



September 2025 Tariff Changes

Presented by: William Wai, *Director of Rates*

September 25, 2025

Tariff Proposals for Consideration

To Clarify Tariff Provisions for External Time Varying (“ETV”) Rate Codes

- Customer groups that are ineligible for ETV rate codes, such as customers on a non-communicating meter
- Rules for customers that would like to switch between flat rates and ETV rate codes
- Conditions for a 3-period ETV customer to participate in the Community Distributed Generation ("CDG")

To Modify Billing Practice for Price (Rate) Changes to ETV Rate Codes During a Billing Period

- Using actual meter readings instead of proration estimates

To Implement Back-Billing Protection for Small Commercial Customers

- Expand the customer back-billing protection to all mass market customers including small commercial customers

Timeline

- ✓ **July 2:** Proposals published for public comment
- ✓ **September 3:** Public comment sessions
- ✓ **September 8:** Last day for written public comments to be incorporated into Board briefing materials
 - ✓ No Public Comments
- ✓ **September 22:** DPS recommends adoption of LIPA's tariff changes as proposed
- September 25:** LIPA Board consideration



Thank You



William Wai
Director of Rates

lipower.org



FOR CONSIDERATION

September 25, 2025

TO: The Board of Trustees

FROM: Carrie Meek Gallagher

SUBJECT: Approval of Tariff Changes

Requested Action

The Trustees are requested to approve the following proposals to modify the Long Island Power Authority's ("LIPA" or the "Authority") Tariff for Electric Service:

1. **External Time-Varying Rate ("ETV") Codes:** Modifying LIPA's Tariff for Electric Service, effective October 1, 2025, to clarify provisions governing LIPA's ETV Rate Codes¹. The modification will specify the groups of customers that are excluded from ETV Rate Codes and update conditions for ETV Rate Code customers to participate in CDG.
2. **ETV Rate Codes Bill Calculation:** Modifying LIPA's Tariff for Electric Service, effective October 1, 2025, to specify how the bill of an ETV Rate Code customer will be calculated in the event a rate price change occurs during the customer's bill cycle.
3. **Mass Market Backbilling:** Modifying LIPA's Tariff for Electric Service, effective October 1, 2025, to expand the current residential customer backbilling protection and require the Authority to render bills for electric services to all Mass Market customers, including non-residential Mass Market Customers, within 3 months from the end of the billing period.

ETV Rate Codes: Background

On March 29, 2023, the LIPA Board of Trustees (the "Board") approved a Tariff modification to introduce a Time-of-Day ("TOD") rate that would become the standard (*i.e.*, default) rate for residential, non-heating customers beginning in 2024. This Tariff modification became effective on April 1, 2023. Eligible customers have been able to opt-in to TOD Rates 194 and 195 since November 2023. Beginning in January 2024, the Authority assigns new customer accounts to Rate 194 by default. Since June 2024, the Authority has been migrating existing customers from Rate 180, the former default rate code for residential customers, to Rate 194.

In addition to TOD Rates 194 and 195, LIPA offers several other ETV Rate Codes, including:

- Rate Codes 190, 191, 192 and 193 (Optional Residential Pilot Time-of-Use Rates);
- Rate Codes 292, 294 (Optional Commercial Rates); and
- Rate Codes E1295, E2295, E3295 and E4295 (Optional Commercial EV Phase-In Rates).

¹ ETV Rate Codes are time-varying rate codes that are processed using a third-party billing service provider, which are rate codes 190, 191, 192, 193, 194, 195, 292, 294, E1295, E2295, E3295 and E4295.

ETV Rate Codes: Proposed Action

LIPA Staff proposes to modify the Tariff to clarify provisions governing ETV Rate Codes. The Tariff modification will specify the groups of Customers that are excluded from ETV Rate Codes, such as those who do not have an Advanced Metering Infrastructure (“AMI”) meter. This Tariff amendment will also identify rules for Customers that would like to switch between flat rates (*i.e.*, 180, 580, 280, 281, 285) and ETV Rate Codes.

Staff also proposes to amend the Tariff to update the conditions in which a customer enrolled in a three-period ETV Rate Code may participate in Community Distributed Generation (“CDG”). Currently, Mass Market Customers enrolled in CDG projects that are not subject to Value Stack Crediting may voluntarily enroll (*i.e.* opt in) to Rate Code 195, which is a three-period TOD rate code, only with the agreement of their CDG Host, in light of the substantial discount offered during the overnight period.² The Tariff further states currently that a CDG Host may un-enroll Satellite customers from a non-Value Stack CDG project if a Satellite opts into Rate Code 195. Under this proposal, Staff seeks to expand a CDG Host’s ability to un-enroll Satellites from Non-Value Stack CDG projects if a Satellite enrolls into three-period ETV Rate Codes.³

The proposed changes will clarify program eligibility, which is determined based on various operational factors, including current policies, practices and billing system capabilities. The proposed changes will help the migration process run smoothly with a positive customer experience.

ETV Rate Codes: Financial Impact

The proposal will not have a material financial impact on the Authority or customers.

ETV Rate Codes: Stakeholder and Department of Public Service (“DPS”) Comments

Two public comment sessions were held on LIPA’s tariff proposals and written comments were also solicited from interested stakeholders. LIPA didn’t receive public comments.

DPS recommends adopting the modifications as proposed and believes the proposed revisions reflect the continuing adoption of TOU rate designs across LIPA’s service classes and make it easier for customers to find and understand these provisions that govern ETV rate codes.

² Tariff Leaf 188B.

³ Staff proposes to move this Tariff provision addressing ETV Rate Code eligibility for Non-Value Stack CDG Projects to Tariff Leaf 38K for ease of reference.

ETV Rate Codes Bill Calculation: Background

Before Advanced Metering Infrastructure (“AMI”) meters were installed, meter readings were obtained approximately once per billing cycle. There was no actual usage reading at the time that a rate price change occurred. LIPA’s Tariff currently allows for prorated billing when rate price changes occur during a customer’s billing cycle. The proration is calculated **by day**, using an average of the old and new rate price, weighted by the number of days in the billing period before and after the effective date of the price change.⁴ The below table illustrates how a Power Supply Charge price change is calculated for a non-ETV Rate Code.

Bill Calculation - Assignment of kWh to a Power Supply Charge rate-change			
Customer Example Bill Cycle is From Jan 17th to Feb 15th			
<u>kWh on Bill</u>	<u>750</u>		
		<u>Rate 180</u>	
	Total	Jan	Feb
Days	30	15	15
Rate/Avg Rate	\$0.11	\$0.10	\$0.12
kWh	<u>750</u>	375*	375*

***Values are allocated by: (15 days/30 days) * 750**

ETV Rate Codes Bill Calculation: Proposed Action

Staff proposes to amend the Tariff to specify how a customer’s bill will be calculated in the event a rate price change occurs during a customer’s billing cycle for ETV Rate Codes. Bills will be calculated using **hourly** AMI data rather than daily interval AMI data that more precisely measures the actual kWh amount used in each rate-change-period. The below table illustrates how a Power Supply Charge price change is calculated for an ETV Rate Code.

Bill Calculation - Assignment of kWh to a Power Supply Charge rate-change			
Customer Example Bill Cycle is From Jan 17th to Feb 15th			
<u>kWh on Bill</u>	<u>750</u>		
		<u>TOD Rate 194</u>	
	Total	Jan	Feb
Days	30	15	15
Rate/Avg Rate	0.109333	0.1	0.12
kWh	<u>750</u>	400*	350*

***Actual kWh Value Recorded in the Period**

ETV Rate Codes Bill Calculation: Financial Impact

The proposal will not have a material financial impact on the Authority or customers.

⁴ LIPA Tariff for Electric Service, Leaf 100.

ETV Rate Codes Bill Calculation: Stakeholder and DPS Comments

Two public comment sessions were held on LIPA's Tariff proposals and written comments were also solicited from interested stakeholders. LIPA didn't receive public comments.

DPS recommends that the LIPA Board adopt these modifications as proposed. It also comments that LIPA's proposal demonstrates the utility of AMI technology when paired with billing system upgrades, allowing LIPA to charge customers on its ETV rates more accurately.

