

SERVICE CLASSIFICATION NO. 5

ELECTRIC TRACTION SYSTEMS

Applicable to Use of Service for

Light, heat, and power for electric traction purposes and miscellaneous uses in connection with the operation of a railroad or rapid transit system, where the Customer's requirements are in excess of 10 kilowatts.

Character of Service

Of the various characteristics of service listed and more fully described in General Rule III- 2, the following may be designated for service by the Company under this Service Classification, subject to the limitations set forth in such Rule. Frequencies and voltages shown are approximate. All are continuous.

Standard Service

Any derivative of the standard alternating current, 3 phase, 4 wire system at 60 cycles and 120/208 volts.

Non-Standard Service

Low Tension Alternating Current- 60 cycles:

Single phase at 120/240 volts
Three phase at 265/460 volts
Three phase at 240 volts
Two phase at 120/240 or 230 or 240 volts

High Tension Alternating Current- 60 cycles:

Three phase at 2,400/4,150 volts
Three phase at 13,200 or 26,400 or 33,000 volts
Three phase at 69,000 volts
Three phase at 138,000 volts

(Service Classification No. 5 - Continued on Leaf No. 240)

Date of Issue: April 1, 2002

Date Effective: July 1, 2002

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

SERVICE CLASSIFICATION NO. 5 - Continued
ELECTRIC TRACTION SYSTEMS

Rate I

Applicability: To all Customers other than those billed under Rate II.

1) Delivery Charges, applicable to all Customers

a) Demand Delivery Charges, per kilowatt of maximum demand

	Low Tension Service	High Tension Service
<i>Charge applicable for the months of June, July, August, and September</i>	\$10.19 per kW	\$9.02 per kW
<i>Charge applicable for all other months</i>	\$6.54 per kW	\$5.37 per kW

Minimum Charge: The minimum Delivery Demand Charge for any monthly billing period shall be the charge for 5 kW of demand.

b) Energy Delivery Charge, per kilowatthour

Charge applicable for all months for both low tension service and high tension service 2.06 cents per kWhr

c) Billing and Payment Processing Charge

Charges are as shown in General Information Section VIII(B).

d) Charges for Metering Services, unless taken competitively pursuant to General Rule III-8(A)

Charges applicable to Customers served under Rider M on a mandatory basis and to Retail Access Customers who would be served under Rider M on a mandatory basis if they purchased supply from the Company

1) Meter Ownership Charge, applicable unless a Meter Service Provider provides the meter(s) \$25.27 per month

2) Meter Service Provider Charge, applicable unless a Meter Service Provider provides meter services \$23.64 per month

3) Meter Data Service Provider Charge, applicable unless a Meter Data Service Provider provides meter data services, including providing and maintaining the communications service \$52.41 per month

Charges applicable to all other Customers

1) Meter Ownership Charge, applicable unless a Meter Service Provider provides the meter(s) \$6.24 per month

2) Meter Service Provider Charge, applicable unless a Meter Service Provider provides meter services \$4.84 per month

3) Meter Data Service Provider Charge, applicable unless a Meter Data Service Provider provides meter data services \$5.09 per month

e) Monthly Adjustment Clause ("MAC")

Charges, as described in General Information Section VII, are shown on the Statement of Market Supply Charge and Monthly Adjustment Clause and on the Statement of Adjustment Factor - MAC.

f) System Benefits Charge ("SBC") and Renewable Portfolio Standard ("RPS") Charge

Charges, as described in General Information Section VIII(B), are shown on the Statement of SBC and on the Statement of Charge for RPS Program.

g) Additional Delivery Charges, as specified in the Common Provisions of this Service Classification.

h) Reactive Power Demand Charge, applicable as specified in General Rule III-11(X).

(Service Classification No. 5 - Continued on Leaf No. 240-A)

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SERVICE CLASSIFICATION NO. 5 - Continued

ELECTRIC TRACTION SYSTEMS

Rate I - Continued

2) Supply Charges, applicable to Full-service Customers

a) Market Supply Charge ("MSC")

Customers who purchase supply from the Company and do not take service under Rider M are subject to the applicable per-kilowatthour and per-kilowatt components of the MSC, the Adjustment Factor – MSC I, and the Adjustment Factor – MSC II, as described in General Information Section VII and shown on the Statement of Market Supply Charge and Monthly Adjustment Clause and the Statement of Adjustment Factors - MSC.

Customers who purchase supply from the Company under Rider M on a mandatory basis pursuant to Special Provision I or on a voluntary basis are subject to the charges specified under Rider M.

b) Merchant Function Charge ("MFC")

Charges, as described in General Information Section VIII(B), are shown on the Statement of MFC.

