

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held in the City of
Albany on October 13, 2022

COMMISSIONERS PRESENT:

Rory M. Christian, Chair
Diane X. Burman
James S. Alesi
Tracey A. Edwards
John B. Howard
David J. Valesky
John B. Maggiore

CASE 14-M-0565 - Proceeding on Motion of the Commission to
Examine Programs to Address Energy Affordability
for Low Income Utility Customers.

CASE 20-M-0266 - Proceeding on Motion of the Commission Regarding
the Effects of COVID-19 on Utility Service.

ORDER APPROVING TARIFF AMENDMENTS ON A PERMANENT BASIS

(Issued and Effective October 13, 2022)

BY THE COMMISSION:

INTRODUCTION

On August 12, 2021, the Public Service Commission (Commission) adopted certain improvements to the statewide utility bill discount programs.¹ On August 31, 2021, tariff amendments to implement the modifications to bill discount programs, to become effective on a temporary basis as of September 1, 2021, were filed by certain utilities, including: Central Hudson Gas & Electric Corporation (Central Hudson);

¹ Case 14-M-0565, et al., Order Adopting Energy Affordability Policy Modifications and Directing Utility Filings (issued August 12, 2021) (EAP Phase 2 Order).

Consolidated Edison Company of New York, Inc. (Con Edison); Niagara Mohawk Power Corporation d/b/a National Grid, KeySpan Gas East Corporation d/b/a National Grid, and The Brooklyn Union Gas Company d/b/a National Grid (together, National Grid); New York State Electric & Gas Corporation (NYSEG); National Fuel Gas Distribution Corporation (NFG); Orange and Rockland Utilities, Inc. (O&R); and Rochester Gas and Electric Corporation (RG&E) (collectively, the Companies).

On June 16, 2022, the Commission adopted an Arrears Reduction Program providing bill credits to low-income utility customers who accrued arrears during the COVID-19 pandemic.² Subject to the requirements of the Arrears Reduction Order, customers with active accounts who are currently enrolled in a utility bill discount program or who enroll in such a program on or before December 31, 2022, or who received benefits from the New York State Emergency Rental Assistance Program or the Home Energy Assistance Program - Regular Arrears Supplement program, will receive a one-time bill credit under the Arrears Reduction Program (ARP) for any arrears balance on their bill as of, and prior to, a bill date of May 1, 2022. Moreover, customers newly enrolled in utility bill discount programs through December 31, 2022, will also receive a one-time bill credit under the ARP. On June 24, 2022, the Companies filed tariff amendments to implement the adopted ARP to become effective on a temporary basis as of July 1, 2022.

By this Order, the Commission authorizes the tariff amendments as shown in Appendix A to become effective on a permanent basis as of the date of issuance of this Order.

² Case 14-M-0565, et al., Order Authorizing Phase 1 Arrears Reduction Program (issued June 16, 2022) (Arrears Reduction Order).

TARIFF FILINGS

EAP Phase 2 Order

The tariff amendments made by the Companies to effectuate the EAP Phase 2 Order include moving the bill discount amounts from the electric and gas tariffs to new statements. Tariff amendments add the federal Lifeline and related programs to the list of qualifying public assistance programs for program eligibility. The Companies updated the bill discount amounts in accordance with the EAP Phase 2 Order and have moved the bill discounts to tariff statements. The bill discounts will be updated annually beginning November 1, 2022, to become effective December 1, 2022. The Companies will also update the bill discount amounts and applicable tariff statements in a compliance filing that includes a new rate plan.

Arrears Reduction Order

The tariff amendments made by the Companies to effectuate the Arrears Reduction Order include a recovery surcharge mechanism for the ARP. The surcharge will appear on statements filed with the Commission not less than three days prior to the effective date.

The Companies' tariff revisions show how the amount to be recovered from customers is allocated to applicable service classifications based on either: (1) an allocation consistent with how uncollectible costs were allocated in each company's most recent rate case; or (2) for those companies who cannot allocate costs based on specific allocators due to billing system or rate mechanism limitations, an alternative proposal. Each company identified the mechanism it will use to recover the cost of the ARP from customers. The surcharge will be subject to an annual true-up, with any over- or under-collection to be reconciled.