Mass Market Backbilling: Background

In February 2024, a new provision of the PSL was enacted which establishes limits on the backbilling period for small non-residential customers. Specifically, PSL § 66-w, which became effective on June 19, 2024, states, in relevant part that if a utility:

does not render a small non-residential customer..., with the exception of a seasonal or short-term customer ..., a monthly bill for gas and/or electric services used by such customer during that monthly period, or, in the case of bi-monthly meter reads, during that month and the prior month, within three months from the end date of such monthly billing period, then, such small non-residential customer shall not be charged for such gas and electric services which were not billed..., unless the failure of the corporation or municipality to bill sooner was not due to the neglect of the corporation or municipality or was due to the culpable conduct of the customer...

PSL § 66-w defines a “small non-residential customer,” in relevant part, as “non-residential electric customers that are non-demand billed customers” and excludes street lighting accounts.

PSL § 66-w is part of Article 4 of the Public Service Law to which LIPA is not subject pursuant to the New York State Public Authorities Law.⁵ Staff, however, proposes to amend the Tariff to align with PSL § 66-w and to make limits on the backbilling period for LIPA's small non-residential customers consistent with those of the State's regulated utilities.

Mass Market Backbilling: Proposed Action

Staff proposes to amend the Tariff to align with PSL § 66-w. Specifically, the proposed Tariff changes prohibit the Authority from charging a non-residential Mass Market Customer⁶, other than a Seasonal Customer or a Short-Term or Temporary Non-Residential Customer, for electric services used by such customer during a monthly billing period (or in the case of bi-monthly meter reads, during that month and the prior month) unless the Authority renders a bill to such customer

⁵ See N.Y. Pub. Auth. Law § 1020-S.

⁶ The Tariff defines a “Mass Market Customer,” in relevant part, as a “Small Commercial Service Classification that [is] not billed for demand.” LIPA Tariff Leaf No. 18.

within three months from the end of such billing period.⁷ For example, if a monthly billing period runs from January 1 through January 30, the Authority must issue a bill for the January time period by April 30.

If the bill is not rendered by the Authority within the three-months following the end of such billing period, the customer will not be charged for the electric service, unless the Authority's failure to render a bill sooner: 1) was not due to the neglect of the Authority; or 2) was due to the culpable conduct of the customer. If these exceptions apply, the Authority is not bound by the three-month prohibition.

Mass Market Backbilling: Financial Impact

The proposal will not have a material financial impact on the Authority or customers.

Mass Market Backbilling: Stakeholder and DPS Comments

Two public comment sessions were held on LIPA's Tariff proposals and written comments were also solicited from interested stakeholders. LIPA didn't receive public comments.

DPS recommends that the LIPA Board adopt these modifications as proposed, as it finds LIPA's tariff modification provides sufficient backbilling protections for Non-residential Mass Market Customers.

⁷ This proposed Tariff language is consistent with N.Y. Pub. Serv. Law §41(1).

Public Comments

LIPA held two public comment sessions on the proposed tariff changes on June 2, 2025, and June 3, 2025, and solicited written comments through June 9, 2025. Transcripts of the public comment sessions are attached as exhibits, LIPA didn't receive public comments.

Recommendation

For the foregoing reasons, I recommend that the Trustees approve the modifications to the Tariff for Electric Service described herein and set forth in the accompanying resolutions.

Attachments

Exhibit A-1 Resolution Approving Tariff Modification related to External Time-Varying Rate (“ETV”) Codes

Exhibit A-2 Resolution Approving Tariff Modification related to External Time-Varying Rate (“ETV”) Codes Bill Calculation

Exhibit A-3 Resolution Approving Tariff Modification related to Mass Market Backbilling

Exhibit B-1 External Time-Varying Rate (“ETV”) Codes - Tariff Redline

Exhibit B-2 External Time-Varying Rate (“ETV”) Codes Bill Calculation - Tariff Redline

Exhibit B-3 Mass Market Backbilling - Tariff Redline

Exhibit C DPS Letter of Recommendation on Tariff Changes

Exhibit D-1 Public Comment Session Transcripts AM Session – September 3, 2025

Exhibit D-2 Public Comment Session Transcripts PM and Virtual Session – September 3, 2025

APPROVAL OF MODIFICATIONS TO LIPA'S TARIFF RELATED TO EXTERNAL TIME-VARYING RATE ("ETV") CODES

WHEREAS, the Board of Trustees (the "Board") of the Long Island Power Authority ("LIPA") has adopted a Board Policy on Customer Value, Affordability, and Rate Design, which sets forth the Board's commitment to establishing rates and tariffs that equitably allocate costs, provide customers with the opportunity to save money, employ innovative rate designs, encourage conservation, efficient use of energy resources, and the transition to a carbon-free economy, and offer programs to maintain electric bills that are a reasonable percentage of income for low-income customers; and

WHEREAS, the Board also has adopted a Board Policy on Clean Energy and Power Supply, which sets forth the Board's commitment to achieving a zero-carbon electric grid by 2040, while meeting or exceeding LIPA's share of the clean energy goals of New York's Climate Leadership and Community Protection Act, including those for renewables, offshore wind, distributed solar, and storage; and

WHEREAS, the Board has reviewed the proposal and determined that the proposal is consistent with LIPA's purpose, including as set forth in the Board Policy on Customer Value, Affordability, and Rate Design and the Board Policy on Clean Energy and Power Supply; and

WHEREAS, the Department of Public Service is supportive of this proposal; and

WHEREAS, following the issuance of public notice in the State Register on July 2, 2025, public hearings were held in Suffolk County on September 3, 2025 in person, and in Nassau County, in person, by phone and video conference accessible to all customers in LIPA's service territory, and the public comment period has since expired;

NOW, THEREFORE, BE IT RESOLVED, that for the reasons set forth herein and in the accompanying Memorandum, the proposed modifications to LIPA's Tariff, are hereby adopted and approved to be effective October 1, 2025; and be it further

RESOLVED, that the Chief Executive Officer and his designees are authorized to carry out all actions deemed necessary or convenient to implement this Tariff; and be it further

RESOLVED, that the Tariff amendments reflected in the attached redlined Tariff leaves are approved.

Dated: September 25, 2025

APPROVAL OF MODIFICATIONS TO LIPA'S TARIFF RELATED TO EXTERNAL TIME-VARYING RATE ("ETV") CODES BILL CALCULATION

WHEREAS, the Board of Trustees (the "Board") of the Long Island Power Authority ("LIPA") has adopted a Board Policy on Customer Value, Affordability, and Rate Design, which sets forth the Board's commitment to establishing rates and tariffs that equitably allocate costs, provide customers with the opportunity to save money, employ innovative rate designs, encourage conservation, efficient use of energy resources, and the transition to a carbon-free economy, and offer programs to maintain electric bills that are a reasonable percentage of income for low-income customers; and

WHEREAS, the Board has also adopted a Board Policy on Clean Energy and Power Supply, which sets forth the Board's commitment to achieving a zero-carbon electric grid by 2040, while meeting or exceeding LIPA's share of the clean energy goals of New York's Climate Leadership and Community Protection Act, including those for renewables, offshore wind, distributed solar, and storage; and

WHEREAS, the Board has reviewed the proposal and determined that the proposal is consistent with LIPA's purpose, including as set forth in the Board Policy on Customer Value, Affordability, and Rate Design and the Board Policy on Clean Energy and Power Supply; and

WHEREAS, the Department of Public Service is supportive of this proposal; and

WHEREAS, following the issuance of public notice in the State Register on July 2, 2025, public hearings were held in Suffolk County on September 3, 2024, in person, and in Nassau County, in person, by phone and video conference accessible to all customers in LIPA's service territory, and the public comment period has since expired;

NOW, THEREFORE, BE IT RESOLVED, that for the reasons set forth herein and in the accompanying Memorandum, the proposed modifications to LIPA's Tariff are hereby adopted and approved to be effective October 1, 2025; and be it further

RESOLVED, that the Chief Executive Officer and his designees are authorized to carry out all actions deemed necessary or convenient to implement this Tariff; and be it further

RESOLVED, that the Tariff amendments reflected in the attached redlined Tariff leaves are approved.

