

PSC NO: 9 GAS

COMPANY: CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

INITIAL EFFECTIVE DATE: 3/03/08

STAMPS: Issued in Compliance with Commission Order in Case 06-G-0059, Dated 8/23/07

LEAF: 85

REVISION: 2

SUPERSEDING REVISION: 1

GENERAL INFORMATION - Continued

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

13. Attachments of New Gas Customers and Supplying of Gas to Existing Customers

Acceptance of service applications and providing new or additional service will be contingent upon the following:

- (1) The Company has an adequate supply of gas to meet the requirements of such applicants; and
- (2) All applications must be in writing in accordance with the terms and conditions of this Rate Schedule and the Company's Sales and Transportation Operating Procedures and must be accompanied by a statement indicating the intended use of the gas.

14. Gas Service Curtailments

(A) If the Company in its judgment finds that it is unable to satisfy the full requirements of its Customers (including intra-Company transfer requirements) and finds it necessary to curtail sales and/or transportation service, the Company may curtail service to a Customer or give oral, written or electronic notice of curtailment. If notice of curtailment is given, a Customer must curtail its use of service pursuant to the notice.

(B) If notified of a curtailment, Energy Service Companies (ESCOs) and Direct Customers (DCs) are still required to deliver their Maximum Daily Transportation Quantity ("MDTQ") to the citygate as directed by the Company, unless an upstream force majeure interruption or curtailment prevents the ESCO or DC from securing and delivering its MDTQ to the citygate. ESCOs and DCs will be compensated for the cost of the diverted gas as discussed in Section E.

(General Information - Continued on Leaf No. 86)

Issued By: Robert N. Hoglund, Senior Vice President & Chief Financial Officer, 4 Irving Place, New York, N. Y. 10003

(Name of Officer, Title, Address)

GENERAL INFORMATION - Continued

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

14. Gas Service Curtailments - Continued

- (C) Curtailments and notices of curtailment of sales or transportation services resulting from a gas supply deficiency will normally be made in the following order of priority with higher-numbered priorities being curtailed before lower-numbered priorities, and with human needs customers (as defined in the Definitions section of the SC - 9 tariff) having the highest priority.
- (1) Residential sales and transportation service requirements in firm service Classifications, including human needs requirements.
 - (2) Industrial and commercial sales and transportation service requirements in firm service classifications.
 - (3) Plant protection requirements for Customers curtailed in Categories 4 through 8 below.
 - (4) Process and feedstock requirements.
 - (5) Industrial and commercial requirements for space heating (other than boiler fuel use).
 - (6) Industrial and commercial space heating boiler fuel requirements, air conditioning, electric generation, and other nonprocess purposes. Also included is the Company's boiler ignition gas requirements.
 - (7) Firm requirements to Customers whose facilities are capable of using an alternate fuel or energy source to supply the energy requirements of the premises otherwise supplied by gas.
 - (8) Interruptible and off-peak firm service requirements under Service Classification Nos. 12 and 9.

Within all categories, curtailment of residential Customers in each category would begin only after full curtailment of all commercial and industrial Customers in that category.

Except for Category 8, curtailment of all other categories will be on a pro rata basis to the extent operationally feasible except for residential sales and transportation.

(General Information - Continued on Leaf No. 87)

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(Name of Officer, Title, Address)

GENERAL INFORMATION - Continued

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

14. Gas Service Curtailments - Continued

(C) - Continued

Within Category 8, the following procedures shall apply:

(1) Above the applicable cut-off temperatures specified in accordance with Service Classification No. 12, Temperature-Controlled Customers will be curtailed along with other dual-fuel Customers within Category 7. Below the applicable cut-off temperatures, Temperature-Controlled Customers are not served and have no service entitlement.

(2) Fully Interruptible Service Classification 12 Customers and equivalent Service Classification 9 Customers (i.e., those Customers that are interruptible by means of notification) shall generally be curtailed in reverse order of their revenue contribution and after factoring in the human needs criterion.

(D) The following provisions shall govern curtailments and notices of curtailment of sales and transportation services resulting from a deficiency of capacity in gas transmission lines that are owned by the Company or that the Company has a contractual right to use (other than interstate pipeline transmission lines).

(1) In the event of a transportation-capacity deficiency, curtailments and notices of curtailments will normally be made according to the following priorities to the extent permitted by operating feasibility, with Priority (2) being curtailed before Priority (1):

(a) **Priority 1:** All firm sales and firm transportation services to Customers with dual-fuel or alternate energy facilities and off-peak firm sales and transportation services, including Temperature-Controlled Interruptible Customers above the specified temperature cut-offs, firm and off-peak firm intra-Company transfers; and non-tariff firm and off-peak firm sales and transportation services;

(b) **Priority 2:** Interruptible sales and transportation services including: notification interruptible Customers; interruptible intra-Company transfers; non-tariff interruptible sales and transportation with plant protection requirements assigned the highest priority.