Rate II – Mandatory Time-of-Day

Applicability: Mandatory Time-of-Day Rates apply to (1) any Customer whose monthly maximum demand after September 30, 1995 exceeds 1,500 kw in any annual period ending September 30; (2) any new Customer whose monthly maximum demand in the Company's estimate will exceed 1,500 kw during the first year of service; and (3) successors of Customers referred to in (1) and (2).

A Customer with multiple meters whose demand meter registrations are added together for billing purposes pursuant to the provisions of this Rate Schedule shall be billed under Rate II if the Customer qualifies for Rate II pursuant to one or more of the criteria stated above and if at least one of the meters has registered 500 kw or more in any month.

Where a Customer's account under Rate II is metered with multiple meters and where the registration of some of the meters is not on a time-of-day basis, the registrations of such meters will be billed on the time-of-day characteristics indicated by the time-of-day meter and such Customer will not be eligible for service under Rider M. If the conjunctionally or plurally-metered Customer so elects, however, the electricity supplied through the non-time-of-day meters will be billed as one separate account under the appropriate rate.

(Service Classification No. 4 - Continued on Leaf No. 240-A-1)

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See Supplement No. 76

**SERVICE CLASSIFICATION NO. 5 - Continued
ELECTRIC TRACTION SYSTEMS**

Rate II - Mandatory Time-of-Day

1) Delivery Charges, applicable to all Customers

- a) Demand Delivery Charges, per kilowatt of maximum demand for each specified time period

The demand charge for each time period will be determined by multiplying the maximum demand for the respective time period by the rate applicable to the demand for that time period. The total demand charge will be the sum of the charges for each of the time periods.

	Low Tension Service	High Tension Service
<i>Charges applicable for the months of June, July, August, and September</i>		
Monday through Friday, 8 AM to 6 PM	\$4.93 per kW	\$4.93 per kW
Monday through Friday, 8 AM to 10 PM	\$10.15 per kW	\$10.15 per kW
All hours - all days	\$9.73 per kW	N/A
<i>Charges applicable for all other months</i>		
Monday through Friday, 8 AM to 10 PM	\$8.63 per kW	\$8.63 per kW
All hours - all days	\$3.07 per kW	N/A

- b) Energy Delivery Charges, per kilowatthour

Charges applicable for all months for both low tension service and high tension service

Monday through Friday, 8 AM to 10 PM 0.65 cents per kWhr
All other hours/days 0.65 cents per kWhr

- c) Billing and Payment Processing Charge

Charges are as shown in General Information Section VIII(B).

- d) Charges for Metering Services, unless taken competitively pursuant to General Rule III-8(A)

- 1) Meter Ownership Charge, applicable unless a Meter Service Provider provides the meter(s) or the Customer owns the meter(s) \$24.68 per month
2) Meter Service Provider Charge, applicable unless a Meter Service Provider provides meter services \$12.96 per month
3) Meter Data Service Provider Charge, applicable unless a Meter Data Service Provider provides meter data services \$6.49 per month

- e) Monthly Adjustment Clause ("MAC")

Charges, as described in General Information Section VII, are shown on the Statement of Market Supply Charge and Monthly Adjustment Clause and on the Statement of Adjustment Factor - MAC.

- f) System Benefits Charge ("SBC") and Renewable Portfolio Standard ("RPS") Charge

Charges, as described in General Information Section VIII(B), are shown on the Statement of SBC and on the Statement of Charge for RPS Program.

- g) Additional Delivery Charges, as specified in the Common Provisions of this Service Classification.

- h) Reactive Power Demand Charge, applicable as specified in General Rule III-11(X).

2) Supply Charges, applicable to Full-service Customers

- a) Market Supply Charge ("MSC")

Charges, as described in General Information Section VII, are shown on the Statement of Market Supply Charge and Monthly Adjustment Clause and on the Statement of Adjustment Factors - MSC. Customers served under Rider M are not subject to the cents per-kWhr component of the MSC and Adjustment Factors - MSC that would otherwise be applicable under Rate II. Instead, such Customers' energy usage is priced at the hourly prices as determined in accordance with Rider M.

- b) Merchant Function Charge ("MFC")

Charges, as described in General Information Section VIII(B), are shown on the Statement of MFC.