Dated: September 25, 2025

APPROVAL OF MODIFICATIONS TO LIPA'S TARIFF RELATED TO MASS MARKET BACKBILLING

WHEREAS, the Board of Trustees (the "Board") of the Long Island Power Authority ("LIPA") has adopted a Board Policy on Customer Value, Affordability, and Rate Design, which sets forth the Board's commitment to establishing rates and tariffs that equitably allocate costs, provide customers with the opportunity to save money, employ innovative rate designs, encourage conservation, efficient use of energy resources, and the transition to a carbon-free economy, and offer programs to maintain electric bills that are a reasonable percentage of income for low-income customers; and

WHEREAS, the Board has also adopted a Board Policy on Clean Energy and Power Supply, which sets forth the Board's commitment to achieving a zero-carbon electric grid by 2040, while meeting or exceeding LIPA's share of the clean energy goals of New York's Climate Leadership and Community Protection Act, including those for renewables, offshore wind, distributed solar, and storage; and

WHEREAS, the Board has reviewed the proposal and determined that the proposal is consistent with LIPA's purpose, including as set forth in the Board Policy on Customer Value, Affordability, and Rate Design and the Board Policy on Clean Energy and Power Supply; and

WHEREAS, the Department of Public Service is supportive of this proposal; and

WHEREAS, following the issuance of public notice in the State Register on July 2, 2025, public hearings were held in Suffolk County on September 3, 2024, in person, and in Nassau County, in person, by phone and video conference accessible to all customers in LIPA's service territory, and the public comment period has since expired;

NOW, THEREFORE, BE IT RESOLVED, that for the reasons set forth herein and in the accompanying Memorandum, the proposed modifications to LIPA's Tariff are hereby adopted and approved to be effective October 1, 2025; and be it further

RESOLVED, that the Chief Executive Officer and his designees are authorized to carry out all actions deemed necessary or convenient to implement this Tariff; and be it further

RESOLVED, that the Tariff amendments reflected in the attached redlined Tariff leaves are approved.

Dated: September 25, 2025

TABLE OF CONTENTS

I. General Information.....	7
A. The Authority's Service Area.....	7
B. Abbreviations and Definitions.....	10
C. General Terms and Conditions.....	25
1. Legal Authority.....	25
2. Implementation and Administration of this Tariff.....	25
3. Availability of this Tariff.....	25
4. Altering, Changing, and Eliminating the Provisions of this Tariff.....	25
5. Employee Identification	25
6. Access to Customers' Premises.....	26
7. Obligations of the Authority	27
8. Customer's Responsibility	30
9. Ownership of Equipment on Customer's Premises.....	30
10. Cost of Special Services on Customer's Premises	30
11. Requirements for Residential Service	30
12. Requirements for Nonresidential Service.....	33
13. Combined Service	33
14. Customer-Owned Electric Generating Equipment	34
15. Net Metering Generators	34A
16. Remote Net Metering	34I
17. Net Metering of Community Distributed Generation	34K
18. Value of Distributed Energy Resources	34P
19. Resale, Redistribution, and Submetering of Electricity for Residential Purposes	35
20. Resale, Redistribution, and Submetering of Electricity for Nonresidential Purposes.....	38
21. Low Income Program Discount	38B
22. Customer Contact Consent	38C
23. Remote Crediting.....	38D
24. Host Community Benefit Program.....	38G
25. Integrated Energy Data Resource Liability.....	38J
26. Special Provisions Governing External Time-Varying Rate Codes	38K
II. How To Obtain Service	39
A. Residential Application Procedure	39
1. Forms of Residential Application	39
2. Residential Application Approval	39
3. Required Oral Application Information	39
4. Exceptions to Provision of Residential Service	39
5. Conditions for Requiring a Written Application.....	40
6. Notification for Requiring a Written Application	40
7. Required Written Application Information.....	40
B. Nonresidential Application Procedure.....	41
1. Form of Application.....	41
2. Nonresidential Application Approval.....	41
3. Required Written Application Information.....	41
4. Incomplete Applications.....	42
5. Additional Requirements for Application Approval	42
C. Denial-of-Service Procedure.....	43
1. Time Frame for Denial of Service	43
2. Notification to Applicant	43
3. Contents of the Written Notification	43
4. Record-Keeping Obligations of the Authority	44
5. Reversing a Denied Application	44
6. Service for a Previously Denied Application.....	44

I. General Information (continued):**B. Abbreviations and Definitions (continued):**

Demand Customer: A Customer who is billed for Demand charges.

Demand Meter: The device that records the maximum amount of power used by the Customer over a 15-minute interval during a specific period, such as a month.

Department: The New York State Department of Public Service.

Deposit: A sum of money given as security for payment of service.

Distribution Facilities: Facilities used to distribute electric energy to consumers, including supply lines, distribution lines, service laterals, and accessory equipment.

Distribution Line(s): A system of poles, wires, ducts, conduits, and additional equipment used for the shared distribution of electricity to Customers.

E

Easement: (See *Right-of-Way*)

Eligible Net Metering Technology/Technologies: The list of eligible technologies is: Solar Electric Generating Equipment, Wind Electric Generating Equipment, Micro-Hydroelectric Generating Equipment, Micro-Combined Heat and Power (CHP) Generating Equipment, Fuel Cell Electric Generating Equipment, Farm Waste Electric Generating Equipment, Stand Alone Storage Equipment, Regenerative Braking, Vehicle-to-Grid, or other generating equipment identified as a Tier 1 technology as defined in Appendix A of the CES Order of the New York Public Service Commission issued August 1, 2016 in Cases 15-E-0302 and 16-E-0270. Regenerative braking, vehicle to grid, and additional Tier 1 technologies identified in Appendix A of the CES Order but not specifically defined in this tariff, and any other technologies not defined by PSL §66-p as renewable energy systems are required to take compensation based on the Value Stack.

Energy: Energy is electric power, used or supplied over time, and measured in kWh.

Existing Overhead Areas: Areas in which electric distribution facilities are constructed overhead, and there are no requirements to construct facilities underground.

External Time-Varying Rate Codes (ETV Rate Codes): Time-varying rate codes that are processed using a third-party billing service provider, which are Rate Codes 190, 191, 192, 193, 194, 195, 292, 294, E1295, E2295, E3295 and E4295.

F

Farm Waste Electric Generating Equipment: Equipment that generates electric energy from biogas produced by anaerobic digestion of agricultural wastes, such as livestock manure, farming wastes and food processing wastes with a rated capacity of not more than five thousand (5,000) kilowatts that is manufactured, installed and operated by Customer-generator in accordance with applicable government and industry standards, connected to the electric system and operated in conjunction with the Authority's transmission and distribution facilities, operated in compliance with the Authority's standards and requirements established therefor, fueled at a minimum of ninety (90) percent on an annual basis by biogas produced from the anaerobic digestion of agricultural waste such as livestock manure materials, crop residues, and food processing waste, and fueled by biogas generated by anaerobic digestion with at least fifty (50) percent by weight of its feed stock being livestock manure on an annual basis. As of October 17, 2019, all new projects with Farm Waste Electric Generating Equipment are not considered a renewable energy system as defined by PSL §66-p.

I. General Information (continued):**B. Abbreviations and Definitions (continued):**

Service Line or Lateral: A system of conductors and equipment for delivering electricity from the Authority's distribution system to the wiring system of a building or address.

Service Termination: The point at which the service line or lateral ends and the Customer connects with the wiring system.

Shared Meter: Any Authority meter that measures electric service provided to a tenant's dwelling and to areas outside that dwelling, and the tenant pays for all usage recorded on the meter.

Shared-Meter Customer: Any tenant who rents a dwelling with a shared meter from the owner of the dwelling, and the tenant, rather than the owner, is the Authority's Customer of record.

