

GENERAL INFORMATION - Continued

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

RIDER N

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

N - EMERGENCY SERVICE

(A) Applicability: To Customers with monthly maximum demands of at least 1200 kw and served under Service Classification Nos. 4 or 9, whose service addresses are south of Canal Street in the Borough of Manhattan, who either (a) own one or more mobile generators with a maximum capacity of 1750 kw each or request the use of a Company-owned generator or (b) make arrangements for one or more mobile generators pursuant to paragraph (I). Where Company labor and/or facilities are utilized to store, maintain, transport or operate either Company-owned or Customer-owned equipment, the Company reserves the right to limit Customer enrollment to no more than seven generators in aggregate. The Company shall review for acceptability the technical specifications of Customer-owned generating equipment to be used under this Rider, and Customers requesting service under this Rider N are advised to consult with the Company prior to purchasing such equipment.

(B) Service: The Company will endeavor to provide an emergency supply of electricity to any Customer served under this Rider, by means of generating equipment that is stored, maintained, transported, and operated by the Company pursuant to this Rider, up to the capacity of the generating equipment associated with the Customer's Rider N service, upon the Customer's reasonable request; provided, however, that the Company shall not provide such emergency supply when:

- (1) providing emergency supply would endanger life or property, whether of the Customer or the Company or any third party;
- (2) an unsafe condition relating to the receipt of electric service exists on the Customer's premises;
- (3) required by any directive of any governmental authority having jurisdiction over the Customer's electrical installation and equipment or over the Company; or
- (4) the Company has terminated regular electric service to the Customer in accordance with this Rate Schedule or the regulations of the Public Service Commission.

(General Information - Continued on Leaf No. 148)

Date of Issue: June 9, 2005

Date Effective: September 1, 2005

Issued by Joan S. Freilich, Executive Vice President and
Chief Financial Officer
4 Irving Place, New York, N.Y. 10003

GENERAL INFORMATION - Continued

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

RIDER N - EMERGENCY SERVICE - Continued

(C) **Emergency Supply Plan:** The Company shall review the facilities of every Customer applying for service hereunder and develop a plan (the "Plan") for providing emergency electricity supply to the Customer. The Plan shall include the Company's projected response schedule for serving the Customer based on the Customer's service location, the proximity of the generating and transportation equipment, and other factors relating to the provision of this service. The Plan shall also include any Customer-facility requirements, equipment specifications, personnel requirements, and other operating requirements. The Plan shall be stated in a written agreement between the Company and the Customer that may be modified only by written agreement of the parties. The cost of preparing the Plan will be paid by the Customer when the Customer makes application for service under this Rider. Based on its determination of the appropriate method of providing emergency supply, the Company will identify any new, additional, or modified Customer's facilities required to enable the Company to provide emergency supply hereunder. Prior to commencing service hereunder, the Customer shall complete any premises' additions or modifications agreed upon at its sole expense. The Plan will specify whether the Customer or the Company will supply the mobile generating equipment. Equipment purchased by the Customer shall remain the property of the Customer; Customers will have no rights in any Company-owned property or equipment. If the Customer requests the Company to provide mobile generating equipment, the Company will either purchase the equipment or, where the Company determines that it has equipment available, provide it from on-hand equipment.

(D) **Charges:** As calculated under Section IV "Special Services Performed by the Company for Customers at a Charge", the Customer shall pay:

- (1) in advance of the institution of service under this Rider, all capital costs incurred and to be incurred by the Company to provide service to the Customer under this Rider N. These costs shall include, but not be limited to, the cost of generating and transportation equipment, storage facilities, and equipment to be utilized to store, maintain, test, and transport the generating equipment and any costs incurred to comply with governmental regulation;
- (2) in advance, the costs to be incurred by the Company from time to time to modify, repair, or replace such generating and transportation equipment, storage facilities, or other equipment, and to comply with governmental regulations; and
- (3) on a periodic basis, the costs incurred by the Company to maintain readiness and to carry out the Emergency Supply Plan, including emergency supply of electricity. These charges shall include but shall not be limited to the cost to store, maintain, transport, and operate the equipment to generate and deliver electricity and any other costs incurred by the Company to carry out the Plan not otherwise recovered by the Company.

(General Information - Continued on Leaf No. 149)

Date of Issue: October 7, 1993

Date Effective: January 1, 1994

GENERAL INFORMATION - Continued

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

RIDER N - EMERGENCY SERVICE - Continued

- (E) **Nature of Service Provided:** Provided that the Customer has fulfilled the obligations under the Plan, the Company shall use its best efforts to provide emergency supply to any Customer served hereunder within eight hours of the time the Customer requests emergency service.

Emergency supply service under this Rider will be available in all months of the year. Where the equipment or facilities planned for the rendition of emergency supply to a Customer are to be out of service for preventive or corrective maintenance for any period in which emergency supply would otherwise be available under this Rider, the Company will provide notice of those maintenance activities that have been scheduled, to the extent practicable.

- (F) **Commencement of Service:** A Customer applying for service hereunder shall be served under this Rider commencing on a date to be specified by the Company following execution of the written agreement described in paragraph (C) above and acceptance of the Customer's application, but no later than six months following acceptance of the Customer's application, provided that the Customer has completed all requirements for service by that date, including but not limited to delivery of any generating equipment, in working order, to the Company facility designated for storage and acceptance of any Customer-owned equipment by the Company.

- (G) **Continuity of Service:** Once emergency supply of electricity commences, the Company will endeavor to continue the provision of the emergency supply until the Customer receiving emergency service agrees with the Company to discontinue it; provided, however, that the Company shall not be required to continue emergency supply hereunder when:

- (1) providing emergency supply would endanger life or property, whether of the Customer or the Company or any third party;
- (2) an unsafe condition relating to the receipt of electric service exists on the Customer's premises;
- (3) required by any directive of any governmental authority having jurisdiction over the Customer's electrical installation and equipment or over the Company; or
- (4) the Company has terminated regular electric service to the Customer in accordance with this Rate Schedule or the regulations of the Public Service Commission. Liability for the Company's inability or failure to carry out the Emergency Supply Plan or otherwise to provide service as prescribed under this Rider or the written agreement provided under paragraph (C) above shall be as provided in General Rule III-14 "Liability" of this Rate Schedule.

(General Information - Continued on Leaf No. 150)

Date of Issue: October 7, 1993

Date Effective: January 1, 1994

GENERAL INFORMATION - Continued

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

RIDER N - EMERGENCY SERVICE - Continued

- (H) **Term:** The initial term of service shall be five years, automatically renewed for a five-year period upon the expiration thereof; provided, however, that the Customer may terminate service hereunder upon ninety days' written notice to the Company at any time and the Company may terminate service hereunder after the end of the initial five-year term, with the approval of the Public Service Commission, upon one year's written notice to the Customer.
- (I) **Arrangements with Customers for Mobile Generating Capacity:** Customers planning to supply, maintain, transport and operate mobile generators may negotiate a separate arrangement for service under this Rider, subject to paragraphs (A), (C), (D), and (F) of this Rider and the terms of the negotiated agreement.

(General Information - Continued on Leaf No. 151)

Date of Issue: June 9, 2005

Date Effective: September 1, 2005

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Chief Financial Officer
4 Irving Place, New York, N.Y. 10003