(Service Classification No. 5 - Continued on Leaf No. 240-A-2)

RESERVED FOR FUTURE USE

(Service Classification No. 5 - Continued on Leaf No. 240-A-3)

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RESERVED FOR FUTURE USE

(Service Classification No. 5 - Continued on Leaf No. 240-B)

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RESERVED FOR FUTURE USE

(Service Classification No. 5 - Continued on Leaf No. 240-C)

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SERVICE CLASSIFICATION NO. 5 - Continued

ELECTRIC TRACTION SYSTEMS

Common Provisions Applicable to Rate I and Rate II

Additional Delivery Charges

The following delivery charges are applicable to service under this Service Classification and are shown on the associated Statements:

- (a) RDM Adjustment (including its mechanism and applicability), as described in General Information Section VIII(B)(8);
- (b) Delivery Revenue Surcharge, as described in General Information Section VIII(B)(9); and
- (c) Surcharge to Collect Assessments Under Section 18-a of the Public Service Law, as described in General Information Section VIII(B)(10).

Increase in Rates and Charges

The rates and charges under this Service Classification, including minimum charge or Minimum Monthly Charge and the Additional Delivery Charges specified above, are increased by the applicable percentage as explained in General Information Section VIII-(A) and shown on the related Statement.

Determination of Demand

The Company will install a demand measuring device of a type approved by the Public Service Commission for the determination of the maximum demand. (See General Rule III-11 (D) for definition of maximum demand.)

Terms of Payment

Net cash on presentation of bill, subject to late payment charge in accordance with provisions of General Rule III-11 (N).

(Service Classification No. 5 - Continued on Leaf No. 241)

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See Supplement No. 76

SERVICE CLASSIFICATION NO. 5 - Continued

ELECTRIC TRACTION SYSTEMS

Common Provisions Applicable to Rate I and Rate II - Continued

Term

One year from the date of installation of service hereunder; terminable thereafter by the Customer upon 30 days' prior notice in writing, and by the Company in accordance with law or the provisions of this Rate Schedule.

Commencement of Service

For Customers transferred to Rate II from Rate I, billing under Rate II shall commence when the Customer's entire usage is subsequent to December 31 of the annual period ending September 30 in which the Customer becomes subject to Rate II. For Customers billed under Rate II whose monthly maximum demand does not exceed 900 kw for 12 consecutive months, billing under Rate I shall commence in the first billing period thereafter.

Minimum Monthly Charge

The Customer will be subject to the Minimum Monthly Charge, as described in General Rule III-11(U), when the Minimum Monthly Charge exceeds the monthly pure base revenue. The Contract Demand is determined each month and is equal to the Customer's highest registered demand in the most recent 18 months, or the highest registered demand on the Customer's account if the account has less than 18 months of demand history, provided, however, that if a Customer requests and receives a reduction in the Contract Demand (as explained in General Rule III-11(U)), the demand history prior to the reduction will not be considered in determining the Contract Demand for subsequent months.

Special Provisions

- (A) Service to be regularly used as the normal supply for electric traction purposes of railroad or rapid transit systems (including systems owned or operated by a governmental or municipal agency), and for miscellaneous uses in connection with the operation of a railroad or rapid transit system will be supplied and billed under the provisions of this Service Classification, except as may be otherwise provided in an express written agreement between the Company and the Customer during the term set forth in such agreement. Service to be redistributed contrary to Special Provision B of this Service Classification will be supplied separately under and subject to the provisions of Service Classification No. 4.

(Service Classification No. 5 - Continued on Leaf No. 242)

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Effective under authority of PSC Order in Case 04-E-0572 made March 24, 2005

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

SERVICE CLASSIFICATION NO. 5 - Continued

ELECTRIC TRACTION SYSTEMS

Special Provisions - Continued

(A) - Continued

No service supplied under this Service Classification shall be used as an alternate to another source of supply, as a reserve or part-time supply, or as an emergency supply. However, the Customer may, for purposes of public safety, secure or provide an alternate source of supply, provided that such alternate supply shall be used only in the event, and for the duration, of a failure of the Company's supply, or during use for necessary testing purposes after notice to the Company.

Where the Company supplies electric service to substations adjacent to substations connected to the same traction distribution system which are supplied from another source of supply, the Customer shall so operate its electric facilities that there shall be no substitution, in whole or in part, of electricity from such other source in place of the Company's service, and the Customer shall operate its equipment and facilities supplied with service by the Company in substantially the same manner and on approximately the same schedule as similar adjacent equipment or facilities are supplied by the Customer's other source of supply, otherwise the rates, charges, terms and conditions of Service Classification No. 14-RA of the Retail Access Rate Schedule shall apply.

All service used as an alternate for another source of supply shall be classified as use for standby purposes, and shall be available only upon compliance with and subject to the rates, charges, terms and conditions of Service Classification No. 14-RA of the Retail Access Rate Schedule.

Where high tension service is supplied under this Service Classification to substations for electric traction purposes of such railroad or rapid transit systems at various locations along the right of way, such service, together with low tension service used for substation auxiliaries only will be furnished under a single service agreement and the energy so supplied will be added and the separate maximum demands will be added on a non-coincident basis, except as provided in General Rule III - 11 (L), and except to the extent that the coincident maximum demand of such a group of stations may be determined by comparison of the registrations of recording-type demand meters installed at the respective locations, but only one demand meter registration per location shall be included in such comparison .