Short-Term or Temporary Customer - Non-Residential: (See *Customer - Short-Term or Temporary Customer*)

Short-Term or Temporary Customer - Residential: (See *Customer - Short-Term or Temporary Customer*)

Single-phase: Producing, carrying, or powered by a single alternating voltage. (See *Alternating Voltage*)

Solar Electric Generating Equipment: A photovoltaic system with a rated capacity of equal to or less than twenty-five kilowatts (25) kW for residential Customers or with a rated capacity equal to or less than five thousand (5,000) kilowatts for Non-residential Customers which is manufactured, installed and operated in accordance with applicable government and industry standards, is connected to the Authority's electric system and operated in conjunction with the Authority's transmission and distribution facilities, and which is operated in compliance with the Authority's standards and requirements.

State Agency: Any board, authority, agency, department, commission, public corporation, body politic, or instrumentality of the State of New York.

Subdivision: (See *Residential Subdivision*)

Submetering: The redistribution of electric service to multiple meters not owned by the Authority.

Substantially Interconnected: Will be determined by reference to the PSEG Long Island Small Generator Interconnection Procedures. Systems in the SGIP Fast Track process will be considered substantially interconnected upon completion of Step 6 of the Fast Track process. Systems sized between fifty (50) kW and five thousand (5,000) kW will be considered substantially interconnected upon completion of Step 7 of the SGIP. (Systems larger than 5,000 kW will continue to be ineligible for net metering.)

Summary Billing: An optional billing program, offered at the discretion of the Authority, where multiple customer accounts are included on a single bill.

Supply Line: A part of a distribution line that is installed between an existing electric distribution system and an underground distribution line within an underground-designated area. (See *Underground-Designated Area*)

Surcharge: In connection with extension of distribution facilities, a monthly, bimonthly, or annual charge assessed Residential Customers over a period that does not exceed ten (10) years and which recovers the cost of the distribution facilities Customers are directly responsible for.

I. General Information (continued):**C. General Terms and Conditions (continued):****26. Special Provisions Governing External Time-Varying Rate Codes (ETV Rate Codes)**

- a) The following groups of Customers are ineligible for Rates 194, 195, 292, 294, E1295, E2295, E3295, and E4295. At the discretion of the CEO or delegatee, items (2) and (3) below will no longer be in effect once the Authority is able to complete all necessary billing system enhancements to allow for Summary Billing, Green Choice, Long Island Choice or Community Choice Aggregation Programs.
 - (1) Customers without a working or communicating AMI meter or who have opted out of receiving an AMI meter;
 - (2) Customers who are on Summary Billing, unless they choose to come off Summary Billing; and
 - (3) Customers who are on Green Choice, Long Island Choice or Community Choice Aggregation programs.
- b) Customers on any ETV Rate Code that: (1) Do not have a working or communicating AMI meter for more than 30 days; (2) Have opted out of receiving an AMI meter; (3) Participate in Summary Billing; (4) Participate in Green Choice, Long Island Choice or Community Choice Aggregation; and/or (5) Make a request to return to a flat rate (Rate 180, 580, 280, 281, 285):
 - (1) Will have their rate changed by the Authority to the flat rate (Rate 180, 580, 280, 281, 285) they qualify for; and
 - (2) Must wait one year from the date the Authority removes them from the rate before they will be permitted back on any ETV Rate Code, unless they do not meet clause a) above, or unless the customer was removed from the ETV Rate Code by the Authority due to an AMI meter issue. Once the AMI meter issue has been resolved, such Customers will be returned to their previous ETV Rate Code.
- c) Non-Value Stack Community Distributed Generation (CDG) Satellite customers may be unenrolled from the CDG program by their CDG Host if they enroll in a 3-period ETV Rate Code (Rate 195, 292, 294), at the CDG Host's discretion. The CDG Host will notify the Satellite customer of their CDG program ineligibility if they convert to a 3-period ETV Rate Code. The Authority will, at a CDG Host's request, remove the customer from the CDG program.

VIII. SERVICE CLASSIFICATIONS: (continued):

A. SERVICE CLASSIFICATION NO. 1 - Residential Service (continued):
(Rate Codes: 180, 194, 195, 480, 481, 580)

d) Special Provisions

a) Non-Time-of-Day Rate Option

Beginning in January 2024, Residential customers will be assigned to Rate Code 194 at the time their account is established or, if previously established ~~on Rate Code 180~~, according to a migration schedule determined by LIPA. All Residential customers will retain the option of receiving service under Rate Code 180 or another eligible Rate Code. Existing customers scheduled for transfer to Rate Code 194 will be reminded, prior to their scheduled transfer, of their option to remain on Rate Code 180 or another eligible Rate Code.

~~(1) Customers that do not have an AMI equipped Smart Meter are not eligible for rate code 194 or 195.~~

~~(2) Customers participating in Long Island Choice, Green Choice, or Rate Code 580 (space heating) will remain on their previously applicable rate at the discretion of the CEO or delegate until LIPA is able to complete all necessary billing system enhancements and rate alternatives.~~

~~(3) Customers enrolled in Rate Code 194 or 195 may transfer to another eligible rate code at any time.~~

~~(4) Customers that choose to transfer out of Rate Code 194 and 195 to a flat rate (such as Rate Code 180) are not eligible to return to Rate Code 194 or 195 for a period of 12 months from their date of transfer.~~

(1) A bill protection guarantee for up to twelve (12) billing months will be provided to only those customers who: (i) were billed under Rate Code 180 ~~and who have not been on the following Rate Codes: 190, 191, 192, 193, 194, 195~~ at their current service address and who are migrated to or request enrollment in Rate Codes 194 or 195 through the last scheduled customer migration or (ii) are new residential accounts that do not qualify for Rate Code 580 and are assigned or request enrollment Rate Codes 194 or 195 through the last scheduled customer migration.

(a) At the end of the first 12 billing months following their transition to Rate Code 194 or 195, LIPA will calculate what the customer's bills would have been under Rate Code 180 for the same energy usage and, if lower, credit the difference on the next monthly bill.

(b) Customers that terminate their service or transfer to a Rate Code other than 194 or 195 before the first 12 months of billing have occurred will have their bill protection guarantee calculated up to that date of termination or transfer and receive the applicable credit in their next bill.

(c) Customers that transfer to another eligible Rate Code will see the rate change effective as of the date of their last issued bill.

b) Space Heating

The Space Heating Energy Charge in A.3. above will apply for the following heating applications, provided:

(1) The size and design of the Customer's heating and heat pump equipment meets the Authority's specifications, and

(2) The Customer submits a signed Application for this provision and a signed Certificate of insulation compliance, if it applies, and

(3) The electric resistance heater or heat pump (fireplaces, coal and wood stoves are excluded) supplies all of the heating requirements of the building and is permanently connected.

VIII. SERVICE CLASSIFICATIONS: (continued):**A. SERVICE CLASSIFICATION NO. 1 - Residential Service (continued):**

(Rate Codes: 180, 194, 195, 580)
Special Provisions (continued):

e) Excess Generation Exchange Option

Mass Market Customers enrolled in Rate Codes 194 or 195 that became eligible for Net Energy Metering on or after January 1, 2018 pursuant to 34F-1, Section I.C.15.h.2 may exchange excess energy between their separate rating period banks.

- (1) The eligible Net Energy Metering Customer's election to exchange excess generation does not alter or affect any amounts previously billed or the amount of excess generation credits used prior to the date the exchange is implemented.
- (2) The exchange will be made at the price ratios then in effect for the rate code they are receiving service under.
- (3) The election to exchange excess generation between periods, once made by the eligible Net Energy Metering Customer, is irrevocable.
- (4) The CEO or designee may establish and subsequently modify any and all requirements and procedures governing the exchange of excess generation that are consistent with the Tariff at their sole discretion.

f) Participation in Community Distributed Generation (CDG)

~~Mass Market Customers enrolled in Community Distributed Generation projects that are not subject to Value Stack Crediting (see Leaf No. 340) may opt for the 3-period Rate Code 195 only with the agreement of their CDG Host.~~

- ~~(1) CDG hosts may unenroll satellite accounts that opt for the 3-period TOD Rate Code 195.~~
- ~~(2) CDG participants are eligible to participate in the default Rate Code 194 or opt out for Rate Code 180 or 580 without the agreement of their CDG host.~~

I. General Information (continued):**B. Abbreviations and Definitions (continued):**

Demand Customer: A Customer who is billed for Demand charges.

