charge of \$15.00 per month of interval information, or (2) by computer disk at a charge of \$19.00 or by Internet at a charge of \$17.00 for 12 consecutive months or less of interval information.

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**GENERAL INFORMATION - Continued**

**VI. Service Classification Riders (Available on Request)**

**RIDER A**

Applicable to Service Classification Nos. 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, and 13

**A - CONTINUANCE OF AGREEMENT FOR SERVICE BY RECEIVER, TRUSTEE, OR LIKE OFFICER OF COURT**

In consideration of Consolidated Edison Company of New York, Inc., continuing the agreement between it  
and .....  
(Name of existing Customer)

for the furnishing of electric service or gas service, or both, (as indicated on the Customer's agreement to which  
this Rider is appended) at

.....  
(Premises served under agreement)

with ..... as  
(Name of Receiver, Trustee, or other Officer)

Receiver, Trustee, or other like Officer (in/of) .....  
(Equity, bankruptcy, rent, etc.)

of ..... {w/o/I} hereby assume the obligations of the  
(Name of Customer)

annexed agreement and agree to pay for such service used in said premises at the rate specified in said agreement  
until 5 days after written notice is given to the Company to discontinue such service in said premises.

(To be appended to original agreement for service)

Date ..... Signature .....  
(of Receiver, Trustee, or other like Officer of Court)

Mailing Address .....

Date ..... Reviewed by: .....

Date ..... Approved by: .....

(General Information – Continued on Leaf No. 86)

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GENERAL INFORMATION - Continued

VI. Service Classification Riders (Available on Request) - Continued

RIDER J

Applicable to Service Classification Nos. 4 and 9  
(Subject to the provisions thereof)

J - BUSINESS INCENTIVE RATE

- (A) **Applicability:** To non-governmental Customers eligible for service under Service Classification No. 4 or 9 of this Rate Schedule and meeting the requirements of this Rider. Service under this Rider will be available to Customers commencing service under this Rider on or after April 9, 1995 provided they meet the eligibility requirements set forth below.
- (1) **Eligibility:** Service under this Rider will only be available to Customers who are receiving economic development benefits from state or local authorities as specified in paragraphs (a) and (b) below and to not-for-profit institutions utilizing laboratory space for biomedical research as specified in (c) below. This Rider is available to:
- (a) Customers served in new or vacant premises receiving a substantial real property tax incentive or energy rebates under the New York City Energy Cost Savings Program; and
  - (b) Customers receiving a comprehensive package of economic incentives commencing in 1995 or thereafter, irrespective of whether the Customer's premises are new or vacant premises. Customers receiving a comprehensive package of economic incentives negotiated on or after January 1, 1998, who qualify under both this paragraph and paragraph (a) of subdivision (A) (1), will be considered to be eligible solely under this paragraph.
  - (c) Not-for-profit institutions occupying newly constructed or converted laboratory space contained within newly constructed buildings, additions to or renovations in existing buildings, or buildings newly converted to laboratory space, where such space is solely or predominantly used for biomedical research. Service under this Rider will be made available to such space and to associated administrative space within such buildings upon a showing of expected economic development benefits, including new jobs, as a result of the provision of this Rider over the long term and a showing that National Institute of Health grants will not contribute towards the cost of electric service covered by this Rider.

In addition, this service is only available to Customers taking service in premises that satisfy the distribution facilities cost test provided under subparagraph (A) (6) of this Rider and that perform or have performed an energy efficiency audit comparable to audits conducted by the Company. Customers taking service under Rider Q will be eligible for service under this Rider for power supplied and billed by the Company for electricity requirements in excess of that supplied under Rider Q.

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**GENERAL INFORMATION - Continued**

**VI. Service Classification Riders (Available on Request) - Continued**

**RIDER J - BUSINESS INCENTIVE RATE - Continued**

**(A) Applicability - Continued**

**(2) Scope of Program:**

(a) Subject to the provisions of B(3) of this Rider, up to 230 megawatts will be allocated to Customers commencing service on or after April 1995 under this Rider as follows:

(i) Service to attraction and retention Customers will not exceed 115 megawatts in the aggregate of which 15 megawatts will be available only in Westchester County.

(ii) For allocations of power under this Rider pursuant to contracts negotiated by governmental economic development agencies with attraction and retention customers on or before October 2, 2000 where the Customer initiates service under this Rider on or after April 1, 2001, the governmental economic development agency shall designate whether the customer will receive its allocation of power under section (A)(2)(a) or section (A)(2)(b) of this Rider.

(iii) For allocations of power under this Rider pursuant to contracts negotiated by governmental economic development agencies with attraction and retention Customers on or before October 2, 2000 utilizing power made available under section (A)(2)(a)(i) where the Customer initiates service under this Rider on or after April 1, 2001, (1) service to attraction and retention customers will be made available for an initial term of service of no less than three years and no more than ten years at the percentage reduction specified in section (B)(1)(a), and (2) service under this rider will terminate after the initial term, or the initial term will be followed by a phase-out period of three to five years as specified in section (B)(1)(b). The period of the initial term and the phase-out period, if any, will be specified in the contract.