LEGAL AUTHORITY

Pursuant to Public Service Law §§5, 65(1), 66(1) and 12(b), the Commission has the legal authority to review proposed tariff leaves, as well as to modify, reject or approve such filed tariff amendments. As such, the Commission has the legal authority to review the Company's filings and approve the tariff amendments, as prescribed by this Order.

DISCUSSION AND CONCLUSION

The tariff amendments as proposed by the Companies are consistent with Commission directives in the EAP Phase 2 Order and the Arrears Reduction Order and are necessary to effectuate the modifications to the utility bill discount programs and the adopted ARP. The tariff amendments as shown in Appendix A are authorized to become effective on a permanent basis as of the date of this Order. The Commission waived newspaper publication tariff amendments associated with EAP Phase 2 Order. The Companies complied with newspaper publication for the ARP tariff filings and these additional tariff amendments reflect the additional information, as directed in the Arrears Reduction Order, and therefore appropriate public notice has been given.

Compliance tariff filings made by NYSEG and RG&E on June 24, 2022, in Case 22-M-0119, have affected tariff leaves that were originally filed for approval in this proceeding.³ Therefore, to avoid duplication or conflict, NYSEG and RG&E are directed to file tariff amendments incorporating provisions that were approved in the Accounting Order, subsequent to the filing of tariff amendments listed in Appendix A. These amendments

³ Case 22-M-0119, New York State Electric & Gas Corporation, et al. - Alternative Recovery Mechanism, Order Authorizing Alternative Recovery Mechanism for Unbilled Fees and Conforming Accounting Charges (issued June 17, 2022) (Accounting Order).

shall be filed on not less than five days' notice, to become effective November 1, 2022.

The Commission orders:

1. The tariff amendments filed by Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, KeySpan Gas East Corporation d/b/a National Grid, The Brooklyn Union Gas Company d/b/a National Grid, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation, as listed in Appendix A, are authorized to become effective on a permanent basis upon the effective date of this Order, as discussed in the body of this Order.

2. New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation are directed to file, on not less than five days' notice, to become effective on November 1, 2022, tariff amendments to incorporate tariff modifications previously approved in Case 22-M-0119, consistent with the discussion in the body of this Order.

3. The requirements of Public Service Law §66(12)(b) and 16 NYCRR §720-8.1, as to newspaper publication with respect to the tariff filings directed in Ordering Clause No. 2, are waived.

4. In the Secretary's sole discretion, the deadlines set forth in this Order may be extended. Any request for an extension must be on writing, must include a justification for the extension, and must be filed at least three days prior to the affected deadline.

5. These proceedings are continued.

By the Commission,

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

SUBJECT: Filings by CENTRAL HUDSON GAS & ELECTRIC CORPORATION

Amendment to P.S.C. 15 - Electricity

Fourteenth Revised Leaf No. 163.5

Statement of Low-Income Bill Discount Monthly
Credits No. 1

Amendment to P.S.C. No. 12 - Gas

Eighteenth Revised Leaf No. 126

Statement of Low-Income Bill Discount Monthly
Credits No. 1

Issued: August 31, 2021 Effective on a temporary
basis on September 1, 2021.

Amendments to P.S.C. No. 15 - Electricity

Original Leaves Nos. 106.1.12, 163.5.1.1
Seventh Revised Leaf No. 163.5.1

Amendments to P.S.C. No. 12 - Gas

Original Leaf No. 129.3.1.1
Nineteenth Revised Leaf No. 126

Issued: June 24, 2022 Effective on a temporary
basis on July 1, 2022.

NEWSPAPER PUBLICATION: Waived for the August 31, 2021 filings.
July 5, 12, 19, and 26, 2022 for the June 24, 2022 filings.