Demand Meter: The device that records the maximum amount of power used by the Customer over a 15-minute interval during a specific period, such as a month.

Department: The New York State Department of Public Service.

Deposit: A sum of money given as security for payment of service.

Distribution Facilities: Facilities used to distribute electric energy to consumers, including supply lines, distribution lines, service laterals, and accessory equipment.

Distribution Line(s): A system of poles, wires, ducts, conduits, and additional equipment used for the shared distribution of electricity to Customers.

E

Easement: (See *Right-of-Way*)

Eligible Net Metering Technology/Technologies: The list of eligible technologies is: Solar Electric Generating Equipment, Wind Electric Generating Equipment, Micro-Hydroelectric Generating Equipment, Micro-Combined Heat and Power (CHP) Generating Equipment, Fuel Cell Electric Generating Equipment, Farm Waste Electric Generating Equipment, Stand Alone Storage Equipment, Regenerative Braking, Vehicle-to-Grid, or other generating equipment identified as a Tier 1 technology as defined in Appendix A of the CES Order of the New York Public Service Commission issued August 1, 2016 in Cases 15-E-0302 and 16-E-0270. Regenerative braking, vehicle to grid, and additional Tier 1 technologies identified in Appendix A of the CES Order but not specifically defined in this tariff, and any other technologies not defined by PSL §66-p as renewable energy systems are required to take compensation based on the Value Stack.

Energy: Energy is electric power, used or supplied over time, and measured in kWh.

Existing Overhead Areas: Areas in which electric distribution facilities are constructed overhead, and there are no requirements to construct facilities underground.

External Time-Varying Rate Codes (ETV Rate Codes): Time-varying rate codes that are processed using a third-party billing service provider, which are rate codes 190, 191, 192, 193, 194, 195, 292, 294, E1295, E2295, E3295 and E4295.

F

Farm Waste Electric Generating Equipment: Equipment that generates electric energy from biogas produced by anaerobic digestion of agricultural wastes, such as livestock manure, farming wastes and food processing wastes with a rated capacity of not more than five thousand (5,000) kilowatts that is manufactured, installed and operated by Customer-generator in accordance with applicable government and industry standards, connected to the electric system and operated in conjunction with the Authority's transmission and distribution facilities, operated in compliance with the Authority's standards and requirements established therefor, fueled at a minimum of ninety (90) percent on an annual basis by biogas produced from the anaerobic digestion of agricultural waste such as livestock manure materials, crop residues, and food processing waste, and fueled by biogas generated by anaerobic digestion with at least fifty (50) percent by weight of its feed stock being livestock manure on an annual basis. As of October 17, 2019, all new projects with Farm Waste Electric Generating Equipment are not considered a renewable energy system as defined by PSL §66-p.

IV. Billing Process and Payment of Bills (continued):**B. Computing a Customer's Bill****1. Service and Rate Classifications**

Customers are assigned to Service and Rate Classifications based on criteria which include, but are not necessarily limited to, usage levels, demand levels, time of year for usage/demand (Rate Periods), voltage characteristics, and purpose of use. Each Service and Rate Classification contains its own rates and rate structure to recover revenue levels approved by the Authority.

2. Adjustments to Rates

The Authority may adjust rates or bills periodically for:

- a) Changes in the Power Supply Charge, payments in lieu of revenue taxes, Visual Benefits Assessment, Undergrounding Charge, New York State Assessment or to recover other costs as approved by the Authority, including changes to the Delivery Service Adjustment, Distributed Energy Resources Cost Recovery Rate, Merchant Function Charge, and the Customer Benefit Contribution Charge and
- b) Any charges and credits approved by the Authority, including the Shoreham Property Tax Settlement Rider, Revenue Decoupling Mechanism and
- c) Discounts to promote economic development, and
- d) Charges to the Authority Green Choice Customers for environmental attributes, and
- e) NYSERDA Loan Installment Charges, and
- f) Securitization Charges.

3. Applying Rate-Price Changes to Customer's Bills

If a rate-price change becomes effective during a billing period, ~~for (and unless the Authority an External Time Varying ETV Rate Code determines otherwise), the Authority will multiply the actual usage during the period by the price (\$/kWh) in effect; and for other rate codes, the Authority will average the old and new rate prices, weighted by the number of days in the billing period before and after the effective date of the rate price change.~~

4. Backbilling

- a) For Residential Customers, with the exception of a Seasonal Customer or a Short-Term or Temporary Residential Customer, if the Authority does not render such Residential Customer a monthly bill for electric service used by such customer during that monthly period (or, in the case of bi-monthly meter reads during that month and the prior month), within three (3) months from the end of such monthly billing period, then such Residential Customer shall not be charged for such services which were not billed to such Residential Customer unless the Authority's failure to bill sooner was: (i) not due to the Authority's neglect; or (ii) due to the culpable conduct of such Residential Customer.

I. General Information (continued):**B. Abbreviations and Definitions (continued):**

Load: (See *Demand*)

Load Factor: The ratio of a Customer(s) average demand to peak demand during a specified period.

Location: Property with stated boundaries which is owned or occupied by a single legal entity.

M

Manager: PSEG Long Island LLC, the entity engaged by the Authority to operate, maintain, manage and act as agent for the Authority's system pursuant to the terms and conditions of the Operations Services Agreement. Nothing herein shall be read to change or modify Manager's duties and obligations or create any liability on the part of Manager beyond that set forth in the Operations Services Agreement.

Mass Market Customer(s): Residential or Small Commercial Service Classification that are not billed for demand.

Mass Market Project(s): Projects using an Eligible Net Metering Technologies owned by a Mass Market Customer(s).

Micro-Combined Heat and Power Generating Equipment: Any Residential customer with an integrated cogenerating building heating and electrical power generation system, operating on any fuel and any applicable engine, fuel cell, or other technology, with a rated capacity of at least one (1) kilowatt and not more than ten (10) kilowatts electric and any thermal output that at full load has a design total fuel use efficiency in the production of heat and electricity of not less than eighty percent (80%), and annually produces at least two thousand (2,000) kilowatt hours of useful energy in the form of electricity that may work in combination with supplemental, or parallel conventional heating system, that is manufactured, installed and operated in accordance with applicable government and industry standards operated in conjunction with the Authority's transmission and distribution facilities. As of October 17, 2019, all new projects with Micro-Combined Heat and Power Generating Equipment are not considered a renewable energy system as defined by PSL §66-p.

Micro-Hydroelectric Generating Equipment: A Hydroelectric system, with a rated capacity of not more than twenty-five (25 kW) for a residential customer or with a rated capacity of not more than five thousand (5,000) kilowatts for a non-residential customer, that is manufactured, installed and operated in accordance with applicable government and industry standards, connected to the electric system and operated in conjunction with the Authority's transmission and distribution facilities.

Month: A Month in this document is defined as a 30-day period, and monthly rates for billing periods other than a Month are prorated.

Multi-phase: Producing, carrying, or powered by multiple alternating voltages, each of which reaches its highest level at different time intervals. (See *Alternating Voltage*)

Multiple-Occupancy or Multiple Dwelling Building: A building designed to contain three (3) or more individual residential units for permanent occupancy. Each unit should contain kitchen, bath, and sleeping areas. In some instances, the Tariff may differentiate between buildings that contain three or more units and those that contain four or more units.

N

Net Energy Metering: The use of a net energy meter to measure, during the billing period applicable to a Customer-generator, the net amount of electricity supplied by the Authority to the Customer-generator and/or the net amount of electricity provided by the Customer-generator to the Authority.