(General Information - Continued on Leaf No. 88)

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GENERAL INFORMATION - Continued

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

14. Gas Service Curtailments - Continued

(D) - Continued

- (2) The Company will have sufficient capacity at all times to serve requirements in Priority 1, absent the occurrence of an emergency or a cause beyond its control in accordance with General Rule III -11. In the event that the Company does not have capacity sufficient to serve all of its Priority 1 requirements, the Company will allocate the available capacity among the affected Customers in the manner which, in the Company's judgment, best protects the health, safety, and property of its Customers, with human needs Customers having the highest priority.
- (3) Prior to the start of each month, Customers in Priority 2 will be ranked in order of their applicable local transportation margins. Priority 2 Customers requesting service during a service month will be ranked at the end of the margin-based queue for the month on a first-come, first-served basis. On each day during the month, gas transportation capacity will be allocated to Priority 2 Customers according to that queue, starting with the Customer paying the highest margin. If there is not sufficient capacity to serve all requirements of Customers within Priority 2 that are paying the same local transportation margin, the capacity available for such customers will be prorated among them in proportion to their nominated service level for the month at the receipt point in question.
- (4) If an Interruptible Transportation Customer requires, for physical rather than economic reasons, transportation capacity that would be used for service to higher ranking sales Customers, and if the Company can render the affected sales service through alternate arrangements, such capacity may be allocated to the Interruptible Transportation Customer, provided that the allocation does not adversely affect sales services, and provided that the Customer shall reimburse the Company for any incremental operating and gas purchase costs.

(General Information - Continued on Leaf No. 89.)

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(Name of Officer, Title, Address)

PSC NO: 9 GAS

LEAF: 89

COMPANY: CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

REVISION: 3

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GENERAL INFORMATION - Continued

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

14. Gas Service Curtailments - Continued

(E) In the event gas supply intended for lower priority customers is diverted from ESCOs and DCs to serve higher priority Customers pursuant to provisions (C) and (D) of this Section, the ESCO or DC from whom gas is diverted will be compensated for the volume diverted at the market price of gas during the curtailment. The market price of gas is defined as the "Midpoint" gas price for Transco Zone 6 – N.Y. for the applicable diverted gas flow day as published by Platts in the Gas Daily Price Guide. If the ESCO/DC can demonstrate to the Company's satisfaction that its contract calls for a higher price the Company will reimburse the ESCO/DC at the contract price. The ESCO/DC shall be responsible for providing the Company with adequate support of the higher contract price. Customers of ESCOs who are affected by a curtailment must seek compensation directly from their ESCO. When gas is diverted to serve firm sales or firm transportation service classifications, payments made by the Company will be recovered through the Monthly Rate Adjustments applicable to firm sales and firm transportation customers in accordance with General Information Special Adjustments IX.17 (Curtailment Cost Recovery Charge).

(F) Curtailment Guidelines

The following guidelines will inform the Company in its application of the curtailment requirements:

(a) As circumstances permit, the Company shall first seek voluntary curtailments to alleviate an emergency situation. Then, the Company shall implement a curtailment after all mutual aid, contractual and other non-contractual supply tools, Operational Flow Orders, interruption of contractually-interruptible load, and supply acquisition options have been utilized.

(General Information - Continued on Leaf No. 90)

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PSC NO: 9 GAS

LEAF: 90

COMPANY: CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

REVISION: 3

INITIAL EFFECTIVE DATE: 3/03/08

SUPERSEDING REVISION: 2

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GENERAL INFORMATION - Continued

III. General Rules, Regulations, Terms and Conditions under Which Gas Service Will Be Supplied, Applicable to and Made a Part of All Agreements for Gas Service - Continued 14. Gas Service Curtailments - Continued

(F) Curtailment Guidelines-Continued

(b) Curtailments shall be limited in scope and duration as necessary to alleviate an emergency situation, and, to the extent possible, shall be localized.

(c) Economic considerations shall not be the basis for a curtailment.

(d) In the event that the Company declares a curtailment, as well as when the situation returns to normal, the Company shall notify the Director of the Office of Electric, Gas and Water of the New York State Department of Public Service.

(e) The Company shall provide periodic updates to ESCOs and curtailed customers so that they can plan accordingly.

Failure of the Company to adhere to one or more of the above criteria is not a basis for ESCOs or Direct Customers not to comply with requirements of the curtailment but may provide the basis for a complaint to the Commission regarding the Company's behavior.

If, during a curtailment period, the Company becomes aware of ESCOs or Direct Customers that are not responding to the required actions, it shall make all reasonable efforts to inform the non-responding ESCOs and Direct Customers that the required actions are not being taken. Lack of notice shall not relieve any ESCO or Direct Customer of its obligations.

15. Minimum Insulation Standards

Eligibility of any "new dwelling" for gas service, and eligibility of any existing dwelling for gas service for conversion to space heating are governed by, among other provisions, the requirements set forth in the State of New York Official Compilation of Rules and Regulations of 16 NYCRR 233, which provide in relevant part as follows:

(General Information - Continued on Leaf No. 91)

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