(Service Classification No. 5 - Continued on Leaf No. 243)

SERVICE CLASSIFICATION NO. 5 - Continued

ELECTRIC TRACTION SYSTEMS

Special Provisions - Continued

- (B) The Company's service and supply of electric energy under this Service Classification will not be furnished otherwise than directly to a Customer of the Company, solely through the Company's meter or meters, upon the individual application of such Customer upon the form of application prescribed in this Rate Schedule, and will be supplied only on condition that such electric service is for the Customer's own use and will not be remetered (or submetered) or resold, assigned or otherwise disposed of to another or others, except that the Customer may redistribute or furnish electric energy for the use of tenants or occupants in the building or premises at which the Customer is supplied with electric service under this Service Classification, provided that the Customer shall not resell, make a specific charge for, or remeter (or submeter) or measure any of the electric energy so redistributed or furnished.
- (C) Where both high tension and low tension service are supplied hereunder to a Customer under a single agreement, the high tension service will be billed at the high tension rate and the low tension service will be billed at the appropriate succeeding steps of the low tension rate.
- (D) Whenever a Customer's maximum demand for a period of 12 consecutive months shall not have exceeded 10 kilowatts, the Customer will thereafter be billed under Service Classification No. 2 General - Small.
- (E) Rates and charges stated without reference to a specific month shall apply to all electric service supplied hereunder on and after the effective date hereof. Where a bill includes periods before the effective date and after the effective date, the rates and charges applicable will be prorated based on the number of days of service rendered before the effective date and on and after the effective date related to the total number of days in the billing period.
- Rates and charges referable to a specific month ("month-specific rates and charges") shall apply to all electric service supplied hereunder after the last day of the preceding month and through the last day of the named month. Where a bill includes periods before and after the first calendar day of a month, the month-specific rates and charges applicable will be prorated based on the number of days of service rendered before the first day of the month and on and after the first calendar day of the month related to the total number of days in the billing period.
- The Billing and Payment Processing Charge will not be prorated for periods greater or less than 30 days.
- (F) The following Riders may be applied to this Service Classification: A, B, E, M, O, and P.
- (G) For general rules, regulations, terms and conditions under which service will be supplied, see General Information Section III.
- (H) For form of application under this Service Classification, see General Information Section IX.

Date of Issue: March 31, 2008

Date Effective: April 1, 2008

Issued under authority of PSC order in Case 07-E-0523 made March 25, 2008.

SERVICE CLASSIFICATION NO. 5 - Continued

ELECTRIC TRACTION SYSTEMS

Special Provisions - Continued

- (I) Except for Customers ineligible for Rider M as specified in Special Provision (D)2 of that Rider, the following Customers take service under Rider M on a mandatory basis if they purchase power and energy from the Company:
- (1) Customers served under Rate II, beginning with bills having a “from” date on or after May 1, 2006;
 - (2) Customers served under Rate I or Rate III, beginning with bills having a “from” date on or after November 1, 2009, if the Customer’s maximum demand exceeds both 1,000 kW in any month between October 1, 2007 and September 30, 2008, and 300 kW in any month between October 1, 2008 and September 30, 2009;
 - (3) Customers served under Rate I or Rate III, beginning with bills having a “from” date on or after May 1, 2011, if the Customer’s maximum demand exceeds both 500 kW in any month between October 1, 2008 and September 30, 2009, and 300 kW in any month between April 1, 2010 and March 30, 2011;
 - (4) Customers served under Rate I or Rate III, beginning with bills having a “from” date on or after January 1, 2012, and each January 1 thereafter, if the Customer’s maximum demand exceeds 500 kW in any month during the annual period ending September 30 of the preceding year;
 - (5) New Customers to be served under Rate I or Rate III, if the maximum demand in the Company’s estimate is expected to exceed 1,000 kW in any month during the first year of service commencing between November 1, 2009 and April 30, 2011;
 - (6) New Customers to be served under Rate I or Rate III, if the maximum demand in the Company’s estimate is expected to exceed 500 kW in any month during the first year of service commencing on or after May 1, 2011; and
 - (7) Customers who are successors of Customers referred to in (1) through (6) above, unless the maximum demand in the Company’s estimate is not expected to exceed 300 kW each month during the first year of service.

A Customer who takes service under Rider M on a mandatory basis will be removed from Rider M in the month following 12 consecutive months in which the maximum demand does not exceed 300 kW, unless the Customer elects in writing to continue Rider M service on a voluntary basis.

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