IV. Billing Process and Payment of Bills (continued):**B. Computing a Customer's Bill****1. Service and Rate Classifications**

Customers are assigned to Service and Rate Classifications based on criteria which include, but are not necessarily limited to, usage levels, demand levels, time of year for usage/demand (Rate Periods), voltage characteristics, and purpose of use. Each Service and Rate Classification contains its own rates and rate structure to recover revenue levels approved by the Authority.

2. Adjustments to Rates

The Authority may adjust rates or bills periodically for:

- a) Changes in the Power Supply Charge, payments in lieu of revenue taxes, Visual Benefits Assessment, Undergrounding Charge, New York State Assessment or to recover other costs as approved by the Authority, including changes to the Delivery Service Adjustment, Distributed Energy Resources Cost Recovery Rate, Merchant Function Charge, and the Customer Benefit Contribution Charge and
- b) Any charges and credits approved by the Authority, including the Shoreham Property Tax Settlement Rider, Revenue Decoupling Mechanism and
- c) Discounts to promote economic development, and
- d) Charges to the Authority Green Choice Customers for environmental attributes, and
- e) NYSERDA Loan Installment Charges, and
- f) Securitization Charges.

3. Applying Rate Changes to Customer's Bills

If a rate change becomes effective during a billing period (and unless the Authority determines otherwise), the Authority will average the old and new rates, weighted by the number of days in the billing period before and after the effective date of the rate change.

4. Backbilling

- a) For Residential Customers, with the exception of a Seasonal Customer or a Short-Term or Temporary Residential Customer, if the Authority does not render such Residential Customer a monthly bill for electric service used by such customer during that monthly period (or, in the case of bi-monthly meter reads during that month and the prior month), within three months from the end of such monthly billing period, then such Residential Customer shall not be charged for such services which were not billed to such Residential Customer unless the Authority's failure to bill sooner was: (i) not due to the Authority's neglect; or (ii) due to the culpable conduct of such Residential Customer.

IV. Billing Process and Payment of Bills (continued):**B. Computing a Customer's Bill (continued):
Backbilling (continued):**

- b) For Residential Customers that qualify as a Seasonal Customer and/or Short-Term or Temporary Customer - Residential, the Authority may not render a bill for previously unbilled service after twenty-four months from the time service to which the bill pertains was provided. This provision shall not apply when the culpable conduct of a customer caused or contributed to the failure of the Authority to have rendered a timely billing.
- c) For Residential Customers, the Authority shall send a backbill within four (4) months of learning of the circumstances or situation that caused the Authority to send a late or inaccurate bill.
- d) For Non-Residential Mass Market Customers, excluding street lighting accounts, a Seasonal, a Short Term or a Temporary Non-Residential Customer, if the Authority does not render such Mass Market Customer a monthly bill for electric service used by such customer during that monthly period (or, in the case of bi-monthly meter reads, during that month and the prior month), within three months from the end of such monthly billing period, then such Mass Market Customer shall not be charged for such services which were not billed to such Mass Market Customer unless the Authority's failure to bill sooner was: (i) not due to the Authority's neglect; or (ii) due to the culpable conduct of such Mass Market Customer.
- e) For Non-Residential Customers that are not Mass Market Customers, the Authority shall send a backbill within six (6) months of learning of the circumstances or situation that caused the Authority to send a late or inaccurate bill, unless that time is extended by a court.
- f) The Authority shall not issue a backbill if the reason for the underbilling is clear from the Customer's Application or would have been clear, but the Authority failed to get and keep an Application.

IV. Billing Process and Payment of Bills (continued):**B. Computing a Customer's Bill (continued):
Backbilling (continued):**g) First Time a Customer is Billed – Time Limits

- (1) The Authority may backbill a Non-Residential Customer that is not a Mass Market Customer for service supplied before it sends the first bill, if the delay in billing:
 - (a) Is up to but no more than twelve (12) months, and
 - (b) Was caused by the Authority's neglect; and
 - (c) Was not caused by culpable conduct of the Customer.
- (2) The Authority may backbill a Non-Residential Customer, including a Mass Market Customer, for service supplied up to but no more than twenty-four (24) months before it sends the first bill, if the delay in billing:
 - (a) Was not caused by the Authority's neglect, or
 - (b) Was not caused by culpable conduct of the Customer.
- (3) For Residential Customers, the Authority will explain the reasons for the late billing in 1, and 3 above and offer the Customer, in writing, an installment payment plan for the amount owed. The installment plan will offer the Customer the lower down payment amount of these two (2) choices:
 - (a) One half (1/2) of the amount owed, or
 - (b) Three (3) months' average billing for that Customer.
- (4) The Authority may backbill a Customer for service supplied up to but no more than six (6) years before it sends the first bill, if the delay in billing:
 - (a) Was caused by culpable conduct of the Customer, and
 - (b) Was not caused by the Authority's neglect.



KATHY HOCHUL
Governor

RORY M. CHRISTIAN
Chief Executive Officer

September 22, 2025

Via E-mail and U.S. Mail

Honorable Tracey A. Edwards, Chairwoman
Board of Trustees
Long Island Power Authority
333 Earle Ovington Blvd.
Uniondale, New York 11553
LIPATrustees@lipower.org

Re: Matter 25-00924 – Recommendations Regarding Long Island Power Authority's Proposed Modifications to its Tariff for Electric Service

Dear Chairwoman Edwards:

I am pleased to provide the recommendations of the New York State Department of Public Service (DPS or the Department) regarding the proposed changes to the Tariff for Electric Service (Tariff) by the Long Island Power Authority (LIPA or the Authority), effective October 1, 2025. The LIPA Reform Act empowers the Department to make recommendations concerning the operations and terms and conditions of service provided by the Authority and its Service Provider. The Department recommends that the LIPA Board of Trustees (Board) adopt the Authority's proposals as proposed.

LIPA proposes three modifications to its Tariff. These changes to the Tariff include proposals to: 1) clarify provisions governing LIPA's External Time-Varying (ETV) Rate Codes, 2) apply more accurate bill calculations for customers on ETV rate codes, and 3) align with the backbilling provisions of New York State Public Service Law (PSL) § 66-w.

In accordance with the State Administrative Procedure Act, LIPA solicited public comments on the proposals, by September 8, 2025. LIPA held two public comment sessions on September 3, 2025. One public comment session was held in Suffolk County, the other in Nassau County. Both public comment sessions were held virtually and in person. No public comments were received.

ETV Provisions

LIPA proposes to modify its Tariff to consolidate and clarify the criteria governing eligibility for its time varying rate codes and expand these provisions to a wider group of rate codes. LIPA's proposal creates a new classification of rates, specifically, External Time-Varying Rate Codes (ETV), to identify all the time varying rate codes which are processed using a third-party billing service provider. The ETV Rate Code category will

include LIPA's Time-of-Day (TOD) Rate Codes 194 and 195; LIPA's Residential Voluntary Time-of-Use (VTOU) Rate Codes 190, 191, 192, and 193; LIPA's Small and Large Commercial VTOU rate codes 292 and 294; and the Electric Vehicle (EV) Phase-In Rate Codes E1295, E2295, E3295, and E4295. LIPA's modifications as proposed would become effective October 1, 2025. The Department recommends that these modifications be adopted as proposed.

LIPA's TOD rates are the standard rate offering for new residential, non-space heating customers since January of 2024. LIPA continues to migrate existing residential customers to TOD rates and anticipates completing migration of all of its residential customers by December 2025. In addition to its TOD rates, LIPA continues to offer its VTOU Rate Codes 190, 191, 192, and 193 to residential customers already enrolled in those rates. Small and Large Commercial customers may voluntarily enroll in Rate Codes 292 and 294, respectively, as TOU options. Finally, the EV Phase-In Rates, which will become available on October 1, 2025, include TOU rate design components for eligible EV Charging customers.

LIPA's proposal creates a new subsection under the General Terms and Conditions section of the Tariff, titled "Special Provisions Governing External Timer-Varying Rate Codes (ETV Rate Codes)." The new subsection defines the eligibility and rate transfer rules applying to all of LIPA's ETV Rate Codes. The subsection also describes rules for customers enrolled in an ETV Rate Code who participate in the Community Distributed Generation program. The proposal adds a new subsection in the Tariff, which will expand the application of the existing rules by putting them in a general section applicable to all of the ETV rate codes, as well as removing them from the provisions relating only to rate codes 194 and 195.