SUBJECT: Filings by CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Amendments to P.S.C. No. 10 - Electricity

Sixth Revised Leaf No. 255.1
Eleventh Revised Leaf No. 255

Statement of Low-Income Bill Discount Monthly
Credits No. 1

Amendments to P.S.C. No. 9 - Gas

Sixth Revised Leaf No. 130
Seventh Revised Leaf No. 131
Twenty-Seventh Revised Leaf No. 269

Statement of Low-Income Bill Discount Monthly
Credits No. 1

Issued: August 31, 2021 Effective on a temporary
basis on September 1, 2021.

Amendments to P.S.C. No. 10 - Electricity

Third Revised Leaf No. 89
Fourth Revised Leaf No. 343.2
Seventh Revised Leaf No. 3

Amendment to P.S.C. No. 12 - Electricity

Second Revised Leaf No. 26.5

Amendments to P.S.C. No. 9 - Gas

Second Revised Leaf No. 78
Third Revised Leaf No. 166.3
Fifth Revised Leaves Nos. 77, 183.6
Sixteenth Revised Leaf No. 6
Twenty-First Revised Leaf No. 155

Issued: June 24, 2022 Effective on a temporary
basis on July 1, 2022.

NEWSPAPER PUBLICATION: Waived for the August 31, 2021 filings.
July 11, 18, 25, 2022 and August 1, 2022 for the June 24, 2022
filings.

SUBJECT: Filing by KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID

Amendments to P.S.C. No. 1- Gas
Second Revised Leaf No. 120.1
Sixth Revised Leaf No. 62
Eighth Revised Leaf No. 120

Statement of Energy Affordability Credit No. 5

Issued: August 31, 2021 Effective on a temporary
basis on September 1, 2021.

Amendments to P.S.C. No. 1 - Gas

Fourth Revised Leaf No. 6.1
Ninth Revised Leaf No. 119.51
Thirteenth Revised Leaf No. 119.53

Issued: June 24, 2022 Effective on a temporary
basis on July 1, 2022.

NEWSPAPER PUBLICATION: Waived for the August 31, 2021 filing.
July 6, 13, 20 and 27, 2022 for the June 24, 2022 filing.

SUBJECT: Filings by NATIONAL FUEL GAS DISTRIBUTION CORPORATION

Amendments to P.S.C. No. 9 - Gas

Original Leaf No. 1.1
Third Revised Leaf No. 1

Statement of Statewide Low Income Program Discounts
No. 34

Issued: August 31, 2021 Effective on a temporary
basis on September 1, 2021.

Amendments to P.S.C. No. 9 - Gas

Original Leaf No. 155
Third Revised Leaf No. 132
Sixth Revised Leaf No. 130
Ninth Revised Leaf No. 3

Issued: June 24, 2022 Effective on a temporary
basis on July 1, 2022.

NEWSPAPER PUBLICATION: Waived of the August 31, 2021 filing. July
15, 22, 29, 2022 and August 5, 2022 for the June 24, 2022 filing.

SUBJECT: Filings by NEW YORK STATE ELECTRIC & GAS CORPORATION

Amendment to P.S.C. No. 119 - Electricity

Fourth Revised Leaf No. 150.3

Low Income Program Discount Statement No. 1

Amendment to P.S.C. No. 90 - Gas

Fourth Revised Leaf No. 105.5

Low Income Program Discount Statement No. 1

Issued: August 31, 2021 Effective on a temporary
basis on September 1, 2021.

Amendment to P.S.C. No. 120 - Electricity

Original Leaf No. 117.64

Amendment to P.S.C. No. 121 - Electricity

Original Leaf No. 14.9

Amendment to P.S.C. No. 90 - Gas

Original Leaf No. 116

Issued: June 24, 2022 Effective on a temporary
basis on July 1, 2022.

NEWSPAPER PUBLICATION: Waived for the August 31, 2021 filings.
July 9, 16, 22 and 29, 2022 for the June 24, 2022 filings.