(iv) Service to all other Customers under section (A)(2)(a) this Rider will not exceed 115 megawatts in the aggregate.

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**GENERAL INFORMATION - Continued**

**VI. Service Classification Riders (Available on Request) - Continued**

**RIDER J - BUSINESS INCENTIVE RATE - Continued**

**(A) Applicability - Continued**

**(2) Scope of Program - Continued**

(b) Beginning April 1, 2001, an additional 210 megawatts will be made available to Customers commencing service under this Rider. The additional 210 megawatts will be allocated as follows:

- (i) Service to attraction and retention Customers will not exceed 160 megawatts in the aggregate of which 140 megawatts will be available in only New York City and 20 megawatts will be available in only Westchester County.
- (ii) For allocations of power under this Rider pursuant to contracts negotiated by governmental economic development agencies with attraction and retention Customers utilizing power made available under section (A)(2)(b) where the Customer initiates service under this Rider on or after April 1, 2001, (1) service to attraction and retention customers will be made available for an initial term of service of no less than three years and no more than ten years at the percentage reduction specified in section (B)(1)(a), and (2) service under this Rider will terminate after the initial term or the initial term will be followed by a phase-out period of three to five years as specified in section (B)(1)(b). The period of the initial term and the phase-out period, if any, will be specified in the contract.
- (iii) Service to all other Customers under this Rider will not exceed 50 megawatts in the aggregate of which 8 megawatts will be made available to not-for-profit institutions utilizing laboratory space for biomedical research as specified in section (A)(1)(c). Allocations of this additional power will be available only after the power available under section (A)(2)(a)(iv) has been fully allocated except that allocations to not-for-profit institutions utilizing laboratory space for biomedical research will be available commencing April 1, 2001. Rate reductions provided to Customers under this subsection will be provided for a period of fifteen years, with an initial ten-year term of service at the percentage reduction specified in section (B)(2)(a) followed by a phase-out period of five years at which the percentage reduction specified in section (B)(2)(a) will be reduced one-sixth each year so that the rate reductions shall be phased out completely after the Customer's fifteenth year of Rider J service.
- (c) Initially, service to Customers served under Service Classification No. 14-RA of the Retail Access Rate Schedule will be limited under this Rider to a total of 5 megawatts, on a first come basis. The Company will continue to monitor the Business Incentive Rate program and propose adjustments to this limit, if necessary, to facilitate participation by all eligible Customers.

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**GENERAL INFORMATION - Continued**

**VI. Service Classification Riders (Available on Request) - Continued**

**RIDER J - BUSINESS INCENTIVE RATE - Continued**

**(B) Rate:**

For purposes of this subdivision, monthly distribution demand rates and monthly distribution energy rates include the distribution rate component only and exclude the MSC, the MAC, transmission rates, and any applicable charges for direct-current service, the Adjustment - MSC and Adjustment - MAC described in General Information Section VII, the system benefits charge and other applicable charges and adjustments described in General Information Section VIII-(B), and the increase in rates and charges described in General Information Section VIII-(A).

(1) Provided such reductions continue to be cost justified, Customers commencing service under this Rider on or after April 9, 1995 and receiving an allocation under subdivision (A)(2)(a) will receive the level of bill reductions specified in subdivision (B)(1)(a) for the initial ten years term of service under this Rider or for the period of the initial term designated by a governmental economic development agency making a designation pursuant to section (A)(2)(c). After ten years of service under this Rider or during the phase-out period designated by a governmental economic development agency making a designation pursuant to section (A)(2)(c), smaller rate reductions, as specified in subdivision (B)(1)(b) shall apply.

(a) Percentage reduction in the monthly distribution energy and distribution demand charges, as applicable, under Service Classification ("SC") Nos. 4 and 9:

For Customers billed under Rates I and III of SC Nos. 4 and 9.....66 percent  
For Customers billed under Rate II of SC Nos. 4 and 9.....55 percent

(b) The above stated percentage reductions will be reduced in equal decrements each year following the Customer's initial period of full discounts under this Rider so that the rate reductions shall be phased out completely at the end of the Customer's final year of Rider J service. The annual decrements will vary based upon the length of the Customer's phase-out period.

(2) Provided such reductions continue to be cost justified, Customers commencing service under this Rider on or after April 1, 2001 and receiving an allocation under subdivision (A)(2)(b) will receive the level of bill reductions specified in subdivision (B)(2)(a) for the initial term of service under this Rider. After the initial term of service under this Rider, smaller rate reductions, as specified in subdivision (B)(2)(b) shall apply except where a governmental economic development agency has elected under section (A)(2)(b) to terminate service under this Rider after the initial term of service.

(a) Reduction in the monthly distribution energy and distribution demand charges, as applicable, under Service Classification ("SC") Nos. 4 and 9:

For Customers billed under Rates I and III of SC Nos. 4 and 9 .....49.5 percent  
For Customers billed under Rate II of SC Nos. 4 and 9..... 41.25 percent

(General Information - Continued on Leaf No. 138-B)

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Issued by Joan S. Freilich, Executive Vice President and  
Chief Financial Officer  
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