The proposal also creates a definition for "Summary Billing" in the Tariff, clarifying that this program is optional and pertains to multiple customer accounts that are included on a single bill. This modification also clarifies that customers who participate in this program, as well as the Long Island Choice Customers, Green Choice, and Community Choice Aggregation programs, are currently ineligible to enroll in ETV rates due to billing system enhancements that are not yet complete. The tariff clarifies that once the necessary billing enhancements are complete the Summary Billing, Long Island Choice Customers, Green Choice, and Community Choice Aggregation customers will be eligible for the ETV rate codes.

The proposed changes to the Tariff reflect the continuing adoption of TOU rate designs across LIPA's service classes. The proposed revisions will consolidate the provisions applying to all the ETV rate codes in one section which will make it easier for customers to find and understand these provisions. DPS, therefore, recommends that the Board adopt the changes as proposed. Further, LIPA should continue to refine the

rules governing ETV rates as needed, and as additional rate codes are introduced utilizing TOU rate components.

ETV Bill Calculation

LIPA proposes to modify its Tariff to specify how rate price changes are applied to bill calculations for customers on ETV Rate Codes. A rate price change refers to an update to any billing component which is calculated on a volumetric (\$/kWh) basis. ETV Rate Codes rely on Advanced Metering Infrastructure (AMI) technology, which allows the utility to vary the price of electricity based on the time of day (hourly) or, the month, or the season. The Department recommends that these modifications be adopted as proposed.

The LIPA Tariff currently states, “[i]f a rate change becomes effective during a billing period ..., the Authority will average the old and new rates, weighted by the number of days in the billing period before and after the effective date of the rate change.”¹ This provision does not consider a customer’s actual electric usage throughout the billing period during which the rate price change occurs. The hourly data collected by AMI allows the Authority to rectify this issue when calculating bills for customers enrolled in ETV Rates. As a result, the current Tariff language does not allow LIPA to utilize the capability of AMI to provide customers on ETV Rate Codes with more accurate billing.

Under this proposal, LIPA will use a new methodology when rate prices change, allowing LIPA to calculate bills more accurately for customers on an ETV rate code compared to the current method. Billing accuracy will especially improve when the prices of multiple bill components change in the same billing period. The new method will capture the customer’s actual usage in kilowatt-hours before and after the rate price change. The bill will then be calculated by applying the old rate price to usage that occurred prior to the change, then the new rate price will be applied to the usage that occurred after the change. Finally, the figures from both periods will be added together. This change will result in more accurate bills for customers on an ETV rate code. For all other rate codes, LIPA will continue to calculate a weighted average of the old and new rates based on the number of days each rate was in effect during the billing period.

LIPA and its service provider PSEG Long Island’s (PSEG LI) adoption of AMI technology has enabled greater insight into billing and customer data, rate design innovation, and has improved customer experience. LIPA’s proposal demonstrates the utility of AMI technology when paired with billing system upgrades, allowing LIPA to charge customers on its ETV rates more accurately. The increased billing accuracy effectuated by this proposal will impact the growing number of customers enrolling in

¹ LIPA Tariff, Fifteenth Revised Leaf No. 100.

ETV Rate Codes based on their usage. It is the responsibility of the Authority and any utility to charge its customers as accurately as possible based on the energy they use. For these reasons, the Department recommends that the LIPA Board adopt these modifications as proposed.

Backbilling

LIPA proposes to modify its Tariff to align with the provisions of PSL § 66-w, which provides backbilling protections for Small Non-Residential customers. PSL § 66-w defines small non-residential electric customers as “non-residential electric customers that are non-demand billed customers,” excluding street lighting accounts. PSL § 66-w does not extend to seasonal or short-term customers.

On May 17, 2024, the Public Service Commission (PSC or the Commission) issued an order in Case 24-M-0239, addressing the implementation of PSL § 66-w.² The Implementation Order stated that PSL § 66-w partially overrides any conflicting regulations, specifically overriding portions of 16 NYCRR §13.9, which prohibited utilities from rendering a backbill to small non-residential customers for electric service more than six months after the utility became aware of the reason for the underbilling.

PSL § 66-w prohibits a utility from issuing a backbill to a small non-residential customer, excluding short-term customers, for previously unbilled service beyond three months from the end of the monthly billing period. Thus, the new legislation further limits the period a utility can bill for previously unbilled service. In the Implementation Order the Commission makes clear that a utility may upwardly adjust a previously issued bill.³

LIPA's Tariff defines Mass Market Customers as customers having a Residential or Small Commercial Service Classification that are not billed for demand.⁴ LIPA's current Tariff does not align with PSL § 66-w with regards to small non-residential customers. The Tariff currently states that in cases where the billing delay was caused by the Authority's neglect and was not caused by the culpable conduct of the customer, a first bill can be issued to any Non-Residential Customer including Mass Market Customers within twelve months of the end of a billing period.

LIPA's proposal will align with the provisions of PSL § 66-w by adding consistent language to its Tariff and make these restrictions on backbilling applicable to small non-residential customer accounts. The new Tariff language will prevent the Authority from issuing a bill to a non-residential Mass Market Customer for electric service more than

² Case 24-M-0239, Proceeding on Motion of the Commission to Implement Utility Billing Requirements Pursuant to Public Service Law Sections 41, 44, and 66-w, Order Initiating Proceeding To Implement Public Service Law Sections 41, 44, And 66-W (Issued May 17, 2024) (Implementation Order).

³ Implementation Order, p. 11.

⁴ Long Island Power Authority Tariff for Electric Service, Tenth Revised Leaf No. 18.

three months after the billing cycle has ended. Similar to PSL § 66-w, LIPA's proposal excludes seasonal, short-term, and temporary customers. If the billing delay is not attributed to the neglect of the Authority, the Authority has up to twenty-four months after the billing period ends to issue a backbill. LIPA does not expect this proposed modification to have any financial impacts.

LIPA's proposal to adopt the new language into its Tariff aligns it with PSL § 66-w and the Commission's Implementation Order. This modification will provide sufficient backbilling protections for Non-Residential Mass Market Customers. Accordingly, DPS recommends that the Board adopt the Tariff modification as proposed.

Conclusion

Department Staff has reviewed LIPA's proposed Tariff modifications and finds the proposed updates to be consistent with Commission Orders and the Public Service Law. The Department therefore recommends that the Tariff modifications be adopted by the LIPA Board as proposed

Respectfully submitted,



Rory M. Christian
Chief Executive Officer

cc: Carrie Meek Gallagher, LIPA Chief Executive Officer
Bobbi O'Connor, LIPA General Counsel & Secretary to the Board of Trustees
William Wai, LIPA Director of Rates
David C. Lyons, PSEG LI Interim President and Chief Operating Officer
Andrea Elder-Howell, PSEG LI VP Legal Services
Joseph Trainor, PSEG LI Senior Manager of Rates
Nicholas Forst, DPS LI Acting Director
Peter Hilerio, DPS LI Counsel

1
2 LONG ISLAND POWER AUTHORITY
3 -----X

4 PUBLIC HEARING:
5 Proposal Concerning Proposed Changes to
6 LIPA's Tariff
7 -----X

8 H. Lee Dennison Building
9 Media Room 182
10 100 Veterans Memorial Highway
11 Hauppauge, New York
12

13
14 September 3, 2025
15 10:00 a.m.
16
17

18 B e f o r e:
19
20
21 WILLIAM WAI,
22 THE PRESIDING OFFICER
23
24

25

1

2 A P P E A R A N C E S :

3

4 William Wai, Presiding Officer

5

6 Gaspare G. Tumminello, Manager

7

8 Soneka V. Cowles, Stenographer

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1

2

P R O C E E D I N G S

3

4

5

PRESIDING OFFICER WAI: Good

morning. Welcome to the Long Island Power Authority's public hearing this morning.

6

7

8

My name is William Wai, and I'll be the presiding officer for the hearing this morning.