SUBJECT: Filings by NIAGARA MOHAWK POWER CORPORATION D/B/A
NATIONAL GRID

Amendments to P.S.C. No. 220 - Electricity

Original Revised Leaf No. 368.1

Fourth Revised Leaves Nos. 368, 368.1

Statement of Energy Affordability Credit No. 6

Amendment to P.S.C. No. 219 - Gas

Third Revised Leaf No. 127.1

Statement of Energy Affordability Credit No. 5

Issued: August 31, 2021 Effective on a temporary
basis on September 1, 2021.

Amendments to P.S.C. No. 220 - Electricity

Third Revised Leaf No. 263.5.1

Twenty-Fourth Revised Leaf No. 3

Amendments to P.S.C. No. 219 - Gas

Original Leaf No. 122.7.1

First Revised Leaf No. 122.19

Fourteenth Revised Leaf No. 2

Issued: June 24, 2022 Effective on a temporary
basis on July 1, 2022.

NEWSPAPER PUBLICATION: Waived for the August 31, 2021 filings.
July 7, 14, 21 and 28, 2022 for the June 24, 2022 filings.

SUBJECT: Filings by ORANGE AND ROCKLAND UTILITIES, INC.

Amendments to P.S.C. No. 3 - Electricity

Original Revised Leaf No. 106.1

Sixth Revised Leaf No. 106

Statement of Low Income Customer Affordability
Assistance Program Discounts No. 1

Amendments to P.S.C. No. 4 - Gas

Fifth Revised Leaf No. 47.1

Eleventh Revised Leaf No. 47

Statement of Low Income Customer Affordability
Assistance Program Discounts No. 1

Issued: August 31, 2021 Effective on a temporary
basis on September 1, 2021.

Amendments to P.S.C. No. 3 - Electricity

Original Leaves Nos. 3.1, 221.2.1
First Revised Leaf No. 108.3
Second Revised Leaf No. 221.2
Fourth Revised Leaf No. 3

Amendments to P.S.C. No. 4 - Gas

Original Leaf No. 80.3.11
First Revised Leaf No. 47.2
Second Revised Leaf No. 80.3.10
Seventh Revised Leaf No. 2

Issued: June 24, 2022 Effective on a temporary
basis on July 1, 2022.

NEWSPAPER PUBLICATION: Waived for the August 31, 2021 filings.
July 9, 16, 22 and 29, 2022 for the June 24, 2022 filings.

SUBJECT: Filings by ROCHESTER GAS AND ELECTRIC CORPORATION

Amendments to P.S.C. No. 19 -Electricity

Fourth Revised Leaf No. 86.24
Low Income Program Discount Statement No. 1

Amendments to P.S.C. No. 16 - Gas

Fifth Revised Leaf No. 84.3
Low Income Program Discount Statement No. 1

Issued: August 31, 2021 Effective on a temporary
basis on September 1, 2021.

Amendment to P.S.C. No. 18 - Electricity

Original Leaf No. 24.10

Amendment to P.S.C. No. 19 - Electricity

Original Leaf No. 160.48

Amendment to P.S.C. No. 16 - Gas

Original Leaf No. 127.49

Issued: June 24, 2022 Effective on a temporary
basis on July 1, 2022.

NEWSPAPER PUBLICATION: Waived for the August 31, 2021 filings.
July 9, 16, 22 and 29, 2022 for the June 24, 2022 filings.

SUBJECT: Filings by THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL
GRID

Amendments to P.S.C. No. 12 - Gas

Eight Revised Leaves Nos. 147, 155

Statement of Energy Affordability Credit No. 5

Issued: August 31, 2021 Effective on a temporary
basis on September 1, 2021.

Amendments to P.S.C. No. 12 - Gas

Eighth Revised Leaf No. 138.56

Ninth Revised Leaf No. 138.50.1

Eighteenth Revised Leaf No. 7

Twenty-Third Revised Leaf No. 138.50

Issued: June 24, 2022 Effective on a temporary
basis on July 1, 2022.

NEWSPAPER PUBLICATION: Waived for the August 31, 2021 filing.
July 6, 13, 20, 27, 2022 for the June 24, 2022 filing.