9

10

11

12

13

14

The purpose of this hearing is to receive public comments regarding the proposed changes to the Authority Tariff on three topics. A copy of each topic is available on the authority's website www.lipower.org, and it's also incorporated into the record for this hearing.

15

16

17

18

19

20

21

22

23

24

The procedure for this hearing this morning is simple. In a moment, I will provide a short overview of the proposal. After that, I'm going to call for comments from the public members on the sign-up sheet. When you are called to speak, please come by near speakers, start by sharing your name and who you are speaking on behalf of, the organization or group. If you want to speak this morning and have not signed in, you need to do so before speaking.

25

Please know that as the

1

2 purpose of the hearing is to receive your comments.
3 I will not be responding to any questions or comments
4 today. Your comments will be relayed to the
5 Authority's Board of Directors -- Board of Trustees
6 for their consideration at the next board meeting.

7

8 If you have questions as
9 opposed to comments, we will be happy to discuss them
10 with you after the session. And you can also email
11 or write to us with any comments you have, and they
12 will be included for the record to the trustees.

13

14 Now, let's turn to the
15 proposal. There are three topics. The first topic
16 is to clarify the Tariff provisions for the customers
17 that participate in Rate Codes that are required to
18 be billed with an external billing system. They are
19 collectively called External Time-Varying Rate Codes
20 or ETV Rate Codes. Some customer groups, for
21 example, without the AMI reading, are not eligible for
22 these ETV rates. Rules also clarified for customers
23 switching between these flat and ETV Rate Codes.
24 Additionally, the provisions also further explain the
25 conditions for a three-part -- a three-period ETV
 Rate Codes customer to participate in the Community
 Distributed Generation related program or CDG

1

2 program. The second one is to modify the LIPA's ETV
3 Rate Code billing practice. Utilizing the actual
4 meter reading data enabled by our full AMI Department
5 to replace the existing number of day proration
6 billing collection when there is a rate change within
7 the customer's billing period.

8

Finally, third topic is to
explain -- to explain the back billing protection
from being applicable to residential customers only,
to exclude our small commercial customers. Again,
these topics -- a copy of these topics can be found
on your authorized website www.lipower.org. Now, I'm
going to open the floor for public comments. Do we
have anybody on the sign-up sheet?

16

17

MR. TUMMINELLO: No one signed
up to speak, so.

18

PRESIDING OFFICER WAI:

19

20

21

Currently, there is nobody from the public
that sign up for the comment, so let's go
off the record.

22

(A recess was taken.)

23

24

25

PRESIDING OFFICER WAI: Let's
get back on the record. Now, it's 10:30,
there are currently no public members

1

2 present, and I am going to close the record.

3 (Whereupon, at 10:30 a.m., the meeting
4 was adjourned.)

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 C E R T I F I C A T E

2

3 STATE OF NEW YORK)
4 COUNTY OF QUEENS)) ss.:
)

5

6 I, Soneka V. Cowles, a Notary Public within
7 and for the State of New York, do hereby certify:

8 I reported the proceedings in the
9 within-entitled matter, and that the within
0 transcript is a true record of such proceedings.

11 I further certify that I am not related to
12 any of the parties to this action by blood or
13 marriage; and that I am in no way interested in the
14 outcome of this matter.

15 IN WITNESS WHEREOF, I have hereunto set my
16 hand this 3rd day of September, 2025.

17

18

S N (ah)

19

1
2 LONG ISLAND POWER AUTHORITY
3 ----- X

4 VIRTUAL PUBLIC HEARING:
5 Proposal Concerning Proposed Changes to
6 LIPA's Tariff
7 ----- X

8 LIPA
9 333 Earle Ovington Boulevard
10 Uniondale, New York
11
12

13 September 3, 2025
14 6:00 p.m.
15
16

17 B e f o r e:
18
19

20 WILLIAM WAI,
21 THE PRESIDING OFFICER
22
23

24
25

1

2 A P P E A R A N C E S :

3

4 William Wai, Presiding Officer

5

6 Gaspare G. Tumminello, Manager

7

8 Soneka V. Cowles, Stenographer

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1

2

P R O C E E D I N G S

3

4

5

PRESIDING OFFICER WAI: Good

afternoon. Welcome to the Long Island Power Authority's Public Hearing this afternoon.

6

7

My name is William Wai, and

I'll be the presiding officer for the hearing.

8

9

The purpose of this hearing to

receive public comments regarding proposed changes to the Authority's Tariff on three topics. A copy of the Tariff's proposal is also available on the Authority's website, www.lipower.org. And it will be incorporate into the records for this hearing.

14

15

The procedures for this

16

afternoon's hearing is simple. In a moment, I'll

17

provide a short overview for the proposal, and then

18

after that, I'm going to call for any comment from

19

the public on the sign-in sheet. When you are called

20

to speak, please get close to the microphone and

21

start by telling us your name and whether you are

22

speaking on behalf of any organization or group. If

23

you want to speak this afternoon and have not signed

in yet, you will need to do so before speaking.

24

Please know that the purpose of this hearing is to

25

receive comments. I will not be responding to any

1

2 questions or comments today. Your comments will be
3 relayed to the Authority's staff and Board of
4 Trustees for their considerations in the next board
5 meeting.

6

7 If you have questions, as
8 opposed to comments, we'll be happy to discuss them
9 with you after the session, and you can also email or
10 write to us with any comments you have. They'll be
11 included for the records for the Trustees. And now,
12 let's turn to the proposal.

13

14 There are three topics. The
15 first topic is to clarify -- is to clarify provision
16 of customers participation in the Rate Codes that are
17 required to be billed with an external billing
18 system, and they are collectively called the External
19 Time-Varying, ETV, Rate Codes. Some customers,
20 groups, for example, customers without an AMI reader,
21 are ineligible for these ETV Rate Codes. The Tariff
22 provisions also provide rules for customers switching
23 between flat and ETV Rate Codes. Additionally, the
24 changes further explain the conditions for a
25 three-part -- three-period ETV customer to
 participate in our Community Distributed Generation
 program, CDG, program.

1

2

3

4

5

6

7

8

The second topic involves

modifications of LIPA's ETV Rate Code billing

practices. Utilizing the actual meter readings

enabled by LIPA's full AMI Department to place the

existing bill collection based on number of days

proration when there is a price change within the

customer's billing period.

Finally, the third topic is to

expand billing protection from being applicable to

residential customer only to the inclusion of our

small commercial customers. And again, a copy of

each topics is available on the LIPA's website

www.lipower.org.

Now, I am going to open the

floor for public comments. I don't see anybody in

the room. Do we have anybody on the sign-up sheet?

MR. TUMMINELLO: I don't see

anybody. Is there anyone raising their

hand?

PRESIDING OFFICER WAI: Is

there anyone in the waiting room online?

Any attendees in the waiting room, can you

raise your hand if you want to make

comments.

1

2 Currently, I don't see any hand being
3 raised. I'm going to wait for a while.

4 Let's get off the record now.

5 (A recess was taken.)

6 PRESIDING OFFICER WAI: Let's
7 get back on the record. The time is now
8 6:29, it's September 3rd, and there are
9 currently no public member in the room. I
10 don't see any raised hands in the online
11 Zoom meeting. I'm going to close the
12 hearing and end the records.

13 Thank you.

14 (Whereupon, at 6:30 p.m., the
15 meeting was adjourned.)

16

17

18

19

20

21

22

23

24

25

1 C E R T I F I C A T E

2

3 STATE OF NEW YORK)
4 COUNTY OF QUEENS)) ss.:
)

5

6 I, Soneka V. Cowles, a Notary Public within
7 and for the State of New York, do hereby certify:

8 I reported the proceedings in the
9 within-entitled matter, and that the within
0 transcript is a true record of such proceedings.

11 I further certify that I am not related to
12 any of the parties to this action by blood or
13 marriage; and that I am in no way interested in the
14 outcome of this matter.

15 IN WITNESS WHEREOF, I have hereunto set my
16 hand this 3rd day of September, 2025.

17

18

S. N. (sh)

19

20

25